

SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)	
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Planning Commission Motion 18664

Conditional Use Authorization
HEARING DATE: JULY 12, 2012

Date: July 5, 2012

Case No.: **2008.0762EMZC**

Project Address: 835-845 JACKSON STREET

Zoning: Chinatown Residential Neighborhood Commercial District

65-N Height and Bulk District

Block/Lot: 0192/041

Project Sponsor: Linda Schumacher

Chinese Hospital Association

835-845 Jackson Street San Francisco, CA 94133

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTION 303, 249, 254, 812.80 and 812.20 OF THE PLANNING CODE TO ALLOW CONSTRUCTION OF A HOSPITAL AND MEDICAL CENTER USE ON ALL FLOORS OF A BUILDING WITH A FLOOR AREA EXCEEDING 2,500 SQUARE FEET IN AREA AND 35 FEET IN HEIGHT WITHIN THE CRNC (CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 65-N HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 24, 2008, the Chinese Hospital Association (the "Project Sponsor") filed an Environmental Evaluation application with the Planning Department (the "Department") (Case File No. 2008.0762E) to demolish the 29,793 square-foot Medical Administration Building at 835 Jackson Street and the 15,000 square-foot Chinese Hospital Parking Garage located directly behind the Medical Administration Building, construct a new hospital building in their place, and remodel and refurbish the 43,368 square-foot Chinese Hospital at 845 Jackson Street (the "Project"). A Revised Environmental Evaluation application was subsequently submitted on September 24, 2009.

The Department determined that an Environmental Impact Report (EIR) was required and the Department printed and circulated a Notice of Preparation/Initial Study (NOP/IS) on May 18, 2011

announcing its intent to prepare and distribute an EIR. The Department accepted comments on the NOP/IS content through June 20, 2011. Subsequently, the Department published a Draft Environmental Impact Report (DEIR) on April 16, 2012. The Planning Commission held a public hearing to solicit testimony on the DEIR on May 17, 2012. The Department received written comments on the DEIR from April 17 to May 31, 2012. The Department published the Comments and Responses on June 28, 2012. The DEIR, together with the Comments and Responses constitute the Final Environmental Impact Report (FEIR).

On April 26, 2012 the Project Sponsor filed an application with the Planning Department for Conditional Use Authorization to allow development of a hospital and medical center use on all floors of a building with a floor area exceeding 2,500 square feet in area and 35 feet in height at 835-845 Jackson Street, Lot 041 within Assessor's Block 0192 (Project Site) within the CRNC (Chinatown Residential Neighborhood Commercial) Zoning District and a 65-N Height and Bulk District.

At the May 8, 2012 meeting of the San Francisco Board of Supervisors (the "Board"), Supervisor Chiu introduced amendments to the San Francisco Planning Code that would (1) add Section 249.69 to create the Chinese Hospital SUD and (2) amend the San Francisco Zoning Map Sectional Maps ZN01, HT01, and SU01 to show the Chinese Hospital Special Use District (SUD) and to reclassify the height and bulk limits on the property from 65-N to 110-G (together, the "Planning Code Amendments").

On May 8, 2012, Supervisor Chiu introduced a resolution before the Board urging the Commission to initiate and consider amendments to the General Plan concerning the Chinese Hospital SUD and the project that would (1) amend "Policy 1.2 Promote a building form that harmonizes with the scale of existing buildings and width of Chinatown's streets" within the Chinatown Area Plan to add the language, "other than construction within the Chinese Hospital Special Use District" to the second paragraph of the Policy and (2) amend "Map 1 - Generalized Height Plan" of the Chinatown Area Plan to reference a height limit of 110 feet for the property at 835-845 Jackson Street, Lot 041 of Assessor's Block 0192, (the "General Plan Amendments" and, together with the Planning Code Amendments, the "SUD Legislation"). On May 15, the Board approved the resolution urging the Commission to initiate and consider the General Plan Amendments (Board File No. 120480). On June 7, the Commission adopted a resolution of intention to initiate the General Plan Amendments, by Motion No. 18642.

