



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JANUARY 19, 2017

Date: January 6, 2017
Case No.: **2016-010298CUA**
Project Address: **610 Brannan Street**
Zoning: SALI – Service/Arts/Light Industrial District
Western SoMa Special Use District
40/55-X Height and Bulk District
Block/Lot: 3778/047
Project Sponsor: Daniel Frattin, Reuben, Junius, and Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Michael Christensen – (415) 575-8742
michael.christensen@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project Sponsor proposes to operate a public automobile parking lot utilizing the existing surface parking lot on the site. The existing parking lot would be upgraded with new striping, lighting, and a payment kiosk. The proposed striping plan would create ninety-eight parking spaces, four of which would be ADA accessible and two of which would be reserved for car-share services. Six Class Two bicycle parking spaces would also be provided.

SITE DESCRIPTION AND PRESENT USE

The Project Site is located on the north side of Brannan Street, between Fifth and Sixth Streets, Block 3778, Lot 047. The property is located within the SALI (Service/Arts/Light Industrial) District, the Western SOMA Special Use District, and the 40/55-X Height and Bulk District. The property is developed with a 27,280 square foot (SF) building which is currently vacant and a surface parking lot. The site is currently secured with a chain-link fence with barbed wire. The barbed wire portion would be removed as part of the project.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located adjacent to the project site, including a dog boarding service, the San Francisco Tennis Club, and a bicycle shop. This parcel and many others have active applications under review for mixed-use and office developments, which would replace the parking facility if and when it is approved and construction begins.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	December 28, 2016	December 30, 2016	22 days
Posted Notice	20 days	December 30, 2016	December 30, 2016	20 days
Mailed Notice	20 days	December 30, 2016	December 30, 2016	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received no correspondence from the public regarding the proposed project.

ISSUES AND OTHER CONSIDERATIONS

- Central SoMa Area Plan: The project site is located in the Central SoMa Area Plan, which is currently undergoing environmental review. The draft Central SOMA Plan identifies surface parking lots such as this as key sites for development potential. The project, as proposed, utilizes only the existing parking spaces on the site and does not involve significant investment in the site. The stated intent of the project is to be an interim use until the Flower Mart project is approved for the site. Thus, the approval of this parking facility would not limit the future development potential of the site or impact the goals of the Central SOMA Plan.
- Bicycle Parking & Car-Share Parking: The proposal meets the requirements of the Planning Code, including the provision of bicycle and car-share parking.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization, pursuant to Planning Code Sections 156, 157.1, 303 and 846.40 to permit an automobile parking lot within the SALI District.

BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project will provide off-street parking in a relatively small facility that should not draw substantial traffic to the area or impact traffic movements on adjacent streets.

- The parking lot will bolster the viability of the retail, restaurant, bar, and entertainment establishments in the area.
- The proposed Project meets all applicable requirements of the Planning Code and is consistent with the General Plan.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion
Block Book Map
Sanborn Map
Zoning District Map
Height and Bulk District Map
Aerial Photographs & Site Photographs
Project Plans
Project Sponsor Submittal



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

HEARING DATE: JANUARY 19, 2017

Case No.: **2016-010298CUA**
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Zoning: SALI – Service/Arts/Light Industrial District
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 156, 157.1, 303 AND 846.40 OF THE PLANNING CODE TO PERMIT AN AUTOMOBILE PARKING LOT WITHIN THE SALI (SERVICE/ARTS/LIGHT INDUSTRIAL) DISTRICT, THE WESTERN SOMA SPECIAL USE DISTRICT, AND THE 40/55-X HEIGHT AND BULK DISTRICT, AND ADOPT FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On August 9, 2016, Daniel Frattin filed an application with the Planning Department ("Department") for Conditional Use Authorization under Planning Code Section ("Section") 156 and 303 to allow the operation of a surface parking lot within the SALI (Service/Arts/Light Industrial) District, the Western SOMA Special Use District, and the 40/55-X Height and Bulk District (collectively, "Project", Case Number 2016-010298CUA).

On January 19, 2017, the San Francisco Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on the Project.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2016-010298CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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 requested in Application No. 2016-010298CUA, 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.** The Project Site is located on the north side of Brannan Street, between Fifth and Sixth Streets, Block 3778, Lot 047. The property is located within the SALI (Service/Arts/Light Industrial) District, the Western SOMA Special Use District, and the 40/55-X Height and Bulk District. The property is developed with a 27,280 SF building which is currently vacant and a surface parking lot. The site is currently secured with a chain-link fence with barbed wire. The barbed wire portion would be removed as part of the project.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located adjacent to the project site, including a dog boarding service, the San Francisco Tennis Club, and a bicycle shop. This parcel and many others around it have active applications under review for mixed-use and office developments, which would replace the parking facility if and when it is approved and construction begins.
4. **Project Description.** The Project Sponsor proposes to operate an automobile parking lot, utilizing the existing surface parking lot on the site. The existing parking lot would be upgraded with new striping, lighting, landscaping, and a payment kiosk. The proposed striping plan would create ninety-eight parking spaces, four of which would be ADA accessible and two of which would be reserved for car-share services. Six Class Two bicycle parking spaces would also be provided.
5. **Public Comment.** To date, the Department has received no correspondence from the public regarding the proposed 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. **Use.** Pursuant to Planning Code Section 846.40, new automobile parking lots in the SALI District require approval of a Conditional Use Authorization.

The Project Sponsor is requesting Conditional Use Authorization to operate the surface parking lot as a primary use for the project site. This authorization would permit 98 parking spaces, inclusive of 4 ADA parking spaces and 2 car share parking spaces.

