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Planning Commission Motion No. 17589

HEARING DATE: APRIL 10, 2008

Release Date: April 3, 2008
Case No.: **2007.1359 CE**
Project Address: **1501 15th Street (aka 400 South Van Ness Avenue)**
Zoning: C-M (Heavy Commercial) District
50-X Height and Bulk District
Block/Lot: 3553/054
Project Sponsor: Thomas Saberi & David Silverman of Reuben and Junius, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Edgar Oropeza – (415) 558-6381
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ADOPTING FINDINGS RELATING TO THE DISAPPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 228.3 AND 303 TO ALLOW THE CONVERSION OF A GASOLINE SERVICE STATION TO ANOTHER USE AND UNDER PLANNING CODE SECTIONS 223(j) AND 303 TO ALLOW CONSTRUCTION OF A 32-FOOT TALL, TWO-STORY AUTOMOBILE WASH AND DETAILING FACILITY WITH ACCESSORY RETAIL USE, IN A C-M (HEAVY-COMMERCIAL) DISTRICT, A 50-X HEIGHT AND BULK DISTRICT, AND THE PROPOSED EASTERN NEIGHBORHOODS PLAN AREA.

PREAMBLE

On December 6, 2007, Thomas Saberi and David Silverman of Reuben and Junius, LLP, Project Sponsor, filed Application No. 2007.1359C (hereinafter "Application") requesting a Conditional Use Authorization for the property at **1501 15th Street (aka 400 South Van Ness Avenue, Lot 054 in Assessor's Block 3553)** to construct a 32-foot tall, approximately 9,900 gross square feet, two-story automobile wash and detailing facility with an accessory retail use on the ground floor within the C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and the proposed Eastern Neighborhoods Plan Area.

The Project was determined by the San Francisco Planning Department (hereinafter "Department") to be categorically exempt from environmental review. The Commission has reviewed and concurs with said determination.

On April 10, 2008, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.1359C.

The Commission has heard and considered the testimony presented at the public hearing and has further considered the written materials and oral testimony presented on behalf of the applicant, the Department staff, and other interested parties.

MOVED, that the Commission hereby denies Conditional Use Authorization as requested in Application No. 2007.1359C, based on the following findings:.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The rectangular, 14,125-square foot project site is located in the north Mission, on the southwest corner of South Van Ness Avenue and 15th Street. The Project Site is within the C-M (Heavy-Commercial) District and 50-X Height and Bulk District. The Project Site is essentially flat and has 4 existing curb-cuts varying in widths from 33 to 26 feet. Uses immediately adjacent to the project site include a seven-unit, four-story apartment building (west) and a three-story commercial building (south).

The Project Site is also within the proposed Eastern Neighborhoods Plan Area. Under the most current proposed zoning map, dated December, 2007, the Project Site is proposed to be rezoned to the UMU (Urban Mixed Use) District.

The gasoline station (Shell Company) formerly occupying the Project Site closed in 2005. The underground storage tanks and pumps were removed 2 years ago (2006) with the Department of Public Health's approval and supervision.

3. **Surrounding Properties and Neighborhood.** South Van Ness Avenue, from the Central freeway to 19th Street, houses an extensive variety of uses, including gas stations, a car washing facility, industrial storage yards, and large numbers of industrial buildings inter-mixed with single and multi-family residences. The majority of buildings range from 1 to 4 stories in height.

Commercial uses are predominately industrial and auto-oriented with associated off-street parking. There are several auto showrooms, gas stations, and large auto repair

shops. The majority of the corner lots within the subject area are currently used as private parking lots, including 3 of the 4 adjacent corner lots, which are used to display automobiles for sale or vehicle areas for auto repair shops and gas stations.

Numerous apartment buildings and a public elementary school (Marshall Elementary) are intermixed with some commercial uses west of the project site (15th and Capp Streets).

4. **Project Description.** The Project consists of the demolition of the existing improvements used by the former gasoline station, and the construction of a two-story, approximately 9,900 gross square foot automobile washing and detailing facility with accessory retail use. Street trees and landscaping (planter beds) are proposed near or on the property lines for screening purposes. The project would remove 1 existing 26-foot wide curb-cut and significantly reduced a second curb-cut by 15-feet; both are located on 15th Street.

