



# SAN FRANCISCO PLANNING DEPARTMENT

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## Memo to the Planning Commission

HEARING DATE: APRIL 13, 2017  
Continued from the April 6, 2017 Hearing

*Date:* April 3, 2017  
*Case No.:* 2016-001528CUA  
*Project Address:* 2645 OCEAN AVENUE  
*Zoning:* NC-1 (Neighborhood Commercial, Cluster)  
26-X Height and Bulk District  
*Block/Lot:* 7226/023  
*Project Sponsor:* HSRE-BW Lakeside MOB, LLC  
1437 7<sup>th</sup> Street, Suite 200  
Santa Monica, CA 90401  
*Staff Contact:* Natalia Kwiatkowska – (415) 575-9185  
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### BACKGROUND

The Planning Commission heard the case at its November 10, 2016 hearing. At that time, the Commission made a motion of intent to disapprove the project and continued the item to the December 1, 2016 hearing by a vote of +6-1 (Hillis against). The Planning Commission's concerns included the displacement of the existing doctors remaining at the building and the lack of a proposed tenant at the time.

The Project Sponsor continued the item subsequently to allow ample time to work with the existing doctors and the community on a revised project. The Project Sponsor has revised the proposal in response to the Planning Commission's concerns regarding doctor displacement. The Project has been modified to exclude the second floor from the requested use size Conditional Use Authorization and the second floor will remain occupied by individual medical providers. The project includes consolidation of 1,865 gross square feet at the ground floor and 9,619 gross square feet at the third floor, resulting in one large medical service use of 11,484 gross square feet at the first and third floors, and tenant improvements to the entire building. The Project Sponsor has not selected a tenant at this time.

The proposed project will comprise of three phases. The first phase will include tenant improvements at the second floor for several tenants. The second phase of the project will comprise of upgrading the lobby and the core of the building. The third phase will involve buildout of the ground floor medical area and the third floor for the larger tenant.

To date, the Department has received four communications in opposition to the original proposal from community members and existing medical providers. The primary concerns related to the displacement of the existing individual medical providers.

Although the Department received communications in regards to the original proposal, the Department has not received any communication in opposition to the revised proposal. The Department received three letters of support for the revised project.

The project sponsor has conducted outreach to the existing tenants at the subject property. Some of the individual medical providers have retired or relocated to another facility. The remaining tenants will have the option of moving to the updated individual medical practices at the second floor. The project sponsor has also conducted outreach to the retail uses at the site and surrounding properties.

The Planning Department recommends Approval with Conditions of the revised project.

### **REQUIRED COMMISSION ACTION**

The Commission must adopt the attached Draft Motion to approve or disapprove case No. 2016-001528CUA.

**Attachments:**

Revised Draft Motion

Exhibits

Revised Sponsor's Brief

Revised Plans

Disapproval Draft Motion

Original Case Report from November 10, 2016 Planning Commission hearing.



# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

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

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## Planning Commission Draft Motion

HEARING DATE: APRIL 13, 2017

*Date:* April 3, 2017  
*Case No.:* **2016-001528CUA**  
*Project Address:* **2645 OCEAN AVENUE**  
*Zoning:* NC -1 (Neighborhood Commercial, Cluster) District  
26-X Height and Bulk District  
*Block/Lot:* 7226/023  
*Project Sponsor:* HSRE-BW Lakeside MOB, LLC  
1437 7<sup>th</sup> Street, Suite 200  
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**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 710.21, AND 790.130 OF THE PLANNING CODE TO ALLOW A NON-RESIDENTIAL USE EXCEEDING 2,999 SQUARE FEET WITHIN THE NC-1 (NEIGHBORHOOD COMMERCIAL, CLUSTER) DISTRICT AND A 26-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On January 14, 2016 HSRE-BW Lakeside MOB, LLC (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 710.21 and 790.130 to allow a use size greater than 2,999 square feet on a property within the NC-1 (Neighborhood Commercial, Cluster) District and a 26-X Height and Bulk District.

On November 10, 2016, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-001528CUA. After hearing and closing public comment, the Commission adopted a motion of intent to Disapprove and continued the item by a vote of +6-1. The Project Sponsor has revised the proposal in response to the Planning Commission’s concerns regarding doctor displacement. The Project has been modified to exclude the second floor from the requested use size Conditional Use Authorization and will remain occupied by individual medical providers.

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

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-001528CUA, 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 Ocean Avenue, near the intersection of Ocean and 19<sup>th</sup> Avenues, Block 7226, Lot 023. The subject property is located within the NC-1 (Neighborhood Commercial, Cluster) District and the 26-X Height and Bulk District. The property is developed with a three-story mixed-use building. The ground floor is currently occupied by medical uses, a bank, an optical shop, and a salon while the second and third floors are occupied by medical uses.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character, with a majority of commercial uses. A variety of commercial establishments are located within ground floor storefronts in the NC-1 District, including restaurants, banks, salons, and other types of retailers. Other medical services uses are also located in the surrounding area. Buildings in the vicinity typically range from one to two stories in height. Properties located in the surrounding area are located within the RH-1(D) (Residential – House, One Family – Detached) Zoning District.
4. **Project Description.** The project sponsor proposes to consolidate an existing medical service establishment with individual medical providers into one large medical service use establishment of 11,484 gross square feet at the project site at 2645 Ocean Avenue in the NC-1 (Neighborhood Commercial, Cluster) District. The project includes consolidation of 1,865 gross square feet at the ground floor and 9,619 gross square feet at the third floor, and tenant improvements to the entire building. The second floor is excluded from the consolidation of use and will remain occupied by individual medical service uses.

The existing facility offers a range of individual providers which offer primary medical care including: family medicine, pediatrics, internal medicine, OB/GYN and specialty services such as oncology and dermatology. The existing facility also provides dental care, acupuncture, and therapy services. The new consolidated facility is expected to remain fairly consistent with the



existing breakdown of medical services. The new facility will also provide ancillary services including: laboratory, x-ray, blood raw, mammogram, and ultrasound. While the number of exam rooms is expected to remain fairly consistent, the interior layout is proposed for alteration resulting in a more open layout with doctors occupying open work stations and combined waiting and reception areas. The remaining tenants will be assisted in moving to another location in San Francisco when the renovations begin. The Project Sponsor has not selected a new tenant at this time.

The proposed project is an interior alteration of the existing three-story building and proposed new signage. The existing gross square footage will remain unchanged. The existing retail tenant space measures 2,413 gross square feet and will remain unchanged. The overall gross square footage of the building is 24,423 gross square feet and will remain unchanged.

The proposed project will allow the new tenant to better serve the Lakeshore neighborhood and community. The proposed health center will enhance healthcare options in the neighborhood, provide a wider range of medical care and improved access to care.

5. **Public Comment.** To date, the Department has received four communications in opposition to the original proposal from community members and existing medical providers. The primary concerns related to the displacement of the existing individual medical providers.

Although the Department received communications in regards to the original proposal, the Department has not received any communication in opposition to the revised proposal. The Department received three letters of support for the revised project.

The project sponsor has conducted outreach to the existing tenants at the subject property. Some of the individual medical providers have retired or relocated to another facility. The remaining tenants will have the option of moving to the updated individual medical practices at the second floor. The project sponsor has also conducted outreach to the retail uses at the site and surrounding properties.

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 Size.** Planning Code Sections 121.2 and 710.21 state that a Conditional Use Authorization is required for non-residential uses exceeding 2,999 square feet.

*The proposed use is 11,484 gross square feet in size and requires conditional use authorization as proposed.*

- B. **Use – Service, Medical.** Planning Code Section 790.114 defines a retail use which 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 in Section 790.44 of this Code.

*The subject property was constructed as a medical facility in 1963 and has been operating as a medical service establishment with individual medical providers at the first, second, and third floors. The proposal will operate as a medical service establishment with one consolidated medical provider at the first and third floors while the second floor will remain occupied by individual medical service providers. The project is considered Medical Service Land Use Category, as defined in Planning Code Section 790.114, which is a principally permitted use at the first floor of properties located in the NC-1 District per Planning Code Section 710.51. The proposal also includes medical service uses at the second and third floors, which have a history of being used by individual medical providers and therefore are considered a legal nonconforming use.*

- C. **Hours of Operation.** Planning Code Section 710.27 permits hours of operation from 6:00AM to 11:00PM, with a Conditional Use Authorization required for maintaining hours of operation from 11:00PM to 2:00AM, as defined by Planning Code Section 790.48

*The proposed hours of operation will be in compliance with the principally permitted hours within the NC-1 Zoning District.*

- D. **Parking.** Planning Section 710.22 of the Planning Code requires off-street parking for commercial or institutional uses with occupied floor area exceeding 5,000 square feet. Section 151 of the Planning Code requires one off-street parking space for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

*The proposed use size of 11,484 gross square feet includes 7,689 square feet of occupied floor area, which requires 26 off-street parking spaces. The subject property currently provides 64 off-street parking spaces and will remain unchanged. The current parking will continue to satisfy the required off-street parking requirement for the subject property.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass

through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The subject commercial space has approximately 100-feet of frontage on Ocean Avenue with approximately 84 percent of the street frontage dedicated to windows and the main entry. The first 25 feet of the ground floor and the first 15 feet of the second and third floors are comprised of active uses.*

- F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department per Article 6 of the Planning Code.

*The Project Sponsor shall apply for the appropriate sign permits, and shall follow the requirements of Article 6 of the San Francisco Planning Code.*

- G. **Health Care Services Master Plan Findings.** Planning Code Section 342.5 requires any change of use to a Medical Use, as defined in Section 342.1(a) that would occupy 10,000 gross square feet of floor area, or any expansion of an existing Medical Use that would add at least 5,000 gross square feet of floor area, file a Consistency Determination.