- B. **Screening.** Planning Code Section 156(c) requires parking lots with off-street parking for 10 or more automobiles to be screened in accordance with Section 142 ("Screening and Greening of Parking and Vehicle Use Areas").

The screening requirements of Planning Code Section 142 are only triggered where an existing parking lot is resurfaced or increased in intensity. The existing parking lot would not be resurfaced and will not increase in the intensity of use.

- C. **Car Share Spaces.** For non-accessory parking facilities with fifty or more spaces, Planning Code Section 166 requires that one car share space, plus one additional car share space for every fifty parking spaces over fifty be provided. Therefore, the Project is required to provide one car-share parking space.

Currently, the project site possesses two car share parking spaces. Conditions of approval have been added to require the continued provision of two parking spaces for car share vehicles, which currently exist on the lot.

- D. **Bicycle Parking.** Planning Code Section 155.2 requires that one Class 2 bicycle parking space be installed for every twenty car spaces, except in no case shall less than six Class 2 spaces be provided. Therefore, the Project is required to 6 Class 2 bicycle parking spaces

The project provides two Class 2 bicycle parking spaces in a manner which meets the criteria of Zoning Administrator Bulletin #9. Thus, the project complies with this requirement.

7. **Planning Code Section 156** establishes additional criteria for the Planning Commission to consider when reviewing applications for parking lots. On balance, the project does comply with said criteria in that:

- A. Screening and Greening of Parking and Vehicle Use Areas:

The requirement for parking lot screening and greening is triggered when the parking facility is substantially resurfaced or increased in size or intensity of use. In this case, the parking lot is existing and would not be significantly increased in size or intensity of use. Thus, the project complies with this requirement.

- B. Artificial Lighting:

Artificial lighting is provided throughout the site through the provision of eleven light standards, which will provide artificial lighting throughout the site.

C. Interior Landscaping and Street Trees:

Interior landscaping is required for all permanent parking lots. As this automobile parking lot is proposed as an interim use until the site is redeveloped, it is not subject to this provision.

8. **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 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 Project would allow the operation of a relatively small-scale surface parking lot, which will provide parking for the retail, office, and entertainment uses in the vicinity. The parking lot will serve as a suitable interim use, pending the future development of the property.

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

The Project Site can be accessed by vehicles via existing curb cuts on Brannan Street and 5th Street. The lot would be striped to allow ninety-eight vehicles to park. The lot is not excessively sized in a manner that would draw substantial automobile traffic to the area or conflict with surrounding traffic movements.

- 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 and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code;

The Project Site is accessible from Brannan Street, which is a one-way street. The site has historically been utilized for parking, including for parking of fleet vehicles. The change of use to allow automobile parking as a primary use would not increase the intensity of parking on the site as the existing, previously accessory parking lot would be used without intensification. Therefore,

the movement of vehicles to and from the lot should not cause substantial disruption of traffic flow.

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

There are no structures on the site that would cause excessive glare. The parking lot is paved, and therefore does not generate dust from vehicular movements. Some noise and odor may be generated by the operation of vehicles on the site; however, these impacts will be relatively minor given the small size and intensity of the lot.

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

Lighting is provided from a total of eleven existing light standards on the site. The site is currently secured by an existing fence which will be modified to remove the existing razor wire, improving the look of the site. Other landscape improvements are triggered when an existing parking lot is resurfaced or increased in intensity. In this case, the parking lot to be utilized is existing and would not increase in intensity.

- 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. Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

The proposed use is consistent with the stated purpose of the SALI (Service/Arts/Light Industrial) Zoning District as the automobile parking lot will provide additional parking spaces for light industrial activities in the area, supporting the continued viability of these uses.

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

TRANSPORTATION

Objectives and Policies

OBJECTIVE 31:

ESTABLISH PARKING RATES AND OFF-STREET PARKING FARE STRUCTURES TO REFLECT THE FULL COSTS, MONETARY AND ENVIRONMENTAL, OF PARKING IN THE CITY.

Policy 31.1:

Set rates to encourage short-term over long term automobile parking.

The Project Sponsor is not seeking Conditional Use approval for pooled residential parking or parking of fleet vehicles (subsections d and e of Section 157.1). Thus, spaces cannot be deeded to individual persons or businesses and rates must be set to encourage short-term over long-term parking. Thus, the project is consistent with this policy.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

The project will provide parking to existing commercial and industrial uses in the area, enhancing the viability of these businesses. Thus, the project furthers the goals of this policy.

OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.7:

Improve public and private transportation to and from industrial areas.

The project will provide parking spaces in the South of Market area, which is identified in Policy 4.7 as a key constraint for existing industries in the area: "Consequently, the availability of parking spaces is a problem within many of the city's industrial areas, particularly in the South of Market area." The project will support existing businesses in the area by providing additional transportation options for workers. Thus, the project furthers the goals of this policy.

WESTERN SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 2.2:

PROMOTE APPROPRIATE NEW NEIGHBORHOOD BUSINESS OPPORTUNITIES THAT CREATIVELY RESPOND TO NEIGHBORHOOD, CITYWIDE AND REGIONAL ECONOMIC NEEDS AND TRENDS.

Policy 2.2.14:

Provide adequate customer parking and goods loading areas in a manner that minimizes negative impacts on transit, bike and pedestrian movements on neighborhood commercial streets.

The project will provide customer parking utilizing an existing lot. As the parking lot is existing and the locations of curb cuts are not proposed to be changed, there will be minimal impact to transit, bike, and pedestrian movements in the area. Thus, the project promotes new business opportunities in the Western SOMA Area while minimizing potential negative impacts.

