



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- Transit Impact Development Fee (Admin Code)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- Other (Eastern Neighborhoods-Sec. 423 & 426)

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Planning Commission Motion No. 18684 HEARING DATE: AUGUST 9, 2012

Date: July 27, 2011
Case No.: **2011.1279C**
Project Address: **626 POTRERO AVENUE**
Zoning: PDR-1-G & UMU
 Production, Distribution, Repair, General & Urban Mixed Use
 40-X Height and Bulk District
Block/Lot: 4025 / 001, 002, 013, & 014
Project Sponsor: Peter Morris
 Twinsteps Architecture
 21 Amy Way
 Ladera Ranch, CA 92694
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 217, AND 303, FOR THE ESTABLISHMENT OF A 15,200 SQUARE FEET OUTPATIENT MEDICAL CLINIC WITHIN AN PDR-1-G (PRODUCTION, DISTRIBUTION, REPAIR, GENERAL), AND UMU (URBAN MIXED USE) ZONING DISTRICTS, 40-X HEIGHT AND BULK DISTRICT, AND THE EASTERN NEIGHBORHOOD AREA PLAN AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On November 10, 2011, Peter Morris (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) on behalf of Potrero Hampshire LLC, for Conditional Use Authorization under Planning Code Sections 217(c) and 303, to establish a 15,200 square foot medical services outpatient clinic at 626 Potrero Avenue (d.b.a. “Rai-Potrero Dialysis Clinic”), which consists of four lots, one with an existing two-story industrial building, and the remaining three lots serving as off-street parking areas. The proposal also calls for the construction of a new elevator

structure along the rear of the existing building, extensive landscaping in the off-street parking areas at the property line, and improvements in the public-right-of way.

On June 20, 2012, a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until July 10, 2012; and

On July 16, 2012, the Planning Department reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration, and action.

On August 9, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.1279C.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization requested in Application No. 2011.1279, subject to the conditions contained in "EXHIBIT A" of this motion, 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.** 626 Potrero Avenue consists of four lots encompassing the entirety of the south side of 18th Street between Hampshire Street and Potrero Avenue, Lots 001, 002, 013, and 014 in Assessor's Block 4025. The property is located within two Zoning Districts - PDR-1-G (Production, Distribution, Repair, General) and UMU (Urban Mixed Use) - and a 40-X Height and Bulk District. The entire site is approximately 25,000 square feet and is developed with a 15,000 square foot two-story industrial building. This building was constructed in 1946 in an "L" in shape, with the primary frontage along 18th Street and the shorter, secondary façade

along Potrero Avenue. There are two accessory surface parking lots - one to the east of the existing building which provides 20 parking spaces and is approximately 12,500 square feet, and a second to the west of the existing building in the "L", which provides 15 parking spaces and is approximately 5,000 square feet. The perimeters of these lots have a chain-link fence. There is a MTA bus stop at the property line on Potrero Avenue. Currently the building is vacant, and the surface parking lots are unused.

3. **Surrounding Properties and Neighborhood.** 626 Potrero Avenue is located in the northern portion of the Mission neighborhood. It is two blocks to the south of the Potrero Shopping Center, and Highway 101 ramps are one block to the east of the site. San Francisco General Hospital is located a block and a half to the south. The Potrero Hill neighborhood is to the east, and the residential portion of the Mission neighborhood is directly to the west. Franklin Square Park is located two blocks north and the MTA bus garage and depot is one block north from the site.

This portion of the upper Mission neighborhood has a variety of uses such as medium-density residential, mixed-use, commercial, institutional, and light-industrial. The varied zoning of the surrounding blocks reinforces the diversity of such uses - portions of the neighborhood are zoned as RH-2 (Residential, Two-Family), UMU (Urban Mixed-Use), PDR-1-G (General Production, Distribution and Repair), and P (Public) Districts. The neighborhood also has varied height limits ranging from 40-X to 68-X. This mixed development pattern is characteristic of the site's location at the northern portion of the Mission neighborhood, which recently underwent a rezoning under the Eastern Neighborhoods Plan Area.