Vehicle Circulation. Vehicles will enter and exit primarily on South Van Ness Avenue. Two existing curb-cuts located on South Van Ness Avenue, both 33 feet in width, will provide ingress and egress to the facility. A third curb-cut measuring 14-feet in width will provide egress onto 15th Street (one-way street).

5. **Public Comment.** The Department has received one phone call opposing the project. Concerns mentioned were an increased level of vehicle traffic near an existing elementary school, and a significant increase of noise not appropriate to the immediate residential neighborhood located to the west.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Gasoline Station Conversion; Planning Code Section 228.3.** Section 228.3 provides 2 alternative criteria for Commission consideration with regard to Conditional Use authorization for conversion requests. The Commission finds and determines that the proposed Project complies with both of the criteria of Section 228.3(a) and (b) of the Code in that:

- a. Comparable automotive goods and services are available at other reasonably accessible locations;

- (1) The types of services offered by the gasoline station sought to be converted and the hours and days during which such goods and services are available.

Currently, the gasoline service station at 1501 15th Street (400 South Van Ness Avenue) does not offer any services because the operation ceased prior to March 2005, before the Project Sponsor purchased the Property.

- (2) The volume of gasoline and other motor fuels sold and the number of vehicles serviced at each gasoline station during each of the 24 months preceding the filing of the conditional use authorization application.

The former gas station ceased to operate prior to March 2005. The Project Sponsor filed a conditional use authorization application for the automobile wash facility on December 6, 2007. By the filing date the volume of gasoline sold and other motor fuels and the number of serviced vehicles in the 24 months preceding the filing of the application had declined to zero. No gasoline or other motor fuels have been sold at the subject station for more than 2 years.

- (3) Whether the volume of gasoline and other motor fuels sold and the number of vehicles serviced each month has increased or decreased during the 24-month period immediately preceding the conditional use authorization.

No services have been provided on the site for more than 2 years, and the volume of gasoline sold and the number of serviced vehicles declined to zero by the filing date. The underground storage tanks were removed in 2006 with the Department of Public Health's supervision and at the prior owner's request.

- (4) The accessibility of comparable automotive goods and services offered by other gasoline service stations and repair garages which serve the same geographic area and population segments (e.g., neighborhood residents, in-town our out-of-town commuters, tourists) as the service station sought to be converted.

There are at least 11 gasoline stations within one mile from the Project Site, 7 of which provide 24-hour gasoline service. There are at least 3 locations within less than one mile from the Project Site that provide automobile service and repair. The closest gasoline stations are located just one and two blocks south of the Project Site along South Van Ness Avenue.

- b. The benefits to the public of the service station conversion would outweigh any reduction in automotive goods and services availability because the proposed new use is more necessary or desirable for the neighborhood or community than continued service station use.

- (1) If the proposed use is a residential use, the total number of units to be provided and the number of those units that are affordable units.

The proposed use is not a residential use.

- (2) If the proposed new use is a commercial use, the types of goods and services to be offered and the availability of comparable products and services in the vicinity.

The proposed car wash could contribute to an over concentration in the area. At present, San Francisco has 2 full service automobile washing facilities offering services resembling those proposed at the project site in the immediate area. One within the South of Market / North Mission Area located at the intersection Mission and South Van Ness Ave (1601 Mission Street), and one located within the North Mission Area located on the 500 block of South Van Ness Avenue, one block south of the project site.

The full service car wash located at 1601 Mission Street currently provides the same variety of services as the proposed car wash.

- (3) The relative environmental dangers posed by the current and proposed uses, including but not limited to the quality and the character of waste generated, noxious or offensive emissions, fire and explosion hazards and noise, and whether the service station conversion would facilitate the clean up of existing contamination at the property.

