



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use Authorization

HEARING DATE: 3/7/19

*Date:* March 7, 2019  
*Record No.:* **2018-000813CUA**  
*Project Address:* **939 ELLIS STREET**  
*Zoning:* RC-4 (Residential-Commercial, High Density) Zoning District  
130-V Height and Bulk District  
Van Ness Special Use District  
Van Ness Automotive Special Use District  
*Block/Lot:* 0738/019  
*Project Sponsor:* Seavest Healthcare Properties, LLC  
707 Westchester Avenue  
White Plains, NY 10604  
*Staff Contact:* Sylvia Jimenez – (415) 575-9187  
[sylvia.jimenez@sfgov.org](mailto:sylvia.jimenez@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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

Reception:  
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Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal is to establish a Health Service (Retail Sales and Service) Use within a currently vacant 121,946 square foot space most recently used as Office Use. The subject property has six floors above two levels of parking, one of which is below ground. The existing Office is a non-conforming use within the RC-4 (Residential Commercial, High Density) zoning district. Planning Code Section 102 describes a Health Service Use as a Retail Sales and Service Use; therefore, a Conditional Use Authorization is required to locate the proposed health services on the second floor and above of the subject building. The Health Service Use is principally permitted on the ground/first floor of the structure. An expansion of the existing use size is not proposed. The project also requests a Variance from off-street loading requirements, pursuant to Planning Code Section 152.

At the first floor, the project proposes to retain the existing parking and a lobby. A specific retail tenant for the second, third, and fourth floors has not been identified. The fifth, sixth, and seventh floors will be occupied by Kaiser Permanente and will provide a wide-range of inpatient, outpatient, emergency, mental health, and educational services. No new on-site parking is proposed, and the existing landscaping, garage screening, and open space will remain.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 209.3 and 303 for the change of use from a vacant Office Use to a Health Service (Retail Sales and Service) Use.

## **ISSUES AND OTHER CONSIDERATIONS**

**Tenant/Ownership History.** The subject tenant space is currently a vacant office use and has remained vacant since the departure of the former tenant and owners, 939 Ellis LLC. Prior to their departure, the Bay Area Air Quality Management District (BAAQMD) occupied the subject tenant space. The current owner purchased the subject property in 2018.

**Health Care Service Care Services Master Plan.** Upon recommendation of the Department of Public Health, the Planning Department has determined the project is consistent with the Health Care Services Master Plan (HCSMP), pursuant to Planning Code Section 342.

**Public Outreach and Comments.** The Department has not received any public comments to date.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan and meets all applicable requirements of the Planning Code. The Project will establish a Health Service Use that serves the community in a tenant space that is currently vacant, which both enhances and reinforces the neighborhood's existing commercial corridor and provides services to the public. Additionally, the Project will not displace an existing neighborhood serving retail use, but rather provide new business and job opportunities to the neighborhood. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **ATTACHMENTS:**

- Draft Motion – Conditional Use Authorization
- Exhibit A – Conditions of Approval
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Maps and Context Photos
- Exhibit E – Complete Application



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: MARCH 7, 2019

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

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[sylvia.jimenez@sfgov.org](mailto:sylvia.jimenez@sfgov.org)

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209.3 AND 303, TO ESTABLISH A HEALTH SERVICE (RETAIL SALES AND SERVICE) USE WITHIN A CURRENTLY VACANT 96,908 SQUARE FOOT TENANT SPACE MOST RECENTLY USED AS AN OFFICE USE. THE SUBJECT PROPERTY IS LOCATED WITHIN A RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) ZONING DISTRICT, THE VAN NESS SPECIAL USE DISTRICT, 130-V HEIGHT AND BULK DISTRICT, AND THE VAN NESS AUTOMOTIVE SPECIAL USE DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On January 11, 2018, Seavest Healthcare Properties, LLC (hereinafter "Project Sponsor") filed Application No. 2018-000813CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow a change of use from Office Use to Health Service (Retail Sales and Service) Use (hereinafter "Project") at 939 Ellis Street, Block 0738 Lot 019 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-000813CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On January 14, 2019 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

On January 31, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-000813CUA.

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 Authorization as requested in Application No. 2018-000813CUA, 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 is located on the south side of Ellis Street between Van Ness Avenue and Franklin Street, Block 0738 lot 019. The property is located within the RC-4 (Residential Commercial, High Density) Zoning District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-V Height and Bulk District. The property is on a laterally-sloping lot with a total lot size of 16,500 square feet. The property currently has approximately 121,6946 gross floor area of vacant tenant space most recently used as a non-conforming Office Use.
3. **Surrounding Properties and Neighborhood.** The Project Site is located within the RC-4 Zoning District, the Van Ness Special Use District, and the Van Ness Automotive Special Use District. The subject RC-4 Zoning District covers approximately 16 blocks of Van Ness Avenue between Broadway in the north and Golden Gate Avenue in the south, as well as portions of Polk Street and several blocks of the Downtown/Civic Center neighborhood. The surrounding development consists of a variety of commercial and mixed-use buildings, including the Van Ness Auto Row and high-density housing that ranges from two-story automotive garages to seven-story mixed-use and residential properties. The scale of development is varied, consisting primarily of structures three to five stories in height, with several mid-rise buildings scattered throughout. The RC-4 Zoning District is intended to recognize, protect, conserve, and enhance areas characterized by structures combining Residential uses with neighborhood-serving Commercial uses. The surrounding zoning is primarily Neighborhood Commercial, including the Polk Street NCD.
4. **Project Description.** The Project Sponsor proposes to establish a Health Service (Retail Sales and Service) Use within a currently vacant 121,946 square foot tenant space most recently used as Office Use. The subject property has six floors above two levels of parking, one of which is below ground. The existing Office Use is a non-conforming use within the RC-4 (Residential Commercial, High Density) zoning district. Planning Code Section 102 describes a Health Service Use as a Retail Sales and Service Use; therefore, a Conditional Use Authorization is required to

locate the proposed health services on the second floor and above of the subject building. The Health Service Use is principally permitted on the ground/first floor of the structure. An expansion of the existing use size is not proposed.

At the first floor, the project proposes to retain existing parking and a lobby/storage area. A specific retail tenant for the second, third, and fourth floors has not been identified. The fifth, sixth, and seventh floors will be occupied by Kaiser Permanente and will provide a wide-range of inpatient, outpatient, emergency, mental health, and educational services. No new on-site parking is proposed and the existing landscaping, garage screening, and open space will remain.

5. **Public Outreach and Comments.** The Department has not received any public outreach or comments to date.
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.** Planning Code Section 209.3 states that a Conditional Use Authorization is required for a Retail Sales & Service Use on the second floor in the RC-4 Zoning District. Planning Code Section 102 describes a Health Service Use as a Retail Sales and Service Use; therefore, Conditional Use Authorization is required to locate the proposed health services on the second floor and above of the subject building. The Health Service Use is principally permitted on the ground/first floor of the structure.
  - B. **Health Care Services Master Plan.** Planning Code Section 342 states that this Medical Use project must complete and submit a HCSMP Consistency Determination Application as it would exceed 10,000 gross square feet, subject to approval by the Planning Department with input from the San Francisco Department of Public Health. (SFDPH).

The Sponsor intends to occupy the subject building with a Health Service Use of approximately 121, 946 square feet and is subject to Planning Code Section 342 because the proposed use is in excess of 10,000 square feet.

On October 15, 2018 the Project Sponsor submitted an application for a Health Care Services Master Plan Consistency Determination to the Planning Department. The Application and supporting documentation was forwarded to the SFDPH for review. On October 31, 2018 SFDPH issued a Memorandum recommending a finding of consistency with the Health Care Services Master Plan. The Planning Department concurs in the SFDPH's recommendation and has approved the HCSMP application.

- C. **Off-Street Loading.** Planning Code Section 152 requires two off-street loading spaces for retail sales and service and industrial uses that have between 60,001 and 100,000 sq. ft. of gross floor area.

*The proposed 96,908 square foot health services building will not provide the required off-street loading but instead proposes an on-street loading space, thus requiring a variance from the off-street loading requirement.*

- D. **Parking.** Off-street parking is not required for non-residential uses in the RC-4 Zoning District per Planning Code Section 151.1. The property currently has 53 vehicle parking spaces at the basement and ground floor. A maximum of one space per 1,500 square feet of occupied floor area is permitted. No additional parking is proposed.
  - E. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department.
  - F. **Van Ness Automotive Special Use District.** Planning Code Section 237 establishes the Van Ness Automotive Special Use District in order to provide a major automotive area with a citywide and regional market. The proposed use is not an Automotive use and the controls of this Special Use District do not apply.
  - G. **Van Ness Special Use District.** Planning Code Section 243 establishes the Van Ness Special Use District in order to implement the objectives and policies of the Van Ness Avenue Area Plan. The controls specified in Planning Code Section 243(c) are not applicable due to the limited scope of the proposal. The proposal does not include any new construction or alterations to an existing structure.
7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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.

*The proposed Retail Sales and Services use is compatible with the surrounding mixed-use neighborhood. Such uses include retail and professional services uses, governmental offices, and residential mixed-use buildings.*

- 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:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.*

- (2) 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;

*The Planning Code does not require parking or loading for a Retail Sales and Service Use in this zoning district. The Project site is well served by public transit, with multiple public transit alternatives (MUNI Bus lines 5-Fulton, 5R-Fulton Rapid, 7X-Noriega Express, 19-Polk, 47-Van Ness and 49-Van Ness/Mission; Civic Center BART/MUNI; Van Ness MUNI) within one to five blocks. Additionally, the Project site is directly adjacent to Van Ness Avenue and Franklin Streets, both major thoroughfares which provide ready access to those driving.*

*Parking is available either along surrounding neighborhood streets or within the on-site parking garage on the first floor and basement below. This garage provides 53 parking spaces available. Access to the parking would not change as a result of the subject space's occupant or use.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*Appropriate measures will be taken to minimize the generation of and impacts from noise, dust and odor as required by law during the tenant improvement construction. Should future uses be proposed that may cause noise or odor, they will be required to abide by standard conditions of approval applicable to the use.*

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

*The project does not require any additional landscaping or screening, and no new off-street parking spaces, loading spaces, open space, or service areas are proposed. Any proposed signage will be consistent with the controls of the Planning Code.*

- 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.*

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

## COMMERCE AND INDUSTRY ELEMENT

### Objectives and Policies

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

#### **POLICY 1.1:**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

*The proposed project will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. The conditions of approval will ensure that the use meets minimum, reasonable performance standards. Further, the project site is located within a RC Zoning District and is thus consistent with activities in the commercial land use plan.*

#### **OBJECTIVE 6:**

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

#### **POLICY 6.4:**

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

*The Project proposes a new Retail Sales and Services use along the Van Ness corridor. The Project Site is well served by public transit, with multiple public transit alternatives (MUNI Bus lines 5-Fulton, 5R-Fulton Rapid, 7X-Noriega Express, 19-Polk, 47-Van Ness and 49-Van Ness/Mission; Civic Center BART/MUNI; Van Ness MUNI) within close walking distance. Additionally, the Project site is directly adjacent to Van Ness Avenue, Franklin/Gough Streets, Golden Gate Avenue and Turk Street, major thoroughfares which provide ready access to those driving. Thus, the Project is easily accessed by residents throughout the city, and will augment and improve an existing neighborhood retail core that needs active and vibrant uses to remain an asset to the community.*

#### **POLICY 6.9:**

Regulate uses so that traffic impacts and parking problems are minimized

*The Project will utilize the existing parking garage at the basement and ground floors and does not propose any increase in parking. Additionally, the Project Site is readily accessible by public transit, and is within the pedestrian-friendly Van Ness corridor.*

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 will not displace any existing retail uses.*

- 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 does not involve any residential use or dwelling unit. Neighborhood character will remain unchanged as the building envelope is not proposed to change.*

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

*The Proposal is to change the use of a commercial space and does not involve any residential unit or building.*

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

*The Project Site is well served by public transit, with multiple public transit alternatives (MUNI Bus lines 5-Fulton, 5R-Fulton Rapid, 7X-Noriega Express, 19-Polk, 47-Van Ness and 49-Van Ness/Mission; Civic Center BART/MUNI; Van Ness MUNI) within close walking distance. Additionally, the Project site is directly adjacent to Van Ness Avenue, Franklin/Gough Streets, Golden Gate Avenue and Turk Street, major thoroughfares which provide ready access to those driving. Thus, the Project is easily accessed by residents throughout the city, and will augment and improve an existing neighborhood retail core that needs active and vibrant uses to remain an asset to the community.*

- E. That a diverse economic base be maintained by protecting our industrial and Services 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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*All construction associated with the tenant improvement will be done in compliance with applicable San Francisco Building and Fire Code fire and life safety standards, adhering to all emergency code requirements.*

- 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 does not have an impact on open spaces. The building envelope is not proposed to change.*

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.

## 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 Authorization Application No. 2018-0008133CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 13, 2018, 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. 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.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on January 31, 2019.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: January 31, 2019

SAN FRANCISCO  
**PLANNING DEPARTMENT**

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a Health Service (Retail Sales and Service) Use located at 939 Ellis Street, Block 0738, and Lot 019 pursuant to Planning Code Sections **209.3 and 303** within the **RC-4 (Residential-Commercial, High Density)** Zoning District and a **130-V** Height and Bulk District; in general conformance with plans, dated **November 13, 2018**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-000813CUA** and subject to conditions of approval reviewed and approved by the Commission on **January 31, 2019** under Motion No **XXXXXX**. 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 31, 2019** under Motion No **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** 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](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

## DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9187, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9187, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

8. **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](http://www.sf-planning.org)*

9. **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](http://www.sf-planning.org)*

## OPERATION

10. **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>*

11. **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 at 415-554-5810, <http://sfdpw.org>*

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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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](http://www.sf-planning.org)*

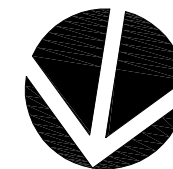
**PREPARED FOR:**

Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**939 ELLIS ST  
SAN FRANCISCO, CA**

**BASEMENT**  
(As Measured: March 2018)



**BASEMENT**



**BASEMENT**

*Gross Floor Area:* 14,581 s.f.  
*Total Building Area:* 14,137 s.f.  
*Total Rentable Area:* 0 s.f.  
*Total Occupant Area:* 0 s.f.

**26 Parking Spaces**



SCALE: 1/16" = 1' - 0"

AREAS COMPUTED IN ACCORDANCE WITH  
ANSI/BOMA (Z65.1) 2017 OFFICE STANDARD,  
METHOD B (Single Load Factor Method).

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TEL: (888) 393-6655  
FILE: 18-587

Survey Accuracy: +/- 0.10 %



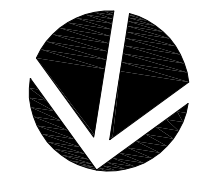
**PREPARED FOR:**

Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

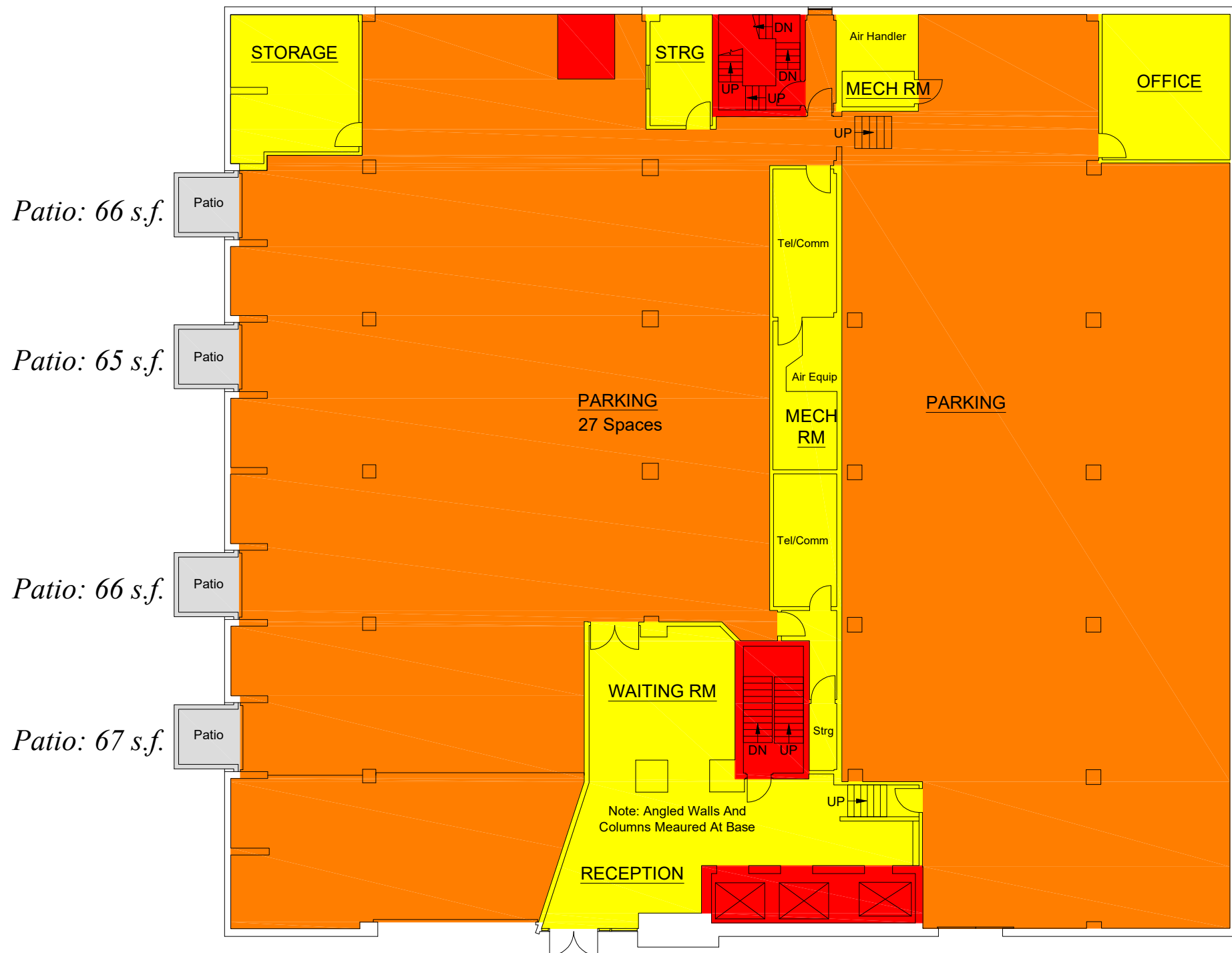
<http://www.seavesthcp.com>

**939 ELLIS ST  
SAN FRANCISCO, CA**

**FIRST FLOOR**  
(As Measured: March 2018)



**FIRST FLOOR**



Patio: 66 s.f.

Patio: 65 s.f.

Patio: 66 s.f.

Patio: 67 s.f.

27 Parking Spaces

**BUILDING TOTALS**

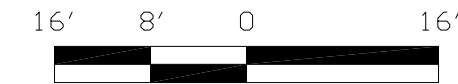
Gross Floor Area: 121,946 s.f.  
Total Building Area: 118,621 s.f.  
Total Rentable Area: 91,290 s.f.  
Total Occupant Area: 65,342 s.f.

**FLOOR 1**

Gross Floor Area: 14,544 s.f.  
Total Building Area: 14,121 s.f.  
Total Rentable Area: 0 s.f.  
Total Occupant Area: 0 s.f.

Note: Angled Walls And  
Columns Measured At Base

**ELLIS ST**



SCALE: 1/16" = 1' - 0"

AREAS COMPUTED IN ACCORDANCE WITH  
ANSI/BOMA (Z65.1) 2017 OFFICE STANDARD,  
METHOD B (Single Load Factor Method).