4. **Project Description.** The proposal is to establish a 15,000 square foot medical services outpatient clinic pursuant to Planning Code Sections 217(c) and 303 at 626 Potrero Avenue, which consists of four lots, one with an existing two-story industrial building, and the remaining three lots serving as off-street parking areas (d.b.a. "Rai-Potrero Dialysis Clinic"). The proposal also calls for the construction of a new elevator structure along the rear of the existing building, extensive landscaping in the off-street parking areas at the property line, and improvements in the public-right-of way. Under Section 217(c), an outpatient clinic above 5,000 square feet in the PDR-1-G Zoning District must obtain a Conditional Use Authorization.
5. **Public Comment.** The Department received no public comment on this project.
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. **Eastern Neighborhoods Permit Review.** Planning Code Section 312 requires neighborhood notification for a change of use within the Eastern Neighborhoods Area Plan. This includes a Pre-Application notice and meeting along with posted and mailed notice.

The Project Sponsor conducted a Pre-Application meeting on July 12, 2012. Section 312 notification was conducted in conjunction with the Conditional Use Authorization notification.

- B. Use Size.** Planning Code Section 217(c) states that any clinic primarily providing outpatient care in medical, psychiatric, or other healing arts that is not a part of a medical institution which is larger than 5,000 square feet and within an PDR-1-G District, seek and obtain a Conditional Use Authorization.

The Proposed Project is for the establishment of an outpatient medical dialysis clinic, which is a permitted use within this zoning district. The proposed medical clinic is 15,200 square feet, which is above the 5,000 square feet threshold.

- C. Streetscape and Pedestrian Improvements.** Section 138.1 requires that additions greater than 20 percent of the existing floor area provide a street tree for every 20-feet of lot frontage. Additionally, for lots that are also greater than half an acre (21,780 square-feet), proposals must submit a streetscape plan that is consistent with the Better Streets Plan.

626 Potrero Avenue will provide 14 street trees – 4 along Hampshire Street, 7 along 18th Street, and 3 along Potrero Avenue. The Project has also provided a streetscape plan which provides additional streetscape improvements on all three street frontages. Improvements include enlarged tree beds and planting beds. An MTA bus stop and shelter is located along Potrero Avenue; this area will remain and will not have any streetscape improvements that may impede MTA's services.

- D. Rooftop Screening.** Section 141 requires that all rooftop mechanical features in UMU Districts be screened from the public right of way.

626 Potrero Avenue currently has an HVAC system which is located on the roof and unscreened. The Project will update this system and install a new 4 foot high rooftop screen, which will prevent these features from being visible. The proposed screen is within the 40 foot height limit.

- E. Off-Street Parking.** Section 151 does not require any off-street parking in the PDR-1-G and UMU Districts, and provides maximum parking amounts based on land use type. Section 151.1 permits one space for each 300 square feet of occupied floor area.

626 Potrero Avenue has two surface parking lots with 35 off-street parking spaces. The maximum allowed parking in the PDR-1-G and UMU Districts for an outpatient medical use would be 1 parking space for every 300 square feet of occupied floor area, or 51 spaces. The Project is below this limit, retaining the existing 35 spaces – 20 in the eastern lot off of Hampshire Street and 15 in the western lot off of Potrero Avenue. There are currently three curb-cuts – one on each frontage. The proposal calls for the removal of the curb-cut on 18th Street, as it does not serve any off-street parking use.