*The proposed Project does not constitute a change of use or an expansion of an existing Medical Use at the subject site, and would thus not be applicable to the requirements of Planning Code Section 342.5.*

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed use or features, 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 project will be in keeping with the other buildings on the block. The proposed project will better serve the Lakeshore neighborhood, as well as the surrounding neighborhoods due to its location, which is readily accessible by transit. Additionally, the proposed use is desirable because it will enhance healthcare options in the neighborhood, provide a wider range of medical services and improved access to care. The proposal will not impact traffic or parking in the District because the existing off-street parking spaces will be retained and the property is easily accessible by public transportation.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

*The proposal does not include any changes to the size or shape of the existing three-story building.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The proposed use size of 11,484 gross square feet includes 7,689 square feet of occupied floor area, which requires 26 off-street parking spaces. The subject property currently provides 64 off-street parking spaces and will remain unchanged. The current parking will continue to satisfy the required off-street parking requirement for the subject property.*

*The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposed project will not alter the level of service of nearby intersections. Additionally, the proposed ancillary services will decrease traffic to the site by eliminating the need to use medical couriers to run tests offsite. The site is also highly accessible by public transportation. Therefore, the proposed use will not have any adverse effect on traffic near the project site.*

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

*The Project will not produce noxious or offensive emissions related to noise, glare and dust. The project entails interior alterations within the existing three-story building and will provide proper venting for the space in compliance with the San Francisco Building Code standards.*

- iv. 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 to modify the exterior of the building and would not alter the site's landscaping, open space, parking and loading areas, service areas, and lighting.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

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

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

*The proposed Project is consistent with the stated purposed of NC-1 District in that the intended use provides medical services to the surrounding neighborhoods.*

- 8. Planning Code Section 121.2(a) establishes additional criteria for the Planning Commission to consider when reviewing applications in excess of the use size limit:

- a. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

*The Project will not preclude or foreclose other necessary neighborhood-serving uses from locating in the area. The proposal will allow one medical service provider to consolidate multiple individual medical providers at the first and third, allowing for more efficiency in medical care and better service to patients. The second floor will continue to be occupied by individual medical service providers. The remaining tenants at the ground and third floors will have the option of moving to the updated individual medical practices at the second floor.*

- b. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

*The proposal is expected to serve many residents of the neighborhood who will have access to a comprehensive high-quality medical clinic. The size of the use is essential to meet the demands of modern medical facilities, which provide a variety of care. The partial conversion of the building from individual medical providers to a single large medical provider will allow it to better serve its customers.*

- c. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

*The Project does not propose any changes to the exterior of the building and the project will maintain the discrete architectural elements which respect the scale of development in the area.*

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

## COMMERCE AND INDUSTRY

### 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 proposal will provide a substantial net benefit in allowing the building to be used for a modern medical facility, providing comprehensive care to residents of the neighborhood and the City at large at a location highly accessible by public transit.*

**OBJECTIVE 2:**

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

**Policy 2.1:**

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

*The Project allows the productive use of the building as a medical facility, and allows the retention of a large medical care provider in the City which might otherwise need to relocate outside of San Francisco or in another neighborhood. The Project also allows the retention of the individual medical practices by providing space at the second floor.*

**Policy 3.1:**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*The Project will allow the retention of medical care provider who seek to invest in rehabilitation of an older medical building, which will provide numerous jobs, from doctors and nurses to janitorial staff.*

**OBJECTIVE 4:**

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

**Policy 4.1:**

Maintain and enhance a favorable business climate in the City.

*The Project will support business in the City by allowing a productive use of the subject property to provide a high-quality care for San Francisco residents. It will not displace any providers currently in the building as they will have an option of moving to the updated individual medical practices at the second floor. Therefore, the Project will expand the medical care options available in the City.*

## **TRANSPORTATION**

### **Objectives and Policies**

**OBJECTIVE 2:**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

*The Project is located in an area highly accessible by public transportation. Most notably, it is next to two light rail routes and at least two bus routes.*

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

*The proposal would enhance the district by providing a medical service use and will not displace any neighborhood-serving retail use.*

- 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 will not impact the character or diversity of the neighborhood.*

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

*The Project would not have any impact on the City's supply of affordable housing.*

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

*The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The project is not expected to generate additional demand on neighborhood parking, and will not impede MUNI transit nor overburden the City's streets. The project site is located on Ocean Avenue and well-served by public transit on or connecting to Ocean Avenue. The proposed medical service use will be used by residents in the neighborhood or those working nearby. Furthermore, the project site is well-served by the existing off-street parking.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The proposed Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*The proposed Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

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

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

*The Project will have no adverse effect on existing parks and open spaces.*

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.



## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-001528CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 9, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. 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 April 13, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 13, 2017

# EXHIBIT A

## AUTHORIZATION

This authorization is for a conditional use to allow a medical service use in excess of 2,999 square feet located at 2645 Ocean Avenue, Block 7226, and Lot 023 pursuant to Planning Code Sections **710.21** within the **NC-1 (Neighborhood Commercial, Cluster) District** and a **26-X** Height and Bulk District; in general conformance with plans, dated **March 9, 2017**, and stamped "EXHIBIT B" included in the docket for Case No. **2016-001528CUA** and subject to conditions of approval reviewed and approved by the Commission on **April 13, 2017** 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 **April 13, 2017** 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 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

9. **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 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

1. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide 26 independently accessible off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING – AFTER ENTITLEMENT

10. **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)*
11. **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)*

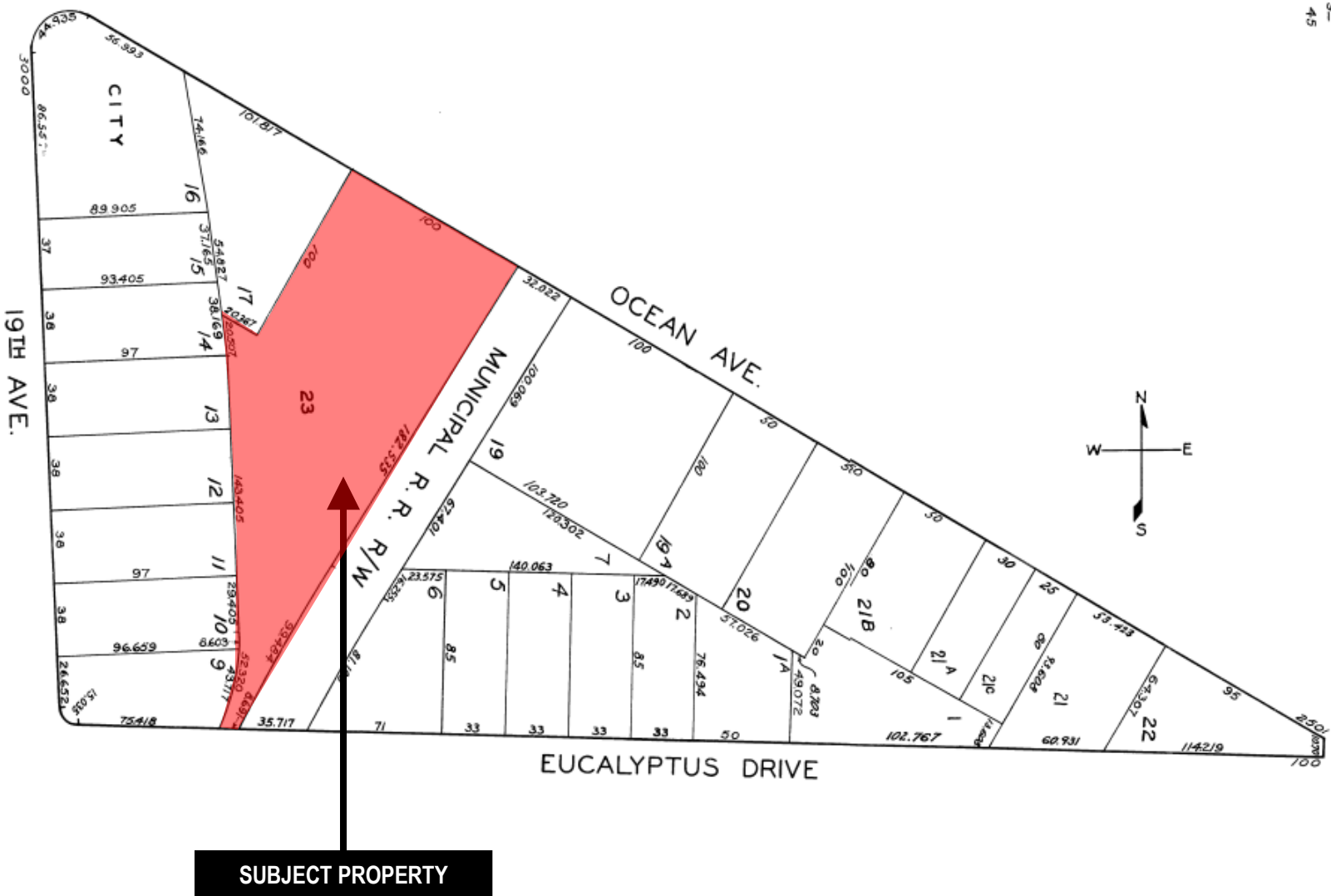
## OPERATION

12. **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>*
13. **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/>*
14. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Exhibits