On July 12, 2012, the San Francisco Planning Commission (the "Commission") certified the FEIR for the The FEIR identifies the following project-level and cumulative significant unavoidable environmental impacts: (1) demolition of the Medical Administration Building would result in significant and unavoidable historic architectural resources impacts on an individual historic resource (the Medical Administration Building) and on the NRHP/CRHR-eligible Chinatown historic district; (2) construction of the replacement hospital would result in a significant unavoidable historic architectural resources impact on the NRHP/CRHR-eligible Chinatown historic district; (3) demolition of the Medical Administration Building and construction of the replacement hospital would result in a cumulatively considerable contribution to significant adverse impacts on the NRHP/CRHR-eligible Chinatown historic district; and (4) construction of the project would generate substantial levels of PM2.5 and other toxic air contaminants, including diesel particulate matter, that could substantially affect sensitive receptors and this would be a significant and unavoidable air quality-related health risk impact. Mitigation measures

that are recommended for implementation by the Project Sponsor would reduce but not eliminate these impacts. On July 12, 2012, at a duly noticed public hearing, the Commission adopted approval findings under CEQA, including findings rejecting alternatives and adopting a statement of overriding considerations, ("CEQA Findings") by Motion No. 18661. Attached as Exhibit A to Motion No. 18661 is the Mitigation Monitoring and Reporting Program ("MMRP"). Both the CEQA Findings and the MMRP are incorporated herein by reference as fully set forth.

On July 12, 2012, the Commission approved the Planning Code Amendments, by Resolution No. 18663. On July 12, 2012, the Commission adopted and recommended that the Board approve the General Plan Amendments, by Resolution No. 18662.

On July 12, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2008.0762EMZC.

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. 2008.0762EC, subject to the conditions contained in "EXHIBIT A" of this motion; and approves the open space and streetscape improvements and landscaping plan for the Project, 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 Chinese Hospital campus currently consists of the Chinese Hospital at 845 Jackson Street, built in 1979; the Medical Administration Building at 835 Jackson Street (the original Chinese Hospital, built in 1924); and the Chinese Hospital Parking Garage, located directly behind the 1924 Medical Administration Building. The project is located on the south side of Jackson Street between Stockton and Powell Streets and is occupied by the 43,368 square foot, five-story Chinese Hospital, the 29,793 square foot, five-story, Medical Administration Building and the 15,000 square foot, two-story, Chinese Hospital Parking Garage. The project site is approximately 22,516 square feet in area.
- 3. Surrounding Properties and Neighborhood. The project site is located in the Chinatown neighborhood. The area surrounding the project site features a mix of residential, retail, restaurant, educational, and institutional uses. The Ping Yuen Housing complex is located nearby, as are the Chinatown Public Library and the Gordon Lau Public Elementary School. The scale of development in the project vicinity varies widely, with building heights ranging from one to seven stories.

- 4. **Project Description.** The Project Sponsor proposes to demolish the existing Medical Administration Building at 835 Jackson Street and the parking garage, construct a new hospital building in their place, and remodel and refurbish the existing hospital building. The proposed new hospital will be an acute care hospital with 54 acute care beds and a new skilled nursing facility with 22 beds. The new hospital building would be seven-stories over a basement and approximately 90.5 feet tall (excluding a approximately 30-foot tall mechanical penthouse) with a floor area of approximately 101,545 square feet. As part of the project, the Project Sponsor would create a landscpaed usable openspace on Jackson Street that would wrap around the replacement hospital and include a portion of James Alley. The Chinese Hospital replacement project was identified in the most recent Institutional Master Plan for Chinese Hospital that was accepted by the Planning Commission on May 19, 2011.
- 5. **Public Comment**. In addition to the comments regarding the Environmental Impact Report, the Department has received nine letters in favor of the project from residents of the area and no communications in opposition.
- 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. **Floor Area Ratio**. Planning Code Section 124 establishes a basic floor area ratio of 1.0:1 for the CRNC District. Upon enactment of the SUD Legislation, the applicable floor area ratio for hospitals or medical centers in the Chinese Hospital SUD will be 6.8:1 pursuant to Planning Code Section 249.69(b)(4).

Based on a site area of approximately 22,516 square feet, a 6.8:1 floor area ratio would allow approximately 153,108-gsf. The project contains approximately 144,913-gsf, which results in a floor area ratio of less than 6.8:1.

B. Open Space Requirements. Planning Code Section 135.1 requires open space be provided at a ratio of one square foot of open space for each 50 square feet of building area when construction of additional floor area exceeds 10,000 square feet. Upon enactment of the SUD Legislation, Planning Code Section 249.69 will provide that institutional developments in the Chinese Hospital SUD exceeding 10,000 gross square feet are not subject to the requirements of Planning Code Section 135.1, provided that: (i) any such development provide one square foot of usable open space for every 130 square feet of gross floor area and (ii) the design of the open space is approved by the Commission.

The project would be an institutional development of approximately 144,913-gsf, which would require at least 1,115 square feet of usable open space. The project would provide approximately 890 square feet of landscaped seating along the Jackson Street frontage as well as approximately 687 square feet of landscaped open space along the portion of James Alley currently owned by the Project Sponsor, for a total of approximately 1,547 square feet of usable open space, all of which would serve as an exterior gathering place. The Project Sponsor is also in discussions to purchase or obtain easements rights over

the portion of James Alley not currently owned by the Project Sponsor. The Project Sponsor intends to expand the landscaping and hardscaping improvements over the other portions of James Alley and possibly create an open landscape seating area or other usable open space for the public to enjoy.