OBJECTIVE 4.27:

ESTABLISH PARKING POLICIES THAT IMPROVE NEIGHBORHOOD LIVABILITY, VITALITY, AND ENVIRONMENTAL QUALITY BY REDUCING PRIVATE VEHICLE TRIPS AND SUPPORTING WALKING, CYCLING AND PUBLIC TRANSIT USE.

Policy 4.27.2:

Discourage commuter parking in the Western SoMa.

The Project Sponsor is not seeking Conditional Use approval for pooled residential parking or parking of fleet vehicles (subsections d and e of Section 157.1). Thus, spaces cannot be deeded to individual persons or businesses and rates must be set to encourage short-term over long-term parking. Thus, the project is consistent with this policy. Parking pricing will discourage commuter parking and encourage short term parking, supporting business operations in the area.

10. **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 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 will not displace any existing retail uses. The availability of parking for patrons of retail and restaurant uses in the vicinity may help to bolster the viability of these establishments.

- 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 would allow the operation of a temporary automobile parking lot. Such lots can be found in the vicinity, on properties that could be developed with future permanent uses. The temporary presence of this automobile parking lot is not detrimental to the character of the neighborhood.

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

No housing is removed for this Project.

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

The parking lot is a relatively small, low-intensity operation that is not expected to draw substantial volumes of traffic to the area. The presence of the off-street parking spaces should alleviate pressure on the use of on-street parking spaces in the neighborhood.

- 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 Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities.

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

The Project Site is currently occupied by a vacant building, which would not be utilized for parking. The Project will not have an impact on seismic safety.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The Project will have no negative impact on existing parks and open spaces.

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. 2016-010298CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans dated August 9, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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.. 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 January 19, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: January 19, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the operation of a surface parking lot located at 610 Brannan Street, Lot 006 of Assessor's 5414, pursuant to Planning Code Sections 156, 157.1, 303 and 846.40, within the SALI District, the Western SOMA Special Use District, and the 40/55-X Height and Bulk District; in general conformance with plans, dated August 9, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2016-010298CUA and subject to conditions of approval reviewed and approved by the Commission on January 19, 2016 under Motion No. XXXXX. 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 January 19, 2017 under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent Pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

MONITORING

6. **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

7. **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

DESIGN – COMPLIANCE AT PLAN STAGE

8. **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 ground level.

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

PARKING AND TRAFFIC

9. **Car Share.** Pursuant to Planning Code Section 166(d)(1), no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

10. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than six (6) Class 2 bicycle parking spaces.

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

OPERATION

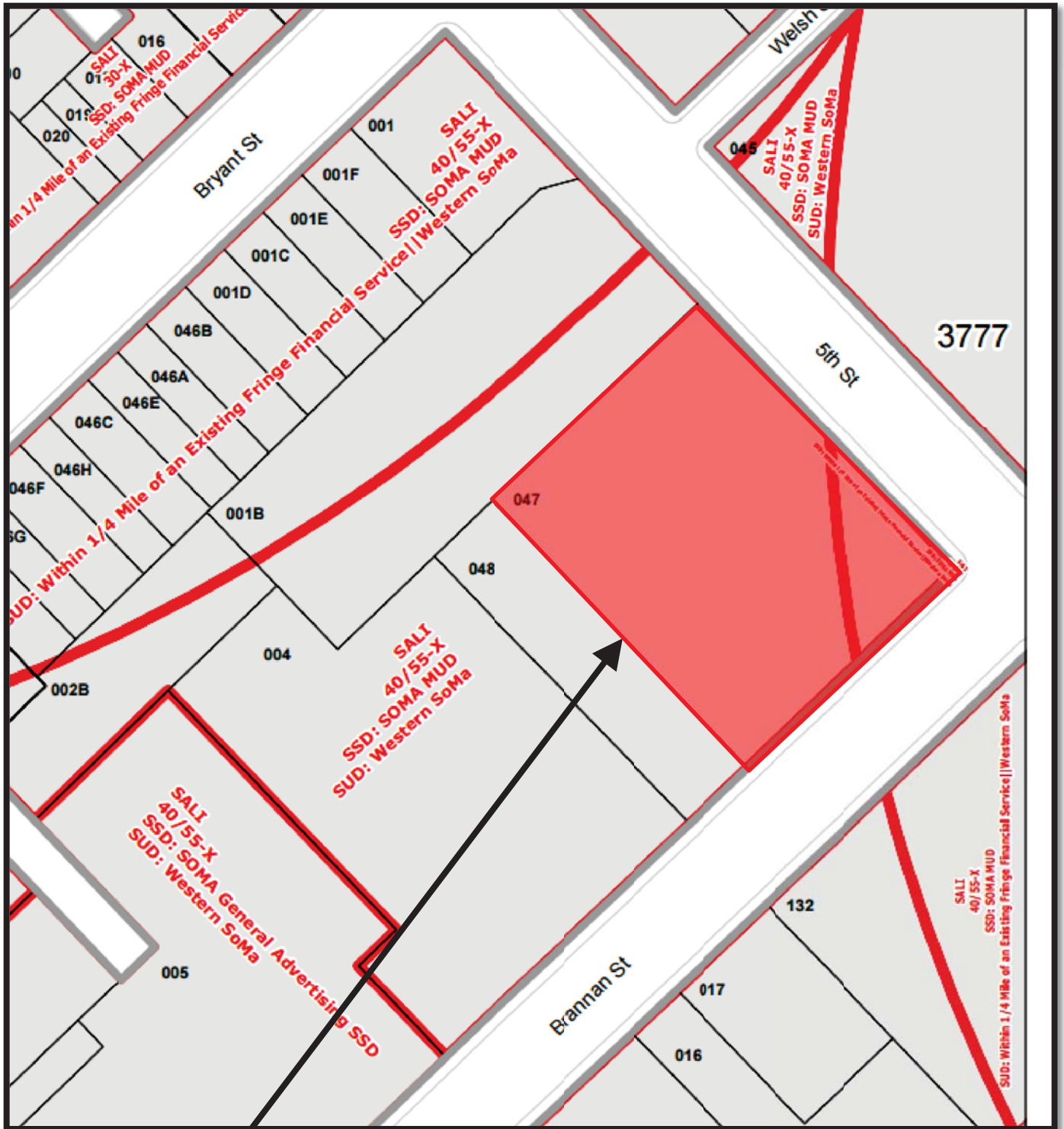
11. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-