# Parcel Map



Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue

# 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  
Case Number 2016-001528CUA  
2645 Ocean Avenue



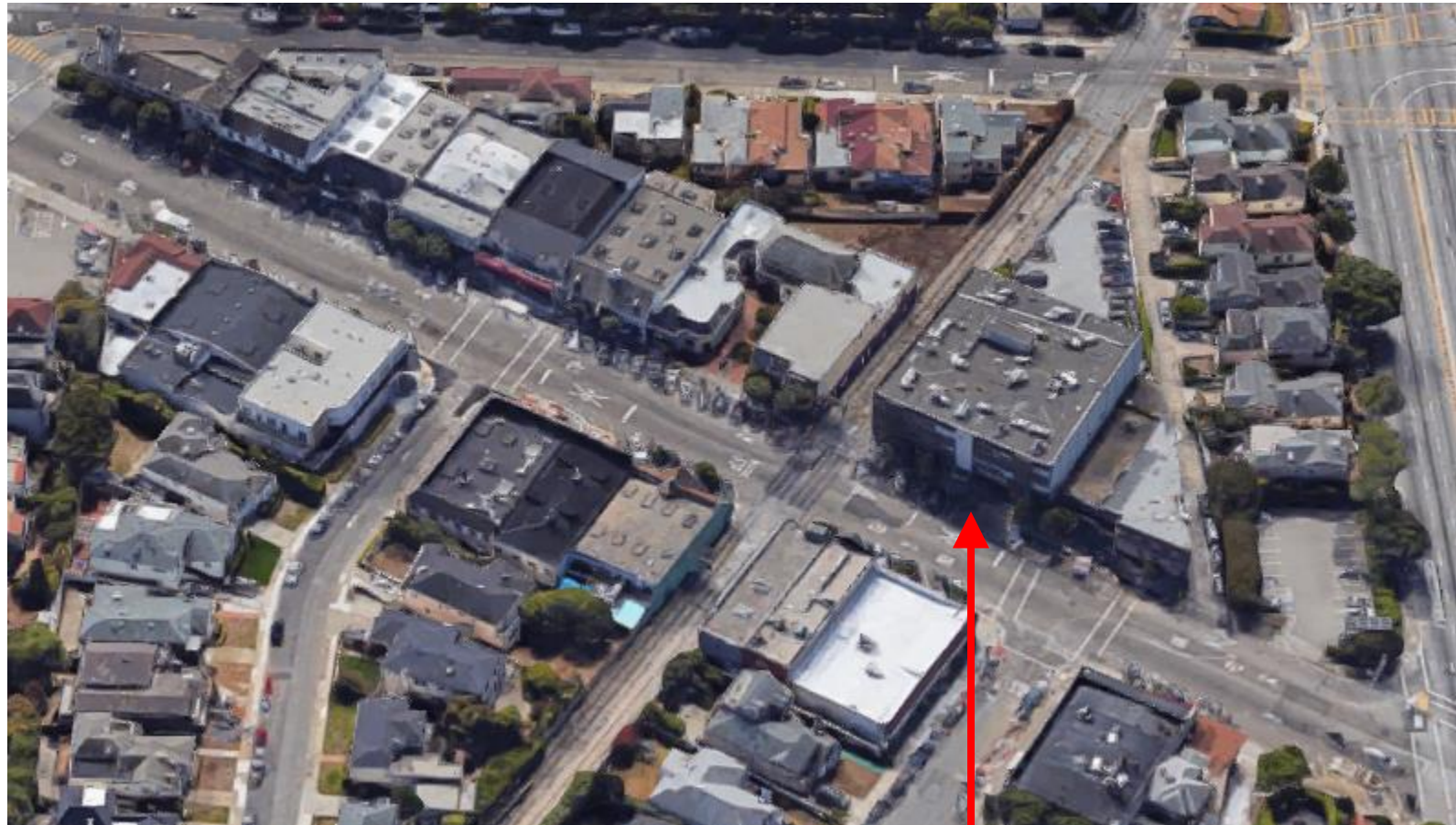
# Aerial Photo



**SUBJECT PROPERTY**



# Aerial Photo



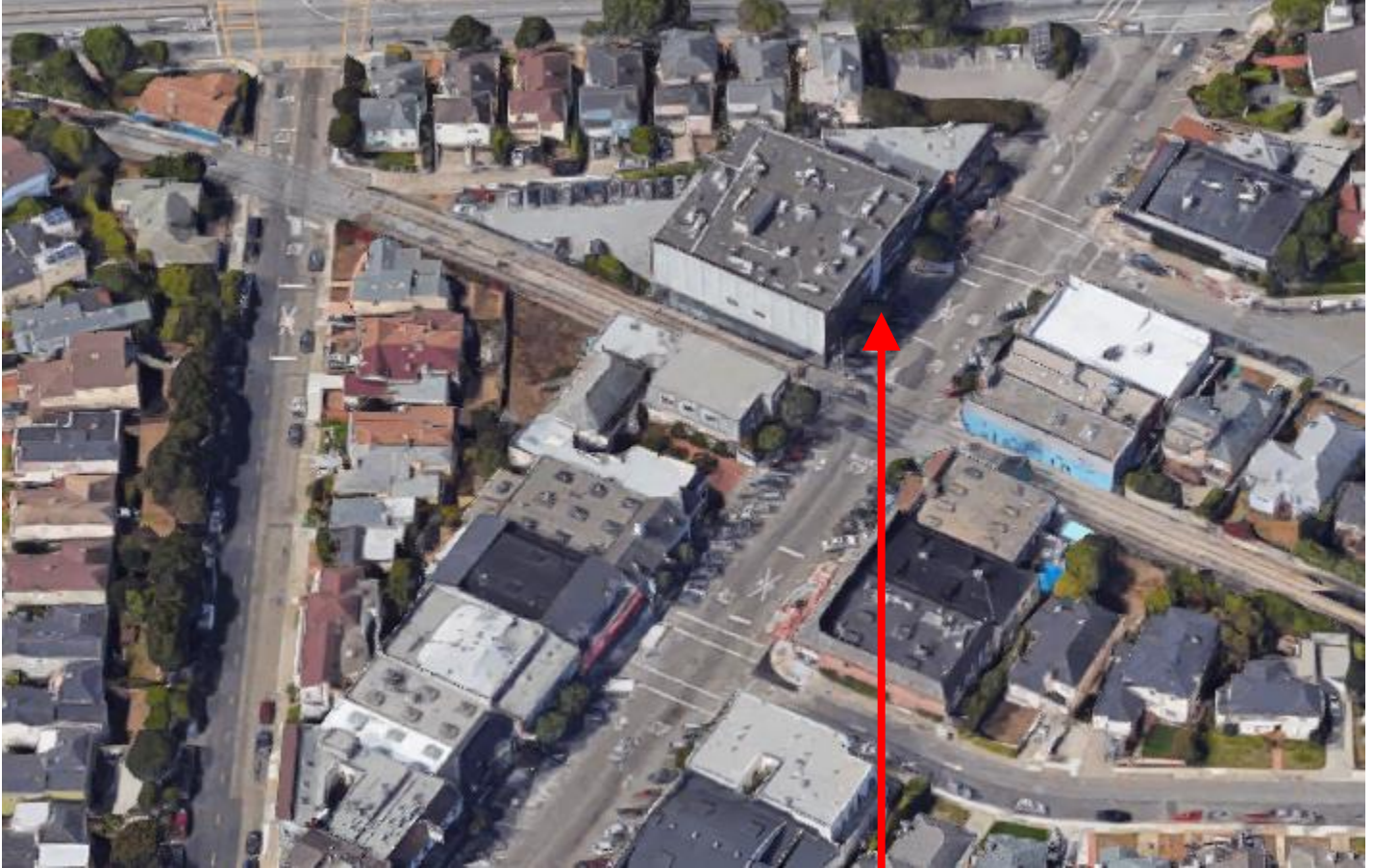
**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue