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TEL: (888) 393-6655  
FILE: 18-587

Survey Accuracy: +/- 0.07 %

**PREPARED FOR:**

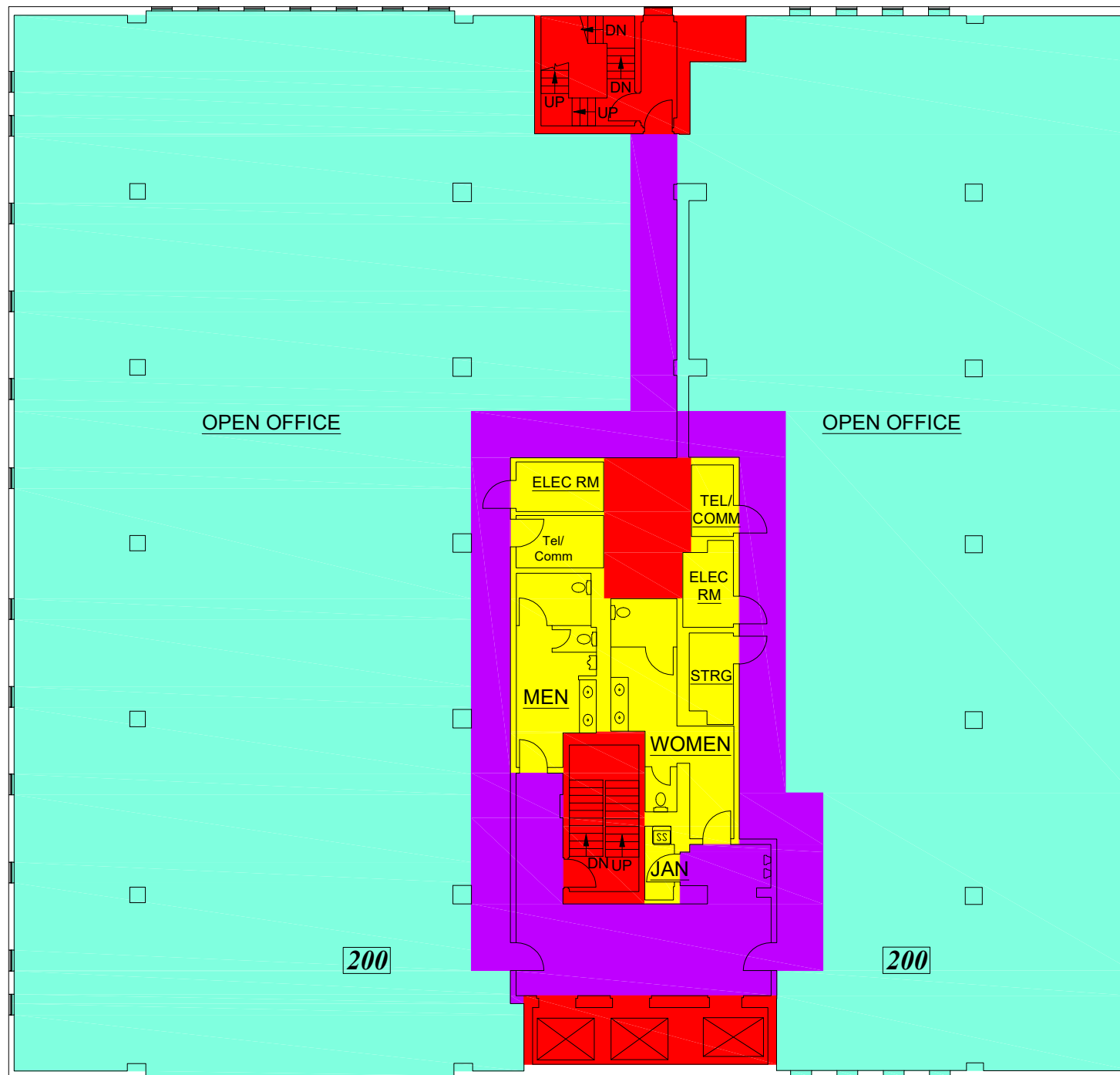
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**Second Floor  
(future TIs)**

**939 ELLIS ST  
SAN FRANCISCO, CA**

**SECOND FLOOR**  
(As Measured: March 2018)  
(Last Updated: October 2018)



**FLOOR 2**

*Gross Floor Area: 14,153 s.f.*  
*Total Building Area: 13,820 s.f.*  
*Total Rentable Area: 15,385 s.f.*  
*Total Occupant Area: 11,012 s.f.*



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.10 %

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FILE: 18-587

**PREPARED FOR:**

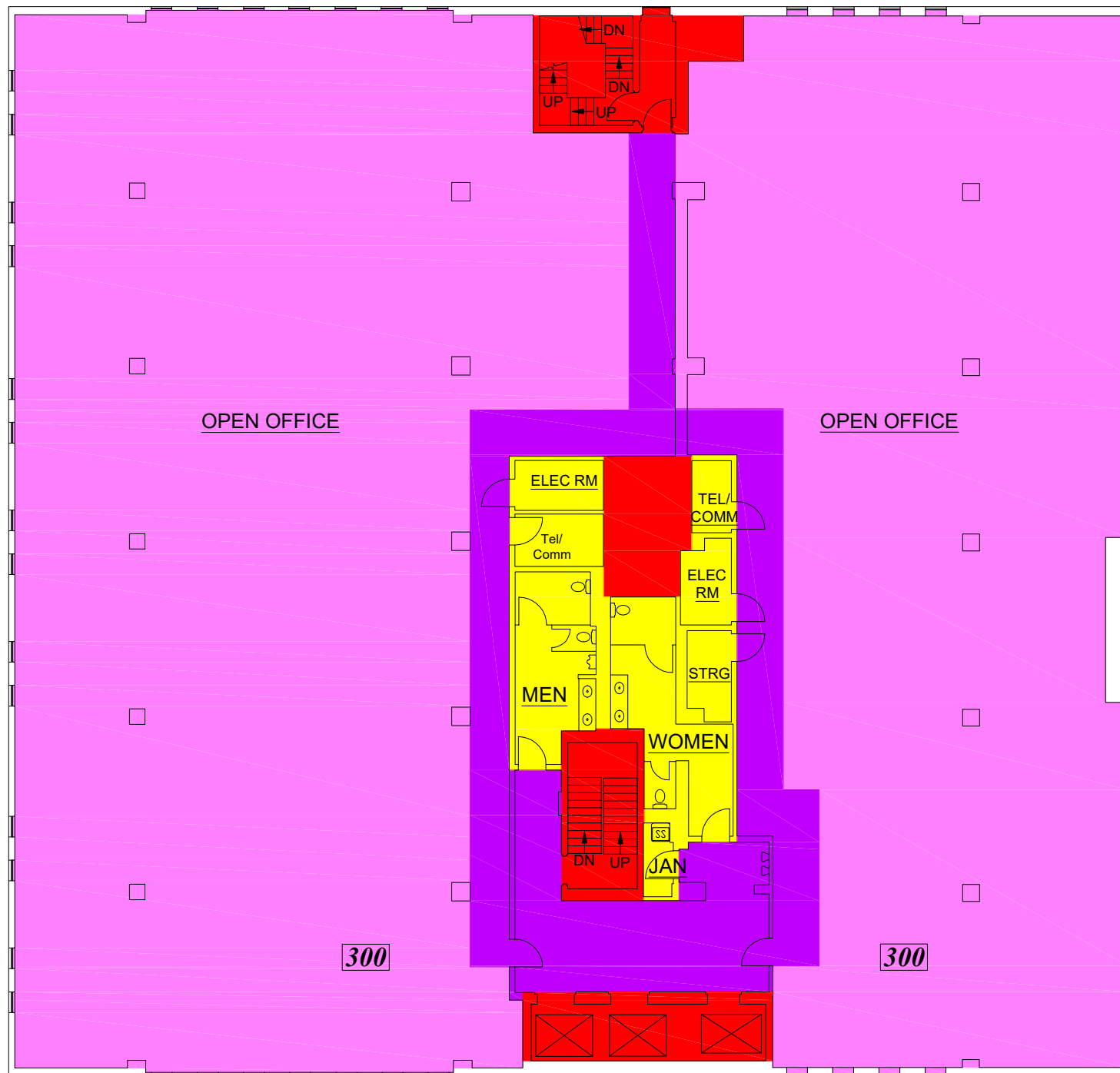
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**THIRD FLOOR  
(future TIs)**

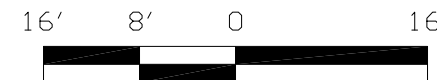
**939 ELLIS ST  
SAN FRANCISCO, CA**

**THIRD FLOOR**  
(As Measured: March 2018)  
(Last Updated: October 2018)



**FLOOR 3**

*Gross Floor Area: 14,153 s.f.*  
*Total Building Area: 13,758 s.f.*  
*Total Rentable Area: 15,308 s.f.*  
*Total Occupant Area: 10,957 s.f.*



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.07 %

**PREPARED FOR:**

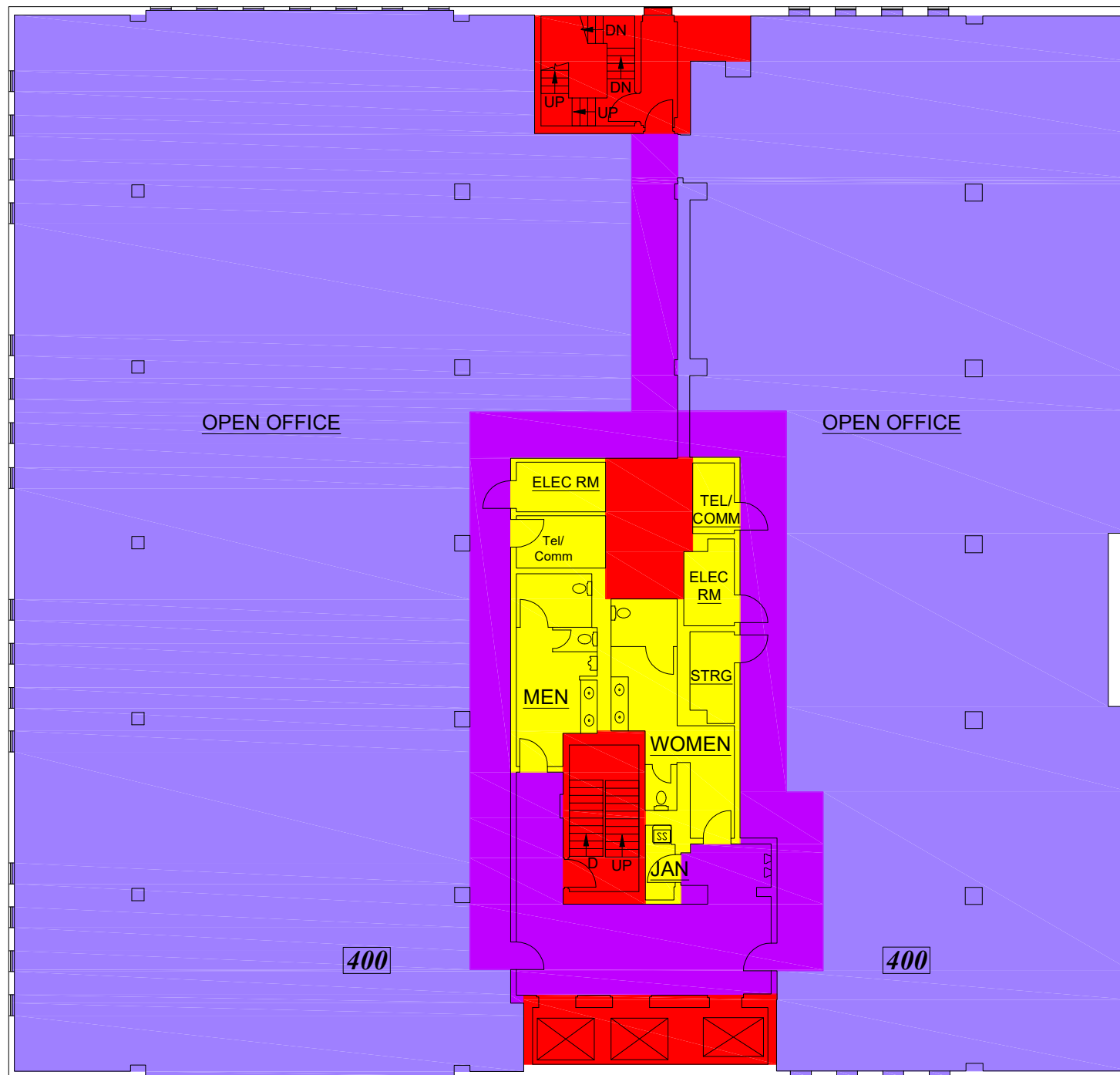
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**FOURTH FLOOR  
(future TIs)**

**939 ELLIS ST  
SAN FRANCISCO, CA**

**FOURTH FLOOR**  
(As Measured: March 2018)  
(Last Updated: October 2018)



**FLOOR 4**

*Gross Floor Area: 14,153 s.f.*  
*Total Building Area: 13,764 s.f.*  
*Total Rentable Area: 15,287 s.f.*  
*Total Occupant Area: 10,942 s.f.*



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.07 %

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TEL: (888) 393-6655  
FILE: 18-587

**PREPARED FOR:**

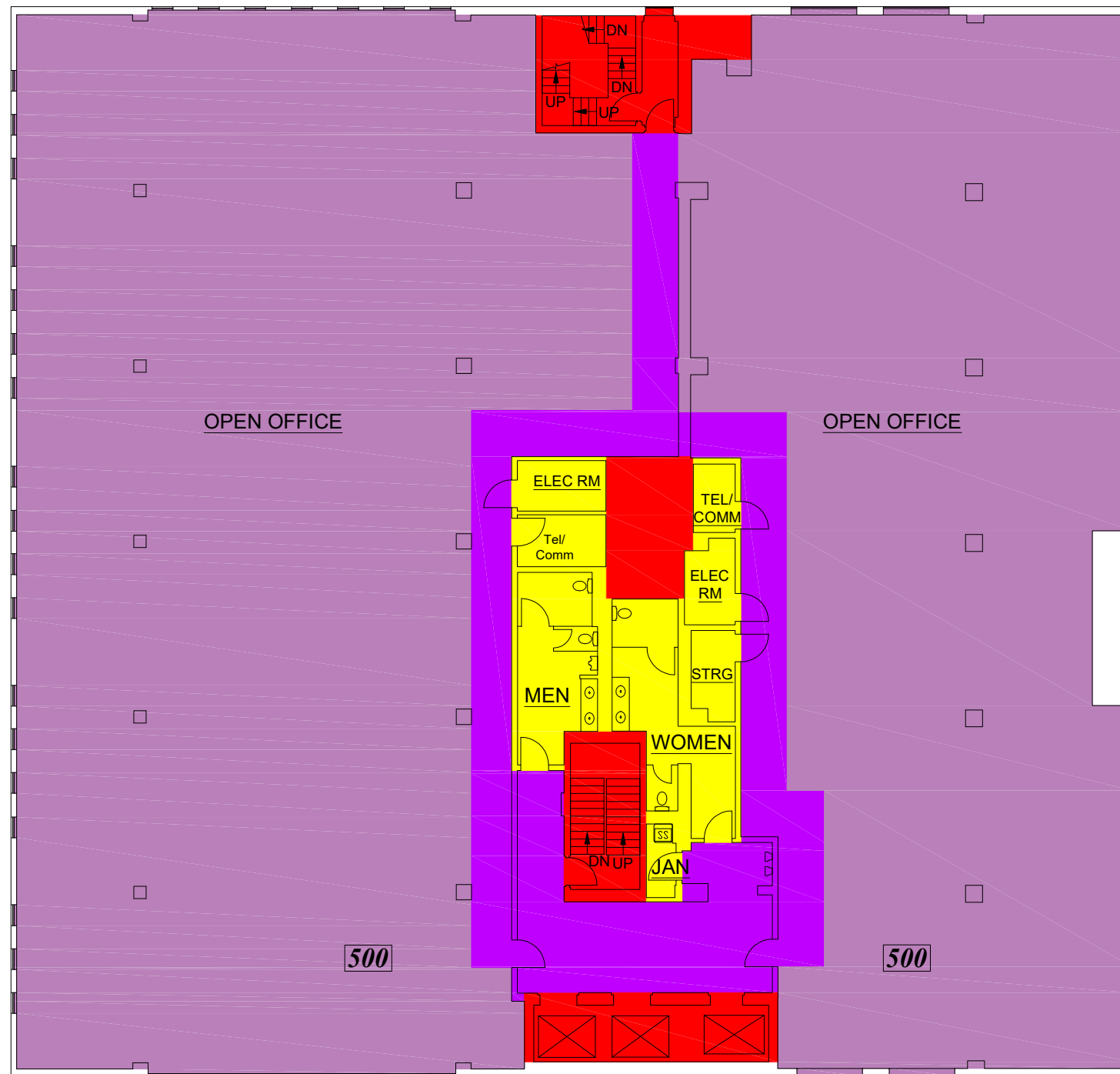
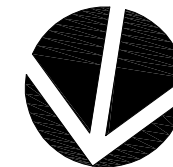
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**FIFTH FLOOR**  
**(Subject to Kaiser TIs)**

**939 ELLIS ST**  
**SAN FRANCISCO, CA**

**FIFTH FLOOR**  
(As Measured: March 2018)  
(Last Updated: October 2018)



**FLOOR 5**

Gross Floor Area: 14,153 s.f.  
Total Building Area: 13,759 s.f.  
Total Rentable Area: 15,283 s.f.  
Total Occupant Area: 10,939 s.f.



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.07 %

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TEL: (888) 393-6655  
FILE: 18-587

**PREPARED FOR:**

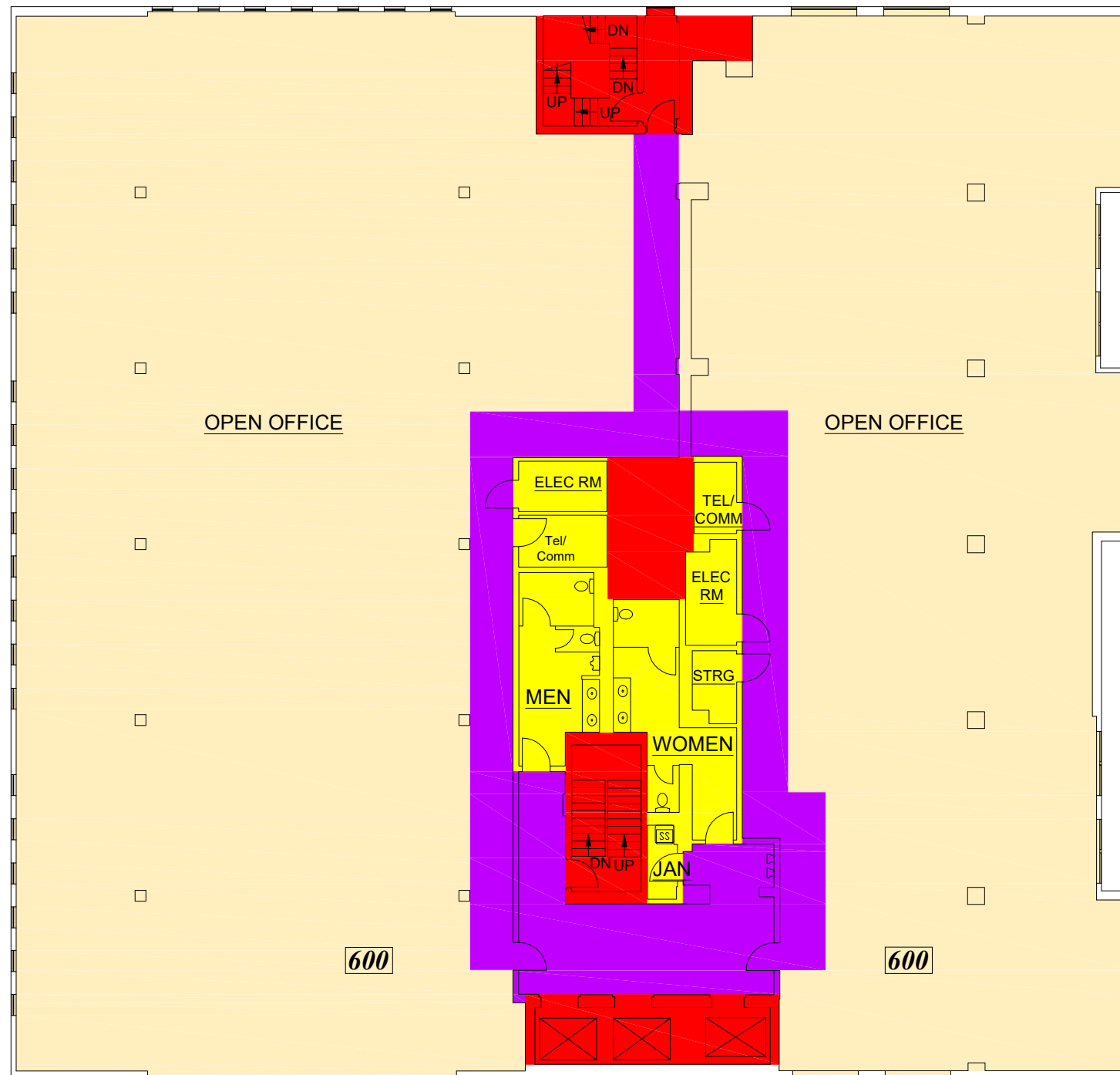
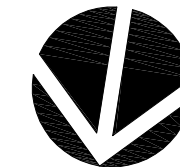
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**SIXTH FLOOR**  
**(Subject to Kaiser TIs)**

**939 ELLIS ST**  
**SAN FRANCISCO, CA**

**SIXTH FLOOR**  
(As Measured: March 2018)  
(Last Updated: October 2018)



**FLOOR 6**

Gross Floor Area: 13,913 s.f.  
Total Building Area: 13,582 s.f.  
Total Rentable Area: 15,001 s.f.  
Total Occupant Area: 10,738 s.f.