12. **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

Parcel Map

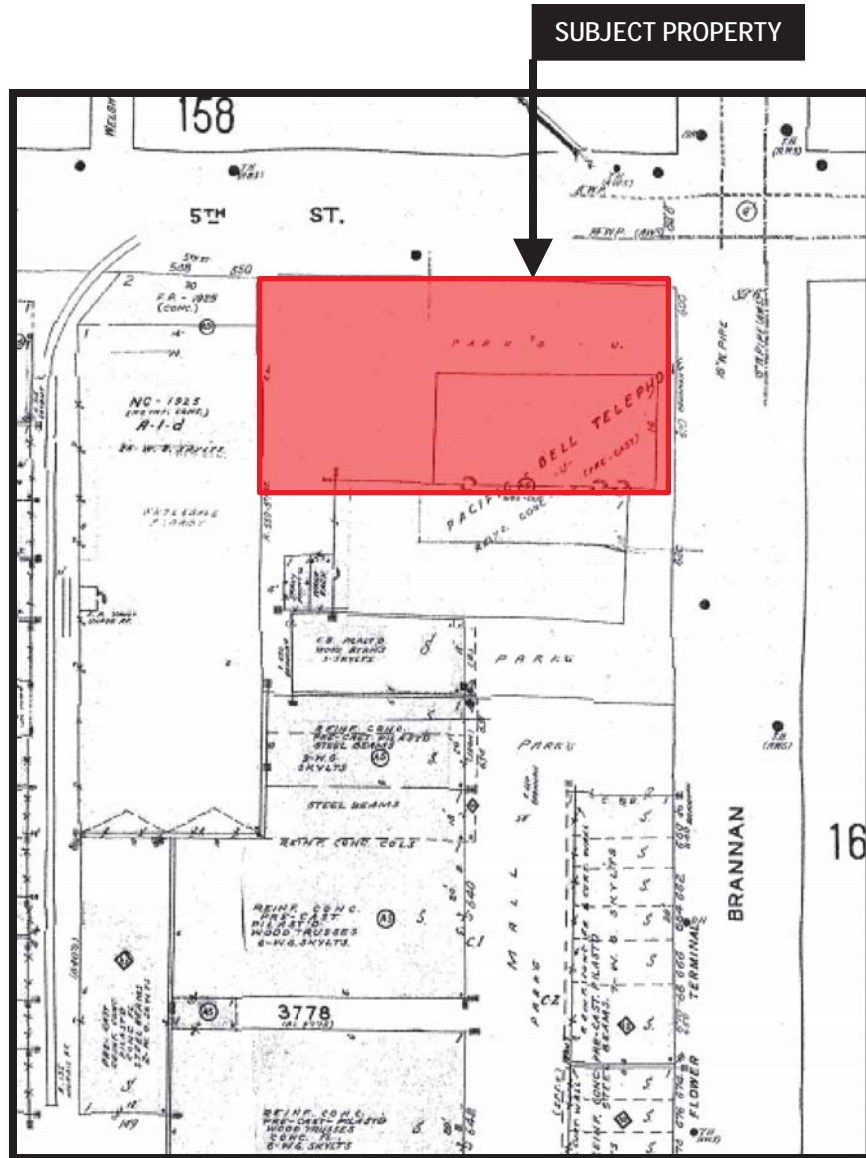


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2016-010298CUA
610 Brannan Street