C. **Freight Loading Spaces**. Planning Code Section 152 provides that hospital and medical center uses between 100,001 and 200,000 square feet must have at least one off-street freight loading space.

The project would have 144,913 square feet of hospital and medical center use and would continue to use the one existing off-street freight loading space at the rear of the Project Site, off Stone Street behind the existing building.

In addition to freight loading, the project provides for ambulance access to the hospital's Emergency Department. The Emergency entrance to the hospital will remain on Jackson Street but will move from the current location in front of the existing hospital to the northeast corner of the new hospital at James Alley. The Hospital will request an extended white zone at the curb to provide for ambulances.

D. **Shower Facilities and Lockers**. Planning Code Section 155.3(c) requires four showers and eight clothes lockers for new buildings and buildings with major renovations where the gross square footage of the floor area exceeds 50,000 square feet.

The project would have 144,913 square feet of hospital and medical center use and would include four showers and eight clothes lockers, and thus would comply with Planning Code Section 155.3(c).

E. **Bicycle Parking.** Planning Code Section 155.4(d) requires 12 bicycle parking spaces for new buildings and buildings with major renovations where the gross square footage of the floor area exceeds 50,000 square feet.

The project would have 144,913 square feet of hospital and medical center use and would include 12 bicycle parking spaces.

F. **Off-Street Parking.** Planning Code Section 161(c) states that no off-street parking shall be required for non-residential uses in the Chinatown Residential Neighborhood Commercial District.

The project would demolish the existing 41-stall (78 spaces with valet parking) Chinese Hospital Parking Garage and will not provide any off-street parking as part of the project. Chinese Hospital physicians, staff, patients and visitors would park at existing public parking garages in Chinatown and North Beach, such as the Powell Street Parking Garage at 1140 Powell Street, Portsmouth Square Garage at 733 Kearny Street, the Chinatown Parking Garage at 728 Pacific Avenue, and the Royal Pacific Inn at 661 Broadway, all less than a 10-minute walk from Chinese Hospital.

G. Height Exceeding 35 Feet in Chinatown. Planning Code Section 254 requires conditional use authorization for construction of a building exceeding 35 feet in the China Town Residential Neighborhood Commercial district.

The proposed new hospital building would be approximately 90.5 feet tall (excluding an approximately 30-foot tall mechanical penthouse). Similar to other buildings in the Chinatown neighborhood, the project would incorporate the horizontal design features of the existing structure. The height of the new project would be similar to that of the retained structure. Due to the unique massing and volume requirements for medical facilities, almost all hospital buildings require special considerations for bulk, and the proposed height and bulk are consistent with precedent from other hospital approvals.

H. Institutional Master Plan. Planning Code Section 304.5, states that each medical institution in San Francisco shall have on file with the Planning Department a current institutional master plan (IMP) describing the existing and anticipated future development of that institution. IMPs for medical institutions shall be reviewed by a health planner overseen by the Department of Public Health to comment on the institution's long-range development goals and their relationship to citywide health care needs. The IMP must be updated every ten years.

The IMP for Chinese Hospital was reviewed by the Health Planner supervised by the Department of Public Health and accepted by the Planning Commission at their meeting of May 19, 2011. The project was identified in the IMP.

I. Signage. Planning Code Section 607.2 regulates signs in mixed-use districts. enactment of the SUD Legislation, Planning Code Section 249.69 will provide that, in the Chinese Hospital SUD, in addition to any signs permitted in the CRNC District (including as provided in Planning Code Section 607.2), the following shall be permitted: (i) one sign, which may be illuminated 24 hours per day, seven days per week, up to 28 feet in width, with an area not to exceed 42 square feet, placed on top of a marquee that is no greater than 58 feet in width, projecting no more than 6 feet from the façade of the building and not exceeding twenty feet in height at the principal entrance to the hospital; and (ii) one sign, which may be illuminated 24 hours per day, seven days per week, up to 12 feet in width with an area not to exceed 12 square feet, placed on top of a marquee that is no greater than 14 feet in width, projecting no more than 6 feet from the façade of the building and not exceeding twenty feet in height at the emergency entrance to the hospital.

The project would include the following proposed signs: (i) one sign to mark the main entrance to the hospital of approximately 28 feet in width, with an area of approximately 42 square feet, on a marquee of approximately 58 feet in width, projecting approximately six feet from the façade; and (ii) one sign to mark the emergency entrance to the hospital of approximately 12 feet in width, with an area of approximately 12 square feet, on a marquee of approximately 14 feet in width, projecting approximately 6 feet from the façade.