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.07 %

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**PREPARED FOR:**

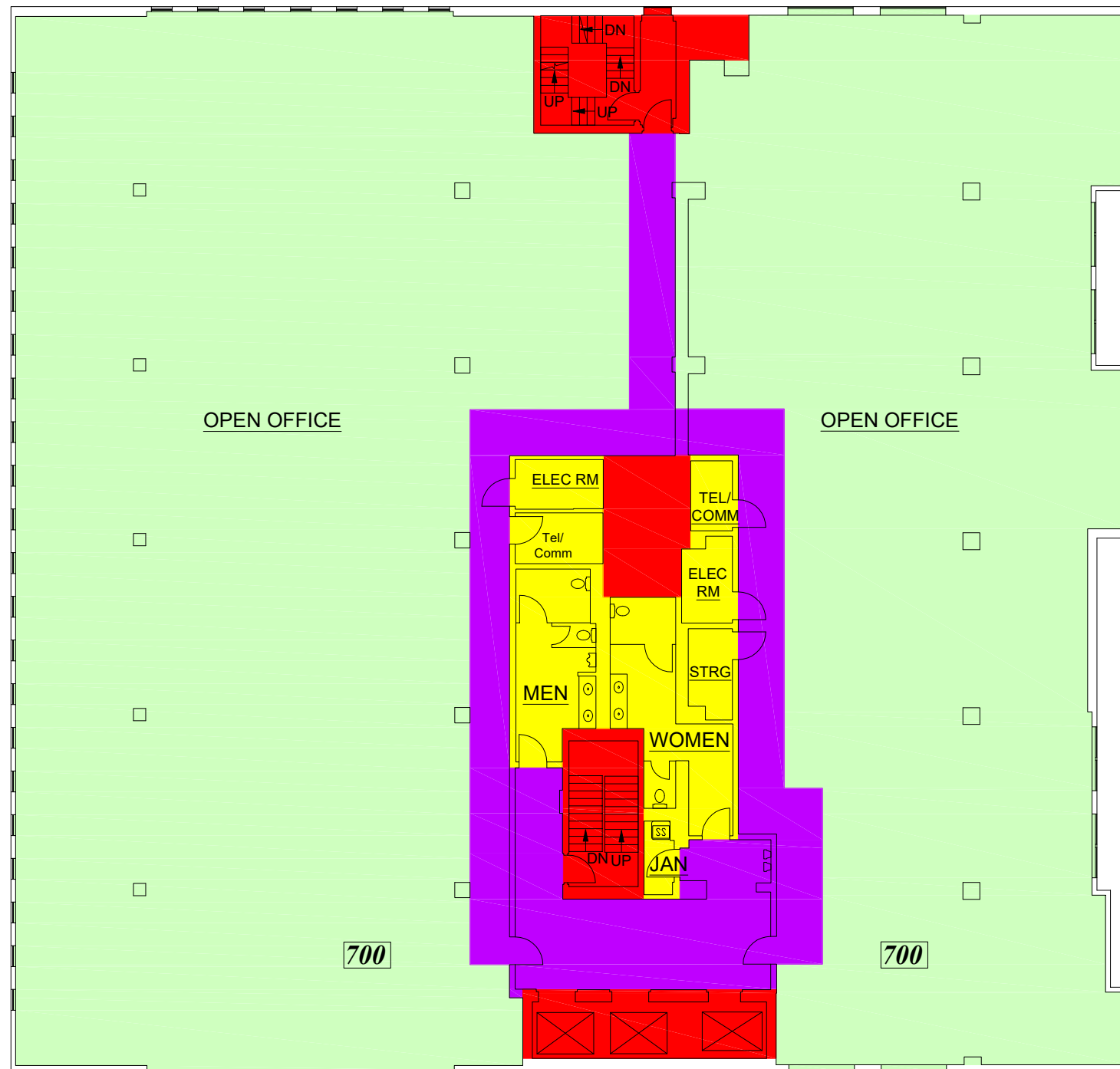
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**SEVENTH FLOOR**  
**(Subject to Kaiser**  
**TIs)**

**939 ELLIS ST**  
**SAN FRANCISCO, CA**

**SEVENTH FLOOR**  
(As Measured: March 2018)  
(Last Updated: October 2018)



**FLOOR 7**

*Gross Floor Area: 13,888 s.f.*  
*Total Building Area: 13,580 s.f.*  
*Total Rentable Area: 15,026 s.f.*  
*Total Occupant Area: 10,755 s.f.*



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.07 %

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FILE: 18-587

**PREPARED FOR:**

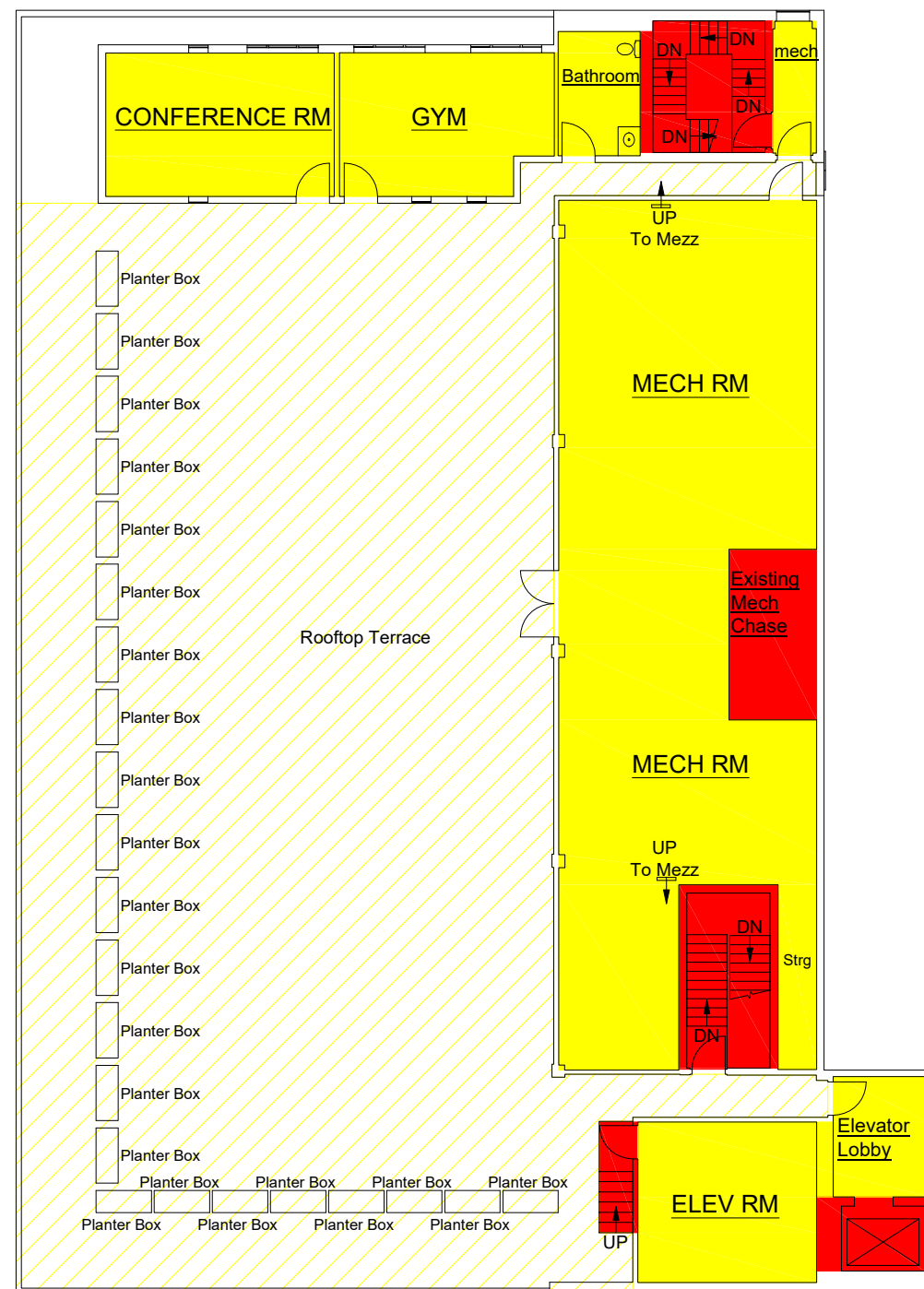
Seavest  
707 Westchester Avenue, Suite 401  
White Plains, NY 10604  
Tel (914) 269-0911  
Fax (914) 681-5182

<http://www.seavesthcp.com>

**939 ELLIS ST  
SAN FRANCISCO, CA**

**ROOF**  
(As Measured: March 2018)  
(Last Updated: October 2018)

**ROOF PLAN**



**ROOF**

Gross Floor Area: 8,408 s.f.  
Total Building Area: 8,100 s.f.  
Total Rentable Area: 0 s.f.  
Total Occupant Area: 0 s.f.



SCALE: 1/16" = 1' - 0"



Survey Accuracy: +/- 0.07 %

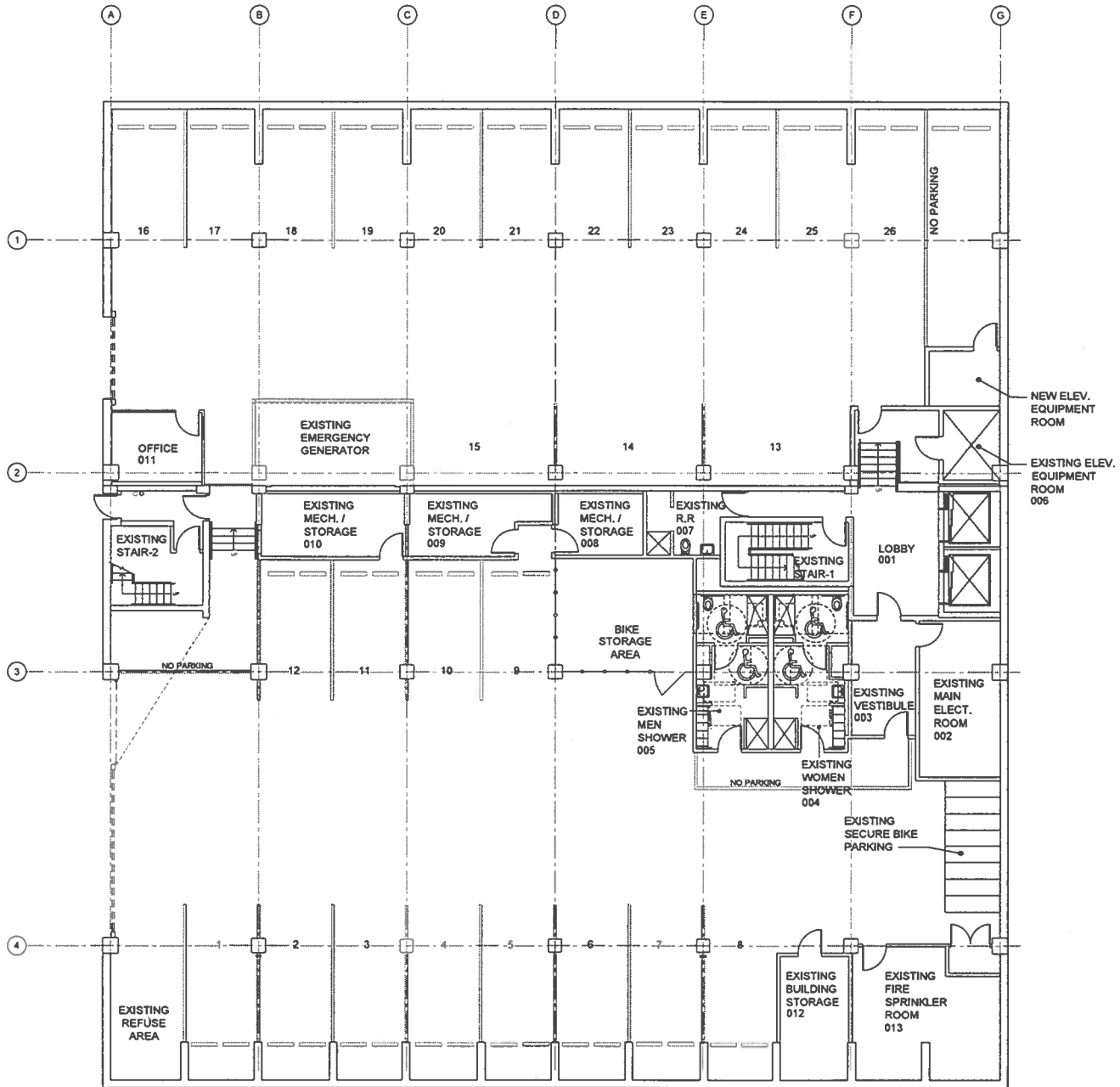
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FILE: 18-587