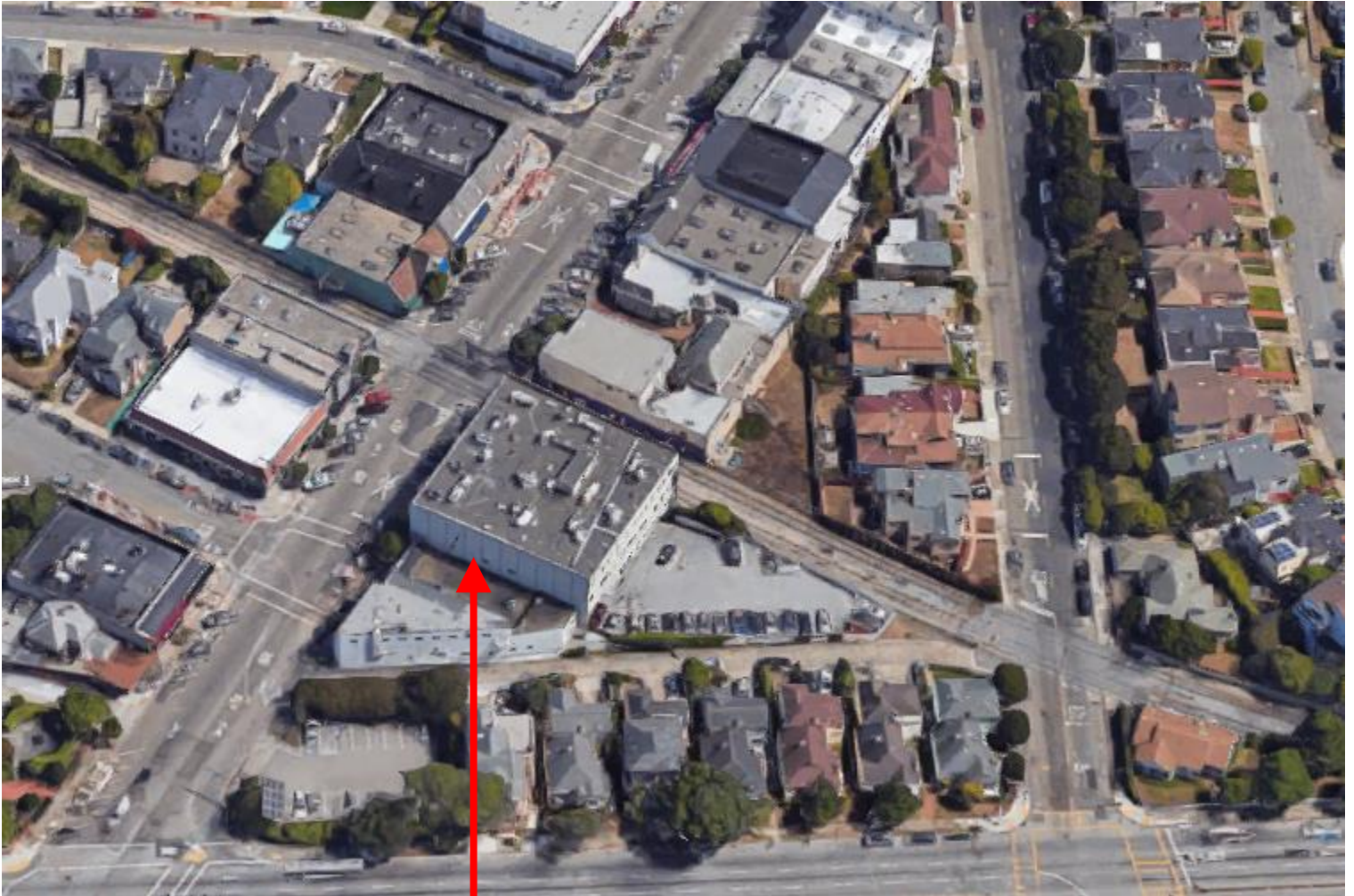
# Aerial Photo



**SUBJECT PROPERTY**



# Aerial Photo

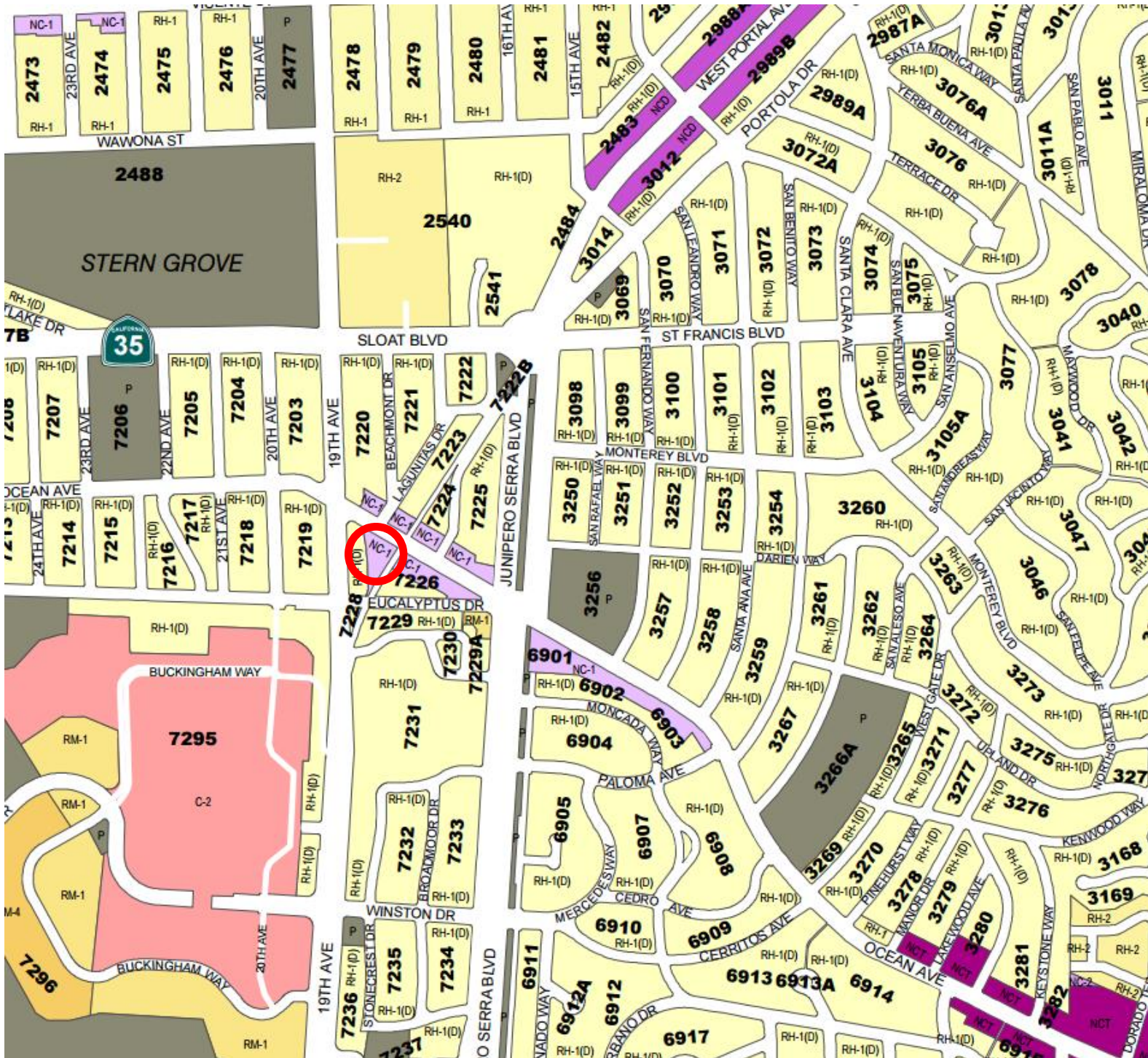


**SUBJECT PROPERTY**





# Zoning Map



Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue



# Site Photo



**SUBJECT PROPERTY  
OCEAN AVENUE FRONTAGE**

Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue

# REUBEN, JUNIUS & ROSE, LLP

March 27, 2017

## Delivered By E-mail

President Rich Hillis and Commissioners  
San Francisco Planning Commission  
1650 Mission Street, 4th Floor  
San Francisco, CA 94107

**Re: 2645 Ocean Avenue**  
**Planning Case Number: 2016-001528**  
**Hearing Date: April 13, 2017**  
**Our File: 8934.01**

Dear President Hillis and Commissioners:

This office represents HSRE-BW Lakeside MOB, LLC (“**Project Sponsor**”), which seeks approval to convert a portion of Lakeside Medical Center (“**Center**”) located at 2645 Ocean Avenue (“**Property**”) from individual medical uses to use by a unified medical provider (the “**Project**”). The building was constructed as a medical facility in 1963. The Project requires conditional use approval for a use of greater than 2,999 square feet under Planning Code Section 121.2 because it proposes 11,484 gross square feet of a single medical use.

Although the Project previously proposed to convert all of the second and third floors, and a portion of the ground floor to a consolidated use, in response to Commission concerns about doctor displacement, the Project has been modified to exclude the second floor. The Project Sponsor will relocate the doctors who wish to stay in the building from the ground and third floor to the second floor, providing updated turnkey medical office space to those providers, while freeing up the third floor and non-retail portion of the ground floor for the Project. Other practitioners have chosen to relocate to the nearby renovated Stonestown facility. No independent medical practitioners have been left without space.

The Project Sponsor has focused on outreach since the matter was first heard by the Commission, with many meetings with the medical practices on Site, as well as outreach to the retail uses at the Site and surrounding properties. The retail tenants are excited about increased foot traffic and improved safety and esthetics of the building. The Project has received a support letter from the Coldwell Banker office at 2633 Ocean, attached as **Exhibit**

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin  
Tuija I. Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben<sup>1</sup>  
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight  
Chloe V. Angelis | Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman<sup>2,3</sup> | John McInerney III<sup>2</sup>

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

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

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

[www.reubenlaw.com](http://www.reubenlaw.com)

A. Additional support letters from doctors and retail tenants are expected before hearing. No neighbors have voiced opposition.

**A. Project Overview**

Lakeside Medical Center is a 24,423 gross square foot three-story building in the Lakeshore neighborhood. The Property has a consistent history of medical use by individual providers on the upper floors since construction in 1963. The ground floor currently contains medical uses and a bank, an optical shop and a salon. The Property contains 64 parking spaces at ground level and in an underground garage. The Center is located on the M light rail line and is two blocks from a K light rail stop, as well as a block from the 23 and 57 bus lines. There is plentiful street meter parking on Ocean Avenue. However, the Center contains sufficient parking that little or no impact on street parking is anticipated. The Property is situated in an area of Ocean Avenue that has mostly commercial uses, and the surrounding area is largely residential.

The Center is outdated and in need of major renovations. The items of core and shell redevelopment include the following:

- Elevators
- Lobby
- Roof
- HVAC
- Plumbing
- Common area upgrades
- ADA/bathroom upgrades
- Life-safety upgrades
- Energy and lighting upgrades
- Parking lot improvement

These upgrades, providing both cosmetic and life safety changes, will provide a safer more pleasant building for patients and doctors, including the doctors already practicing in the building.

Modern medical care is evolving towards larger consolidated centers that can provide more comprehensive care on-site. However, the Project Sponsor recognizes that doctor displacement is a concern. Therefore, the updated proposal provides the best of both worlds – attractive, updated space on the second floor for the existing providers, and space on the ground floor and third floor for a larger medical provider that can provide primary and

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specialized care in coordination, as well as updated and expanded diagnostic and lab facilities. Without the Project, the building will face increasing vacancy as smaller practitioners retire or move out of the building. With the Project, the building can serve as an important resource to the community, providing both individual medical practitioners and a comprehensive care provider.

The 2,413 gross square feet of retail facing Ocean Avenue is proposed to remain active retail uses, with the new ground floor x-ray, blood draw, mammogram, lab, and ultrasound facilities pulled back from the streetfront. The envelope of the building will not change, but the Project team has been in discussion with a local artist to provide a mural reflecting the history of the neighborhood. It is expected that many of the patients to be served by the updated medical services will be local residents.

## **B. Project Benefits**

The benefits of the Project include the following:

1. **The Project will allow the rehabilitation and modernization of an outdated medical facility.** The Project will allow an outdated medical building in a location highly accessible by public transit to undergo an overhaul. It allows the continued medical use of the building, which provides numerous jobs, from doctors and nurses to janitorial staff. The use size is necessary to provide a comprehensive state-of-the-art medical facility.
2. **The updated Center will provide a greater range of medical services.** The Project will provide area residents with a broader range of care within easy walking distance, including both general practitioners and a range of specialists, as well as modern x-ray, blood draw, mammogram, lab, and ultrasound facilities. One result of the trend towards consolidation of healthcare delivery systems is that consumers are more actively seeking out larger groups, and insurance providers prefer consolidation, because there is a better health outcome where doctors providing different aspects of care are “talking” to each other in a single group. At the same time, the Project will maintain individual medical practices on Site. Thus, the Project will provide local residents with more options and better healthcare.
3. **The Project does not displace doctors.** The Project Sponsor has engaged the medical practices which do not already have plans to retire or move to another location to relocate practices to the second floor, where they will enjoy

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updated turnkey spaces and also benefit from the overall improvements to the building, both aesthetic and life safety.