There are known environmental dangers posed by the proposed full-service automobile washing facility; mainly water run-off containing grease from the under carriage of the motor vehicles. The project sponsor shall comply with the requirements set by Department of Environmental Science and the Department of Building Inspection to fully contain and properly dispose of the contaminated waters (Grease traps).

According to the Department of Environmental Health, the underground storage tanks were removed from the premises in accordance with regulations and policies of the San Francisco Department of Public Health in 2005.

- (4) The relative employment opportunities offered by the gasoline service station and the proposed new use.

The gasoline station offers no current employment opportunities as it has been closed for more than 2 years. The proposed Project will provide approximately 30 employment opportunities after construction of the facility.

Automobile washing facilities are labor intensive uses requiring substantial numbers of employees. Wages are low (minimum wage), rarely offer benefit packages, and there is little opportunity for technical training or job advancement. On the other hand, these facilities do offer employee opportunities to those persons with no or few job skills.

- (5) The relative amount of taxes or other revenues to be received by the City or other governmental bodies from service station use and the proposed new use.

The amount of taxes and other revenue received by the City from the gasoline station is currently zero, because the former owner of the Property terminated the gasoline service station prior to March, 2005, before they sold the Project Site to the Project Sponsor. The proposed commercial development will generate commercial taxes on a long-term basis for the City.

- (6) Whether the service station use and the proposed use are permitted principal uses, conditional use or non-conforming use.

The former gasoline service station was a principally permitted use pursuant to Planning Code Section 223(g). An automobile washing facility requires conditional use authorization pursuant to Planning Code Section 223(j).

- B. **Use:** An Automobile washing facility requires conditional use authorization from the Planning Commission within the C-M (Heavy Commercial) District pursuant to Planning Code Sections 223(j). The Automobile wash must provide, on the premises, a reservoir of vehicle storage and standing area outside the washing facilities equal to at least 1/4 the hourly capacity in vehicles of such facilities. Additionally, incidental noise must be reasonably confined to the premises by adequate soundproofing or other device, and complete enclosure within a building may be required as a condition of approval.

The project sponsor applied for a conditional use authorization for the proposed auto washing facility (application No. 2007.1359C). The forecast peak car wash trips to the site would be early afternoon on the weekends, with an estimate of 35 to 40 cars per hour. The mechanical tunnel has the ability to handle from 20 to 90 vehicles per hour. The project sponsor plans to keep the number of vehicles per hour in the 30-50 range in order to use a portion of the tunnel for beginning the hand drying process. There is adequate on-site storage for the ¼ hour capacity.

- C. **Floor Area Ratio:** The FAR limit in the C-M (Heavy Commercial) District is 9.0 to 1 pursuant to Section 124.

The Project Site is 14,125 square feet in area, and thus the maximum development can contain up to 127,125 gross square feet. The Project contains approximately 9,900 gross square feet of retail/commercial development, and thus complies with the applicable FAR limit.

- D. **Height and Bulk:** The Project complies with the 50-foot height limit applicable in the 50-X height and bulk district. There are no bulk controls in the X-Bulk District.

The Project has a height of approximately 32 feet, and thus complies.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does not comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The project is not necessary within the immediate area or within the greater north Mission area because there are 2 existing full service car washes within a 5 minute driving radius of the project site, on the 500 block of South Van Ness Avenue, and at the intersection of Mission Street and South Van Ness Avenue. One of the two car washes currently offers the same auto detailing services as the proposed project. Additionally, several self-service car washing facilities exist within the North Mission and South of Market area. (see exhibit c).

- B. The proposed project will be detrimental / negative to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are features of the project that could be detrimental / negative to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed site is adjacent to a residential district, is in close proximity to an elementary school and would have direct impacts to pedestrians and adjacent residences. The facility would require vehicles to constantly cross a wide pedestrian right-of-way on a prominent street corner creating a pedestrian unfriendly environment near a regularly used cross walk. Additionally, the mechanical equipment associated with the car washing facilities would produce levels of noises inappropriate near residential districts.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

Car washes generate several hourly vehicle trips and create major conflicts between pedestrians and vehicles, which result in unsafe pedestrian conditions. This is not a desirable pedestrian condition, especially near an elementary school, since it would expose children to these conditions daily. At present, 3 of the 4 corner lots in the immediate area are open lots used for vehicle parking with large curb cuts near the street corners. The Urban Design Element of the General Plan calls for "improvement of the neighborhood environment to increase personal safety and comfort." The car wash is not a desirable use because it would create and promote hazardous pedestrian crossings in close proximity of an elementary school.