J. Use Size. Planning Code Sections 121.4 and 812.20 requires Conditional Use authorization for uses that exceed 2,500 square feet in area and prohibits uses that exceed 4,000 square feet in area. Upon enactment of the SUD Legislation, the maximum floor area limits of Planning Code Section 812.20 will not apply to developments in the Chinese Hospital SUD, and uses that exceed the use size maximum set forth in Planning Code Section 121.4 will be permitted as a conditional use.

The new hospital building and the refurbished Medical Administration and Outpatient Center would have approximately 144,913 square feet of hospital and medical center and related uses.

K. Hours of Operation. Planning Code Section 812.27 principally permits hours of operation between 6 a.m. and 11:00 p.m. and permits hours between 11:00 p.m. and 2:00 a.m. with Conditional Use authorization. Upon enactment of the SUD Legislation, the hours of operation hospitals and medical centers would have no limit.

Chinese Hospital is now and would continue to operate 24 hours per day and seven days per week.

Planning Code Section 812.80 provides that a L. Hospital and Medical Center Use. Conditional Use Authorization is required for Hospital and Medical Center uses on any floor of a building in the CRNC District, as defined by Planning Code Section 890.44. Upon enactment of the SUD Legislation, Planning Code Section 249.69 will require the Commission, when reviewing applications for conditional use in the Chinese Hospital SUD, to consider whether the conditional use facilitates the development of a new Chinese Hospital located at 835 and 845 Jackson Street, which development will ensure the retention and continuation of general acute health care services to local residents.

Planning Code Section 890.44 defines hospital and medical center as a public or private institutional use, which provides medical facilities for inpatient care, medical offices, clinics, and laboratories. The project would be a hospital and medical center within the definition of hospital and medical center.

The conditional use authorizations described herein are necessary for the development of the project, which would ensure the retention and continuation of general acute health care services to Chinatown residents. The project is necessary to comply with SB 1953 and would allow the Chinese Hospital to continue to operate in a statutorily compliant and seismically safe manner. Without the project, there would not be adequate medical care in Chinatown, which would be a detriment to Chinatown residents.

- 7. Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

Since 1899, the Chinese Hospital Association has been devoted to providing healthcare services to generations of Chinatown residents and it has operated a hospital at the Project Site since 1924. The use of the project is compatible with the Chinatown neighborhood and community because it is not a new use, but rather a continuation of an existing use at the same location.

The project would provide much needed healthcare services to the Chinatown community. By providing these community services to the Chinatown neighborhood and community residents, the project would preserve the Chinatown community and thereby support, protect, and encourage the continuity of the existing historic Chinatown neighborhood and the aesthetic features of Chinatown. A key aspect of the project is the addition of a 22-bed skilled nursing facility, which would improve the transition of patients from the acute care setting and allow Chinatown residents to remain close to their homes and loved ones while they recover from inpatient procedures. The project is also necessary to comply with SB 1953 and would allow the Chinese Hospital to continue to operate in a statutorily compliant and seismically safe manner. Without the project, there would not be adequate medical care in Chinatown, which would be a detriment to Chinatown residents.

In addition, the project is desirable for the neighborhood because it would increase employment opportunities for neighborhood residents both during and after development. Construction of the project would create numerous construction related jobs and, upon its completion, there would be more jobs for neighborhood residents to staff the expanded hospital. Moreover, through the continued provision of important medical care to Chinatown residents, the project would develop and foster a rich community environmental that would produce economic growth and stability in Chinatown.

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

The scale of development in the project vicinity varies widely, with building heights ranging from one to 13 stories. The 7-story replacement hospital would not be inconsistent with the scale of these larger buildings. Steps would be taken to ensure that the façade and exterior of the project is consistent with neighborhood design and architectural features while still enabling the project to provide modern healthcare services at the highest level. Due to the unique massing and volume requirements for medical facilities, almost all hospital buildings require special considerations for bulk, and the proposed height and bulk are consistent with precedent from other hospital approvals.

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;

Demolition of the existing Medical Administration Building and the parking garage and construction of the project would have a minimal impact on traffic patterns for persons and vehicles. Vehicular traffic on Jackson Street would not be substantially disrupted and access to important neighborhood features, such as the Chinese Hospital, would remain open throughout the project. Renovation of the existing hospital building would be mostly limited to the interior. The project would be well served by public transit, as there are several Muni lines in the immediate vicinity of the project. The Project Site is also near the Powell-Hyde and Powell-Mason cable car lines providing access to downtown BART stations. The new Chinatown Subway Station is located just over a block from the Project Site. Upon completion, the project would provide care to residents of the neighborhood and many of the visitors and patients would come from within walking distance. Overall, traffic patterns upon completion of the project would be substantially similar to current traffic patterns.

