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Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Department of Public Works
Office of the City and County Surveyor
1155 Market St 3rd Floor
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

TENTATIVE MAP DECISION

September 18, 2013

2013.1351Q

Department of City Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103

Attention: Mr. Scott F. Sanchez

Project ID:	7780		
Project Type:	592 Mixed Use Condominium Project (453 Residential and 39 Commercial units)		
Address #	Street Name	Block	Lot
1000 and 800	16 th Street	3833	01, 02, 03
		3834	01

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from environmental review per Class 1 California Environmental Quality Act Guidelines.

X The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the following conditions (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):
SEE ATTACHED DOCS.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code. Due to the following reasons (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

- Enclosures:**
- Application
 - Print of Tentative Map

Sincerely,

Bruce R. Storrs, P.L.S.
City and County Surveyor

PLANNING DEPARTMENT

DATE 10.24.13

Mr. Scott F. Sanchez, Zoning Administrator



SAN FRANCISCO PLANNING DEPARTMENT

Per Final EIR and NSR #2012J349803 for Case No. 2003.0527EKRSUX! adopted by the Planning Commission of the City and County of San Francisco on July 28, 2013, as set forth in Planning Commission Motion No. 18419, per Building Application Nos. 201112070234 and 201112070227 to construct to new mixed-use buildings (up to 470 dwelling units, approximately 15,000 square feet of ground floor retail, approximately 8,000 square feet of PDR space, and parking for approximately 306 spaces).

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

CL: G:\DOCUMENTS\2013\Condos\1501 Filbert St - Approval Memo.doc

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

logged
7-30-12

CONFIRMED COPY of document recorded

RECORDING REQUESTED BY:)
)
And When Recorded Mail To:)
)
Name: Archstone)
)
Address: 807 Broadway, Ste 210)
)
City: Oakland)
)
California 94607)

02/06/2012.2012J349803
The County of San Francisco Planning Department has received this document and it is being recorded.

) Space Above This Line For Recorder's Use

I (We) Archstone Daggett Place LLC the owner(s) of that certain real property situated in the City and County of San Francisco, State of California, more particularly described as follows (or see attached sheet marked Exhibit A on which property is more fully described):

see attached sheet marked
Exhibit A

RECEIVED
FEB 06 2012

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEPTION DESK

Being Assessor's Block 3833, Lots 001, 002, 003, and Block 3834 Lot 001, commonly known as 1000 16th Street, hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said restrictions consist of conditions attached to Section 309 Application No. 2003.0527EX authorized by the Planning Commission of the City and County of San Francisco on July 28, 2010 as set forth in Planning Commission Motion No. 18419, to allow the construction of two new six-story, 68-foot buildings consisting of up to 470 dwelling units, approximately 15,000 square feet of ground floor retail, approximately 8,000 square feet of production, distribution, and repair (PDR) space, parking for approximately 306 spaces, to allow exceptions for rear yard, dwelling unit exposure, off-street loading, horizontal mass reduction and ground floor active uses, and to adopt findings and mitigation monitoring and reporting program under the California environmental quality act. The subject property is located within the UMU (Urban Mixed Use) Zoning District and PDR-1-G Zoning district within a 68-X Height and Bulk Designation.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

The restrictions and conditions of which notice is hereby given are:

AUTHORIZATION

This authorization is to allow a Large Project Authorization and exceptions for rear yard, dwelling unit exposure, off-street loading, horizontal mass reduction and ground floor active uses for the proposed construction of two new six-story, 68-foot buildings consisting of up to 470 dwelling units, approximately 15,000 square feet of ground floor retail, approximately 8,000 square feet of Production, Distribution, and Repair (PDR) and Small Enterprise Workspace (SEW) spaces, and parking for approximately 306 spaces.; in general conformance with plans, dated June 18, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2003.0527X and subject to conditions of approval reviewed and approved by the Commission on July 28, 2011, under Motion No 18419. 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 July 28, 2011, under Motion No. 18419.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18419 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 Large Project 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 Large Project Authorization.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **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 Large Project 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.*
2. **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*