Sanborn Map*

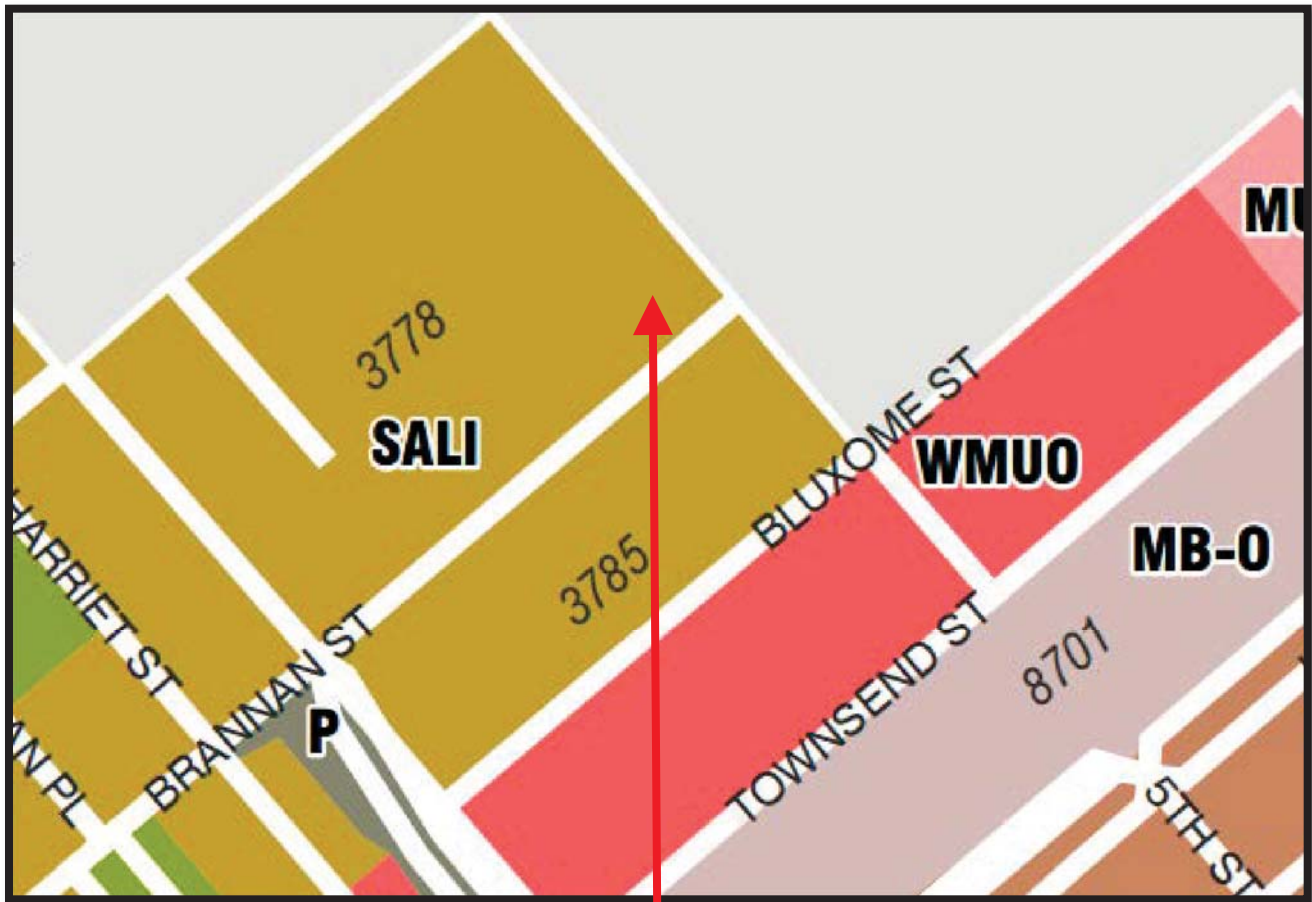


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization Hearing
Case Number 2016-010298CUA
610 Brannan Street

Zoning Map

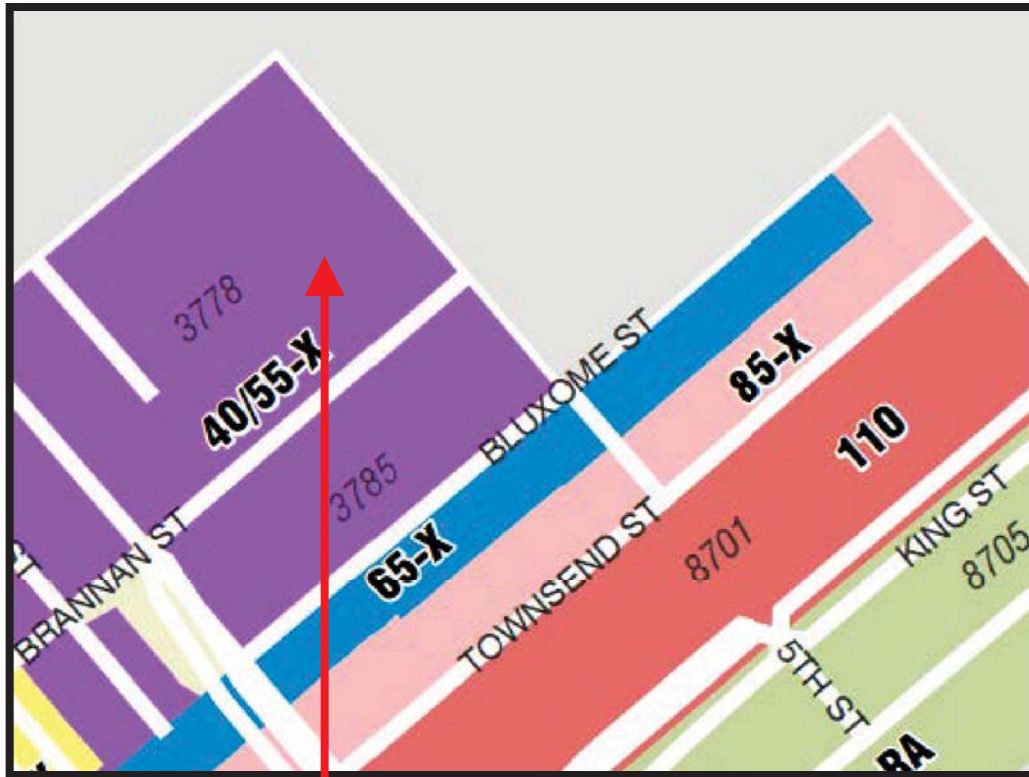


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2016-010298CUA
610 Brannan Street