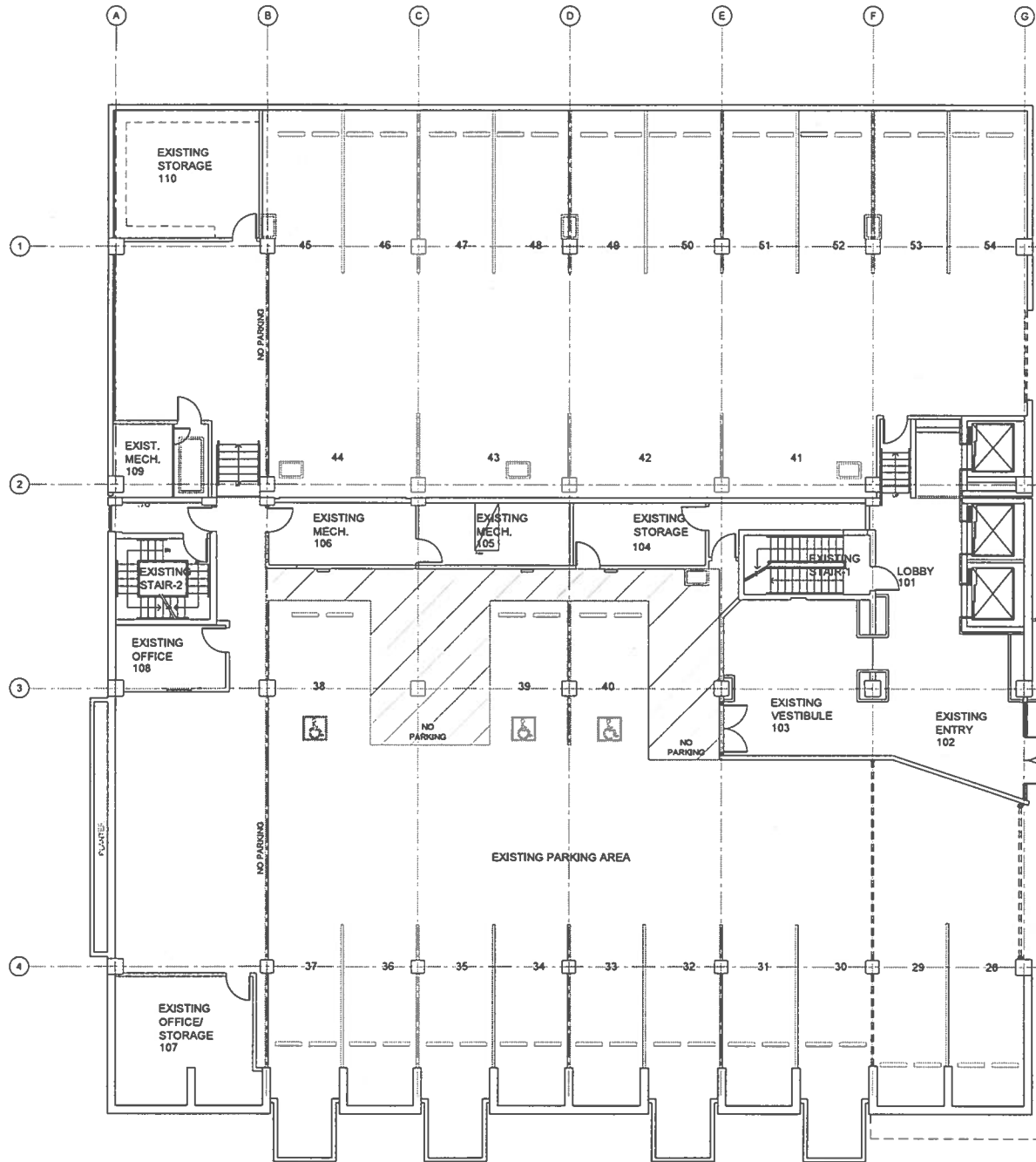




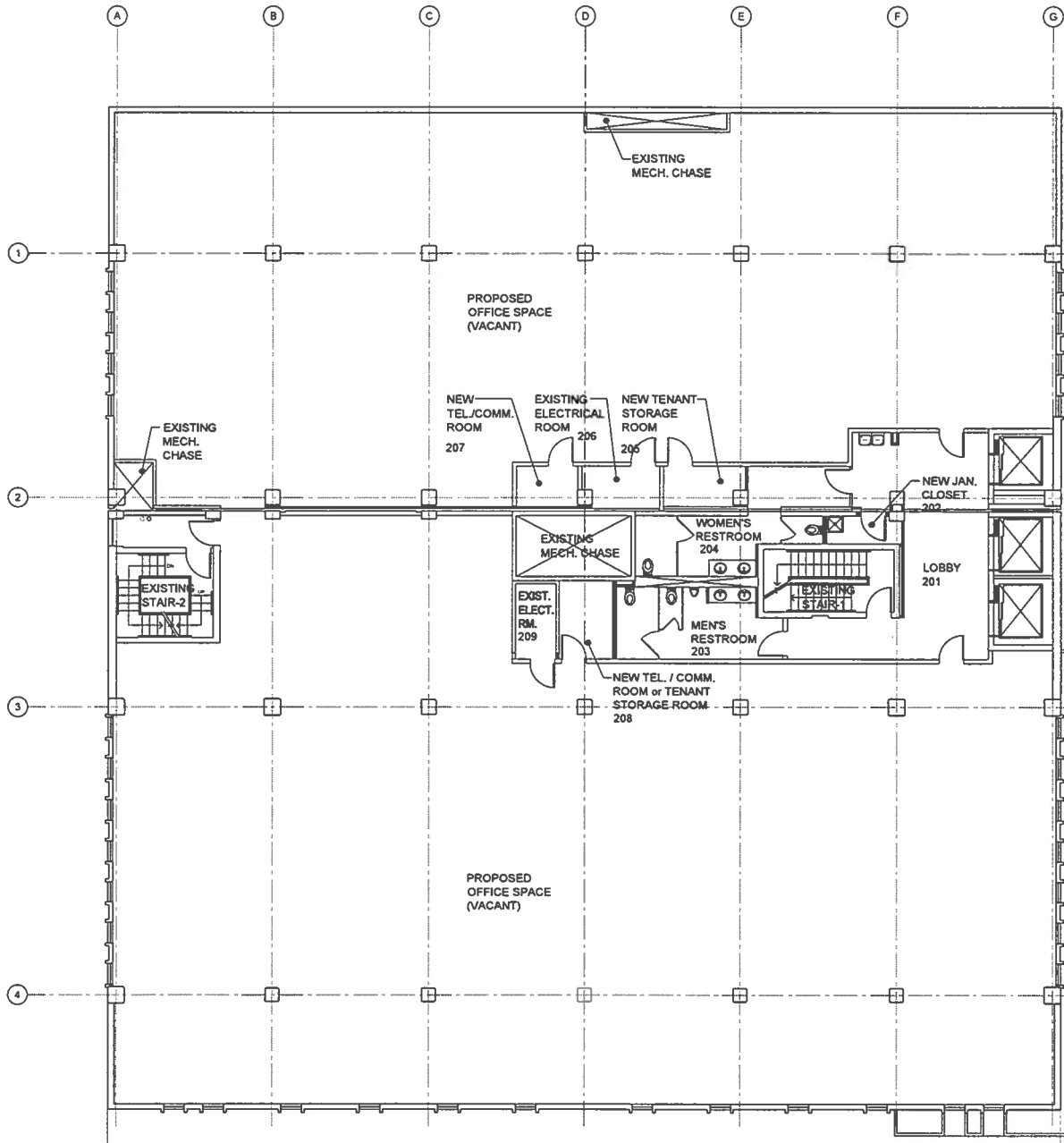
LOWER LEVEL



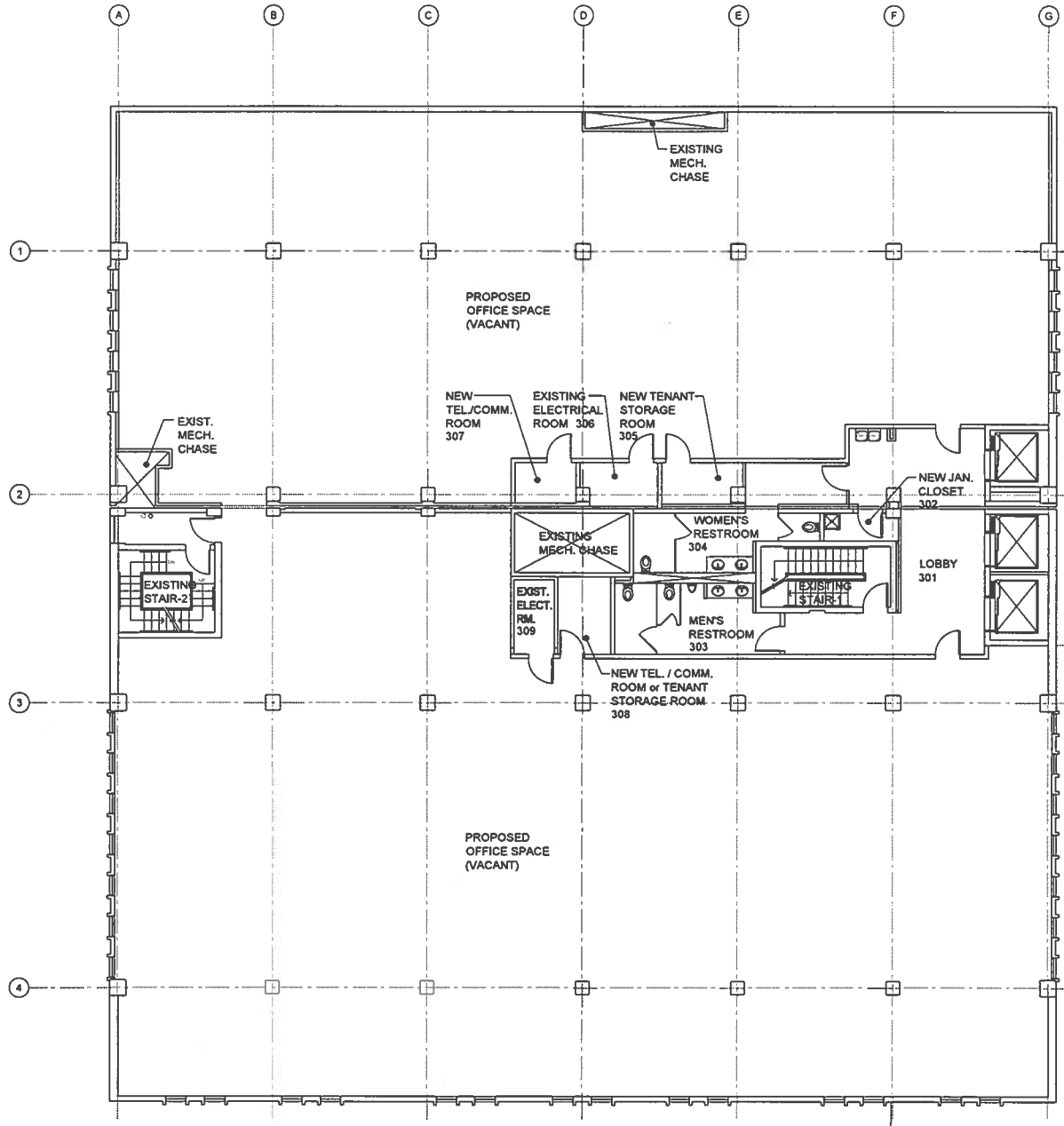
ENTRY LEVEL



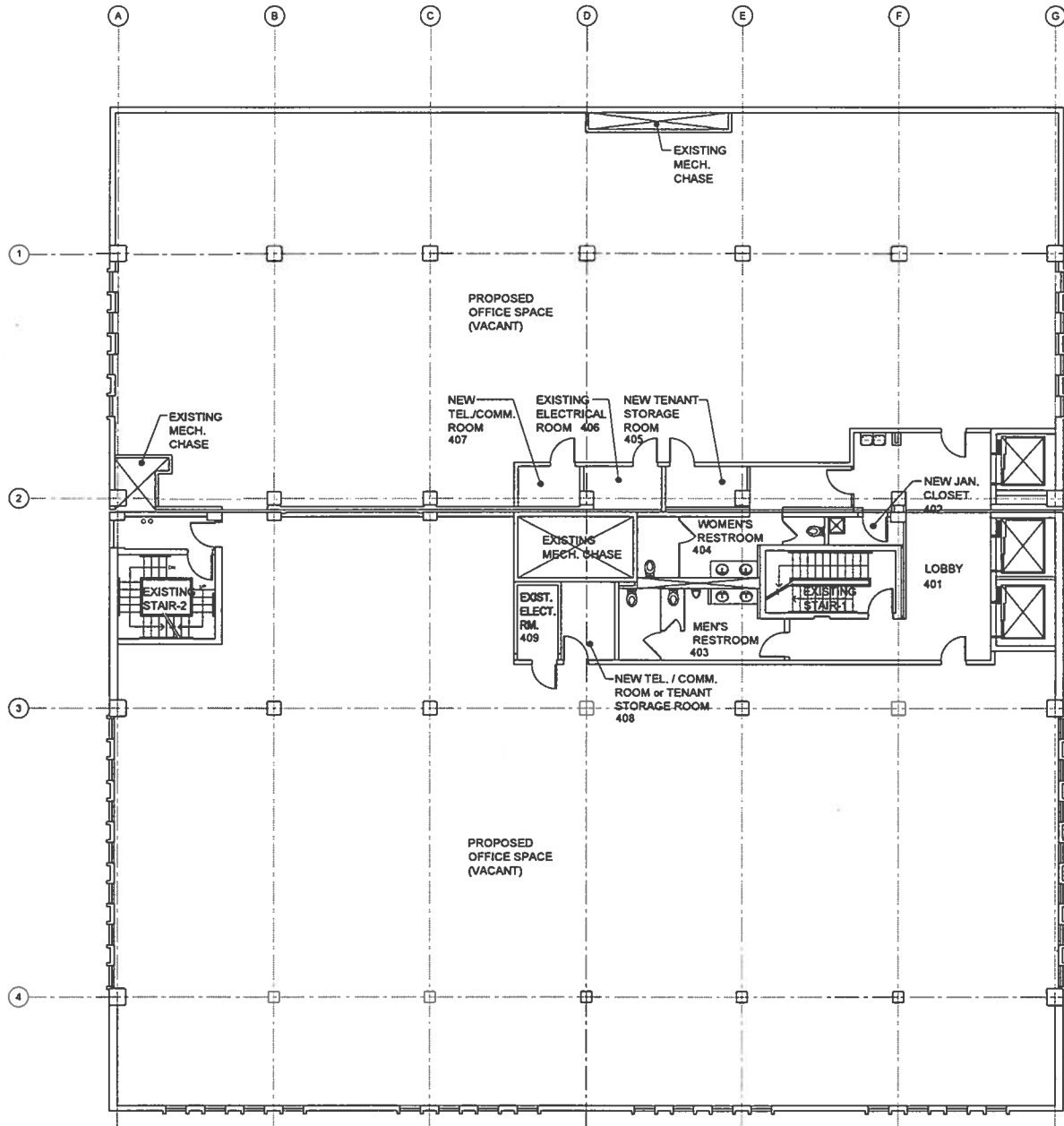
SECOND FLOOR  
(subject to future TIs)



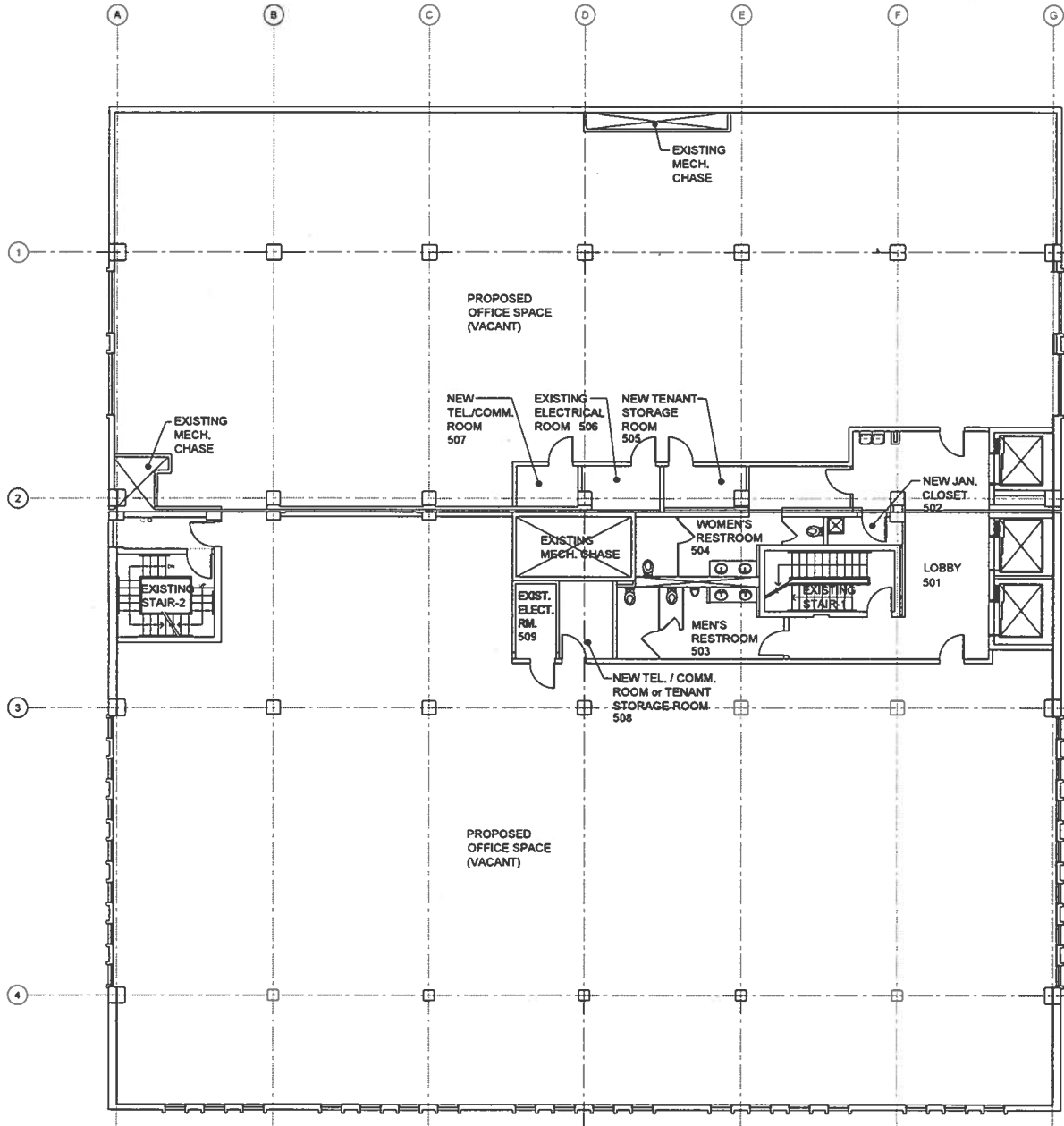
THIRD FLOOR  
(subject to future TIs)



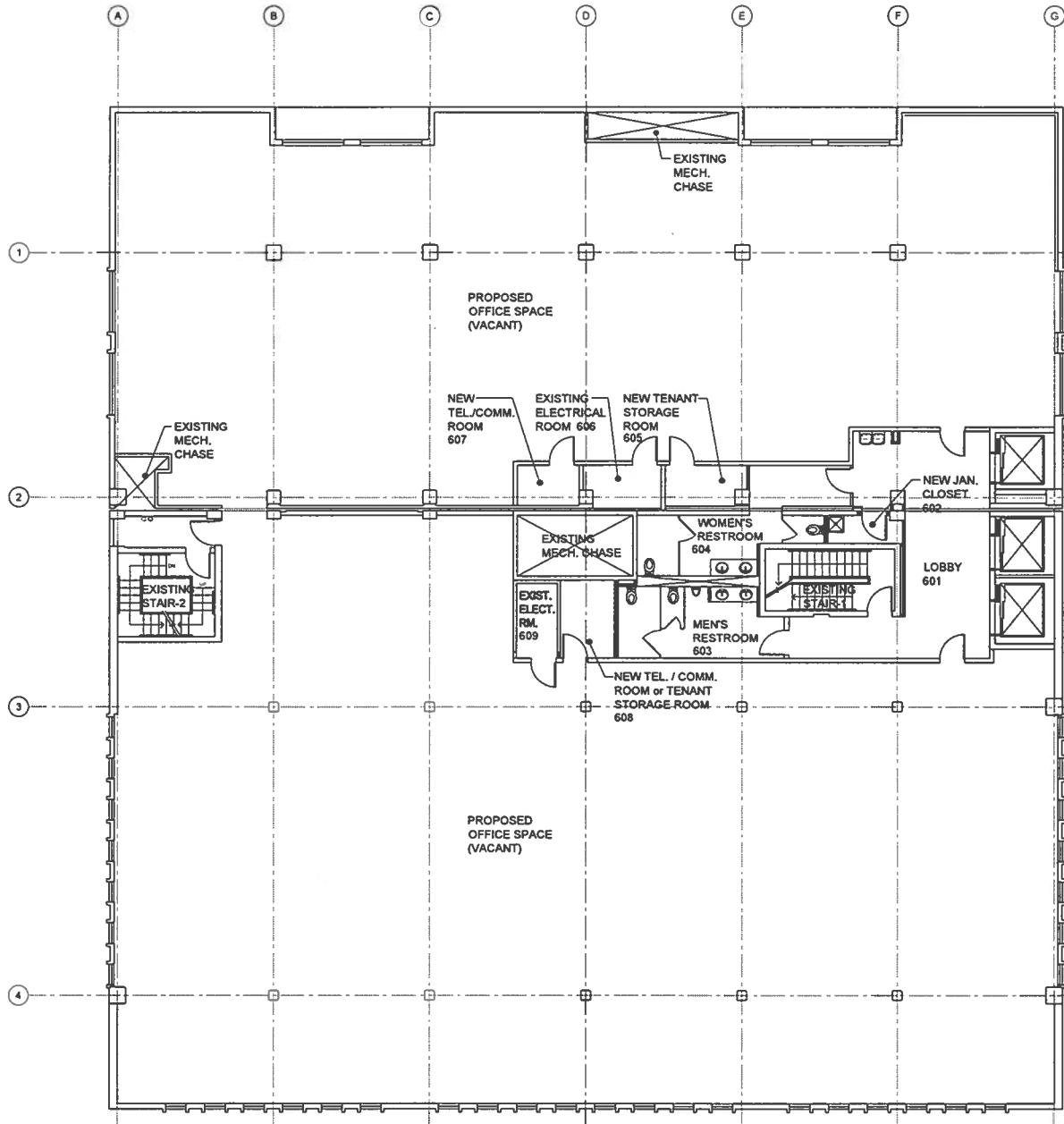
FOURTH FLOOR  
(subject to future TIs)



FIFTH FLOOR  
(existing)

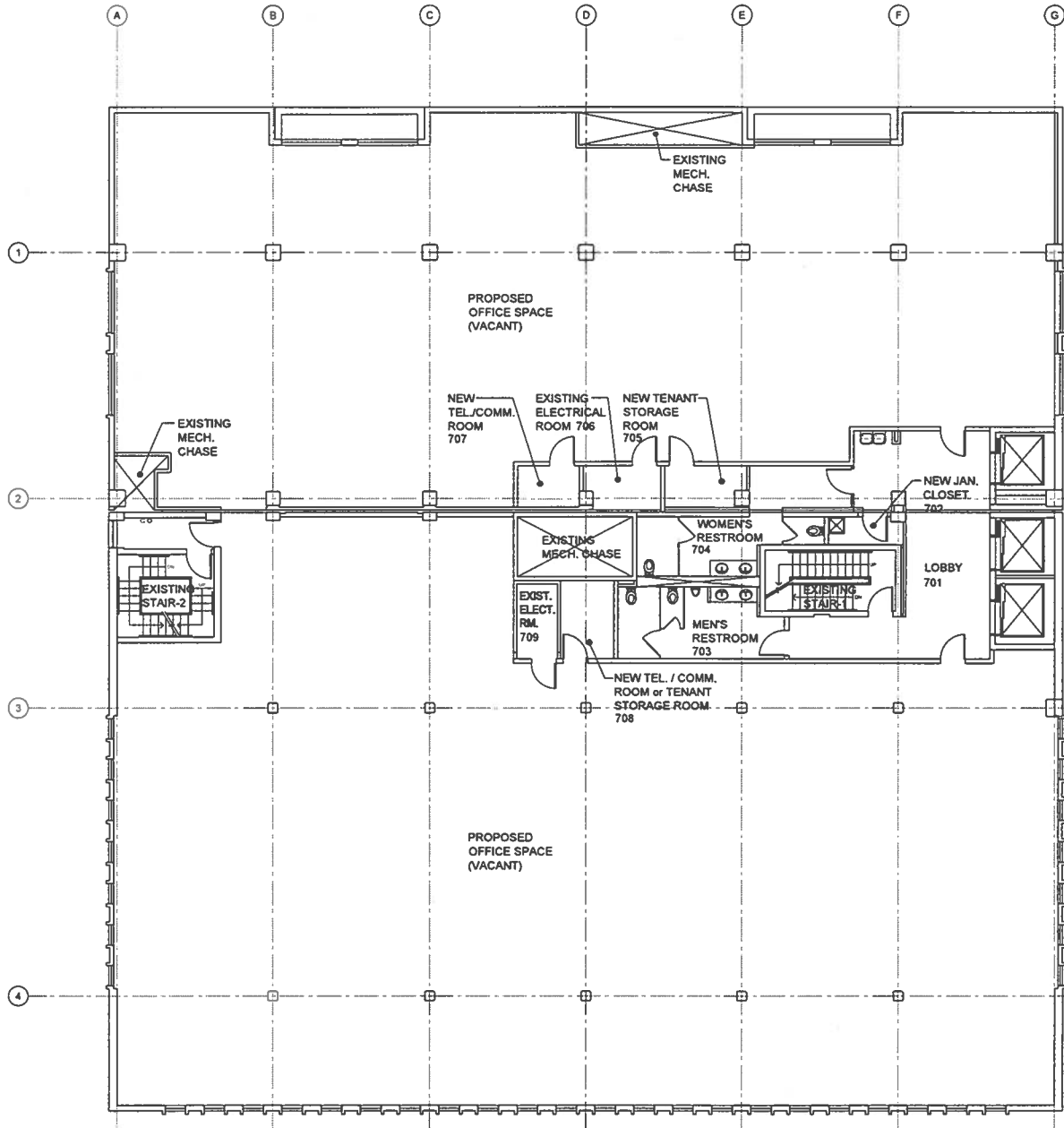


SIXTH FLOOR  
(existing)