DESIGN

3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, www.sf-planning.org*
4. **Flexible-Occupancy Units.** The ground floor dwelling units in the North Building are designated as Flexible-Occupancy Units and are subject to the following conditions:
 - a. The units are considered dwelling units and are subject to the affordability controls of Planning Code Section 415. The total gross floor area of each unit is subject to the residential rate of Eastern Neighborhood Impact Fee per Planning Code Section 427.3.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- b. The ground floor of these units may be occupied by the following non-residential uses:
 - i. All retail sales and services permitted as of right in the UMU Zoning District (Sec. 843.45);
 - ii. All arts activities permitted as of right in the UMU Zoning District (Sec. 843.55);
 - iii. Trade shops (Sec. 843.80); and
 - iv. Catering services (Sec. 843.81).
 - v. Other uses not specified herein that are permitted as of right in the UMU Zoning District and deemed appropriate by the Zoning Administrator.
 - c. Changes of non-residential uses are subject to the notification requirements of Planning Code Section 312.
 - d. Permitted non-residential uses may occupy the ground floor only. Any conversion of residential space on the 2nd floor shall be tantamount to the removal of a dwelling unit and be subject to the controls of Planning Code Section 317.
 - e. Non-residential uses permitted on the ground floor are subject to all applicable requirements of the Building and Fire Codes.
5. **The Mid-block Pedestrian Pathway.** Planning Code Section 270.2, the project shall meet all design criteria of Subsection (e). It shall also meet the following criteria:
- a. **Maintenance.** The mid-block pedestrian pathway shall be maintained at no public expense. The owner of the property on which the alley is located shall maintain it by keeping the area clean and free of litter and by keeping it in an acceptable state of repair. Conditions intended to assure continued maintenance of the right-of-way for the actual lifetime of the building giving rise to the open space requirement may be imposed in accordance with the provisions of Section 329 for Eastern Neighborhoods Mixed Use Districts.
 - b. **Informational Plaque.** Prior to issuance of a permit of occupancy, a plaque shall be placed in a publicly conspicuous location for pedestrian viewing. The plaque shall state the right of the public to pass through the alley and stating the name and address of the owner or owner's agent responsible for maintenance. The plaque shall be of no less than 24 inches by 36 inches in size.
 - c. Property owners providing a pathway or alley under this section will hold harmless the City and County of San Francisco, its officers, agents and employees, from any damage or injury caused by the design, construction or maintenance of the right-of-way, and are solely liable for any damage or loss occasioned by any act or neglect in respect to the design, construction or maintenance of the right-of-way.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, www.sf-planning.org*

7. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant impacts to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
 - A. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
 - B. On-site, in a driveway, underground;
 - C. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
 - D. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding impacts on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
 - E. Public right-of-way, underground; and based on Better Streets Plan guidelines;
 - F. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
 - G. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

AFFORDABLE HOUSING

8. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 20% of the proposed dwelling units as affordable to qualifying households. The Project contains 470 units; therefore, 94 affordable units are required. The Project Sponsor will fulfill this requirement by providing the X affordable units on-site. If the number of market-rate units change, the number of required affordable units

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

12. **Unit Mix.** The Project contains 30 flexible-occupancy, 50 studios, 202 one-bedroom, 188 two-bedroom, and 0 three-bedroom units; therefore, the required affordable unit mix is 6 flexible-occupancy, 10 studios, 40 one-bedroom, 38 two-bedroom, and 0 three-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

10. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.

11. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty percent (20%) of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.

12. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.

13. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

MOH at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of one hundred (100) percent of the median income for the City and County of San Francisco as defined in the Inclusionary Affordable Housing Program, an amount that translates to ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size" derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOH shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOH at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415 to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City provided herein. The Project must execute the Costa Hawkins agreement within 60 days of Planning Commission approval or must revert to payment of the Affordable Housing Fee.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

PARKING AND TRAFFIC

- 14. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

15. **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 impacts during construction of the Project.