**C. Conclusion**

The Project proposes to invest in an outdated building to provide a new modern medical facility, while maintaining existing medical practices, which will allow the building to serve as an important resource to local residents and the City at large. I look forward to presenting this Project to you on April 13, 2017. Please contact me if you have any questions.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



Jody Knight

cc: Dennis Richards, Commission Vice-President  
Rodney Fong, Commissioner  
Christine D. Johnson, Commissioner  
Joel Koppel, Commissioner  
Myrna Melgar, Commissioner  
Kathrin Moore, Commissioner  
Natalia Kwiatkowska, Project Planner

## EXHIBIT A

March 10th, 2017

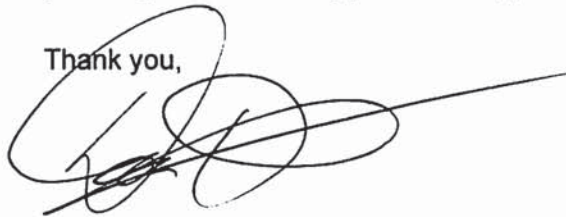
President Rich Hillis  
San Francisco Planning Commission  
1650 Mission Street, 4th Floor  
San Francisco, CA 94103

Dear President Hillis and Commissioners,

I am the Managing Broker of Coldwell Banker's Lakeside office. Our business is next door to the Medical Building located at 2645 Ocean Avenue. I am writing to voice my support for the conditional use authorization application that allows 2645 Ocean Avenue to lease space larger than 2,999 square feet to an individual user. This application also allows for much-needed safety and accessibility improvements to the building.

As a neighbor, I am excited about the proposed changes and improvements. I hope to see the planning commission approve this application.

Thank you,

A handwritten signature in black ink, appearing to be 'Don Diltz', with a long horizontal line extending to the right.

Donald "Don" Diltz  
Coldwell Banker Residential Brokerage  
2633 Ocean Ave  
San Francisco, CA 94132  
(415) 338-0200  
ddiltz@cbnorcal.com

A.H. Veronica Bell  
Fax # 415-661-7947

March 27th, 2017

President Richard Hillis  
San Francisco Planning Commission  
1650 Mission Street, 4th Floor  
San Francisco, CA 94103

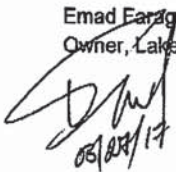
Dear President Hillis and Commissioners,

I am the owner of Lakeside Optical, and I am a current tenant at 2645 Ocean Avenue. I am writing to voice my support for the conditional use authorization application that allows 2645 Ocean Avenue to lease space larger than 2,999 square feet to an individual user. This application will also allow for much-needed safety and accessibility improvements to the building.

Lakeside Optical is a team of licensed Opticians and trained frames experts. We provide eye exams, eye screenings, contact lenses, and eye treatments to many local patients. As a current and continuing tenant, I hope to see the planning commission approve this application.

Thank you,

Emad Farag  
Owner, Lakeside Optical (AKA: Hakim & Sami, LLC)



03/28/17

March 21st, 2017

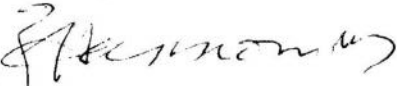
President Dennis Richards  
San Francisco Planning Commission  
1650 Mission Street, 4th Floor  
San Francisco, CA 94103

Dear President Richards and Commissioners,

I am writing to withdraw my opposition to the conditional use authorization application that allows 2645 Ocean Avenue to lease space larger than 2,999 square feet to an individual user.

I am an independent medical practitioner located at 2645 Ocean Avenue. The project sponsor has worked with us to relocate us in a comparable space within the building.

Thank you,

A handwritten signature in black ink, appearing to read "Z. Hannon" with a stylized flourish at the end.

Dr. Ziyad Hannon




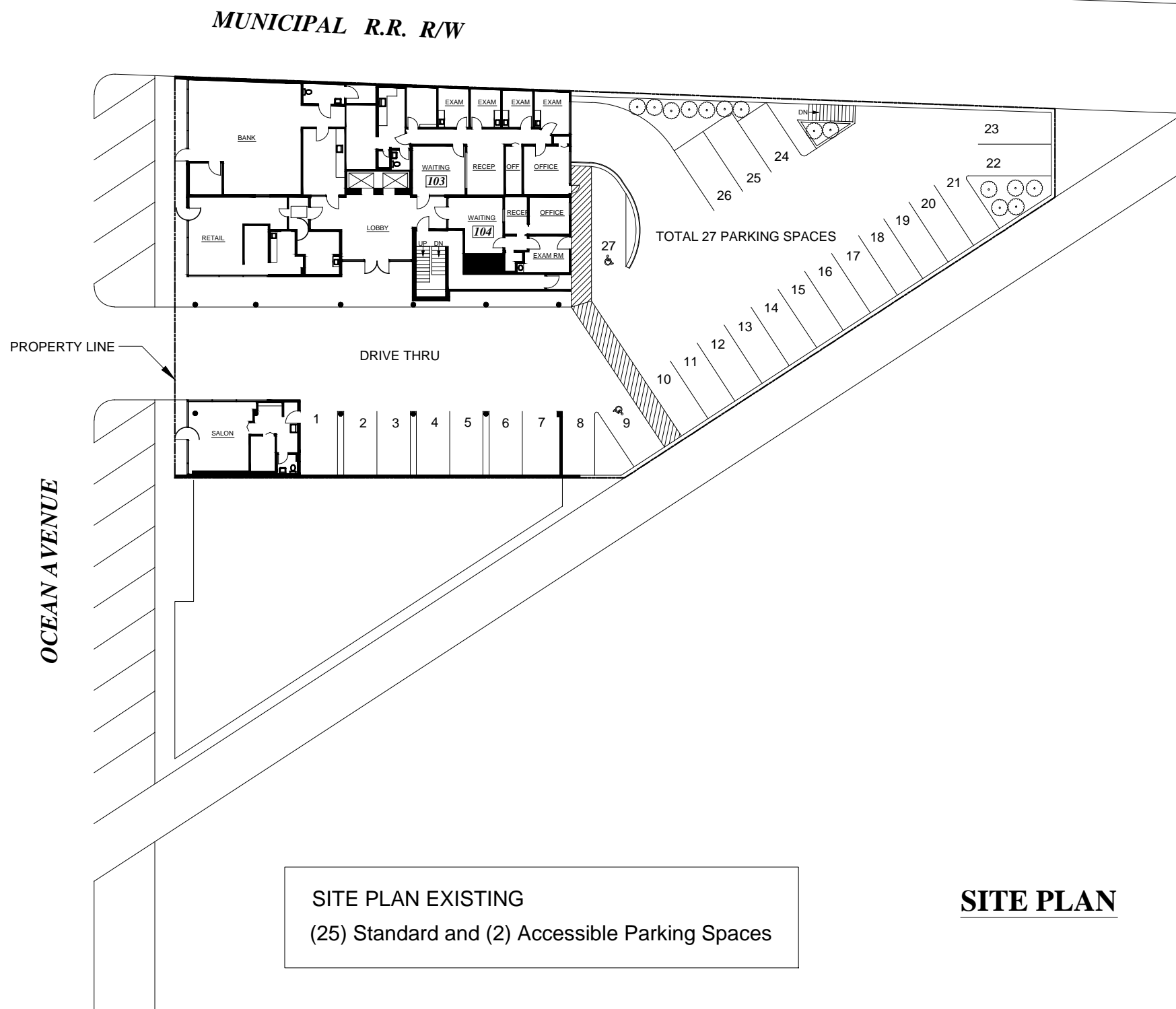
# LAKE SIDE MEDICAL CENTER

2645 Ocean Avenue, San Francisco, CA

## Conditional Use Permit Set

March 09, 2017

PROJECT DIRECTORY		DRAWING INDEX	LOCATION MAP
<p>PAUL SLYE, OWNER BCP 1437 SEVENTH STREET, SUITE 200 SANT MONICA, CA 90401</p> <p>JODY KNIGHT REUBEN JUNIUS &amp; ROSE LLP ONE BUSH STREET, SUITE 600 SAN FRANCISCO, CA 94104 Tel: 415-567-9000</p>		<p>E-00 EXISTING SITE PLAN E-0B EXISTING BASEMENT FLOOR PLAN E-01 EXISTING GROUND FLOOR PLAN E-02 EXISTING 2ND FLOOR PLAN E-03 EXISTING 3RD FLOOR PLAN</p> <p>A-0B PROPOSED BASEMENT FLOOR PLAN A-01 PROPOSED GROUND FLOOR PLAN A-02 PROPOSED 2ND FLOOR PLAN A-03 PROPOSED 3RD FLOOR PLAN G-01 PROPOSED SIGNAGE</p>	
SCOPE OF WORK			
<p>CONDITIONAL USE APPROVAL FOR TOTAL 11,484 GSF PROPOSED - 1,865 SQUARE-FEET OF THE GROUND FLOOR AND THE FULL THIRD FLOOR SQUARE FOOTAGE OF 9,619 FOR USE BY A UNIFIED MEDICAL PROVIDER (OFFERING MULTIPLE SERVICES).</p> <p>2,413 SQUARE FEET OF EXISTING GROUND FLOOR RETAIL SPACE AND THE SECOND FLOOR SQUARE FOOTAGE OF 9,618 IS EXCLUDED FROM THE PROPOSED SCOPE OF CONDITIONAL USE APPROVAL. COMMON AREAS AND THE SECOND FLOOR WILL BE IMPROVED AND UPGRADED.</p> <p>THE ENTIRE BUILDING GROSS SQUARE FOOTAGE IS 24,423 SF. THIS REMAINS UNCHANGED.</p>			



PLAT MAP



APN: 7226-023

Acres: 0.46

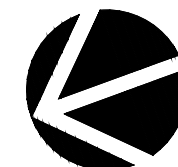
Zoning: NC-1

NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. Housing development in new buildings is encouraged above the ground story.