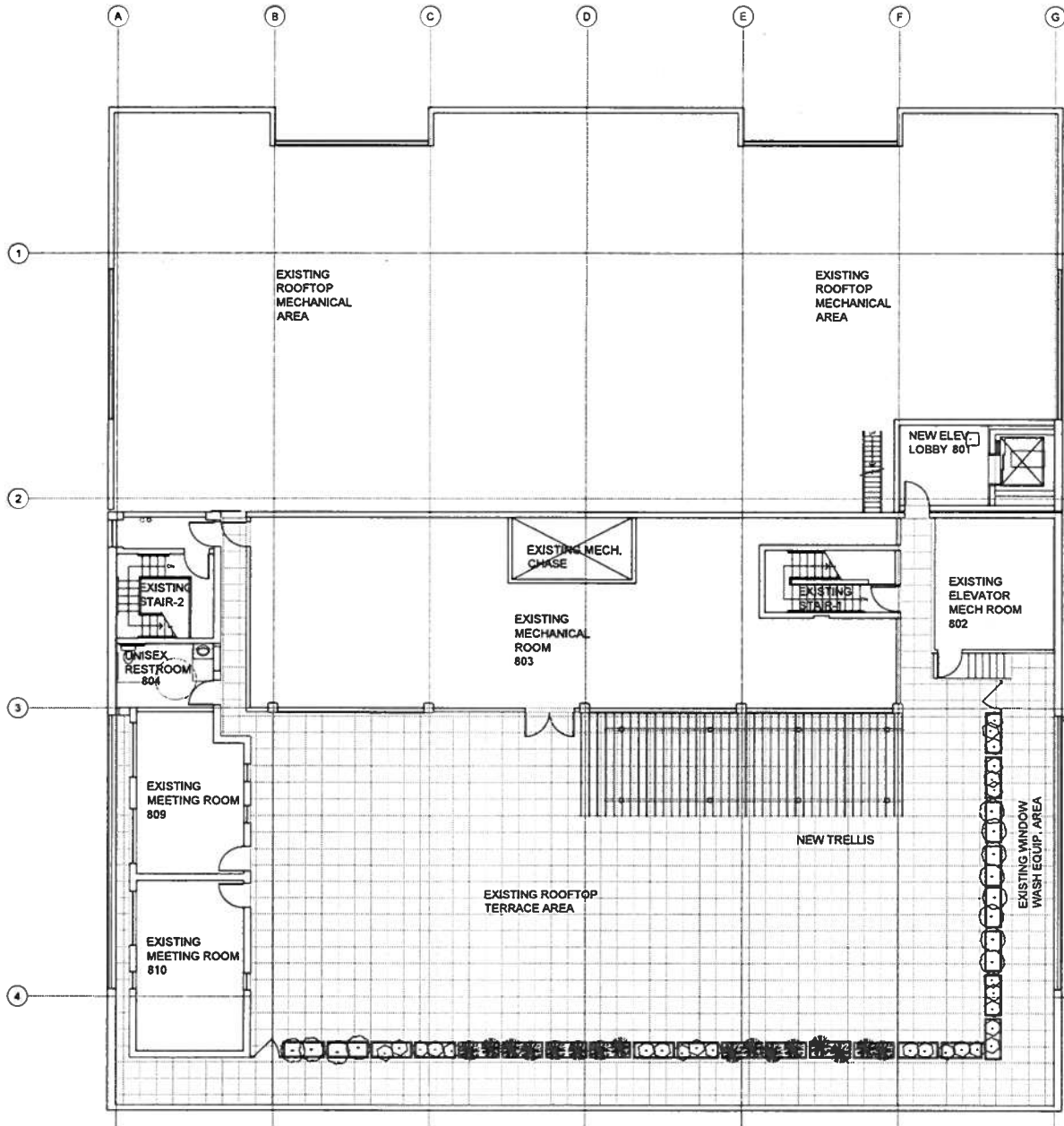




SEVENTH FLOOR  
(existing)



ROOF PLAN





**PARTITION TYPES**

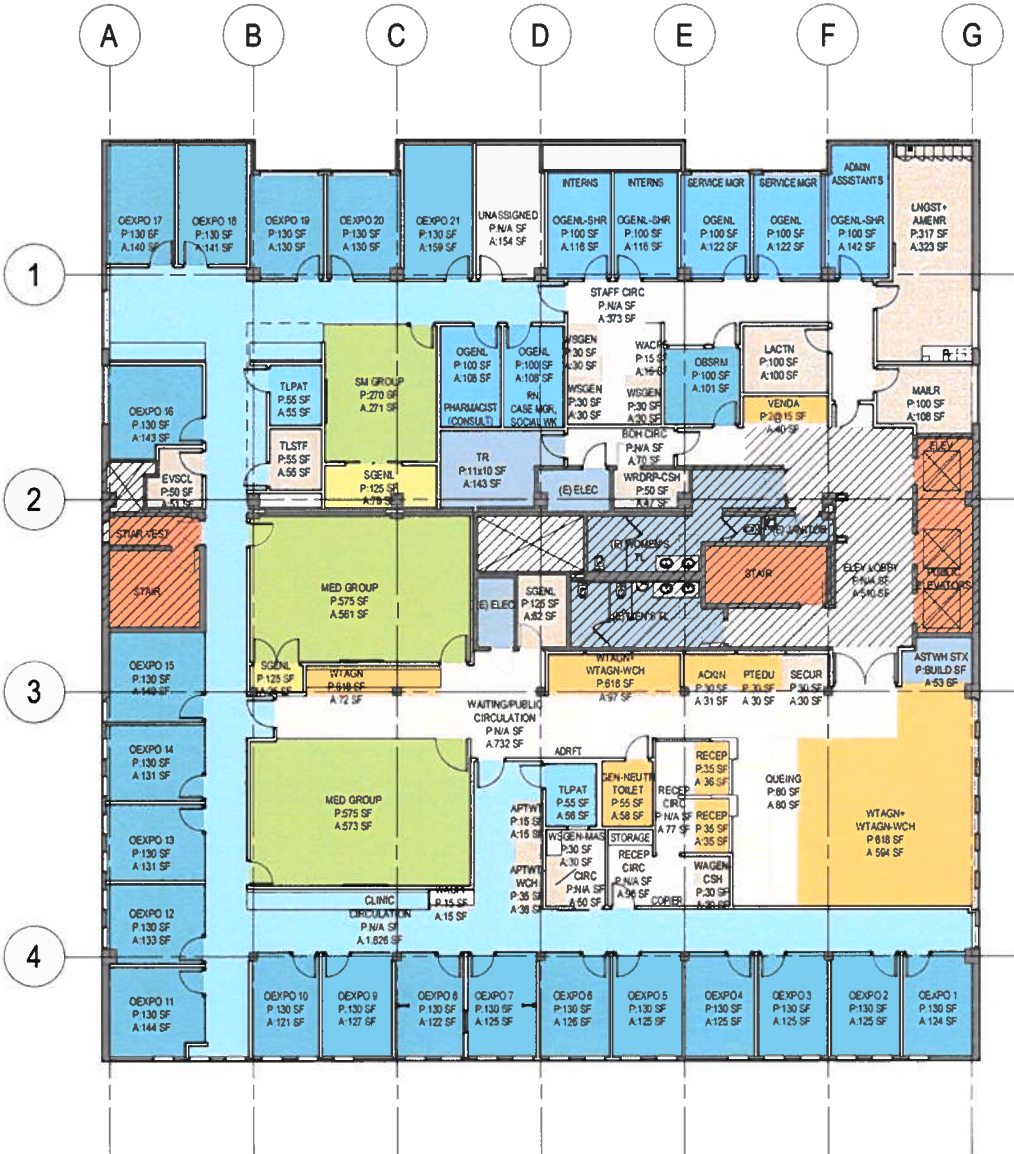
- EXISTING PARTITION TO REMAIN
- NEW PARTITION

**SPACE TYPES**

- PUBLIC SPACE
- PUBLIC CIRCULATION
- PATIENT FACING PROVIDER OFFICES
- PATIENT SUPPORT
- CLINIC CIRCULATION
- NON PATIENT FACING PROVIDER OFFICES
- GROUP ROOM
- GROUP ROOM SUPPORT
- STAFF
- STAFF SUPPORT
- STAFF/BACK OF HOUSE CIRCULATION
- BUILDING SUPPORT
- VERTICAL CIRCULATION
- NOT IN CONTRACT



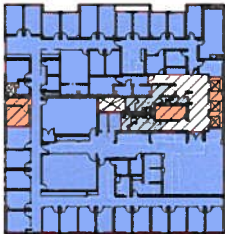
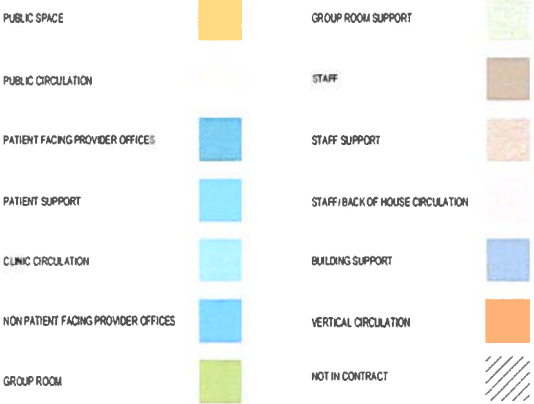
2 L5 - 12,060 DGSF  
1/64" = 1'-0"



PARTITION TYPES



SPACE TYPES



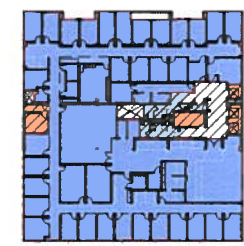
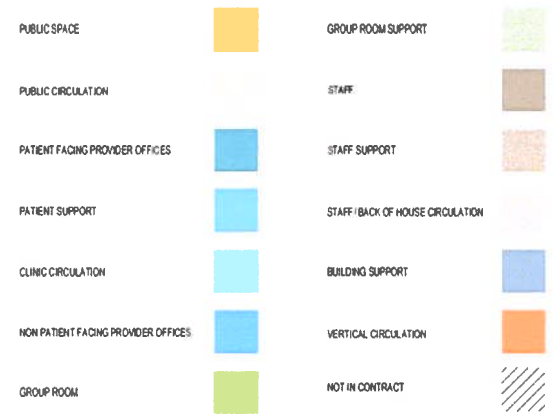
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1/64" = 1'-0"



**PARTITION TYPES**

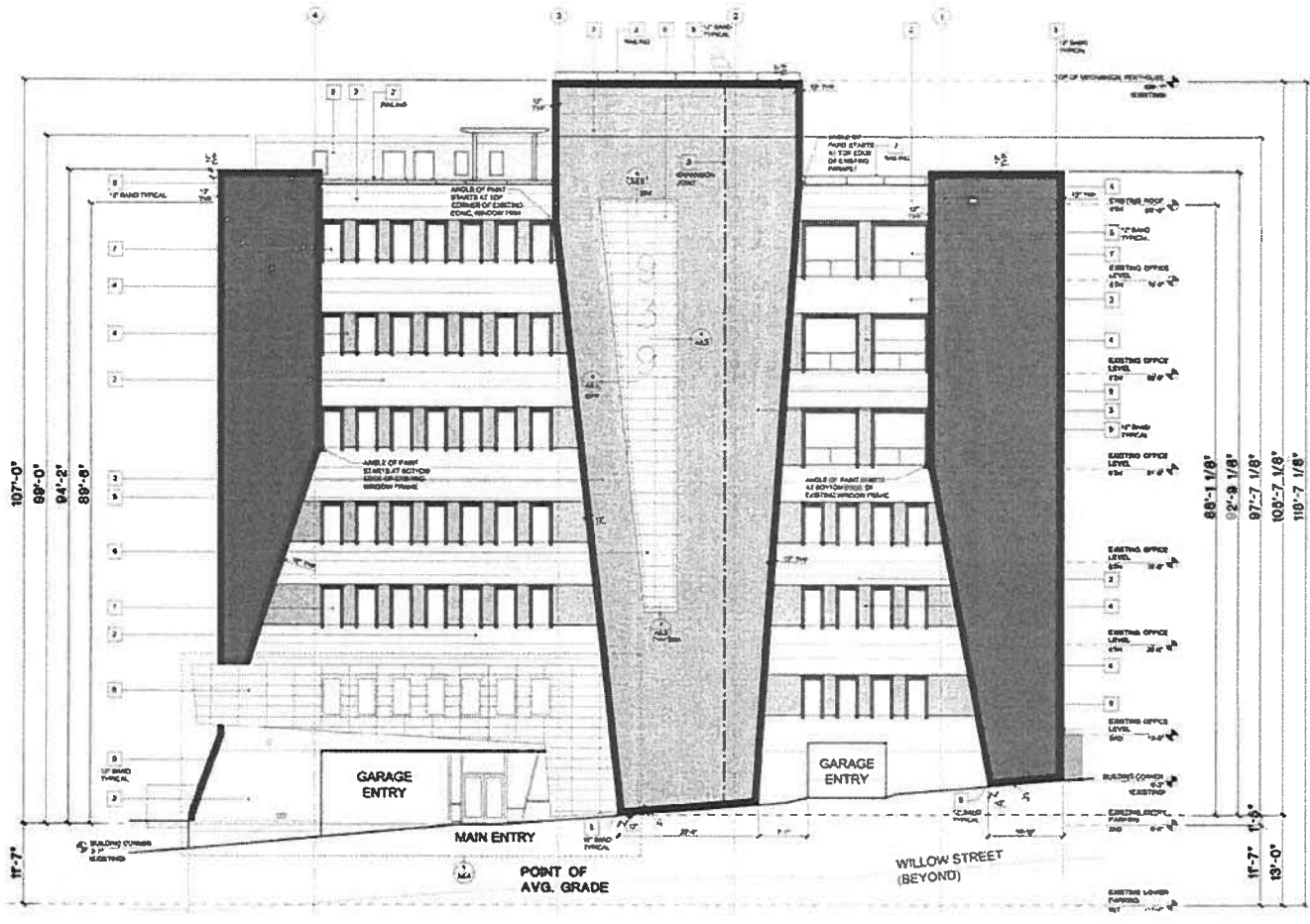


**SPACE TYPES**



2 L7 - 11,872 DGSF  
1/64" = 1'-0"

# Elevations



KEY PLAN	
1	EXISTING
2	NEW CONCRETE
3	NEW BRICK
4	NEW STONE
5	NEW GLASS
6	NEW METAL
7	NEW WOOD
8	NEW PLASTER
9	NEW PAINT
10	NEW FINISH



**lenity**  
architecture

**Columbia Pacific**  
Advisors

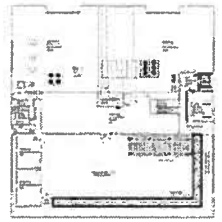
**SAN FRANCISCO**  
1015 MARKET STREET, SUITE 200  
SAN FRANCISCO, CALIFORNIA 94102

**APPROVED**  
Dept. of Building Plan

**APPROVED**  
SITE PERMIT REVIEW

Wenck Huang, DBI  
MAR 27 2015

*[Signature]*  
Approved Planning Dept. Consultant Map



**NORTH ELEVATION (FRONT)**

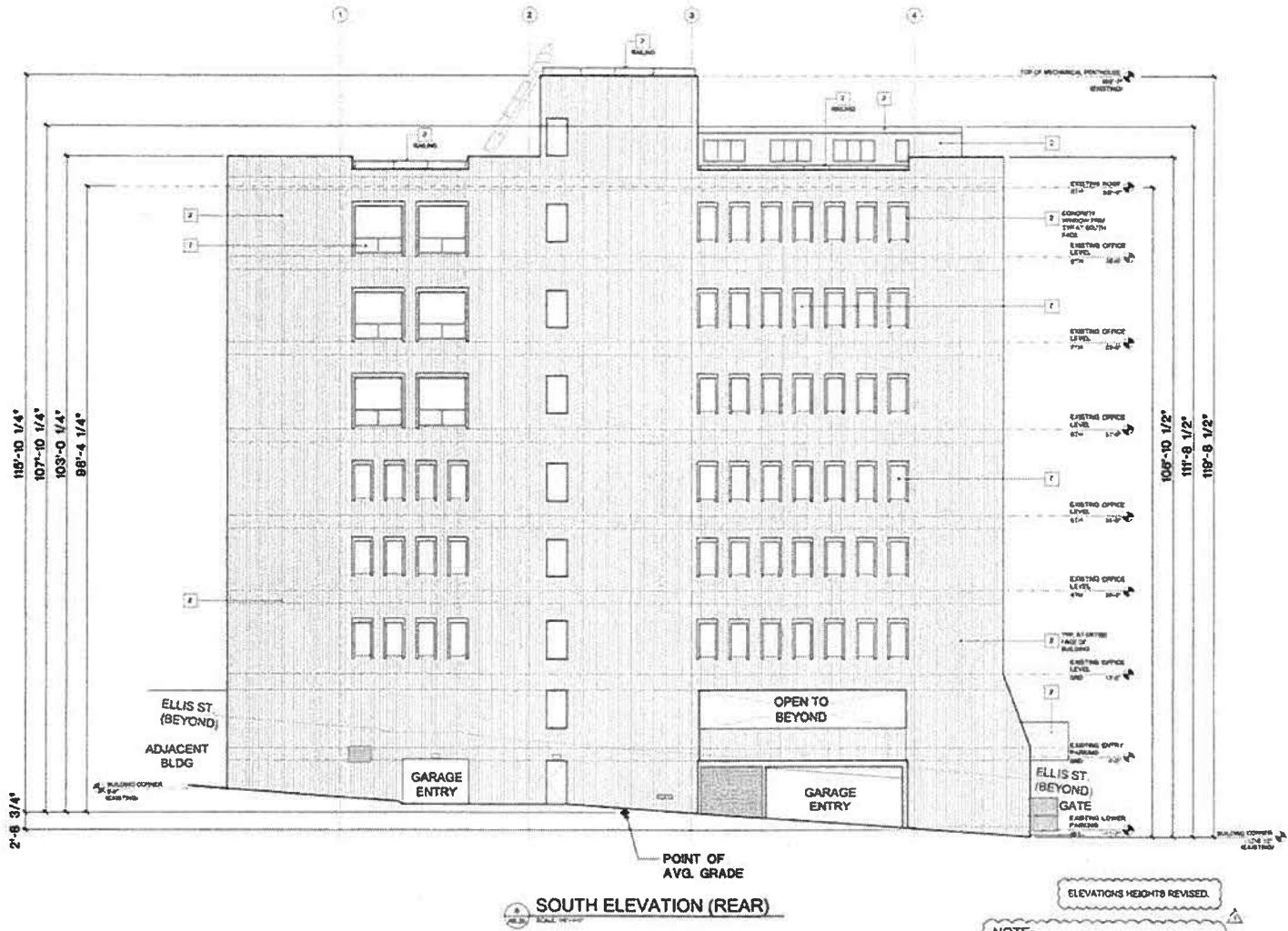
ELEVATIONS HEIGHTS REVISED  
NOTE:  
ALL EXTERIOR WORK UNDER  
SEPARATE PERMIT #201505186561

**KEY PLAN**

**NORTH EXTERIOR**  
**BUILDING**  
**ELEVATION**

DATE: 2/23/2015  
REVISED DATE: 1/22/2016  
**SHEET**  
**A6.3a**

ISSUED FOR CONSTRUCTION 05/20/2016



KEY TO FINISHES/COLORS

1. NET UNFINISHED
2. PAINT COLOR - NO. 1  
SPO. INTERIOR WALLS  
COLOR: SEE FINISH SPECIFICATIONS
3. PAINT COLOR - NO. 2  
SPO. INTERIOR WALLS  
COLOR: SEE FINISH SPECIFICATIONS
4. PAINT COLOR - NO. 3  
SPO. INTERIOR WALLS  
COLOR: SEE FINISH SPECIFICATIONS
5. PAINT COLOR - NO. 4  
SPO. INTERIOR WALLS  
COLOR: SEE FINISH SPECIFICATIONS
6. LUMBER: TYPICAL FINISH FACED  
SPO. INTERIOR WALLS  
COLOR: GRAY
7. EXISTING WINDOW

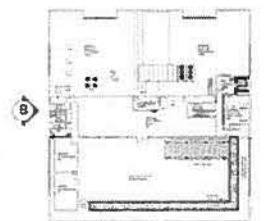
**APPROVED**  
Dept. of Building Insp.

MAY 06 2015  
*Tom C. [Signature]*  
MAY 07 2015  
MAY 07 2015

BTE PERMIT REVISION  
MAY 07 2015

VIRGINI HARRIS, DBV  
MAY 07 2015

*[Signature]*  
Administrative Planning Dept. Designer/Arch



NOTE:  
ALL EXTERIOR WORK UNDER  
SEPARATE PERMIT #201505188561

KEY PLAN  
M.T.S.