- F. Parking Lot Screening, Lighting, & Landscaping.** Section 156 states that off-street parking lots are subject to certain landscaping requirements. Any vehicle use area that has more

than 25 linear feet adjacent to a public right-of-way or has 10 or more automobiles must be screened in accordance with the standards described in Section 142; all artificial lighting shall be arranged that all direct rays from such lighting fall entirely within such parking lot; and all permanent parking lots are required to provide 1 tree per 5 parking spaces in a manner that is compliant with the applicable water use requirements of Administrative Code Chapter 63 and a minimum of 20% permeable surface, as defined by Section 102.33 Permeable Surfaces. The trees planted in compliance with this Section shall result in canopy coverage of 50% of the parking lots' hardscape within 15 years of the installations of these trees. Permeable surfaces and grading shall be coordinated so that stormwater can infiltrate the surface in areas with less than 5% slope.

626 Potrero Avenue has two surface parking lots with a total of 13,000 square feet of area. One lot is accessed from Hampshire Street and the second from Potrero Avenue. Both lots will be resurfaced and a new metal fence will be installed along the perimeter. A 4 foot high screen hedge will be directly behind this fence, with several trees planted along the property line. The interior of each lot will feature large planting beds and there will be a minimum of 10 new trees installed within these lots. All trees and landscape areas will meet the requirements of both the Planning and Administrative Codes. Further, a minimum of 14 street trees will be installed along the street frontages with linear plant beds between the tree wells. All landscape installations will be permanently maintained and feature an automatic irrigation system.

- G. Bicycle Parking, Showers & Lockers.** Planning Code Section 155.4 states that commercial buildings with major alterations must install 3 spaces devoted to bicycle parking. In addition, Planning Code Section 155.3 requires that there be 1 shower and 2 lockers provided on site for employees and/or tenants.

626 Potrero Avenue will provide 3 bicycle spaces in the lot that is accessed from Hampshire Street and 1 shower and 2 locker spaces within the existing building.

- 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 comply with said criteria in that:

- A.** The proposed new use, 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 size of the proposed use at 626 Potrero Avenue is consistent with the mass and scale of other existing buildings on the block face and in the neighborhood. The existing two-story building will be repurposed from an industrial to institutional use, which will serve the general public and San Francisco General Hospital, which is located a few blocks to the south of the site. This stretch of Potrero Avenue consists of large lots with a mix of uses ranging from commercial to industrial and institutional. There will not be any intensity of off-street parking, as the 35 existing spaces will be retained. The new outpatient medical clinic will provide needed upgrades and landscaping to the

block, and will enhance the overall visual quality of the neighborhood. The project meets the requirements of the recently-adopted Eastern Neighborhoods Area Plan, Better Streets Plan, and the Planning Code.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

626 Potrero Avenue consists of four lots, three of which are off-street surface parking lots and one with an existing two-story industrial building. These features will be reused and upgraded from their deteriorated state to a new outpatient medical clinic with accessory off-street parking. While there will be many upgrades to the property, there is no major expansion proposed. The Project will improve the existing appearance and character of the neighborhood through the renovations to the building and with the installation of new landscaping, perimeter fencing with hedges, and streetscape improvements. Overall, the Project is compatible with the dominant building form and character of the neighborhood.

- 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;

The Planning Code does not require parking or loading for the proposed use. The proposed use will not generate significant amounts of additional vehicular trips from the immediate neighborhood or citywide because the site currently contains 35 spaces which will be retained. Lastly, Potrero Avenue is a well-established transit corridor.

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

626 Potrero Avenue has functioned for various industrial uses for many decades. This use will be changed to an institutional one, which generally has less offensive emissions. The outpatient medical use will not result in the creation or increase of any noxious or offensive emissions which are otherwise subject to the Conditions of Approval outlined in Exhibit A.

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

As detailed above, the Project Sponsor has submitted a streetscape plan for 626 Potrero Avenue that complies with the landscaping and screening requirements of Planning Code Section 138.

- 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 complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

626 Potrero Avenue is not located within a Neighborhood Commercial District. However, it is located near several mixed use districts and developments, and is compatible with the scale and character of the adjacent areas.

8. **Section 101.1 Priority Policy Findings.** Section 101.1(b)(1-8) establishes Eight Priority Planning Policies and requires review of permits for consistency with said policies.