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

The project would not create any noxious or offensive emissions. During demolition and construction, appropriate preventative measures would be taken to control noise, glare, dust, odor, and other noxious or offensive emissions. Upon completion, the project would provide the same services that are currently being provided at the Chinese Hospital and there would not be any new noxious or offensive emissions. Renovation work on the existing hospital building would be mostly limited to the interior of the building and would not produce any noxious or offensive emissions. Throughout the project, all construction, demolition, alterations, and uses will comply with all Building Code requirements with respect to noxious or offensive emissions such as noise, glare, dust, or odor, including the appropriate ventilation and other system requirements of the Building Code intended to address noxious or offensive emissions.

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

The exterior of the project would perpetuate, enhance, and expand the existing tradition of providing an exterior gathering place. Currently, there is an open space in front of the Chinese Hospital on Jackson Street, which is used by hospital visitors as a gathering and meeting place and provides a rest point for Chinatown residents walking up Jackson Street. The project proposes to expand this open space and would provide an approximately 890 sq. ft. landscaped seating area along the Jackson Street frontage created by a setback of 17 feet from the property line along Jackson Street at the ground and first floors, which would be landscaped and hardscaped. This area would wrap around the side of the building along James Alley, where the entire building would also be set back 5 feet from the east property line and the portion of James Alley currently owned by the Project Sponsor would be landscaped open space. The Project Sponsor is also in discussions to purchase and/or obtain easements over the portion of James Alley not currently owned by the Project Sponsor, upon which Project Sponsor intends to expand the landscaping improvements and possibly create an expanded landscaped open space seating area or other landscaped open space within James Alley for the public to enjoy. The project would have a new

marquee that clearly indicates the entrance to the hospital as well as signage over the emergency entrance. This feature is critical for providing emergency patients care as quickly as possible and such signage is required for an acute care hospital.

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 General Plan, including the Chinatown Area Plan would be the guiding policy document for the project. The Chinese Hospital SUD would allow for the project in the CRNC District, and the project would comply with all applicable provisions of the Planning Code and the policies of the Chinatown Area Plan as modified by the proposed legislation. The project would be a continuation of an existing use, and would not introduce any new use to the Chinatown community and would not adversely affect the General Plan.

According to Planning Code Section 812.1, CRNC District controls are designed to "preserve neighborhood-serving uses and protect the residential livability of the area.... Institutional uses are also encouraged." By providing vital services to the Chinatown area and community residents, the project would preserve the community and support, protect, and encourage the continuity of the existing historic Chinatown neighborhood and the aesthetic features of Chinatown. Without the project, there would be significantly less healthcare available to Chinatown residents, which would negatively affect the livability and overall vitality of the neighborhood.

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

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

The project is not located in a Neighborhood Commercial district. The use is a neighborhood serving hospital and medical center that is consistent with the stated purposes of CRNC District and the Chinese Hospital SUD.

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

COMMUNITY SAFETY ELEMENT

Objectives and Policies

OBJECTIVE 1:

REDUCE STRUCTURAL AND NON-STRUCTURAL HAZARDS TO LIFE SAFETY AND MINIMIZE PROPERTY DAMAGE RESULTING FROM FUTURE DISASTERS.

Policy 1.3:

Assure that new construction meets current structural and life safety standards.

Policy 1.25:

Prepare for medical emergencies and pandemics.

The project would create a new, seismically secure hospital that would comply with current laws and regulations, such as SB 1953 (the Alfred E. Alquist Hospital Seismic Safety Act of 1983) and Office of Statewide Health Planning and Development (OSHPD) requirements. The project would increase the availability of healthcare services and of medical professionals in Chinatown, and would better prepare the Chinatown neighborhood for emergencies and pandemics.

OBJECTIVE 2:

BE PREPARED FOR THE ONSET OF DISASTER BY PROVIDING PUBLIC EDUCATION AND TRAINING ABOUT EARTHQUAKES AND OTHER NATURAL AND MAN-MADE DISASTERS, BY READYING CITY INFRASTRUCTURE, AND BY ENSURING THE NECESSARY COORDINATION IS IN PLACE FOR A READY RESPONSE.

Policy 2.5:

Maintain a comprehensive, current Emergency Response Plan, in compliance with applicable state and federal regulations, to guide the response to disasters.

Policy 2.17:

Ensure the City's plan for medical response is coordinated with its privately owned hospitals.