Height & Bulk Map

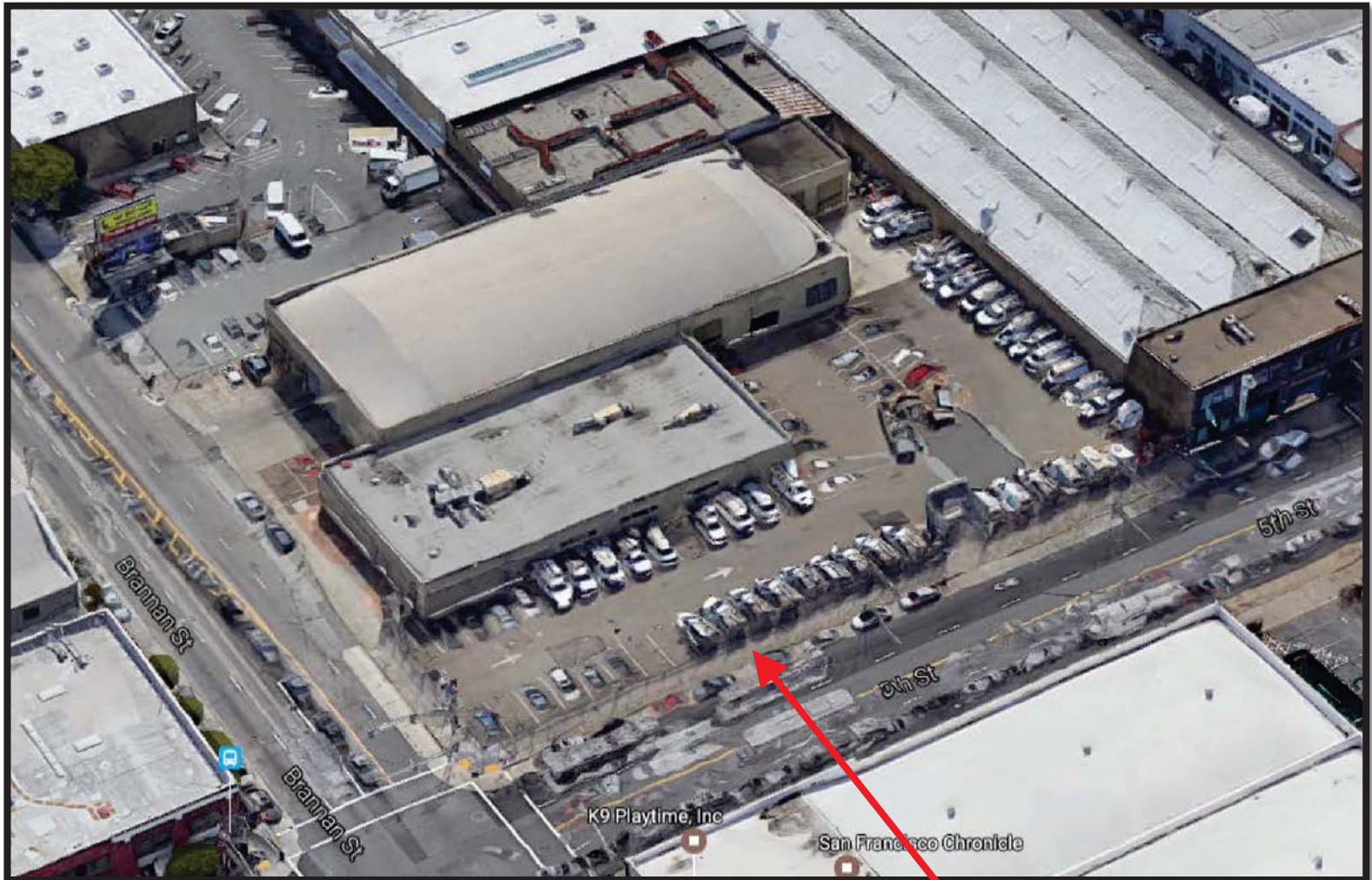


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2016-010298CUA
610 Brannan Street