Additionally, South Van Ness Avenue is a major arterial whose primary function is to link districts within the City and distribute traffic from and to freeways. Major arterials are needed to prevent traffic from spreading onto other residential streets. Uses fronting these streets should not create unnecessary cross traffic and create new conflicts with traffic flow. The proposed car wash would generate additional cross traffic and could significantly impact traffic flow leading to and from a major freeway entrance.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

Noise associated with the car wash and detailing component would directly impact the adjacent residence and other residences located west of the project site. Car washing facilities employ mechanical equipment associated with drying vehicles, which are frequently located near the tunnel exit. As proposed the tunnel exit faces and will expel vehicles towards the adjacent residences.

Additionally the project proposes a second story detailing facility, immediately adjacent to a multi-family residence. A large portion of this detailing shop opens directly to the rear yard negatively impacting the privacy of their rear yard.

The proposed uses will replace the prior gasoline station use and the related improvements, which may have generated offensive emissions, noise, or odors.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The project proposes new street trees along 15th Street while retaining the existing street tree on South Van Ness Avenue. The parking reservoir will be partially screened from the pedestrian view in keeping with the street design goals set forth for a "Major Arterial" per the Transportation Element of the General Plan. Signage pursuant to Article 6 of the Planning Code has not been proposed under the subject proposal.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project does not comply with all relevant requirements and standards of the Planning Code. The project is inconsistent with certain objectives and policies of the General Plan, mainly within the Urban Design and Transportation Element.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is not within a Neighborhood Commercial District.

8. **General Plan Compliance.** The Project is not consistent with the Objectives and Policies of the General Plan in that:

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The proposed car wash could contribute to an over concentration in the area. At present, San Francisco has 2 full service automobile washing facilities offering services resembling those proposed at the project site in the immediate area. One within the South of Market / North Mission Area located at the intersection Mission and South Van Ness Ave (1601 Mission Street), and one located within the North Mission Area located on the 500 block of South Van Ness Avenue, one block south of the project site.

The project site has a greater development potential and could provide uses that are more diverse and beneficial to the immediate neighborhood. The proposed rezoning of the area recognizes the site's close proximity to BART and mixed-industrial context, and encourages a mixed use development that would provide both the benefits of housing and the opportunities for job creation through a commercial ground floor use.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.2:

Ensure the safety and comfort of pedestrians throughout the city.

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1: Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The proposed car wash has the potential to attract 20 to 50 vehicles trips per hour that must cross the pedestrian right-of-way to access the use. With 3 curb cuts on a prominent corner lot offering ingress and egress to an auto intensive use, the proposal would severely detract from the safety and comfort of pedestrians.

Additionally, the proposed rezoning of the area recognizes the site's proximity to the 16th Street BART Station, and encourages a mixed-use development that would fully take advantage of transit lines within the surrounding neighborhood.

TRANSIT FIRST

Objectives and Policies

OBJECTIVE 11:

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.2:

Continue to favor investment in transit infrastructure and services over investment in highway development and other facilities that accommodate the automobile.

The project site has a greater development potential and could provide uses that are more beneficial to the immediate neighborhood. The proposed rezoning of the area recognizes the site's close proximity to BART and mixed-industrial context, and encourages a mixed use development that would provide both the benefits of housing and the opportunities for job creation through a commercial ground floor use.

10. On February 12, 2004, the Planning Commission adopted **Resolution No. 16727**, establishing interim policies and procedures for development proposals in sections of Showplace Square, the South of Market, and the Mission. The site is designated under these polices as a Housing / PDR Overlay District.