The project would bring the Chinese Hospital into compliance with applicable seismic requirements and help ensure that the Chinese Hospital continues to operate at full capacity in the event of an emergency. The Chinese Hospital helps provide medical care and is part of the City's medical response in the event of a disaster.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.5:

Emphasize the special nature of each district through distinctive landscaping and other features.

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The project would include landscaping and street furniture that relate to the cultural character of the neighborhood. The theme of the plaza on Jefferson Street, and a mural proposed along Stone Street will include features complimenting the cultural heritage of Chinatown. The Chinese Hospital Association would also create a variety of features in the new building that would pay tribute to the historical relevance of the Medical Administration Building, such as photos, plaques, and explanations of the history of the Project Site.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

Policy 2.8:

Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

The project would be consistent with and respect the character of the architectural and historical context of the Chinatown neighborhood and surrounding buildings. Due to the unique massing and volume requirements for medical facilities, almost all hospital buildings require special considerations for bulk, and the proposed height and bulk are consistent with precedent from other hospital approvals. .No street areas would be given up for private ownership.

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.2:

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

Policy 3.4:

Promote building forms that will respect and improve the integrity of open spaces and other public areas.

Policy 3.5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 3.9:

Encourage a continuing awareness of the long-term effects of growth upon the physical form of the city.

The design of the project would respect the architectural context of the surrounding buildings. Similar to other buildings in the Chinatown neighborhood, the project would incorporate the horizontal design features of the existing structure. The new hospital would blend in with surrounding buildings and create a new open space along the Jackson Street frontage. The height of the new project would be similar to that of the retained structure and both buildings are compatible with the existing scale of the Chinatown neighborhood and reflect the importance of the Chinese Hospital to the community.

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.6:

Emphasize the importance of local centers providing commercial and government services.

Policy 4.12:

Install, promote, and maintain landscaping in public and private areas.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

The Chinese Hospital is a local center providing healthcare services to Chinatown residents. The new project would create an approximately 890 square foot landscaped seating area along Jackson Street that would provide an important rest point and open space for Chinatown residents. These landscaping and open space improvements would also wrap around and continue along James Alley adjacent to the Project Site.

CHINATOWN AREA PLAN

Objectives and Policies

OBJECTIVE 1:

PRESERVE THE DISTINCTIVE URBAN CHARACTER, PHYSICAL ENVIRONMENT AND CULTURAL HERITAGE OF CHINATOWN.

Policy 1.2:

Promote a building form that harmonizes with the scale of existing buildings and width of Chinatown's streets.

Policy 1.4:

Protect the historic and aesthetic resources of Chinatown.

By providing healthcare services to the Chinatown area and community residents, the project would preserve the Chinatown community and thereby protect the existing historic and aesthetic resources of The project would also provide additional employment and business opportunities for Chinatown residents, which would further protect the character of the neighborhood. The project would preserve the buildings' aesthetic contributions to Chinatown.

OBJECTIVE 2:

RETAIN AND REINFORCE CHINATOWN'S MUTUALLY SUPPORTIVE FUNCTIONS AS NEIGHBORHOOD, CAPITAL CITY AND VISITOR ATTRACTION.

The project would allow the Chinese Hospital to continue operating at a high level and providing valuable healthcare services for Chinatown residents, which would preserve the urban role of Chinatown as a residential neighborhood. The project would also provide additional jobs that would support Chinatown's function as a capital city.

OBJECTIVE 4:

PRESERVE THE URBAN ROLE OF CHINATOWN AS A RESIDENTIAL NEIGHBORHOOD.

Policy 4.1:

Protect and enhance neighborhood-serving character of commercial uses in predominantly residential areas.

Policy 4.2:

Control proliferation of uses that tend to crowd out the needed neighborhood services.

Policy 4.4:

Expand open space opportunities.

The project would preserve the urban role of Chinatown as a residential neighborhood by preserving and improving healthcare services for residents of the Chinatown neighborhood. By providing healthcare services to the Chinatown area and community residents, the Chinese Hospital would protect and enhance the neighborhood serving character of Chinatown. Moreover, hospital and medical center use is an important neighborhood service that would complement and not crowd out other neighborhood services. The project would also create new open space on Jackson Street and James Alley.

OBJECTIVE 6:

RETAIN CHINATOWN'S ROLE AS A CAPITAL CITY.

Policy 6.1:

Provide incentives for location and expansion of institutions and cultural facilities.

The project would allow for the expansion of the Chinese Hospital, which has been a Chinatown institution since 1924. The project would also provide healthcare services for the Chinatown community, providing incentives for businesses to locate and expand in Chinatown.

- 9. **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 would not cause the reduction or loss of any neighborhood-serving retail use. While the project is under construction, there would be opportunities for local residents and businesses to perform the work and provide other services related to the project. Upon completion of the project, it would provide employment opportunities for residents of the Chinatown community. The project would also provide ancillary retail, employment, and ownership opportunities by helping to preserve and maintain the Chinatown neighborhood through the provision of much-needed and important healthcare services.