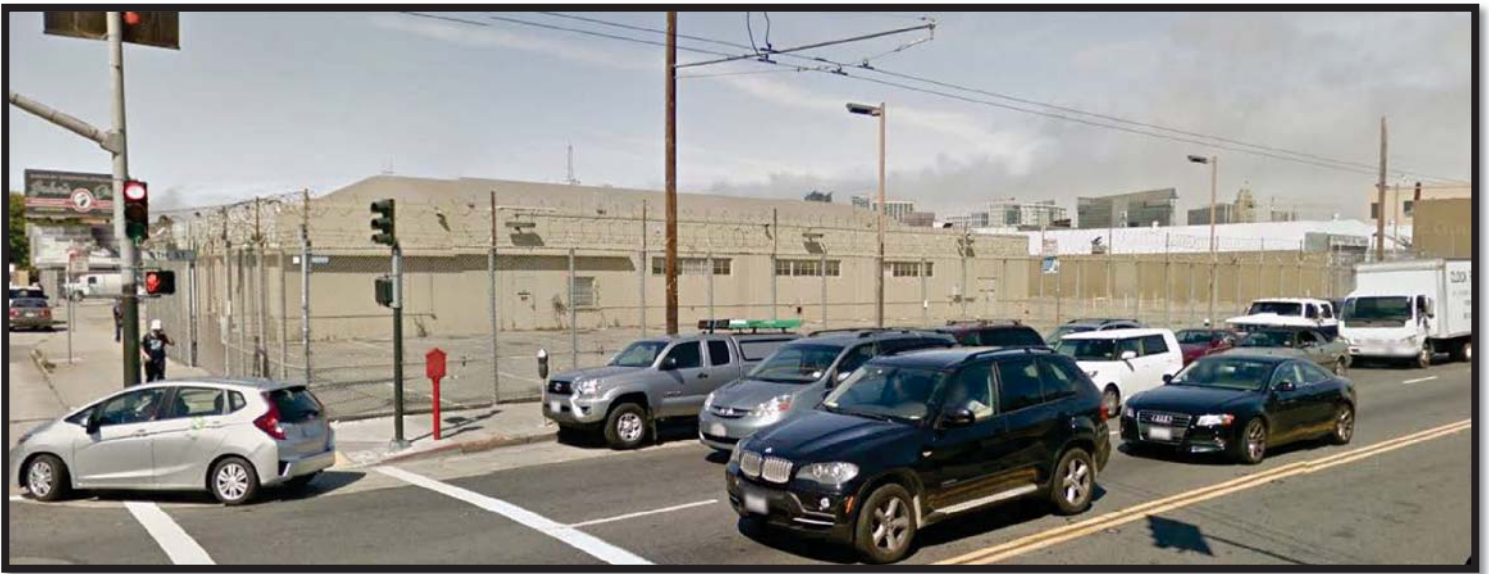
Aerial Photo



SUBJECT PROPERTY

Conditional Use Authorization Hearing
Case Number 2016-010298CUA
610 Brannan Street

Site Photo



610 Brannan Street (Google Maps, June 2016)

Conditional Use Authorization Hearing
Case Number 2016-010298CUA
610 Brannan Street

Class II Bike Rack (6)

Surface Parking Lot
31,845 square feet

Existing Building –
No work proposed
~ 27,088 SQ. FT.

Existing open lot
included in 31,845
surface lot area

Car Share

Pay on foot machine

ADA

Entrance Gate
16 1/2' width
14 1/2' depth to sidewalk
Existing Curb Cut 20' 6"
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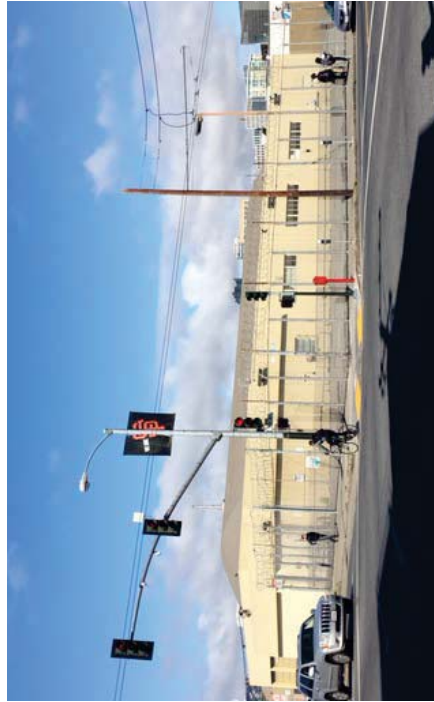
610 Brannan Street

5th Street

 Eleven (11) Existing Lighting fixtures

98 Total Restriped Parking Spaces includes:
4 ADA Parking Spaces
2 Car Share Parking Spaces
6 Type II Bike Parking Spaces

610 Brannan Street
Current Photographs



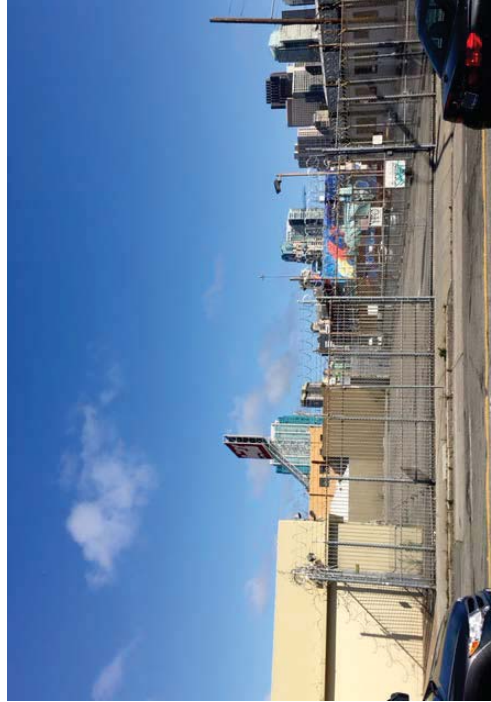
SITE PHOTO - 1



SITE PHOTO - 2



SITE PHOTO - 3



SITE PHOTO - 4



SITE PHOTO - 5



SITE MAP



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
610 Brannan St		3778/047	
Case No.	Permit No.	Plans Dated	
2016-010298CUA		8/9/2016	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Request for Conditional Use Authorization to permit a change of use to parking lot.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input checked="" type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </p> <p style="padding-left: 40px;">a. Per HRER dated: _____ (attach HRER)</p> <p style="padding-left: 40px;">b. Other (specify): _____</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> 	
<p>Preservation Planner Signature:</p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Michael Christensne</p> <hr/> <p>Project Approval Action:</p> <p style="padding-left: 20px;">Planning Commission Hearing</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <p style="font-size: 2em; font-weight: bold;">Michael Christensne</p> <p style="font-size: small;">Digitally signed by Michael Christensen DN: cn=Michael Christensen, o=City and County of San Francisco, ou=Southeast Quadrant, email=michael.christensen@sfgov.org, c=US Date: 2017.01.06 15:40:29 -08'00'</p>
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. ATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