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architecture  
1301 10th Street, Suite 100  
San Francisco, CA 94103

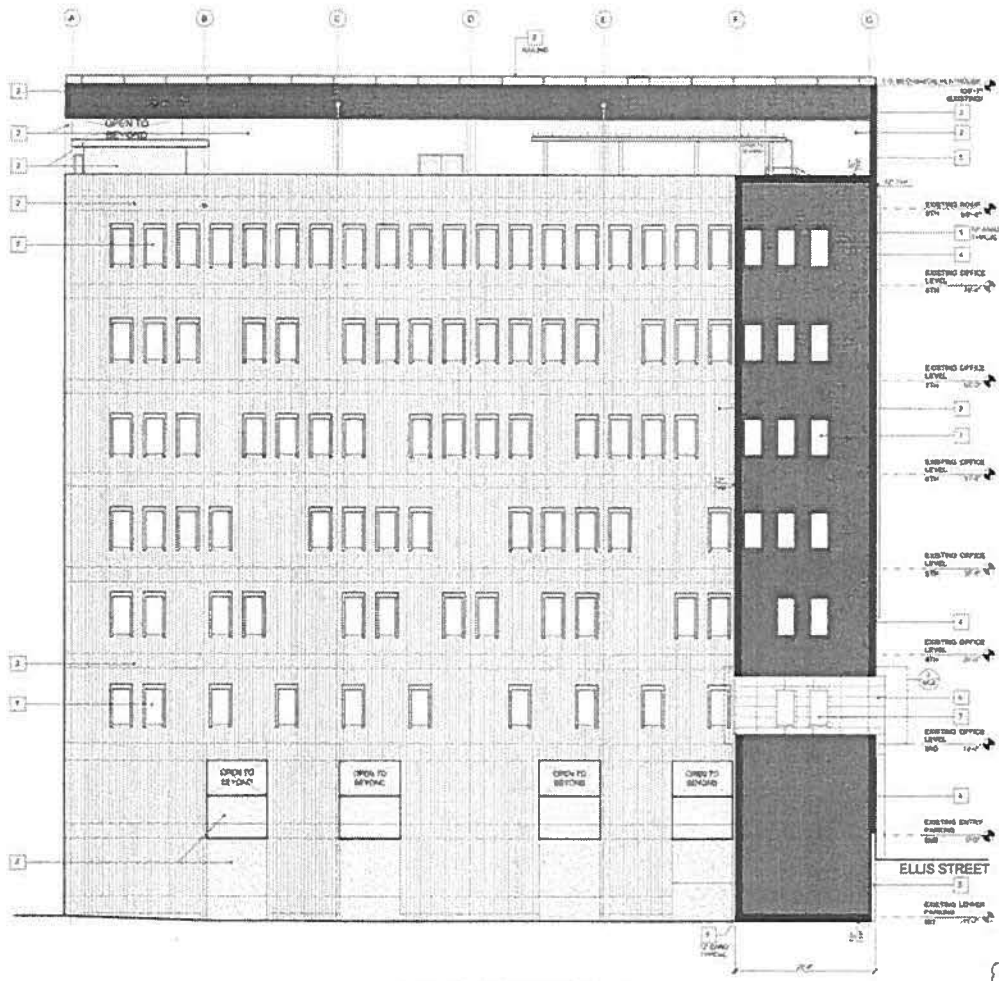
**Columbia Pacific**  
Advisors  
1940 Market Street, Suite 100  
San Francisco, CA 94103

**SAN FRANCISCO**  
600 ELLIS ST.  
SAN FRANCISCO, CALIFORNIA

**SOUTH EXTERIOR**  
**BUILDING**  
**ELEVATION**

DATE	7/22/2015
REVISED DATE	1/22/2016
SHEET	A6.3b

ISSUED FOR CONSTRUCTION 05/20/2016



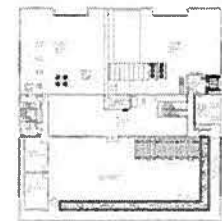
**EAST ELEVATION (SIDE)**

FINISHES SCHEDULE	
1	PAINT (SEE)
2	PAINT COLOR - NO. 1 S&W 2000 PREGLOSS COLOR: 300 7175 "GRAY SCORIAN"
3	PAINT COLOR - NO. 1 S&W 2000 PREGLOSS COLOR: 300 7175 "GRAY SCORIAN"
4	PAINT COLOR - NO. 1 S&W 2000 PREGLOSS COLOR: 300 7175 "GRAY SCORIAN"
5	PAINT COLOR - NO. 1 S&W 2000 PREGLOSS COLOR: 300 7175 "GRAY SCORIAN"
6	PAINT COLOR - NO. 1 S&W 2000 PREGLOSS COLOR: 300 7175 "GRAY SCORIAN"
7	PAINT COLOR - NO. 1 S&W 2000 PREGLOSS COLOR: 300 7175 "GRAY SCORIAN"

**APPROVED**  
 Dept. of Building Ins.  
 MAY 08 2016  
 [Signature]  
 PROJECT ENGINEER  
 DEPT. OF BUILDING INSPECTION

**CITY PERMIT REVIEW**  
 MAR 07 2016  
 [Signature]  
 APPROVED PERMITTING OFFICER

Wesley Huang, City  
 MAR 07 2016



**KEY PLAN**

NOTE:  
 ALL EXTERIOR WORK UNDER  
 SEPARATE PERMIT #201505186561

ELEVATIONS HEIGHTS REVISED.



**lenity**  
 architecture  
 1000 CALIFORNIA STREET, SUITE 100  
 SAN FRANCISCO, CA 94108  
 TEL: 415.774.1111

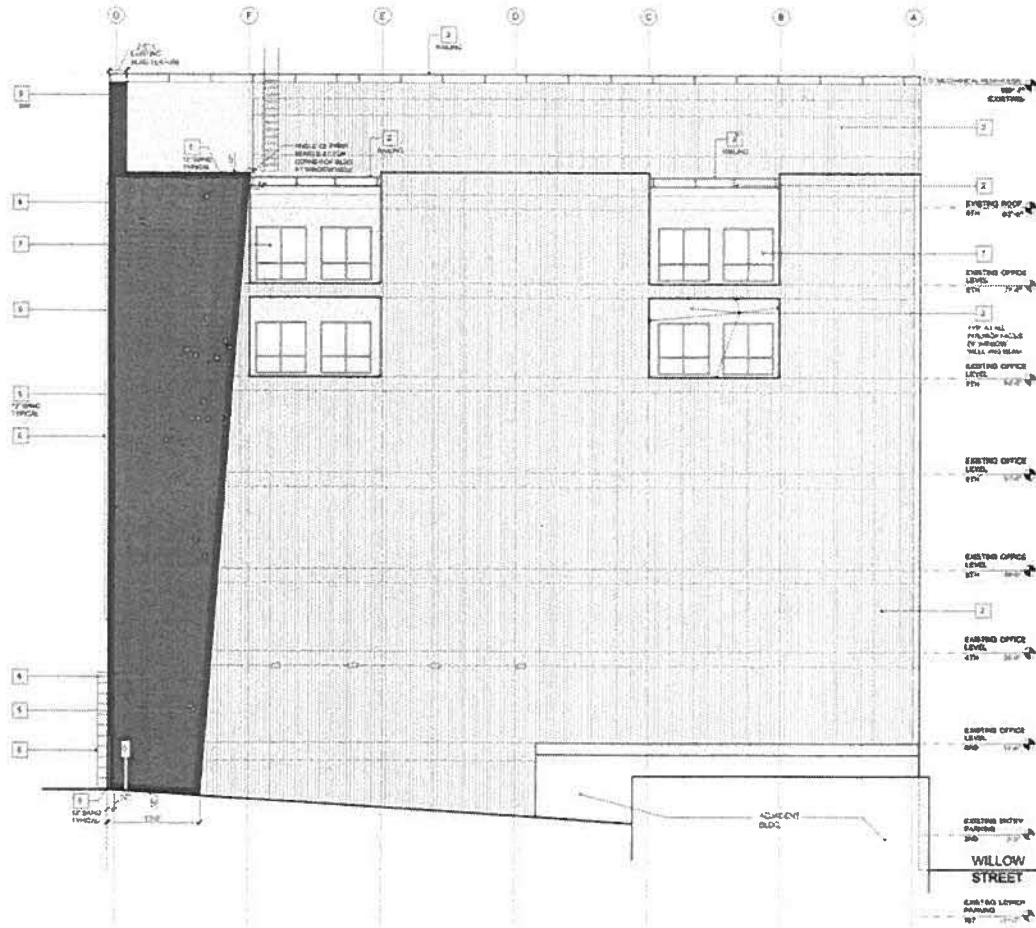
**Columbia Pacific**  
 Advisors  
 1775 CALIFORNIA STREET, SUITE 200  
 SAN FRANCISCO, CA 94109

**SAN FRANCISCO**  
 879 ELLIS ST.  
 SAN FRANCISCO, CALIFORNIA

**EAST EXTERIOR**  
**BUILDING**  
**ELEVATION**

DATE	2/23/2015
REVISED DATE	1/22/2016
SHEET	A6.3c





WEST ELEVATION (SIDE)  
SCALE 1/8" = 1'-0"

NOTE:  
ALL EXTERIOR WORK UNDER  
SEPARATE PERMIT #201505186561

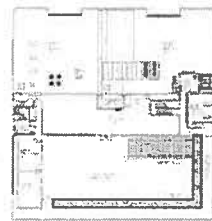
KEY TO SYMBOLS	
1	NO CURB
2	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE
3	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE
4	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE
5	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE
6	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE
7	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE
8	PAVEMENT SURFACE CONCRETE PAVEMENT SURFACE CONCRETE

**APPROVED**  
Dept. of Building Inspection  
MAY 06 2016  
*Tom C. Ho*  
SPECIAL INSPECTOR  
DEPT. OF BUILDING INSPECTION

STATE PERMIT  
REVISION  
MAY 07 2016  
DEPT. OF BUILDING INSPECTION

Vivian Huang, DBI  
MAY 07 2016

*Christopher May*  
Approved Planning Director



KEY PLAN  
N.T.S.



**lenity**  
architecture  
10000 California Street, Suite 100  
San Francisco, CA 94115  
415.774.8888

**Columbia Pacific**  
Advisors  
1111 Market Street, Suite 100  
San Francisco, CA 94102

**SAN FRANCISCO**  
033 BELL ST.  
SAN FRANCISCO, CALIFORNIA

**WEST EXTERIOR**  
**BUILDING**  
**ELEVATION**

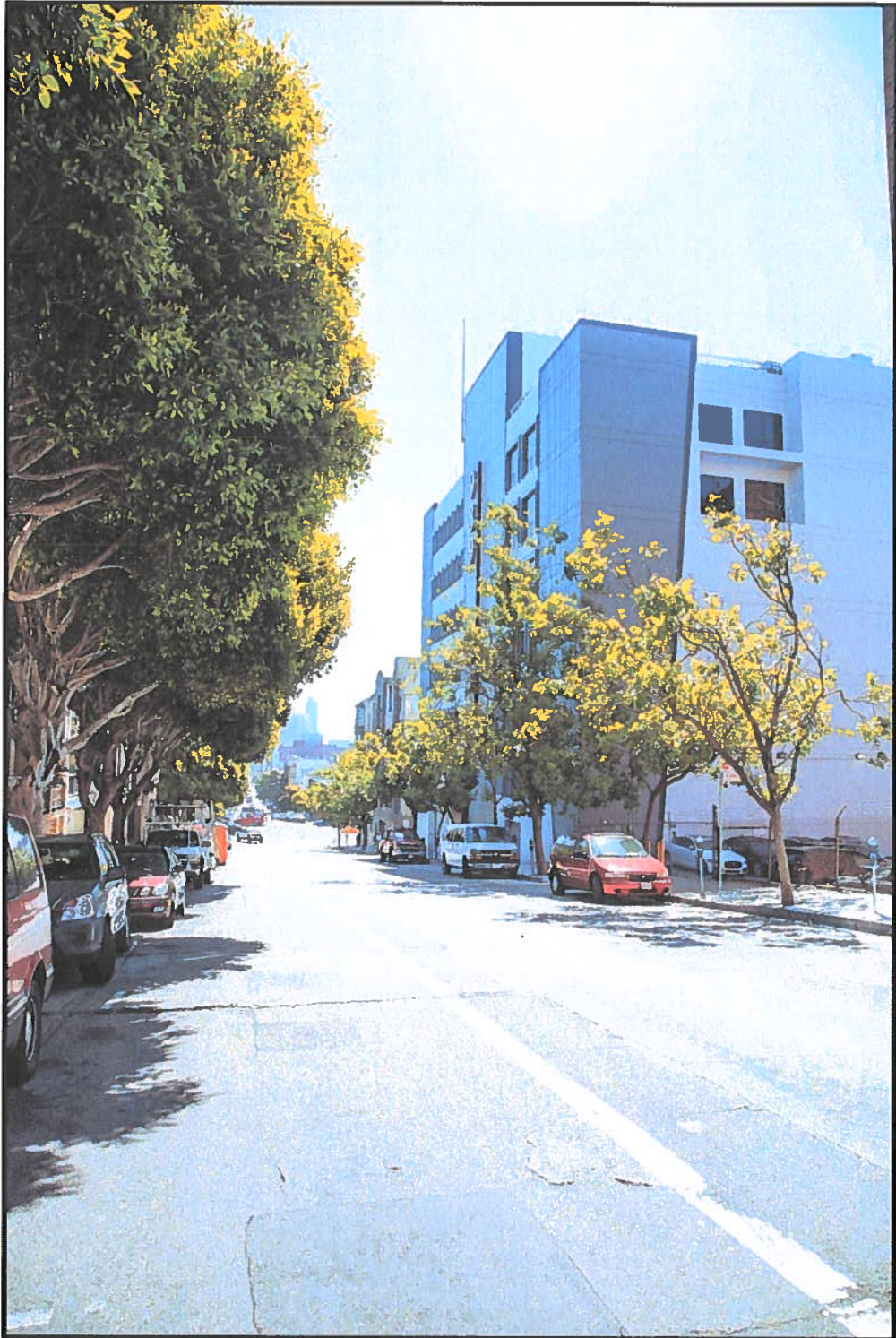
DATE: 2/20/2015  
REVISED DATE: 1/22/2016  
SHEET: A6.3d

**EXHIBIT G**

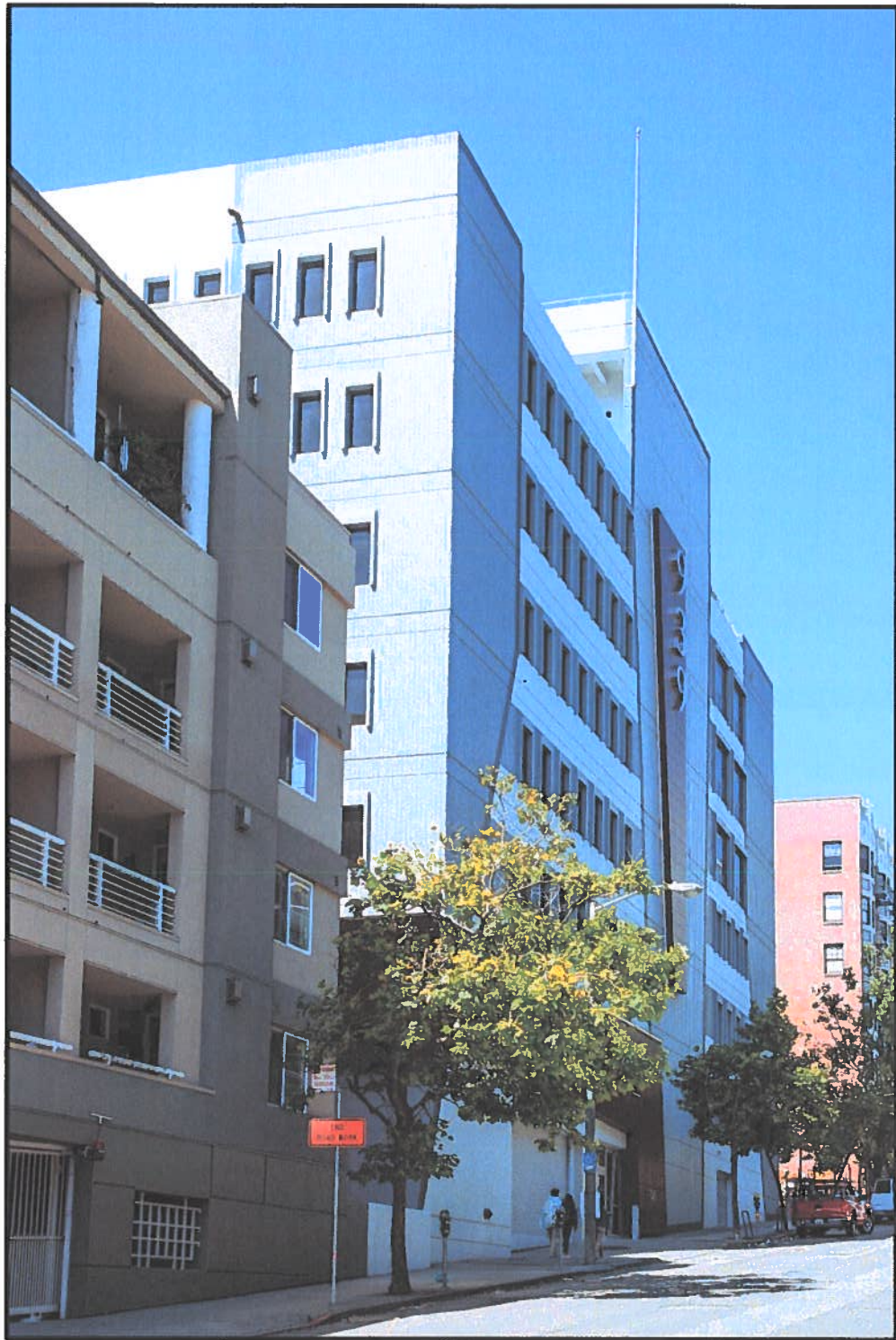
**Site Photographs**



**939 Ellis Street – Front of Building**



**939 Ellis Street - View from Northwest**



**939 Ellis Street - View from Northeast**



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
939 ELLIS ST		0738/019
<b>Case No.</b>		<b>Permit No.</b>
2018-000813ENV		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b></p> <p>Conditional Use Authorization application to permit a change of use to Health Services for Kaiser Permanente. Reuse of existing office building with no exterior changes proposed. The facility will typically operate between 7am-8pm Monday-Friday with shorter hours on Saturday. The majority of patients will be seen between 9am to 5pm Monday to Friday. Kaiser does not propose any expansion of exterior modifications to the existing building at 939 Ellis Street, so there would not be an increase in square footage with the requested CUP. Kaiser Permanente is in the process of developing the floor plans for the building so does not have final layouts. Exemption analyzed the change of use of the entire building approximately 117,498 square feet.</p>		

### STEP 1: EXEMPTION CLASS

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input checked="" type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six 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.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input type="checkbox"/>	<p><b>Class _____</b></p> <p>Class 1(a): Changes of use are also included if the occupancy of the new use would not exceed the equivalent occupancy of the former use plus an addition to the former use, as exempted under Class 1(e).</p>

**STEP 2: CEQA IMPACTS**  
**TO BE COMPLETED BY PROJECT PLANNER**

<p>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</p>	
<input type="checkbox"/>	<p><b>Air Quality:</b> 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, etc.)? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p><b>Hazardous Materials:</b> 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 Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i></p>
<input type="checkbox"/>	<p><b>Transportation:</b> 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?</p>
<input type="checkbox"/>	<p><b>Archeological Resources:</b> 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? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p><b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</p>
<input type="checkbox"/>	<p><b>Slope = or &gt; 20%:</b> 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? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography) <b>If box is checked, a geotechnical report is required.</b></p>
<input type="checkbox"/>	<p><b>Seismic: Landslide Zone:</b> 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? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b></p>
<input type="checkbox"/>	<p><b>Seismic: Liquefaction Zone:</b> 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? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b></p>
<p><b>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</b></p>	
<p><b>Comments and Planner Signature (optional):</b> Laura Lynch</p>	

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

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

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

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> 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. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> 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.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW  
TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. <b>Addition(s)</b> , 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. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C a. Per HRER dated    (attach HRER) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

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

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>				
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>				
<table border="1" style="width: 100%;"> <tr> <td style="width: 60%;"><b>Project Approval Action:</b> Commission Hearing</td> <td style="width: 40%;"><b>Signature:</b> Laura Lynch</td> </tr> <tr> <td>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</td> <td>04/24/2018</td> </tr> </table>		<b>Project Approval Action:</b> Commission Hearing	<b>Signature:</b> Laura Lynch	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	04/24/2018
<b>Project Approval Action:</b> Commission Hearing	<b>Signature:</b> Laura Lynch				
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	04/24/2018				
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.  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.  Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</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)
939 ELLIS ST		0738/019
Case No.	Previous Building Permit No.	New Building Permit No.
2018-000813PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

