

Planning and Land Use Committee – 10-23-12

A. The following textual corrections and clarifications to the determination and conditions of approval for CPC-2007-251-GPA-ZC-SP-SPA-CA, are hereby submitted to the Committee by the Department of City Planning:

1. Page C-1, Sec. 2:

The last sentence of the first paragraph should be amended to read:

In addition, the following uses, shall be permitted without the requirement for obtaining a Conditional Use Permit:

2. Page C-1, Sec. 2.F.:

F. Warehouse uses, but only as accessory uses identified in Sec.2 above.

G. Bus parking and truck parking, but only accessory uses identified in Sec. 2 above.

3. Page C-2, Sec. 7:

Floor Area Averaging. Notwithstanding Section 12.24.W.19(c) of the Municipal Code, ~~the subject property, identified as Exhibit B (stamped and dated September 27, 2012, as attached to the case file)~~ the property delineated in the attached maps shall be treated as a unified development and floor area averaging shall be permitted without any requirement to obtain obtaining a Conditional Use Permit.

4. Page C-2, Condition No. A.2:

2. **Site Development.** The subject Project shall be developed in substantial conformance with the Alternative 10 conceptual plans, marked Exhibit A (stamped and dated September 27, 2012, as attached to the case file). Prior to the issuance of any building permit for the construction of a project resulting in an increase in floor area or a change in land use category, other than sets/façade and temporary uses, the Applicant or its successor shall submit final design plans to the satisfaction of the Director of City Planning, which shall include elevations, building placement, height, square footage and architectural elements as applicable. The Director may present the design to the City Planning

Commission as necessary under the Director's Report under the City Planning Commission's agenda.

5. Page C-3, Condition A.7:

7. **Open Space.** Prior to the issuance of any final Certificate of Occupancy, the Applicant, or its successor, shall provide an Open Space Plan ~~in substantial conformance with Exhibit B (stamped and dated September 27, 2012)~~ that details the 0.9-acre park identified in Alternative 10, conceptual plans, marked Exhibit A (stamped and dated September 27, 2012, as attached to the case file), to the satisfaction of the Director of City Planning, in consultation with the Urban Design Studio.

6. Page C-4, Condition 15 b.:

The first paragraph of Condition 15 b. should be amended to read:

b. Permitted Floor Area. As of the effective date of this ordinance, the total Maximum Permitted Development Floor Area for each Land Use Category shall be as shown in Table No. 1-A and as shown in Table No. 1-B as of the effective date of the detachment and annexation actions, should those actions be approved. Additional C2 zone uses not set forth in Table Nos. 1-A and 1-B are prohibited without a further discretionary action preceded by environmental review.

7. Page C-6, Condition 15 C.3:

(3). **Director's Review.** The Director's review of the environmental compliance analysis shall be limited to verifying that the proposed development project is within the environmental impacts described in the NBC Universal Evolution Plan EIR. The Director shall not impose additional conditions or mitigation measures on the development project. If, however, the proposed development project is not within the environmental impacts described in the NBC Universal Evolution Plan EIR, the Director shall disapprove the equivalency transfer.

B. That the Committee instruct staff to submit appropriate Zone Change/General Plan Amendment Maps to correct minor property boundary inconsistencies and/or discrepancies.