The Commission finds and determines that the Project is consistent with the eight priority policies, for the reasons set forth below.

- 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 proposed project at 626 Potrero Avenue does not include any retail uses. However, the immediate neighborhood is well served by neighborhood-serving uses, which serves the adjacent residential and mixed uses. The conversion of 15,200 square feet of industrial space to institutional use will bring people to the site and in turn increase the demand for neighborhood-serving retail use in the surrounding neighborhood.

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

The Project falls in the Eastern Neighborhoods Plan Area, which was implemented in 2009. As a result, the adjacent neighborhoods have seen a considerable amount of mixed use development and conversions, in particular, to retail, eating and drinking, and office uses. San Francisco General Hospital is located a few blocks to the south of the site, which serves the City's medical and health care needs. All of these uses provide a diverse cultural and economic base for the neighborhood and San Francisco. As such, an overconcentration of institutional medical uses is unlikely, and the area will continue to provide a vibrant mix of uses.

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

The Project is to change the use from an industrial to institutional. No housing is being proposed or removed for this Project.

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

The site is well served by transit. The 33-Stanyan and 9-San Bruno MUNI bus lines run along Potrero Avenue and there is a MUNI bus stop at the corner of the subject property. The Project will use the existing curb-cuts and off-street parking remains on site. No significant increase in automobile trips is anticipated with the proposed Project.

- 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 proposal at 626 Potrero Avenue is a change from industrial to institutional use. However, the existing site has been vacant for several years and the property owner has been unable to secure another industrial tenant. The proposed outpatient medical use is permitted as-of-right and is in keeping with the adjacent uses in the neighborhood, particularly San Francisco General Hospital. The Project will provide or an increase in local resident employment and demand for new neighborhood-serving businesses in the area.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

There are no designated landmarks or historic buildings on the Project site.

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

The Project does not adversely affect open spaces or parks. There are no parks in the vicinity of the project site. There is an open parking lot but it does not function as open space.

9. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

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 1.1:

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

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.2:

Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas

Policy 7.3:

Promote the provision of adequate health and educational services to all geographical districts and cultural groups in the city

626 Potrero Avenue will provide outpatient medical services to the neighborhood. This use compliments San Francisco General Hospital, a large medical campus located a few blocks south of the site. Further, the Project will repurpose an existing two-story building as well as two surface parking lots that will contribute to the active street life of the neighborhood, all of which are currently vacant and in a deteriorated condition. In sum, the project at 626 Potrero Avenue will provide substantial net benefits to the block and surrounding area.

MISSION AREA PLAN

Objectives and Policies

OBJECTIVE 5.3:

CREATE A NETWORK OF GREEN STREETS THAT CONNECTS OPEN SPACES AND IMPROVES THE WALKABILITY, AESTHETICS AND ECOLOGICAL SUSTAINABILITY OF THE NEIGHBORHOOD.

Policy 5.3.2:

Maximize sidewalk landscaping, street trees and pedestrian scale street furnishing to the greatest extent feasible.

Policy 5.3.4:

Enhance the pedestrian environment by requiring new development to plant street trees along abutting sidewalks. When this is not feasible, plant trees on development sites or elsewhere in the Plan Area.

OBJECTIVE 5.4:

THE OPEN SPACE SYSTEM SHOULD BOTH BEAUTIFY THE NEIGHBORHOOD AND STRENGTHEN THE ENVIRONMENT.

Policy 5.4.2:

Explore ways to retrofit existing parking and paved areas to minimize negative impacts on microclimate and allow for storm water infiltration.

OBJECTIVE 7.1

PROVIDE ESSENTIAL COMMUNITY SERVICES AND FACILITIES.

OBJECTIVE 7.2:

ENSURE CONTINUED SUPPORT FOR HUMAN SERVICE PROVIDERS THROUGHOUT THE EASTERN NEIGHBORHOODS.