SITE PLAN



SCALE: 1/32" = 1' - 0"



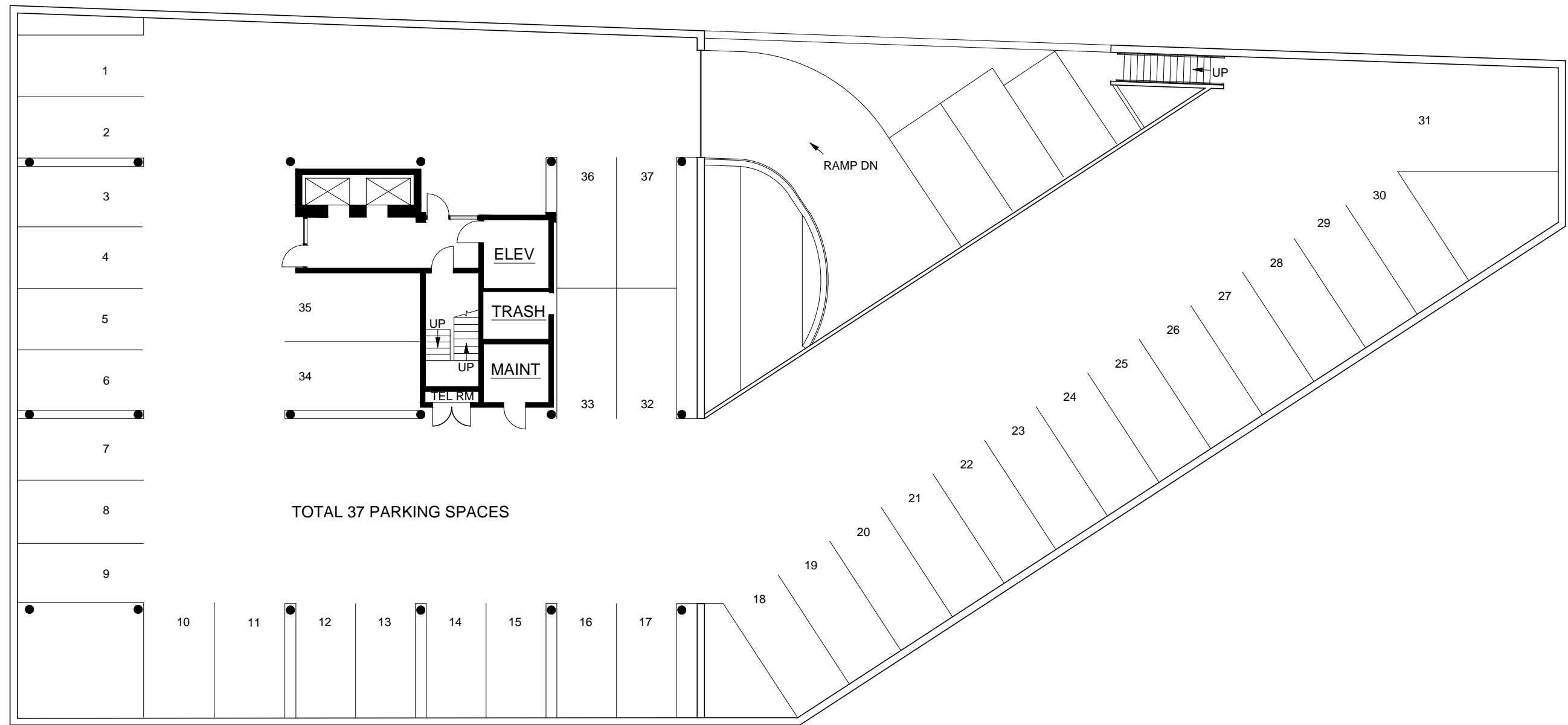
**RATCLIFF**

5856 Doyle Street  
Emeryville CA 94608  
Tel 510 899 6400  
www.ratcliffarch.com

**2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER**  
**SAN FRANCISCO, CA**      **March 09, 2017**

**E-00**





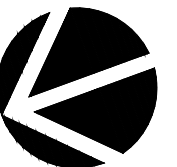
TOTAL 37 PARKING SPACES

BASEMENT FLOOR PLAN EXISTING  
Total (37) Parking Spaces

### BASEMENT FLOOR PLAN



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



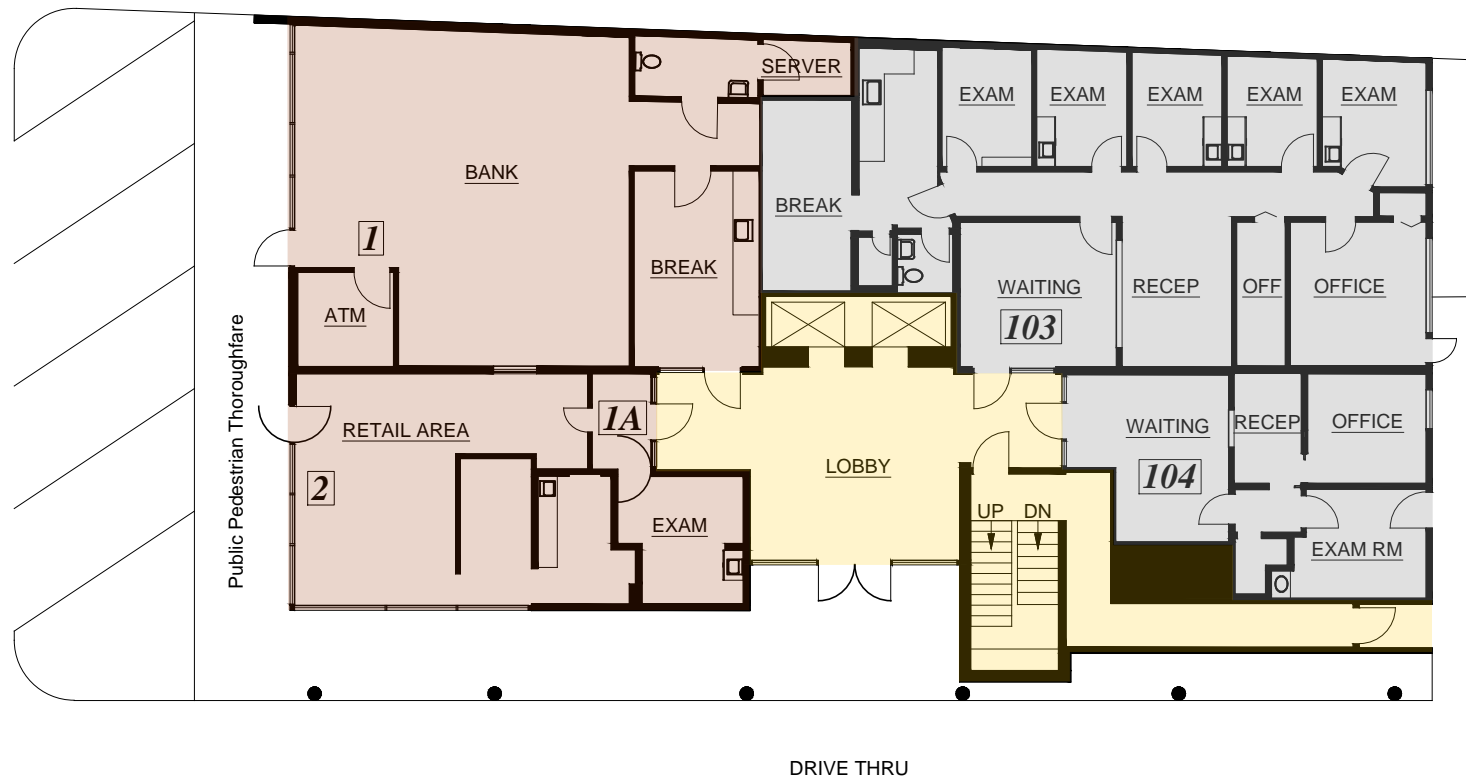
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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA March 09, 2017

**E-0B**

OCEAN AVENUE



# LEGEND



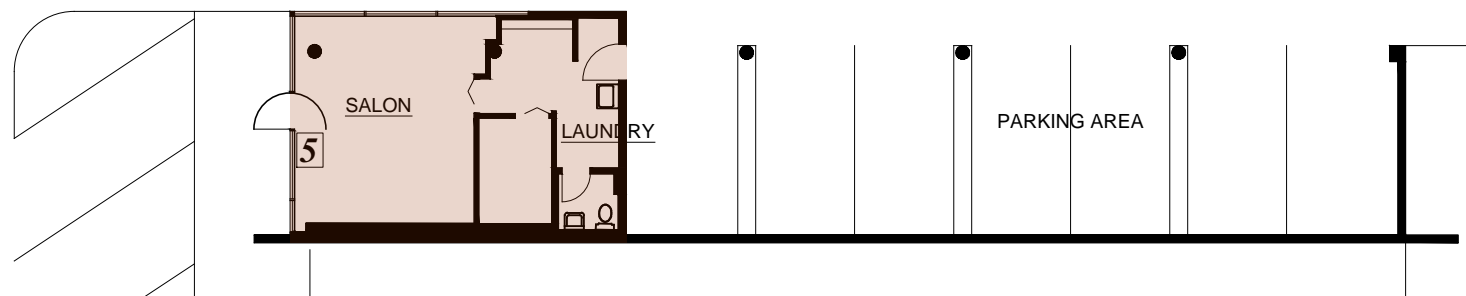
RETAIL AREA: 2,413 GSF



MEDICAL AREA: 1,865 GSF



COMMON AREA: 908 GSF



GROUND FLOOR EXISTING

Exclude Bank, Optical Shop & Hair Salon:  
(2) Doctors and (7) Staff

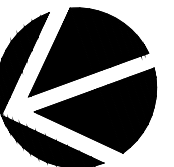
## GROUND FLOOR PLAN

TOTAL AREA: 5,186 GSF

16' 8' 0 16'