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 have no effect on existing housing. The project would preserve the Chinatown community, thereby conserve, and protect the existing cultural and economic diversity of the Chinatown neighborhood by providing healthcare services to the Chinatown area and community residents. Healthcare is crucial to the long-term stability and prosperity of any neighborhood and this is especially true of Chinatown, which contains both residential and commercial uses. Moreover, the project would not introduce any new use to Chinatown, the hospital and medical center use has coexisted with residential, commercial, educational, and religious uses in Chinatown for over 100 years.

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

There is not any housing on the site and the project would not reduce the amount of affordable housing in the Chinatown neighborhood.

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

The Project Site is accessed via Stockton and Powell Streets, which are important transportation corridors. The project would be well served by public transit, as there are several Muni lines in the immediate vicinity of the project. The Powell-Hyde and Powell-Mason cable car lines are also a short walk from the project and provide access to downtown BART stations. Upon completion, the project would provide care primarily to residents of the neighborhood and many of the visitors and patient family members would come from within walking distance. Overall, traffic patterns upon completion of the project would be substantially similar to current traffic patterns.

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 would not displace any industrial or service sectors. Demolition of the Medical Administration Building and the parking garage and construction of the project would provide extensive economic opportunities for Chinatown residents. The Chinese Hospital would ultimately employ more people than were employed before the alterations, which would provide new opportunities for resident employment. In addition, by providing healthcare services to the Chinatown area and community residents, the project would preserve the Chinatown community and thereby enhance future employment and ownership opportunities for residents of the Chinatown neighborhood. Healthcare is crucial to the long-term stability and prosperity of any neighborhood and this is especially true of Chinatown, which contains both residential and commercial uses. Without the project, it is unclear what healthcare services would be available in Chinatown and the future prospects of the neighborhood could decline.

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

The project would have a significant positive impact on the preparedness of the Chinatown neighborhood in the event of an earthquake. One of the main purposes of the project is to improve the seismic safety of the hospital and the project would be fully compliant with all laws regarding seismic safety. In the event of an earthquake, the Chinese Hospital would provide valuable, timely, and critical aid that would protect against injury and loss of life.

G. That landmarks and historic buildings be preserved.

Although the 1924 Medical Administration Building, which would be demolished under the project, is not a designated historic landmark, it is a historic resource, eligible for listing under the California Register of Historic Resources both individually and as a contributor to a potential historic district. Demolition this building is necessary to construct the project and bring the Chinese Hospital into compliance with state structural performance guidelines. The Chinese Hospital Association would create a variety of features in the new building that would pay tribute to the historical relevance of the Medical Administration Building, such as photos, plaques, and explanations of the history of the Project Site. Moreover, the project would provide much needed healthcare services to the Chinatown community. By providing these community services to Chinatown and its residents, the project would foster the preservation of the Chinatown neighborhood community, and thereby support and encourage the continuity of the existing Chinatown neighborhood and its features.

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

The exterior of the project would perpetuate, enhance, and expand the existing tradition of providing an exterior gathering place. Currently, there is a small open space area in the front setback area of the

Chinese Hospital on Jackson Street, which is used by hospital visitors as a gathering and meeting place and provides a rest point for Chinatown residents. The project proposes to expand this open space and would provide an approximately 890 square foot landscaped seating area along the Jackson Street frontage created by a setback of 17 feet from the property line along Jackson Street at the ground and first floors, which would be landscaped and hardscaped. This area would wrap around the side of the building along James Alley, where the entire building would also be set back 5 feet from the east property line. The Project Sponsor also is in discussions to purchase and/or obtain easement rights over the other half of James Alley, which Project Sponsor currently does not own, upon which Project Sponsor intends to expand the landscaping and open space improvements along James Alley and possibly create a landscaped open seating area or other usable open space within James Alley for the public to enjoy. Overall, the project would maintain and improve the existing open space on the Project Site.

- 10. 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.
- 11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety, and welfare of the City.
- 12. Environmental Findings. The Commission hereby adopts and incorporates by reference as though fully set forth herein the CEQA Findings, including the findings rejecting alternatives and the statement of overriding considerations, found in Motion No. 18661 and the MMRP attached thereto as Exhibit A.

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. 2008.0762EMZC** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, received on June 26, 2012, 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. 18664. 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 July 12, 2012.