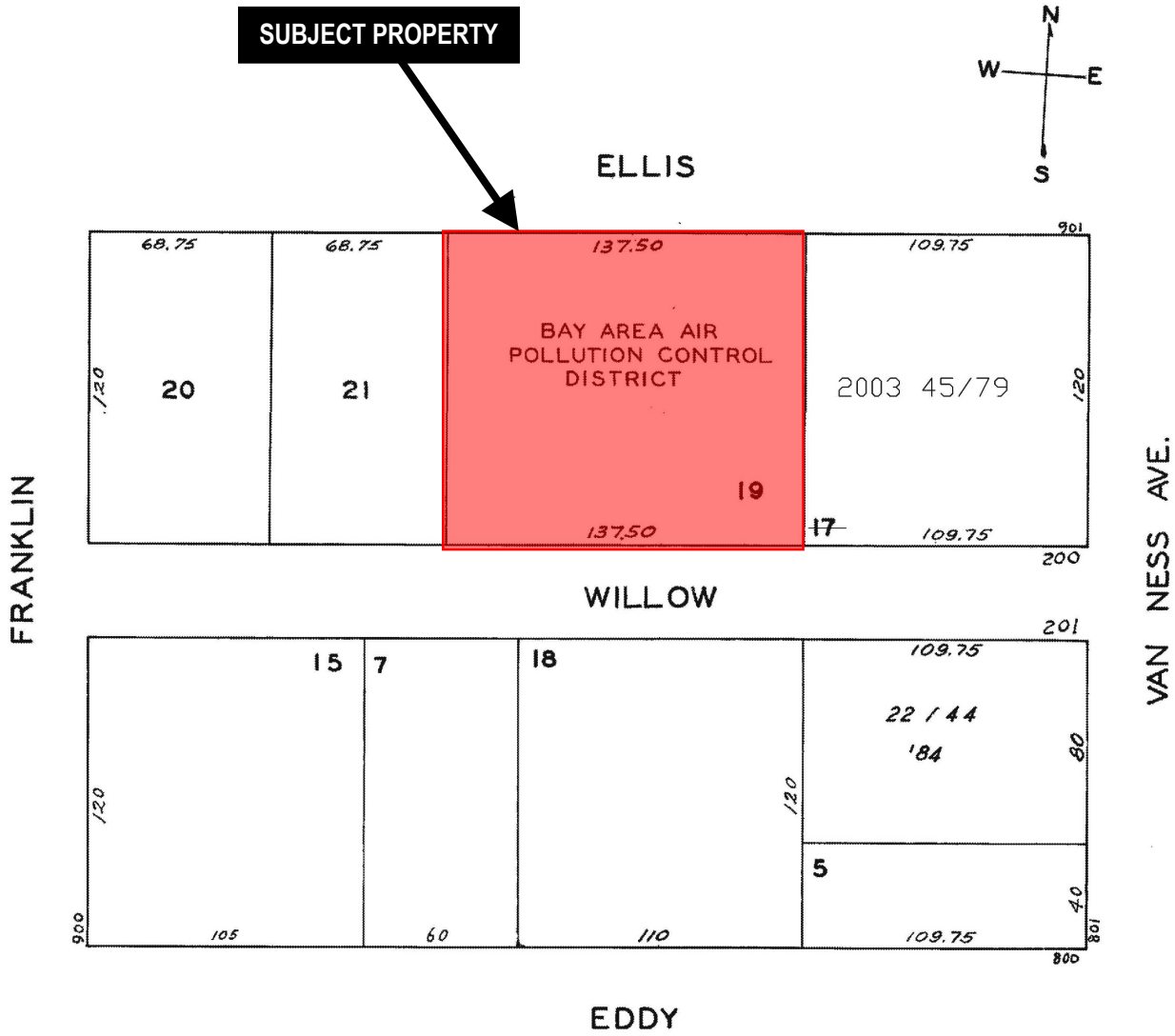
### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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?
<b>If at least one of the above boxes is checked, further environmental review is required.</b>	

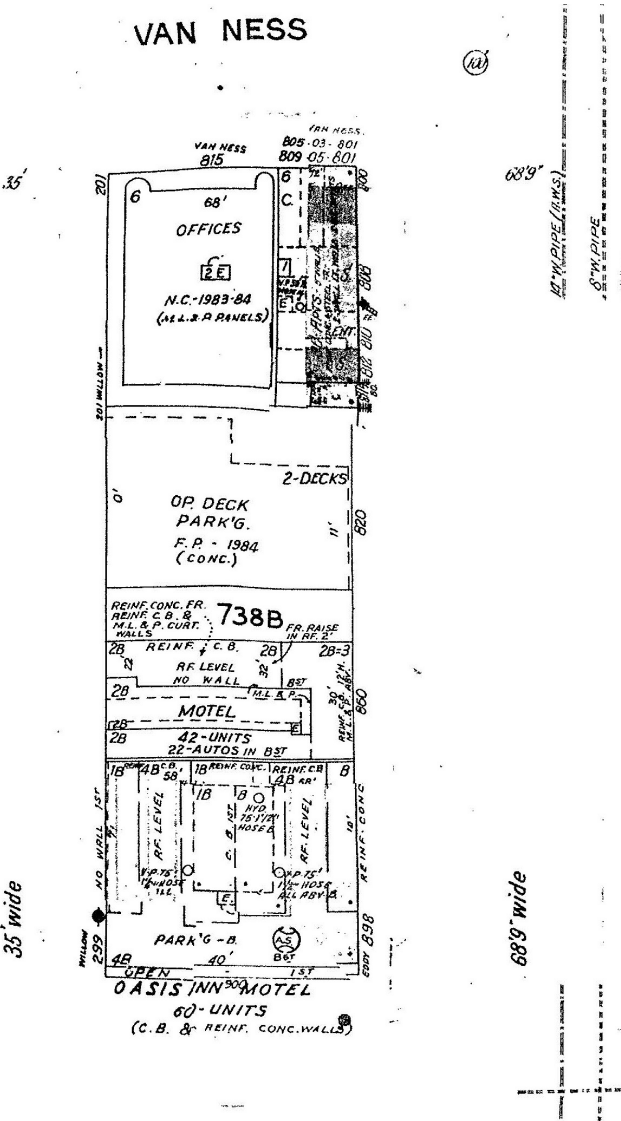
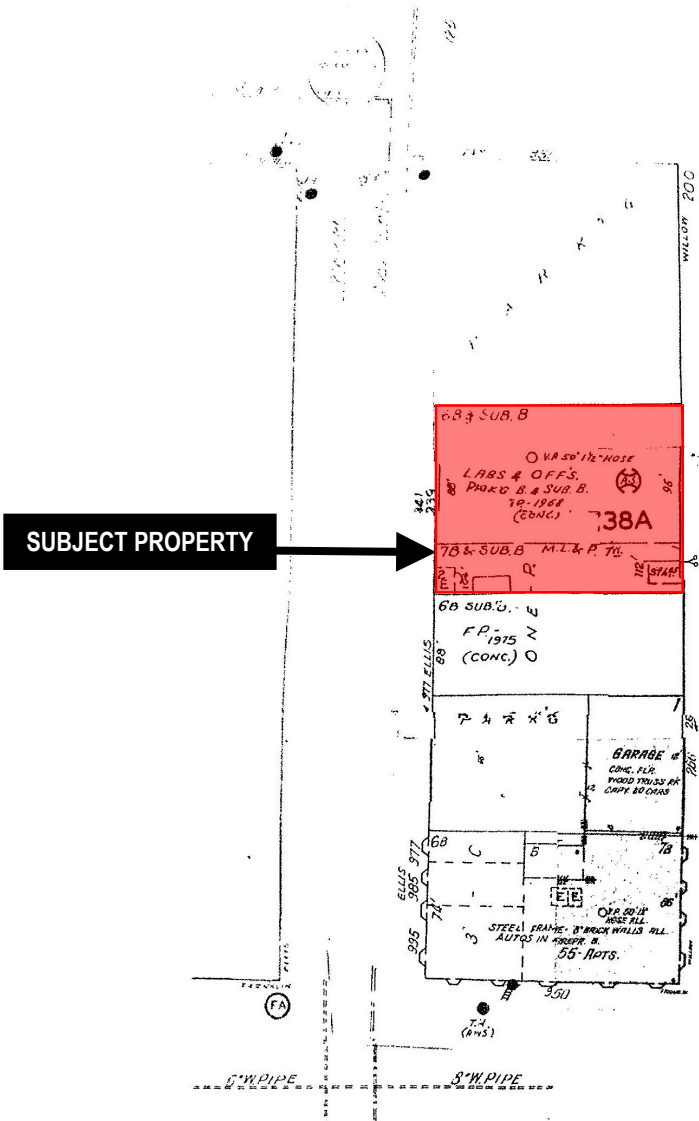
### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<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:

# Parcel Map



# Sanborn Map\*

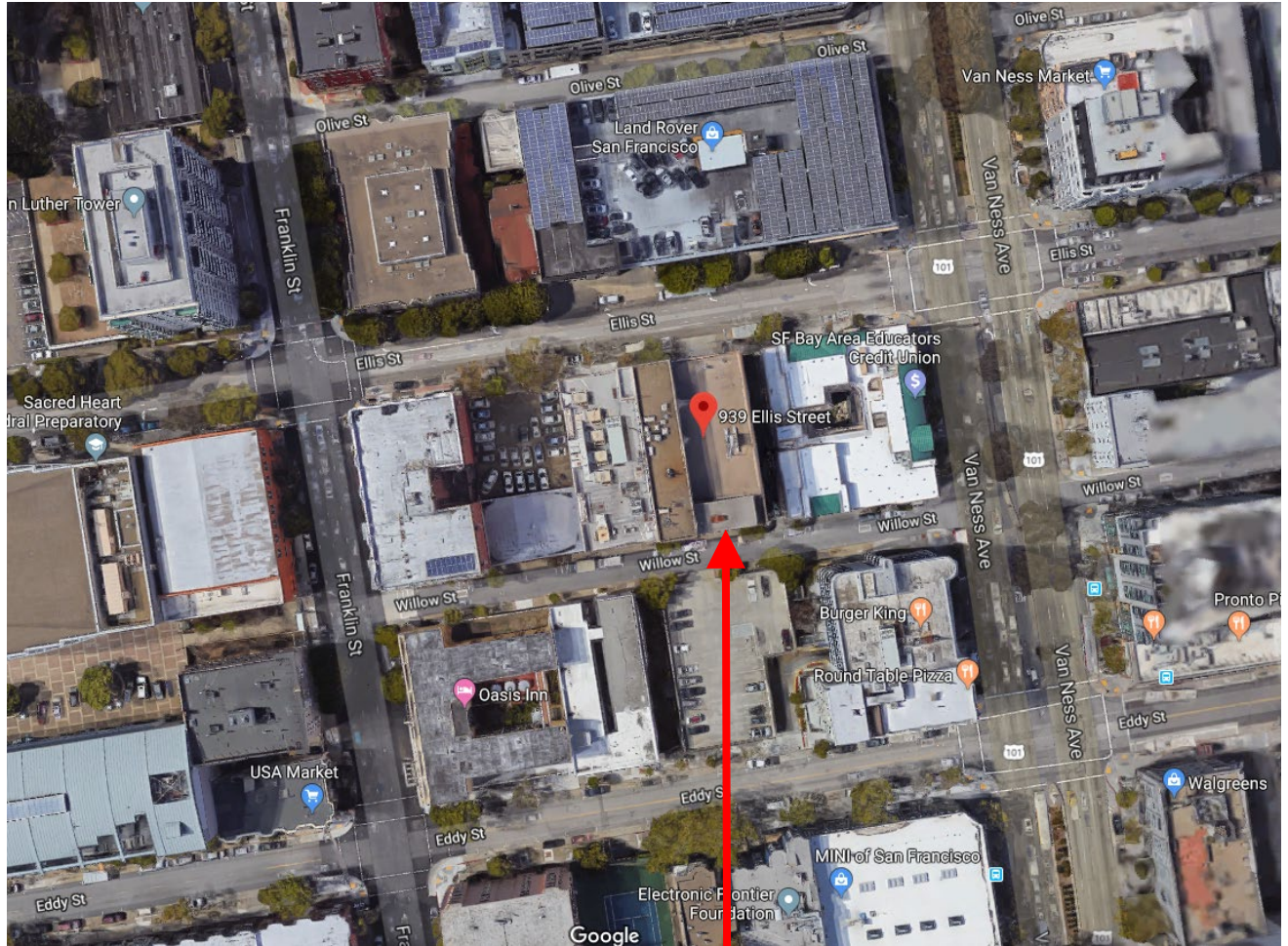


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization Hearing  
 Case Number 2018-000813CUA  
 Seavest Healthcare Properties, LLC  
 939 Ellis Street

# Aerial Photo

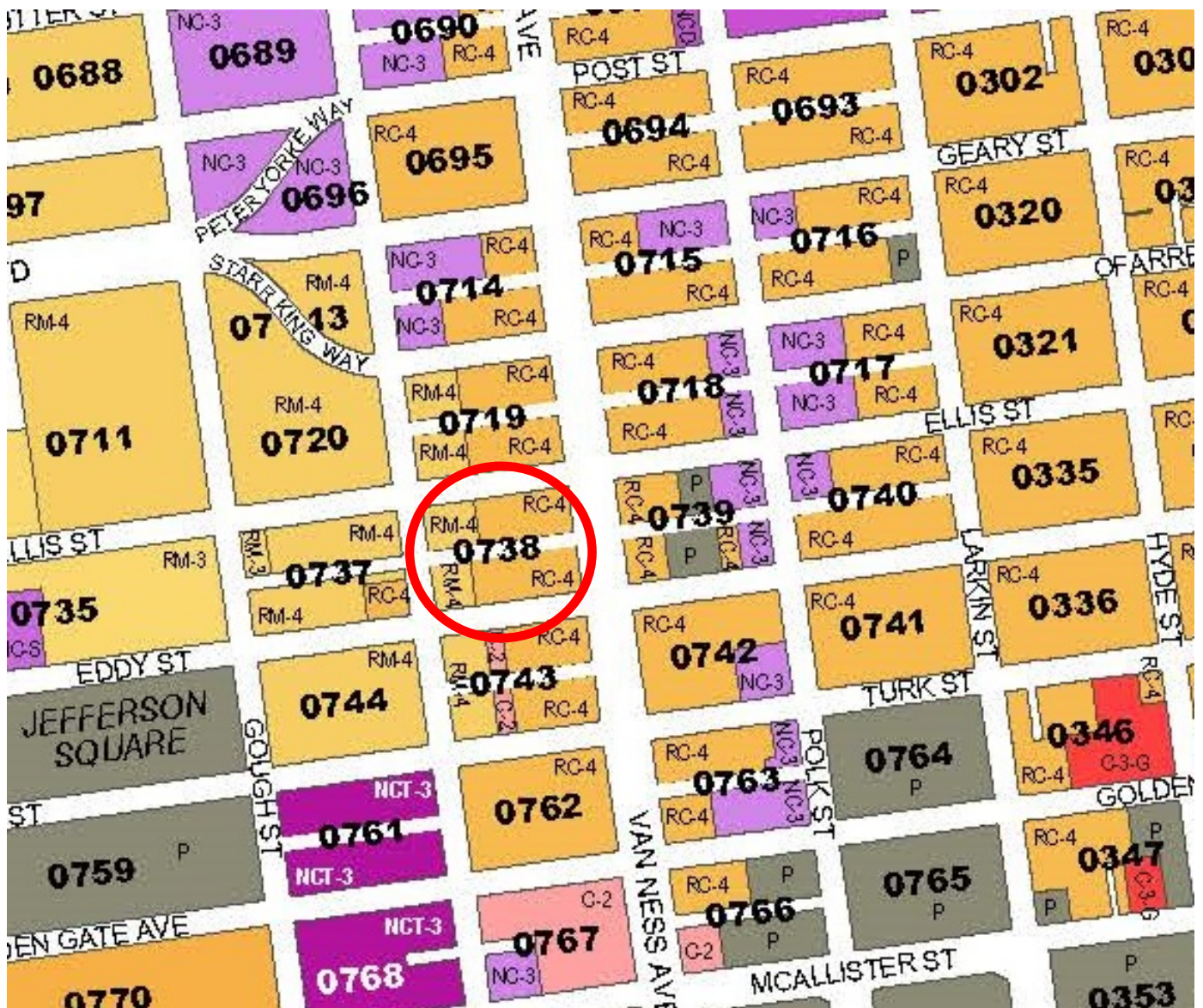


**SUBJECT PROPERTY**



Conditional Use Authorization Hearing  
Case Number 2018-000813CUA  
Seavest Healthcare Properties, LLC  
939 Ellis Street

# Zoning Map



Conditional Use Authorization Hearing  
Case Number 2018-000813CUA  
Seavest Healthcare Properties, LLC  
939 Ellis Street



# Site Photo



Conditional Use Authorization Hearing  
Case Number 2018-000813CUA  
Seavest Healthcare Properties, LLC  
939 Ellis Street

January 14, 2019

San Francisco Planning Commission  
c/o Jonas P. Ionin, Commission Secretary  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
[commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org)

Re: 939 Ellis Street, Case No. 2018-00813CUA  
January 31, 2019 Meeting

Dear Planning Commissioners:

On behalf of Seavest Healthcare Properties, I write to ask for your support of our proposal to convert the use of the existing office building at 939 Ellis Street to health services (the "Project"). The Project will be a great benefit to the City by providing residents with new healthcare options, and by focusing specifically on much-needed mental health services. At the same time, the Project will change the use of the building from non-conforming to conforming while minimizing impacts to the community by re-using an existing building, without expansion or exterior modification, at a location appropriate for medical uses.

### **Seavest's Philosophy and Commitment to San Francisco**

Seavest is a healthcare real estate investment firm based in New York. For over 30 years, we have been investing in medical office buildings, outpatient facilities, and specialized treatment centers. We currently have a portfolio of 16 projects throughout the United States, including in California. 939 Ellis will be our first project in San Francisco, and we are excited for the opportunity to own here. We are committed to being a good neighbor and we look forward to serving and supporting the local community.

### **The Project Will Replace Non-Conforming Office Uses With Much-Needed Health Services**

The existing building at 939 Ellis is approximately 120,000 square feet, with six floors of office above two levels of parking (one below ground). The existing offices are a non-conforming use under the RC-4 zoning.

The Project will convert the entire building from office to health services. This proposed use is consistent with the Planning Code and the Van Ness Avenue Area Plan and is appropriate for the location. The Project is limited to a change-in-use and does not involve any expansion or exterior modification of the existing building, so no impacts are expected to the surrounding community. The City has determined that the Project qualifies for a CEQA exemption. The Project is centrally located in

the City, and will have excellent access to public transit (BART and MUNI) and be adequately served by 53 existing parking spaces along with bicycle storage for 25.

The Project will benefit the entire City—and in particular the adjacent and underserved Western Addition, Tenderloin, Civic Center, and Van Ness Avenue neighborhoods—by providing new and much-needed healthcare services.

### **The Project Includes a Kaiser Mental Health Clinic**

Seavest has already leased the top three floors of 939 Ellis to Kaiser Permanente. Kaiser provides a wide-range of inpatient, outpatient, emergency, mental health, chemical dependency, and health education services to over 229,000 members in San Francisco, including a growing number of Medi-Cal members.

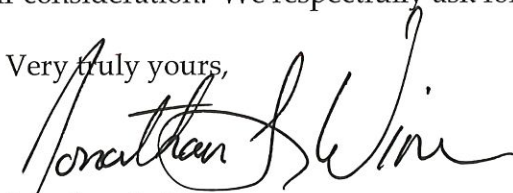
Kaiser plans to use the space at 939 Ellis for a Mental Health and Wellness Clinic (“MHWC”). This would be a 42,000-square-foot outpatient medical office clinic, providing general mental health and wellness services to adults, teens, and children in individual and group settings. It would be staffed by a full complement of psychologists, counselors, medical psychiatrists, and nurse practitioners.