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

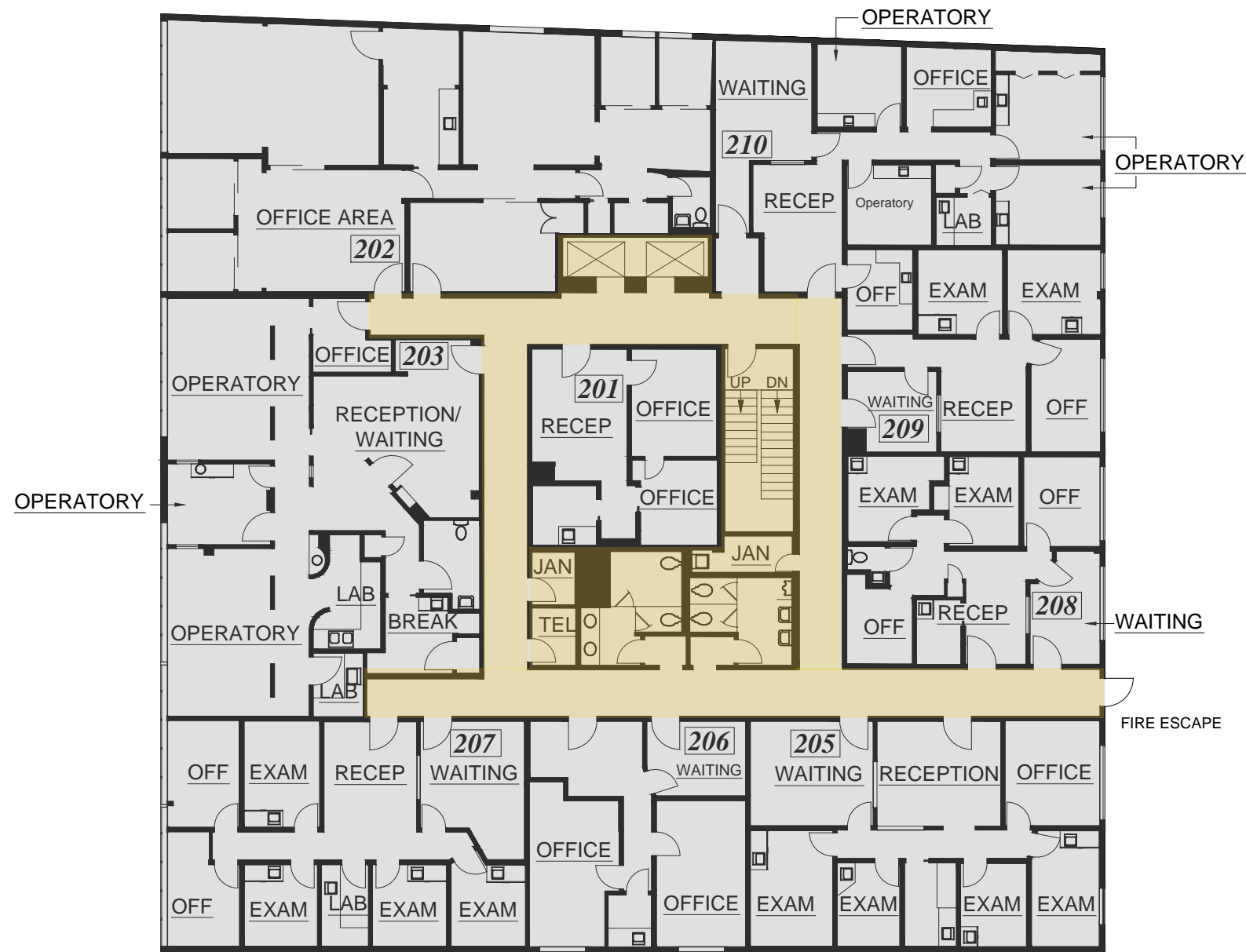


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SAN FRANCISCO, CA March 09, 2017

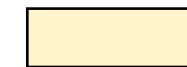
**E-01**



# LEGEND



MEDICAL AREA: 8,201 GSF



COMMON AREA: 1,417 GSF

## SECOND FLOOR EXISTING

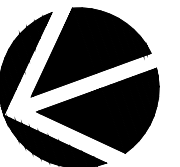
(12) Full-Time and (1) Part-Time Doctor  
(16) Full-Time and (1) Part-Time Staff

## SECOND FLOOR PLAN

TOTAL AREA: 9,618 GSF



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



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www.ratcliffarch.com

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SAN FRANCISCO, CA  
March 09, 2017

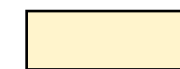
**E-02**



# LEGEND



MEDICAL AREA: 8,128 GSF



COMMON AREA: 1,491 GSF

## THIRD FLOOR EXISTING

(12) Full-Time and (1) Part-Time Doctor  
(18) Full-Time and (2) Part-Time Staff

## THIRD FLOOR PLAN

TOTAL AREA: 9,619 GSF



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

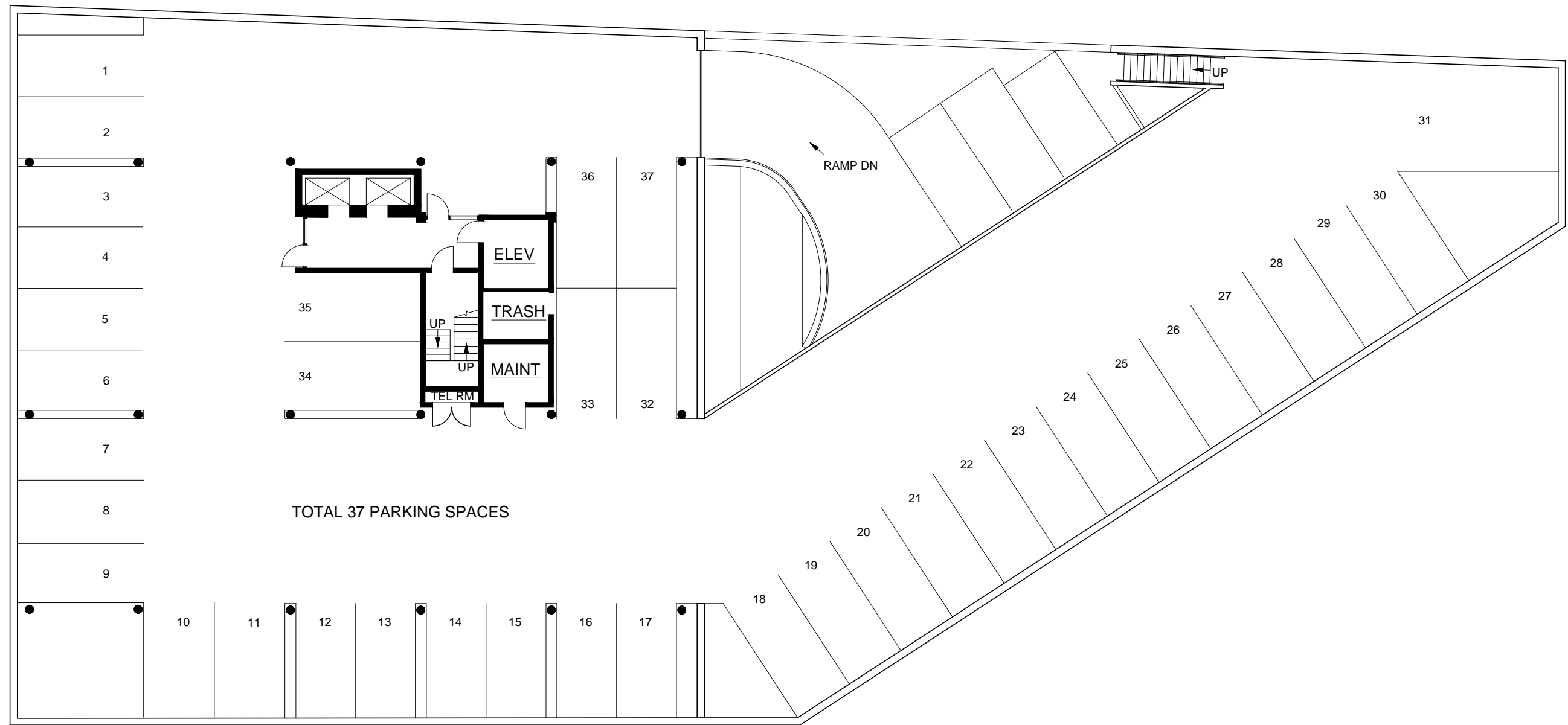


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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA March 09, 2017

**E-03**



TOTAL 37 PARKING SPACES

BASEMENT FLOOR PLAN EXISTING  
Total (37) Parking Spaces

**BASEMENT FLOOR PLAN PROPOSED**

16' 8' 0 16'