Policy 7.2.1:

Promote the continued operation of existing human and health services that serve low-income and immigrant communities in the Eastern Neighborhoods.

626 Potrero Avenue meets the goals of the Mission Area Plan. The change of use to an outpatient medical clinic is consistent with the goals of the Area Plan, as it will promote the continued operation of health services in this portion of San Francisco. Further, it will provide a large amount of landscaping related improvements both on the subject property and in the public right-of-way. It will repurpose four lots which are currently vacant and in a deteriorated condition, and bring them up to Planning Code compliance. The surface parking lots will be resurfaced and a new metal hedge will be installed along the perimeter, with a four foot high screen hedge directly behind. There will be over 20 trees planted on the site and in the public right of way, and the interior of the parking lots will feature large plant beds with flora. These improvements enhance the subject property and provide much-needed greenery along this stretch of Potrero Avenue. In addition, the Mission Area Plan calls for the retention and location of essential community facilities such as health care providers. The proposal at 626 Potrero Avenue will provide for social and medical services to the surrounding neighborhood and San Francisco.

10. **Mitigation Measures.** Pursuant to the California Environmental Quality Act (CEQA), the Commission has considered the mitigation measures that were identified in the Eastern Neighborhoods Area Plan EIR that are applicable to the project. These mitigation measures reduce all potential significant impacts to less than significant levels, and are set forth in their entirety in the Mitigation Monitoring and Reporting Program (MMRP) attached to the draft Motion as Exhibit C.
11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval 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 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 **APPROVES Conditional Use Application No. 2011.1279C** subject to the following conditions attached hereto as "EXHIBIT A" including all applicable mitigation measures of the Final Mitigated Negative Declaration ("FMNC"), in general conformance with plans on file, dated July 10, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the FMND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the FMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

The Planning Commission hereby adopts the FMND and the MMRP attached hereto as Exhibit C and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the FMND are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18684. 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 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 9, 2012.

Linda D. Avery
Commission Secretary

AYES: Fong, Wu, Moore, Sugaya, Antonini

NAYS:

ABSENT: Borden, Hillis

ADOPTED: August 9, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization to allow an outpatient medical use institution located at 626 Potrero Avenue, Lots 001, 002, 013, and 014 in Assessor's Block 4025 pursuant to Planning Code Section(s) **217(c) and 303** within the **PDR-1-G and UMU** District and a **40-X** Height and Bulk District; in general conformance with plans, dated **July 10, 2012**, and stamped "EXHIBIT B" included in the docket for Case No. **2011.1279C** and subject to conditions of approval reviewed and approved by the Commission on **August 9, 2012** under Motion No. 18684. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **August 9, 2012** under Motion No. 18684.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18684 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use Authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

Validity and Expiration. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

Extension. This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Mitigation Measures. Mitigation measures described in the FMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor. Their implementation is a condition of project approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

Transit Impact Development Fee. Pursuant to Planning Code Sections 411 (formerly Chapter 38 of the Administrative Code) and 179.1(g), the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Eastern Neighborhoods Infrastructure Impact Fee. Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Street Trees. Pursuant to Planning Code Section 138, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Rooftop Mechanical Equipment. Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Streetscape Plan. Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Landscaping, Screening of Parking and Vehicular Use Areas. Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and specie of plant materials shall be as approved by the Department of Public Works.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Bicycle Parking. Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than 3 Class 1 or Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Showers and Clothes Lockers. Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 1 shower and 2 clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 1 space for each 300 square feet of occupied floor area. The Project will be retaining the existing 35 off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Landscaping, Permeability. Pursuant to Planning Code Section 156, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 20% of the parking lot shall be surfaced with permeable materials and further indicating that parking lot landscaping, at a ratio of one tree, of a size comparable to that required for a street tree and of an approved species, for every 5 parking stalls, shall be provided. Permeable surfaces shall be graded with less than a 5% slope. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Revocation due to Violation of Conditions. Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints

to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>

Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

Lighting. All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org