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

EASTERN NEIGHBORHOODS INFRASTRUCTURE IMPACT FEE

16. Impact Fees

The project shall comply with the provisions of Planning Code Section 423, including payment of the Eastern Neighborhoods Impact Fee, or execution of an In-Kind Agreement with the Planning Department prior to issuance of the first site or building permit. While recognizing that the Commission will review any use of the Eastern Neighborhoods Impact Fee in the future, the Commission urges the Project Sponsor to pursue the execution of an In-Kind Agreement pursuant to Planning Code Section 423.3(d) to authorize the project sponsor to provide in-kind improvements in the form of development of a public park in the Daggett Street Right of Way.

PROVISIONS

17. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project. *For information about compliance, contact the First Source Hiring Manager at 415-401-4960, www.onestopSF.org*

MONITORING

18. **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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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*

19. **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

20. **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/>*

21. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

22. **Mitigation Measures**

Mitigation measures described in the MMRP 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.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

Dated: February 3rd, 2012 at San Francisco, California



(Owner's Signature)

(Agent's Signature)

This signature(s) must be acknowledged by a notary public before recordation; add Notary Public Certification and Official Notarial Seal.

BF:gwf

EXHIBIT A

LAND DESCRIPTION

The land situated in the City of San Francisco, County of San Francisco, State of California, described as follows:

PARCEL A:

BEGINNING at the point formed by the intersection of the Southwesterly line of 7th Street with the Northwesterly line of Daggett Street; running thence Northwesterly, along said Southwesterly line of 7th Street, 146 feet; thence at a right angle Southwesterly 262 feet; thence at a right angle Southeasterly 146 feet to the Northwesterly line of Daggett Street; thence Northeasterly, along said Northwesterly line of Daggett Street, 262 feet to its intersection with the Southwesterly line of 7th Street and the point of beginning.

BEING a portion of South Beach Block No. 36

Assessor's Parcel No: Lot 1, Block 3833

PARCEL B:

BEGINNING at a point on the Northwesterly line of Daggett Street, distant thereon 262 feet Southwesterly from the Southwesterly line of 7th Street; running thence Northwesterly, at a right angle to said line of Daggett Street, parallel with said line of 7th Street, 146 feet; thence at a right angle Southerly, parallel with said line of Daggett Street 267 feet, 7-1/4 inches to the Northerly line of 16th Street; thence Easterly, along said line of 16th Street, 224 feet, 8-1/4 inches to the Northwesterly line of Daggett Street; thence Northeasterly, along said line of Daggett Street, 96 feet, 9-1/4 inches to the point of beginning.

BEING a portion of South Beach Block No. 36

Assessor's Parcel No: Lot 2, Block 3833

PARCEL C:

BEGINNING at the point formed by the intersection of the Southeasterly line of Hubbell Street with the Southwesterly line of 7th Street; running thence Southeasterly, along said Southwesterly line of 7th Street, 94 feet; thence at a right angle Southwesterly 529 feet, 7-1/4 inches, more or less, to the Northerly line of 16th Street; thence Westerly, along said Northerly line of 16th Street, 144 feet, 8-1/4 inches, more or less, to the Southeasterly line of Hubbell Street; thence Northeasterly, along said Southeasterly line of Hubbell Street, 639 feet, 6-7/8 inches, more or less, to the Southwesterly line of 7th Street and the point of beginning.

BEING a portion of South Beach Block No. 36

Assessor's Parcel No: Lot 3, Block 3833

PARCEL D:

BEGINNING at the point of intersection of the Southwesterly line of 7th Street and the Southeasterly line of Daggett Street; running thence Southeasterly, along said line of 7th Street, 170 feet, 9-3/4 inches to the Northerly line of 16th Street; thence Westerly, along said Northerly line of 16th Street, 262 feet, 10-1/2 inches to the Southeasterly line of Daggett Street; thence Northeasterly, along said Southeasterly line of Daggett Street, 199 feet, 9-7/8 inches to the point of beginning.

BEING South Beach Block No. 35-1/2

Assessor's Parcel No: Lot 1, Block 3834

ACKNOWLEDGMENT

State of California
County of Alameda

On February 3, 2012 before me, Desiree Marie McGrath Morgan, Notary Public
(insert name and title of the officer)

personally appeared Randall Ackerman,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Desiree Marie McGrath Morgan (Seal)
Morgan