Linda D. Avery Commission Secretary

AYES: Antonini, Bordon, Miguel, Moore, Sugaya, Wu

NAYS: none

ABSENT: Fong

ADOPTED: July 12, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow demolition of the Chinese Hospital Medical Administration Building at 835 Jackson Street and the Chinese Hospital Parking Garage located directly behind the Medical Administration Building, and construction of a new hospital building, seven-stories over a basement and and approximately 90.5 feet tall (excluding an approximately 30 foot tall mechanical penthouse) with a floor area of approximately 101,545 square feet, in their place, and remodel and refurbish the 43,368 square-foot Chinese Hospital located at 835-845 Jackson Street, Lot 041 in Assessor's Block 0192, pursuant to Planning Code Section(s) 303, 249, 254, 812.80 and 812.20 within the Chinatown Residential Neighborhood Commercial District and a 65-N Height and Bulk District; in general conformance with plans, received on June 26, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2008.0762EMZC and subject to conditions of approval reviewed and approved by the Commission on July 12, 2012 under Motion No 18664. 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 12, 2012 under Motion No 18664.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18664 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

CONDITIONS TO THE EFFECTIVENESS OF THIS APPROVAL

- 1. General Plan Amendments. It shall be a condition precedent to the effectiveness of this approval that the General Plan is amended (1) by amending "Policy 1.2 Promote a building form that harmonizes with the scale of existing buildings and width of Chinatown's streets" within the Chinatown Area Plan to add the language, "other than construction within the Chinese Hospital Special Use District" to the second paragraph of the Policy and (2) by amending "Map 1 Generalized Height Plan" of the Chinatown Area Plan to reference a height limit of 110 feet for the property at 835-845 Jackson Street, Block 0192, Lot 041. This approval shall not be effective until such an amendments have been approved by the Board of Supervisors, have become effective and any appeal or referendum period has run, or if appealed, the amendments have been upheld.
- 2. **Planning Code Amendments**. It shall be a condition precedent to the effectiveness of this approval that the San Francisco Planning Code is amended to by 1) adding Section 249.69 to the Planning Code to create the Chinese Hospital Special Use District and (2) amending the San Francisco Zoning Map Sectional Maps ZN01, HT01, and SU01 to show the Chinese Hospital Special Use District and to reflect a change in height and bulk classification from 65-N to 110-G. This approval shall not be effective until such an amendments have been approved by the Board of Supervisors, have become effective and any appeal or referendum periods have run, or if appealed, the amendments have been upheld.

PERFORMANCE

- 3. Validity and Expiration for Rezoning and Text Map Amendment Applications. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. The construction of the approved Project shall commence within three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective, or this authorization shall no longer be valid. A building permit to construct the project and commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Permitting Agency 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
- 4. **Extension**. This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit to construct the Project 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.

5. **Mitigation Measures**. Mitigation measures contained in the Mitigation Monitoring and Reporting Program, attached as Exhibit A to Motion No. 18661 and incorporated herein by reference, shall be conditions of approval and are accepted by the Project Sponsor. If said measures are less restrictive than the other conditions herein, the more restrictive and protective control as determined by the Zoning Administrator, shall govern.

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

DESIGN- COMPLIANCE AT PLAN STAGE

www.sf-planning.org

6. **Final Materials**. The Project Sponsor shall continue to work with the Planning Department on the building design. Final materials, glazing, color, window type, and detailing shall be subject to Department staff review and approval. The architectural addenda drawings shall include the above information and shall be reviewed and approved by the Department.

For information about compliance contact the Case Planner Planning Department at 415-558-6378.

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

7. **Final Plans.** The Planning Department shall present the final approved plans for the project to the Planning Commission at a future meeting as an informational item. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378,

8. **Streetscape Plan.** The Project Sponsor shall continue to work with the Planning Department on the pedestrian streetscape improvements, including on the number and location of above ground potted street trees (taking into consideration what is achievable based on the location of the underground utility lines and vaults, PG&E requirements, and the location of the passenger and loading zones for the Project and accessibility to the project), in consultation with the Department of Public Works and the Department of Parking and Traffic. The Project Sponsor shall complete the final design of all pedestrian streetscape improvements prior to issuance of first architectural addenda, and shall complete construction of all pedestrian streetscape improvements prior to issuance of first certificate of occupancy

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

9. **Open Space.** The Project Sponsor shall continue to work with Planning Department staff to refine the design and programming of the open space plazas on Jackson Street and James Alley. The architectural addenda drawings shall include the above information and shall be reviewed and approved by the Department

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

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

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

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

12. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PROVISIONS

- 13. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 (formerly Chapter 38 of the Administrative Code), the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.
 - For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.
- 14. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use 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 415-581-2335, www.onestopSF.org

MONITORING

15. **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.

16. **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

- 17. **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/.
- 18. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org/.
- 18. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

 For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 19. **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 Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org/.