1. PDR space should be located on the ground floor of the building. Net loss of PDR space is strongly discouraged for projects built on lots greater than 5,000 square feet. For lots less than 5,000 square feet, a ratio of 1 sq. ft. of PDR space is strongly encouraged for every 4 sq. ft of residential or commercial development. If the ratio yields less than 2000 sq. ft of PDR space, then PDR should not be required.
2. PDR is encouraged if it is categorized as "Medium" or "Light" in the attached PDR Classification table.
3. Non-PDR commercial uses that are not an accessory to permitted uses should be limited to 5,000 sq. ft in size.
4. A new project with ten (10) or more units is encouraged to provide at least 20% of its units with two (2) or more bedrooms.
5. Heights are encouraged to remain under 40 feet on streets less than 40 feet in width and on parcels adjacent to designated open spaces.

The Project is inconsistent with these policies in the following way:

Light and medium PDR Uses are encouraged within the Housing/PDR Overlay. The proposed car wash and associated parking reservoir would be considered "core PDR" at a use size greater than 5,000 gross square feet and would therefore not be encouraged.

11. **Eastern Neighborhoods – Mission Area Plan.** The Mission Area Plan as part of the Eastern neighborhoods rezoning effort proposes to change the current zoning at the subject lot from C-M (Heavy Commercial) to UMU (Urban Mixed Use). The Eastern Neighborhoods rezoning is currently in process, and no new controls have yet been adopted. The purpose of this zoning re-classification is to encourage mixed-use development.

The Project is generally inconsistent with the rezoning effort as part of the Mission Area Plan in providing a commercial-only use (car washing facility) in an area that will be zoned as Urban Mixed Use.

- A. **Uses.** *The proposed car washing use will be a principally permitted use within the Urban Mixed Use District provided that the use is less than 5,000 gross square feet. The proposed car washing facility, at 9,900 gross square feet, would require Conditional Use Authorization from the Planning Commission. Due to the project site's close proximity to the 16th Street BART Station, a mixed-use project offering both commercial and residential uses would be strongly encouraged.*

12. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does not comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project Site was previously used as a gasoline station. Currently, no neighborhood-serving retail uses exists on the Project Site and therefore none will be displaced by the Project. Automobile washing facilities are labor intensive uses requiring substantial numbers of employees. Wages are low (minimum wage), rarely offer benefit packages, and there is little opportunity for technical training or job advancement.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

Noise associated with the car wash and detailing component would have direct impacts to the quality of life to the adjacent residence and other residences located west of the project site. The mechanical tunnel directly opens onto 15th Street, which has a strong residential character.

- C. That the City's supply of affordable housing be preserved and enhanced,

The project does not propose housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

South Van Ness Avenue is a major arterial whose primary function is to link districts within the City and distribute traffic from and to freeways. Major arterials are needed to prevent traffic from spreading onto other residential streets. Uses fronting these streets should not create unnecessary cross traffic and create new conflicts with traffic flow. The proposed car wash would generate additional cross traffic and potential slow traffic flow leading and from a major freeway entrance.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposed car wash could contribute to an over concentration in the area with 2 full service automobile washing facilities offering services resembling those proposed at the project site in the immediate area. Industrial jobs in the vicinity for example, auto mechanics, receive competitive wages, technical training and an opportunity for job advancement. The jobs associated with automotive washing facilities which pay low wages, rarely offer benefit packages, and there is little opportunity for technical training or job advancement.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The Project Site is not located in a historic district or conservation district, and does not contain any landmark or historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will not impact parks, open space, or their access to sunlight or vistas.

13. The Project is inconsistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would not contribute to the character and stability of the neighborhood and would not constitute a beneficial development.
14. The Commission hereby finds that Denial of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other **DECISION** interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby denies the Conditional Use Application, Case No. 2007.1359CE, which is incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and dated February 10 2008 and on file in Case Docket No. 2007.1359CE.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use disapproval to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17589. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on May 1, 2008.

Linda Avery
Commission Secretary

AYES: Commissioners Miguel, Moore, Olague an Sugaya

NAYS: Commissioners Antonini and W. Lee

ABSENT: None

ADOPTED: May 1, 2008