The MHWC is located in a central location with both high rates of unmet mental health needs and ample access to public transportation. The City’s Department of Public Health has reviewed Kaiser’s proposal and determined that the MHWC is consistent with the City’s Health Care Services Master Plan, including policies to (1) increase the availability of behavioral health and trauma related services in neighborhoods with high rates of violence; (2) develop safe health care transit options for those without regular car access; (3) preserve the Healthy San Francisco Program; and (4) use nurse practitioners and physician assistants to the full extent of their training.

\* \* \* \* \*

We are confident that this Project will provide valuable services for City residents. Thank you for your consideration. We respectfully ask for your vote of support.

Very truly yours,



Jonathan L. Winer  
Senior Managing Director  
[jwiner@seavesthcp.com](mailto:jwiner@seavesthcp.com)

cc: Sylvia Jimenez, Planner, [sylvia.jimenez@sfgov.org](mailto:sylvia.jimenez@sfgov.org)





## PROJECT APPLICATION (PRJ)

A Project Application must be submitted for any Building Permit Application that requires an intake for Planning Department review, including for environmental evaluation or neighborhood notification, or for any project that seeks an entitlement from the Planning Department, such as a Conditional Use Authorization or Variance.

For more, see the [Project Application Informational Packet](#).

For more information call 415.558.6377, or email the Planning Information Center (PIC) at [pic@sfgov.org](mailto:pic@sfgov.org).

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415.575.9010。請注意, 規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### BUILDING PERMIT APPLICATIONS

#### HOW TO SUBMIT:

For Building Permit Applications that require intake for Planning Department review, present this Project Application together with the Building Permit Application at the Planning Information Center (PIC), 1660 Mission Street, Ground Floor.

#### WHAT TO SUBMIT:

- One (1) complete and signed application.
- Two (2) hard copy sets of plans that meet Department of Building Inspection submittal standards. Please see the [Department's Plan Submittal Guidelines](#) for more information.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf, if applicable.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more.

Note: The applicable fee amount for Building Permit Applications will be assessed and collected at intake by the Department of Building Inspection at the Central Permitting Bureau at 1660 Mission St, Ground Floor.

(See [Fee Schedule and/or Calculator](#)).

### ENTITLEMENTS

#### HOW TO SUBMIT:

For projects that require an entitlement from the Planning Department (e.g., Conditional Use, Variance), schedule an intake appointment to submit this Project Application and any required supplemental applications by sending an [Intake Request Form](#) to [CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org).

#### WHAT TO SUBMIT:

- One (1) complete and signed application.
- One (1) hard copy set of reduced sized (11"x17") plans. Please see the [Department's Plan Submittal Guidelines](#) for more information.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf, if applicable.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more.
- Current or historic photograph(s) of the property.
- All supplemental applications (e.g., Conditional Use) and information for environmental review, as indicated in this Project Application or in the Preliminary Project Assessment (PPA) letter.
- A digital copy (CD or USB drive) of the above materials.
- Payment via check, money order or debit/credit card for the total fee amount for all required supplemental applications. (See [Fee Schedule and/or Calculator](#)).



## PROJECT APPLICATION (PRJ)

### GENERAL INFORMATION

#### Property Information

Project Address: 939 Ellis Street, San Francisco, CA 94109

Block/Lot(s): 0738/019

#### Property Owner's Information

Name: Seavest Healthcare Properties, LLC (Representative: Malika Basheer)

Address: 707 Westchester Avenue  
White Plains, NY 10604

Email Address: mbasheer@seavestinc.com

Telephone: 914.683.8474

#### Applicant Information

Same as above

Name:

Company/Organization:

Address:

Email Address:

Telephone:

**Please Select Billing Contact:**

Owner

Applicant

Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**Please Select Primary Project Contact:**

Owner

Applicant

Billing

### RELATED APPLICATIONS

#### Related Building Permit Applications

N/A

Building Permit Applications No(s):

#### Related Preliminary Project Assessments (PPA)

N/A

PPA Application No(s):

PPA Letter Date:

## PROJECT INFORMATION

### Project Description:

Please provide a narrative project description that summarizes the project and its purpose. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.

See Project Description attached as Exhibit A.

The property is an existing office building. The total building size is 118,621 GSF. The building consists of 7 above-ground stories: 6 occupied office stories over first floor parking, which includes ground floor entrance. There is an additional underground parking level below the ground level parking/main entrance, as well as the rooftop/penthouse above the occupied floors.

The proposed project is a change in use from office to health service. At this time, the only work proposed is interior tenant improvements on three floors (5,6,7). The proposal does not include any other interior work on the remaining floors, nor any exterior work.

### Project Details:

- Change of Use     New Construction     Demolition     Facade Alterations     ROW Improvements  
 Additions     Legislative/Zoning Changes     Lot Line Adjustment-Subdivision     Other \_\_\_\_\_

- Residential:**     Senior Housing     100% Affordable     Student Housing     Dwelling Unit Legalization  
 Inclusionary Housing Required     State Density Bonus     Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units:     Rental Units     Ownership Units     Don't Know

- Non-Residential:**     Formula Retail     Medical Cannabis Dispensary     Tobacco Paraphernalia Establishment  
 Financial Service     Massage Establishment     Other: Health Services

**Estimated Construction Cost:** \$14,384,269

## PROJECT AND LAND USE TABLES

		Existing	Proposed
<b>General Land Use</b>	Parking GSF	21,713	21,713
	Residential GSF	0	0
	Retail/Commercial GSF	0	0
	Office GSF	96,908	96,908
	Industrial-PDR	0	0
	Medical GSF		
	Visitor GSF		
	CIE (Cultural, Institutional, Educational)		
	Useable Open Space GSF		
	Public Open Space GSF		

<b>Project Features</b>	Dwelling Units - Affordable	0	0
	Dwelling Units - Market Rate	0	0
	Dwelling Units - Total	0	0
	Hotel Rooms	0	0
	Number of Building(s)	1	1
	Number of Stories	7	7
	Parking Spaces	53	53
	Loading Spaces	0	0
	Bicycle Spaces	25	25
	Car Share Spaces		
Other: _____			


<b>Land Use - Residential</b>	Studio Units		
	One Bedroom Units		
	Two Bedroom Units		
	Three Bedroom (or +) Units		
	Group Housing - Rooms		
	Group Housing - Beds		
	SRO Units		
	Micro Units		
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.		

## ENVIRONMENTAL EVALUATION SCREENING FORM





This form will determine if further environmental review is required.


If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>1a. General</b>	Estimated construction duration (months):	N/A	
<b>1b. General</b>	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>2. Transportation</b>	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit an Environmental Supplemental- <a href="#">School and Child Care Drop-Off &amp; Pick-Up Management Plan</a> .
<b>3. Shadow</b>	Would the project result in any construction over 40 feet in height?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
<b>4. Biological Resources</b>	Does the project include the removal or addition of trees on, over, or adjacent to the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes:  Number of existing trees on, over, or adjacent to the project site:  _____  Number of existing trees on, over, or adjacent to the project site that would be removed by the project:  _____  Number of trees on, over, or adjacent to the project site that would be added by the project:  _____
<b>5a. Historic Preservation</b>	 Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a complete <a href="#">Historic Resource Determination</a> Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
<b>5b. Historic Preservation</b>	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with <a href="mailto:CPC-HRE@sfgov.org">CPC-HRE@sfgov.org</a> .

 Please see the [Property Information Map](#) or speak with Planning Information Center (PIC) staff to determine if this applies.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>6. Archeology</b> 	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, provide depth of excavation/disturbance below grade (in feet*):  <i>*Note this includes foundation work</i>
<b>7. Geology and Soils</b> 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 20% or greater?  ----- Area of excavation/disturbance (in square feet): 0 ----- Amount of excavation (in cubic yards): 0 -----	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project: <ul style="list-style-type: none"> <li>● The project involves:               <ul style="list-style-type: none"> <li>○ excavation of 50 or more cubic yards of soil, or</li> <li>○ building expansion greater than 1,000 square feet outside of the existing building footprint.</li> </ul> </li> <li>● The project involves a lot split located on a slope equal to or greater than 20 percent.</li> </ul> <i>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</i>
<b>8. Air Quality</b> 	Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollutant Exposure Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, the property owner must submit copy of initial filed application with department of public health. More information is found <a href="#">here</a> .
<b>9a. Hazardous Materials</b>	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a Phase I Environmental Site Assessment prepared by a qualified consultant.
<b>9b. Hazardous Materials</b> 	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a copy of the <a href="#">Maher Application Form</a> to the Department of Public Health. Also submit a receipt of Maher enrollment with the Project Application.  For more information about the Maher program and enrollment, refer to the Department of Public Health's <a href="#">Environmental Health Division</a> .  <i>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</i>

 Please see the [Property Information Map](#) or speak with Planning Information Center (PIC) staff to determine if this applies.

## PRIORITY GENERAL PLAN POLICIES FINDINGS

Please state how the project is consistent or inconsistent with each policy, or state that the policy is not applicable:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

See Exhibit B.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

See Exhibit B.

3. That the City's supply of affordable housing be preserved and enhanced;

See Exhibit B.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

See Exhibit B.

5. 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;

See Exhibit B.

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

See Exhibit B.

7. That landmarks and historic buildings be preserved; and

See Exhibit B.

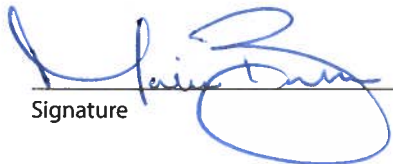
8. That our parks and open space and their access to sunlight and vistas be protected from development.

See Exhibit B.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.



Signature

Malika Basheer

Name (Printed)

Owner

914-269-0910

mbasheer@seavesthcp.com

Relationship to Project  
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_





# CONDITIONAL USE AUTHORIZATION

## INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.**

Pursuant to Planning Code Section 303, the Planning Commission shall hear and make determinations regarding Conditional Use Authorization applications.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org), or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助，請致電415.575.9010。請注意，規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9120. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A CONDITIONAL USE AUTHORIZATION?

A Conditional Use refers to a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan. During this public hearing the Planning Commission will “condition” the use by applying operational conditions that may minimize neighborhood concerns as well as other conditions that may be required by the Department and the Planning Code. Conditional Use Authorizations are entitlements that run with the property, not the operator.

### WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

For each Zoning District, the Planning Code contains use charts that list types of uses and whether each is permitted as of right (P), conditionally permitted (C), or not permitted (NP or blank). In addition to those particular uses, the Conditional Use Authorization process is utilized for various other applications included but not limited to dwelling unit removal, Planned Unit Developments (PUD’s), and for off-street parking in certain Zoning Districts. Please consult a planner at the Planning Information Counter (PIC) for additional information regarding these applications.

### Fees

Please refer to the [Planning Department Fee Schedule](#) available at [www.sfplanning.org](http://www.sfplanning.org) or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at 415.558.6377.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder’s office and for monitoring compliance with any conditions of approval.



# CONDITIONAL USE AUTHORIZATION

## SUPPLEMENTAL APPLICATION

### Property Information

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Project Address: 939 Ellis Street, San Francisco, CA 94109      Block/Lot(s): 0738/019

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### Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

Approval of Conditional Use Authorization pursuant to Planning Code Section 303 for a change in use from the existing office use to health services use.

### Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).

See Exhibit B.

2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - b. 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;
  - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

See Exhibit B.

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

See Exhibit B.

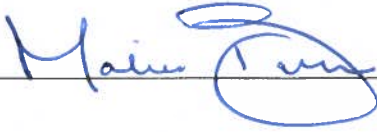
4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

See Exhibit B.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.

Signature 

Malika Basheer  
Name (Printed)

Owner 914-269-0910  
Relationship to Project Phone  
(i.e. Owner, Architect, etc.)

mbasheer@seavesthpc.com  
Email

# APPLICANT'S SITE VISIT CONSENT FORM

I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

Signature 

Malika Basheer  
Name (Printed)

8/29/18  
Date

For Department Use Only  
Application received by Planning Department:  
By: \_\_\_\_\_ Date: \_\_\_\_\_

**Exhibit A**  
**Project Description**  
**939 Ellis Street, Conditional Use Authorization**

Seavest Healthcare Properties, LLC (“Seavest”) is applying for a Conditional Use Authorization (“CU”) for a change in use from Office to Service, Health under Section 102 of the San Francisco Planning Code (“Health Services”) at 939 Ellis Street, San Francisco.<sup>1</sup>

The existing building is approximately 118,621 gross square feet in size, with six floors of office use above two levels of parking. The currently vacant building is approximately 107 feet in height, with 53 parking spaces.

939 Ellis was originally built in the late 1960s as a commercial office building. However the City determined in its zoning verification letter to Lenity Architecture dated January 28, 2015 that the existing office use is “office/existing non-conforming.” The property is currently zoned RC-4, Residential-Commercial, High Density. Under this designation, Service, Health<sup>2</sup> is permitted as an enumerated subcategory under the Retail Sales and Services Use and is permitted by right on the first floor and with a CU on the second floor and above. Since this application proposes Health Services uses for all of the floors above the parking garage, a CU approval is required.

Seavest is leasing the top three floors of the building (floors five through seven) to Kaiser, for a total of approximately 42,122 gross square feet of space for the Health Service uses. Kaiser proposes to use the space for a Mental Health and Wellness Clinic (“MHWC”) for the over 229,000 Kaiser members in San Francisco (membership as of September 2017). Kaiser would have access to 26 of the total 53 on-site parking spaces pursuant to its lease agreement with Seavest.

The MHWC would consist of a medical office clinic, with a full staff of both psychologists/counselors and medical psychiatrists/nurse practitioners, providing general mental health and wellness services to adults, teens and children in individual and group settings. This would be an outpatient clinic and is not considered a hospital or medical center, and will have no overnight/inpatient services. The MHWC facility will be designed and operate with fewer environmental impacts than a typical medical facility (such as not including sinks in every office, resulting in significantly lower water usage than a typical medical office). In addition, the length

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<sup>1</sup> Kaiser Permanente (“Kaiser”), a tenant in the building, previously applied for a change in use from Office to Health Services floors five, six and seven of the building. Kaiser has consented to this superseding application, which covers the entire building, amends, incorporates and supersedes Kaiser’s earlier application.

<sup>2</sup> Section 102 of the Planning Code states: “*Service, Health.* A Retail Sales and Service Use that provides medical and allied health services to the individual by physicians, surgeons, dentists, podiatrists, psychologists, psychiatrists, acupuncturists, chiropractors, or any other health-care professionals when licensed by a State-sanctioned Board overseeing the provision of medically oriented services. It includes a clinic, primarily providing outpatient care in medical, psychiatric, or other health services, and not part of a Hospital or medical center, as defined by this Section of the Code.”

of appointments is much longer than a primary care visit (i.e., 30-60 minutes vs. 10-15 minutes). As a result, the amount of traffic generated by members, both transit and vehicular, would be less than a standard medical office building. The facility will typically operate between 7AM – 8PM Monday-Friday with shorter hours on Saturday. The majority of patients will be seen between 9AM to 5PM Monday to Friday.

The project does not propose any expansion or exterior modification to the existing building at 939 Ellis Street, so there would be no increase in square footage associated with the requested CU Authorization. Exhibit C is a site plan depicting the property and the location of the existing building and improvements. Exhibit D includes floor plans for the two parking levels. At this time, the lower three floors do not have tenants, so Seavest does not have floor plans or layouts that reflect any planned tenant improvements. Kaiser is applying for interior tenant improvements for its three floors, and it is in the process of developing floor plans. Although Kaiser does not have final layouts, Exhibit E depicts a preliminary floor plan reflecting the general layout of each floor. The final layout of the space will change but will consist of a mixture of individual offices and group rooms.

The 939 Ellis property has ample parking and bike storage; however, Seavest is exploring opportunities with Planning staff for better parking efficiencies within the building, as well as a white-curbed zone in front of the building on Ellis street to facilitate drop-offs and pick-ups of clients visiting the site.

**Exhibit B**  
**Proposed Findings**  
**939 Ellis Street, Conditional Use Authorization**

**Conditional Use Findings (Section 303 Findings)**

***1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.***

The project will provide desirable and greatly needed health services to the San Francisco community. In particular, Kaiser's Mental Health and Wellness Clinic will implement the priority goal of the City's Health Care Services Master Plan to expand mental health services.

The building has been historically used for office uses and will continue to be used for office-like uses. The proposed health services uses are more consistent with standard office uses, and would not create nuisances or other activities inconsistent with the surrounding commercial, office and high density residential uses. Furthermore, office uses are not permitted under the RC-4 zoning and the City has issued a letter of determination finding that the existing office uses are nonconforming uses. Conversely, the proposed Health Services uses are conditionally permitted in RC-4 and the surrounding neighborhood is evolving towards medical services. The proposed uses would also be consistent with the new CPMC hospital and surrounding medical office buildings.

The proposed uses will be located within the existing building, without any expansion or modification, and therefore will be at a size and intensity appropriate for the location.

***2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:***

***(a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.***

The proposed health service uses would be fully located within the existing building, without any expansion or modification. The project does not propose any exterior changes that would change the nature of the existing site.

***(b) 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.***

The building is adequately served by existing transit infrastructure and the existing 53 parking spaces. The current code does not require a minimum amount of parking at the site since the building is located along the Van Ness Avenue corridor, with excellent public transit access. The Van Ness Improvement Project commenced construction on October 24, 2016 and the proposed Bus Rapid Transit System is expected to be operational in 2020.

***(c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.***

The proposed health service uses will be operated similar to standard office uses. They would not generate any noxious or offensive emissions, such as noise, glare, dust and odor. During the construction of the tenant improvements, the applicant would comply with all City regulations to minimize noise and dust.

***(d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.***

The project does not propose any changes to landscaping, screening, open space, parking and loading areas, or service areas, all of which will remain adequate for the proposed uses. The project may include minor changes to lighting and signs, but these would not result adverse impacts to the public health, safety, and welfare.

***3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.***

The proposed health service uses are consistent with the Planning Code and the Van Ness Avenue Area Plan, which allows existing structures to remain in non-residential use (Policy 1.2). The proposed uses will not change the nature and character of the neighborhood.

**Priority General Plan Policies Findings (Proposition M Findings)**

***1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.***

Not applicable. The building is a currently vacant office building, with no existing retail uses. The project will not affect existing neighborhood-serving retail uses.

***2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.***

The building is currently a vacant office building, with no residential units, hence the project will not affect existing housing resources and neighborhood character.

***3. That the City's supply of affordable housing be preserved and enhanced.***

The building is currently a vacant office building, with no affordable housing units, hence the project will not affect the City's supply of affordable housing.

***4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.***

The project would not impede Muni transit service or overburden streets or neighborhood parking as the project has ample parking and the related commuter traffic will be similar to the existing general office trip generation. The project site has excellent access to a wide range of



public transit alternatives for both employees and members and the proposed Bus Rapid Transit System will further improve Muni transit services to the building. Therefore, it is not anticipated to impede Muni transit service or overburden surrounding streets. The project also has adequate onsite parking for the proposed uses. The current code does not require any parking for the project and there is no evidence that neighborhood parking will be significantly impacted due to the availability of public transit and nearby parking structures.

***5. 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.***

Not applicable. The building is currently a vacant office building, with no industrial or service uses. The proposed uses will result in a net reduction of commercial office development by substituting medical services. The project will not displace the City's industrial or service sectors, nor will it affect employment or ownership opportunities in these sectors.

***6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an Earthquake.***

The existing building complies with applicable seismic standards. The project would not create an increased safety risk related to earthquakes, since it does not propose to modify the building (other than internal tenant improvements) and the proposed health services uses would operate similar to standard office uses.

***7. That landmarks and historic buildings be preserved.***

Not applicable, as the exterior of the building will not be altered. The building is not designated as a landmark or historic building.

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

Not applicable, as the project is located entirely within the existing building and does not propose any new development. Accordingly, the project has no potential to affect parks or open space or their access to sunlight and vistas.

Malika Basheer  
Seavest Healthcare Properties, LLC  
707 Westchester Avenue  
White Plains, NY 10604  
mbasheer@seavestinc.com

August 28, 2018

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

Re: Letter of Authorization for Sheppard Mullin Richter & Hampton to Act as Agent for 939 Ellis Applications

Dear Planning Department:

I am Vice President of Seavest Healthcare Properties, LLC ("Seavest"), the record owner of 939 Ellis Street in San Francisco. Seavest is applying for land use entitlements and permits for 939 Ellis to change the use of the building from office to health services. Seavest hereby authorizes its legal counsel Jennifer Renk of Sheppard Mullin Richter & Hampton to act as Seavest's agent on behalf of this proposed project and in connection with these applications.

Very truly yours,



Malika Basheer

cc: Jennifer Renk, Sheppard Mullin Richter & Hampton