August 1, 2007

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John Laires Vice President, Western Canada & U.S. Imperial Parking (U.S.), Inc. 601 West Cordova Street – Suite 300 Vancouver, B.C. V6B 1G1 CANADA

> Re: Temporary Use Authorization for Ballpark Parking Lot Cirque du Soleil Performances – October 2007 – January 2008

Dear Mr. Laires,

This letter is in response to your July 20, 2007 request for a Zoning Administrator's Temporary Use Authorization under Planning Code Section 985(b). This request pertains to a portion of Assessor's Block 3880, at Third Street and Terry A. Francois Boulevard known as AT&T Parking Lot "A" (the "Property") for use by Cirque du Soleil for the period from October 29, 2007 to January 22, 2008.

The proposed use would include site preparation and set-up from October 8, 2007 (provided the Giants' baseball season has ended) to January 22, 2008. There would be approximately 10 performances during each week, including two performances on certain Thursdays and Fridays, and each Saturday and Sunday. Each performance would last about 2-1/2 hours. Teardown and site restoration would take place from January 13 to January 22, 2008. The anticipated schedule and performance times are further detailed in your application. The maximum seating capacity would be approximately 2,500 persons, and each performance would be expected to require parking on-site for approximately 650 - 750 vehicles.

Pursuant to Planning Code Section 985(b), I hereby authorize the temporary use of the Property for Cirque du Soleil performances and associated activities including parking, as described in the application letter, for the period of approximately October 8, 2007 to January 22, 2008.

By letter of September 4, 1997, the Zoning Administrator authorized the temporary use of Assessor's Block 3880 for off-street parking facilities to serve AT&T Park and its related uses for a period not to exceed 10 years from the beginning date of their operation as parking lots or December 31, 2011, whichever period is less. This authorization also includes several conditions that apply to the Property when it is used for ballgames and other events at the Ballpark. This authorization is subject to the following conditions of approval for Cirque du Soleil performances only:

Trash receptacles shall be conveniently placed and made widely available for public use on the Property. Litter shall be removed from the Property promptly following each performance.

John Laires Temporary Use Authorization AT&T Park August 1, 2007 Page 2.

A parking operational plan shall be in place prior to the Cirque du Soleil performances to ensure that adequate staffing of parking areas on the Property is provided for performances and that any queuing and congestion impacts on adjacent roadway are minimized.

The Planning Department's Office of Major Environmental Assessment has determined that the proposed temporary use by Cirque du Soleil is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15304(e).

If you have any questions or comments regarding this matter, please contact me at (415) 558-6350.

If anyone has substantial reason to believe that there is an error in the interpretation of the Planning Code, or abuse of discretion on the part of the Zoning Administrator, this determination may be appealed to the Board of Appeals within 15 days from the date of this letter. For further information regarding the appeals process, please contact the Board of Appeals, 1660 Mission Street – Room 3036, San Francisco or by telephone at (415) 575-6880.

Sincerely,

Lawrence B. Badiner Zoning Administrator

cc: Elizabeth R. Murphy, Esq., CBBC Elliott Riley, C.S.M., Port of S.F. Nicola-Jane McNeill, Esq.

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