REUBEN, JUNIUS & ROSE, LLP

January 6, 2017

Delivered via E-Mail

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 610 Brannan Street
Planning Department Case No. 2016-010298CUA
Hearing Date: January 19, 2017
Our File No.: 7294.18

Dear President Fong and Commissioners:

Our office represents KR Flower Mart, LLC, an affiliate of the Kilroy Realty Corporation (“**Project Sponsor**”), which owns the 610 Brannan Street property (“**Property**”) at the northwest corner of Brannan Street and 5th Street. The Property is part of the larger Flower Mart project, which will include a new wholesale Flower Mart in a mixed-use development. The larger project is currently undergoing environmental review and will be considered by the Planning Commission after the Central SoMa Plan has been adopted. In the interim, the Project Sponsor is requesting a conditional use authorization to repurpose a vacant surface lot -- most recently used by AT&T for fleet vehicle storage -- as a 98-space public parking lot that would operate as an interim use until construction of the Flower Mart project begins (“**Project**”).

We respectfully request the Commission to approve the conditional use authorization because the Project:

- Proposes a desirable and appropriate interim use of an existing vacant lot without requiring significant physical changes;
- Provides much needed short-term parking services to nearby businesses, residents and visitors;
- Activates a vacant site, improves the site aesthetics (e.g. via increased lighting and improved screening), and helps deter loitering, vandalism and crime;
- Results in temporary use that is compatible with the existing context, pending the future development of the site; and
- Generates additional parking tax revenue to the City.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Tuija I. Catalano | Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Thomas Tunny
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Chloe V. Angelis
Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

1. Project Overview

The Property contains a fenced surface parking lot and a small non-enclosed lot, a warehouse, and a 1-story vacant office building. Only the existing 31,845-sf surface lot would be used for parking; no changes are proposed to the existing buildings. The only modifications to the Property that are necessary in order to convert it to commercial use consist of restriping the lot and installation of a pay-on-foot parking station. Improvements to the site would include artificial lighting, improved screening around the lot, and interior landscaping. The refurbished lot will provide 98 short-term public parking spaces, with four designated for persons with disabilities and two designated as car share spaces. Six Class 2 bicycle parking spaces would also be provided.

No new curb cuts are proposed. Vehicles would enter the parking lot via an existing curb cut on 5th Street, and would exit via an existing curb cut on Brannan Street, six additional spaces would be accessed entirely from an existing curb cut on Brannan Street (see attached site plan)—these are the same entrance and exit points that were used by the former tenant up until the site was vacated in April 2016.

2. Project Benefits

The Project proposes a desirable interim use that is compatible with the neighborhood and provides the following benefits:

- **Increased Accessibility to Unique PDR Businesses.** The temporary parking lot will activate a vacant site to provide much-needed short-term parking for neighborhood businesses, residents and the nearby Hall of Justice. As explained in the recent draft of the Central SoMa EIR, the area is home to the existing San Francisco Flower Mart, the city's wholesale flower terminal, and additional supporting businesses. (Central SoMa Plan Draft EIR (Dec. 2016), IV.A-4.) The unique mix of PDR uses located in the Central SoMa area—including auto repair, music production (studios and rehearsal space), furniture repair, wholesaling, printing and publication, construction, and food and beverage production uses (*Id.*)—will be made more accessible with the provision of nearby automobile parking. Further, the six bicycle parking spaces included by the Project will provide a safe, convenient bicycle parking option, and will help to encourage bike transit to destinations in the area.
- **Productive Interim Use of a Key Central SoMa Site.** The Project provides for a productive temporary use, while the City considers a comprehensive plan for Central SoMa as a whole and for the Flower Mart site. Ultimately, the Flower Mart project will benefit the City by building a modernized replacement Flower Mart, neighborhood-serving retail space, and an abundance of public open space in a mixed-use office development. While the Flower Mart project is under review, and as the Central SoMa planning process draws new businesses to the area, the interim parking use at the Property will provide for much-needed parking that will help existing and new businesses prosper ahead of completion of the Central Subway.

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

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- **Reactivation of a Vacant Site will Reduce Blight.** Reactivating a vacant surface lot, bringing commercial activity and adding eyes on the street will deter loitering, vandalism, and crime at the intersection of 5th and Brannan Streets. The aesthetics of the Property will also be improved with increased lighting, the removal of barbed wire from the existing fence, improved screening around the lot, and the addition of interior landscaping.
- **Utilization of the Existing Parking Lot will have no Detrimental Impacts.** Because the site has historically been used for parking, and the new use would utilize the existing ingress and egress points, no detrimental impacts on transit, bicycle, and pedestrian movements are anticipated.

3. Conclusion

The Project will reactivate an existing surface parking lot that is currently vacant and provides much-needed parking to the neighborhood, increasing accessibility to the nearby Hall of Justice, AT&T Park, unique PDR businesses in the area, as well as the 4th and King Caltrain and MUNI stations. Providing additional short-term parking will help accommodate more people venturing into the neighborhood prior to the completion of Central Subway and increase parking tax revenues to the City.

We urge the Commission to approve the Project and look forward to presenting it on January 19, 2017. Please do not hesitate to let me know if there are any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Tuija I. Catalano

cc: Vice President Dennis Richards
Commissioner Rich Hillis
Commissioner Christine Johnson
Commissioner Joel Koppel
Commissioner Myrna Melgar
Commissioner Kathrin Moore
Jonas Ionin – Commission Secretary
John Rahaim - Planning Director
Michael Christensen – Project Planner

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

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Class II Bike Rack (6)

ADA

Entrance Gate
16 1/2' width
14 1/2' depth to sidewalk
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610 Brannan Street

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