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

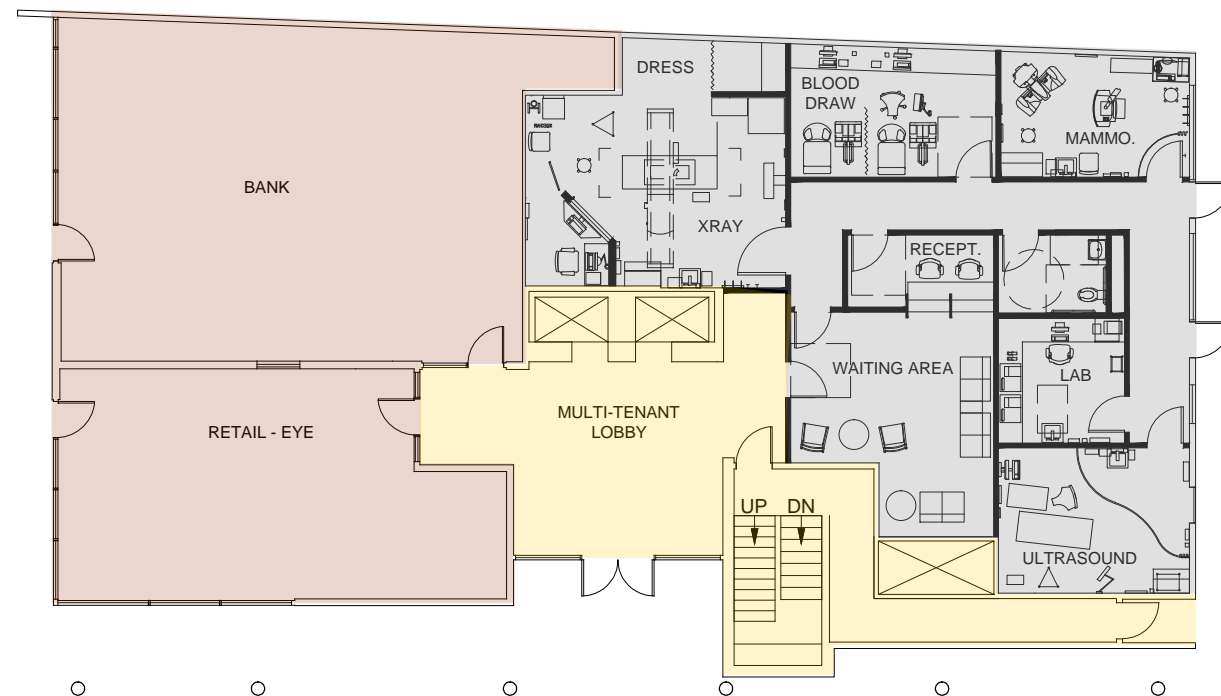


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**2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER**  
**SAN FRANCISCO, CA**  
**March 09, 2017**

**A-0B**



## LEGEND



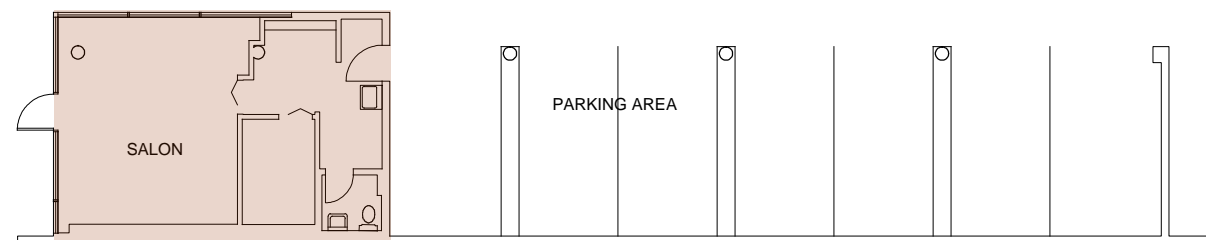
RETAIL AREA: 2,413 GSF



MEDICAL AREA: 1,865 GSF



COMMON AREA: 908 GSF



## GROUND FLOOR PROPOSED

Exclude Bank, Optical Shop & Hair Salon:  
(1) Doctor and (5-6) Staff for X-Ray,  
Blood Draw, Mammogram, Lab and Ultrasound

## GROUND FLOOR PLAN PROPOSED

TOTAL AREA: 5,186 GSF

16' 8' 0 16'



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

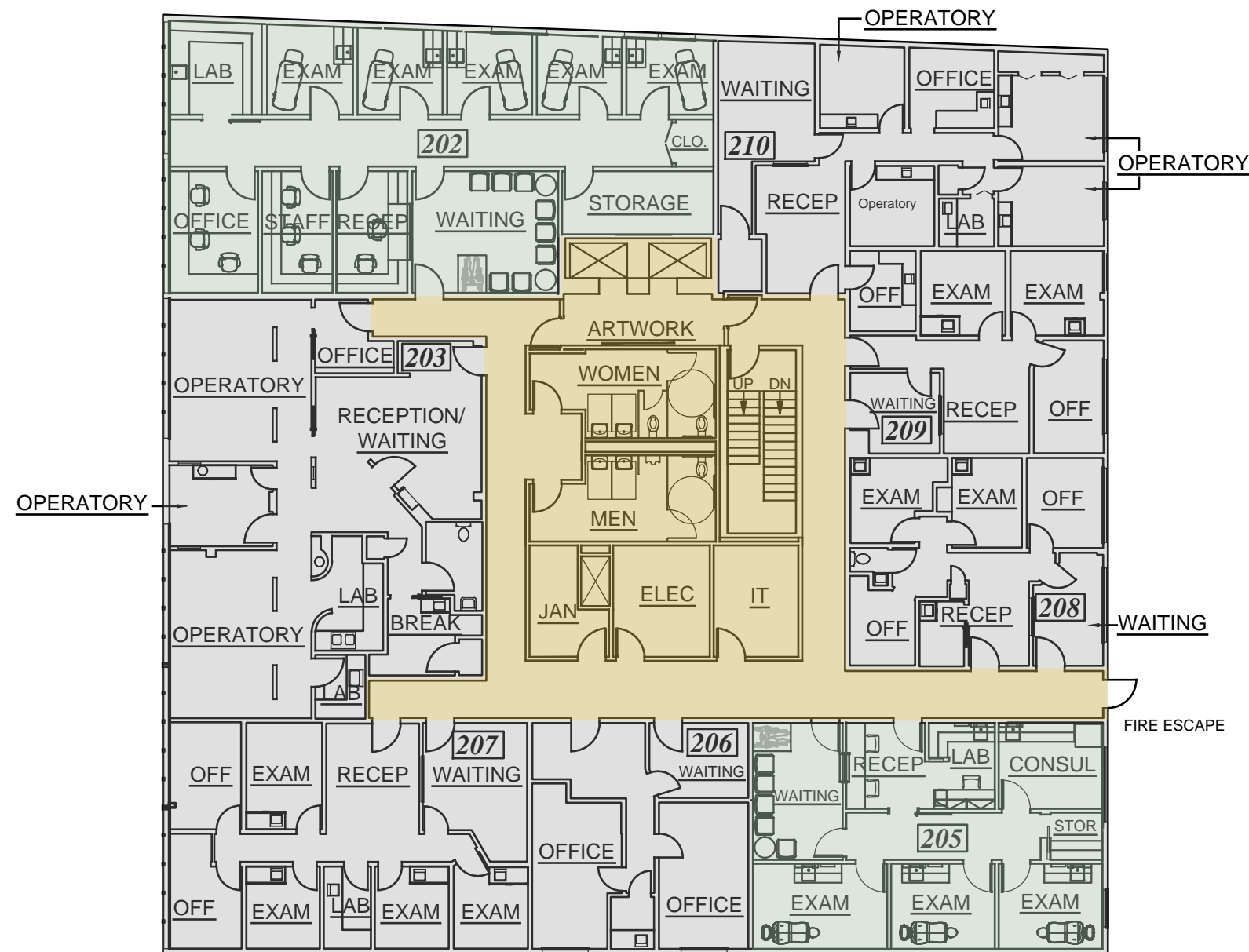


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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA March 09, 2017

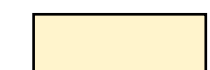
**A-01**



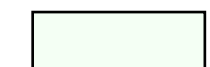
# LEGEND



MEDICAL AREA: 5,672 GSF



COMMON AREA  
WILL BE UPGRADE/IMPROVED: 1,417 GSF



MEDICAL AREA  
WILL BE UPGRADED: 2,529 GSF  
FOR RELCATED DOCTORS FROM THE  
THIRD FLOOR

SECOND FLOOR PROPOSED  
(15) Full-time and (2) Part-time Doctors  
(23) Full-time and (3) Part-time Staff

## SECOND FLOOR PLAN PROPOSED

TOTAL AREA: 9,618 GSF

16' 8' 0 16'



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



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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA March 09, 2017

**A-02**





RECEPTION



EXAM ROOM



THIRD FLOOR PROPOSED  
(12) Doctors and (18) Staff

### THIRD FLOOR PLAN PROPOSED

TOTAL AREA: 9,619 GSF



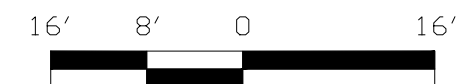
TYPICAL INTERIOR FINISHES



OFFICE

### LEGEND

- MEDICAL AREA: 8,399 GSF
- COMMON AREA: 1,220 GSF



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



**RATCLIFF**

5856 Doyle Street  
Emeryville CA 94608  
Tel 510 899 6400  
www.ratcliffarch.com

2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA March 09, 2017

**A-03**





**Note:**

The front and side wall signs need to comply with the San Francisco Planning Code Sec. 607.1 - (1) NC- 1 and NCT- 1 Districts - (B) Wall Signs.

The area of all wall signs shall not exceed one square foot per square foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 50 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be nonilluminated or indirectly illuminated, or during business hours, may be directly illuminated.

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**2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER**  
**SAN FRANCISCO, CA**      **March 09, 2017**

**G-01**



# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## Planning Commission Draft Motion

HEARING DATE: APRIL 13, 2017

*Date:* April 3, 2017  
*Case No.:* **2016-001528CUA**  
*Project Address:* **2645 OCEAN AVENUE**  
*Zoning:* NC -1 (Neighborhood Commercial, Cluster) District  
26-X Height and Bulk District  
*Block/Lot:* 7226/023  
*Project Sponsor:* HSRE-BW Lakeside MOB, LLC  
1437 7<sup>th</sup> Street, Suite 200  
Santa Monica, CA 90401  
*Staff Contact:* Natalia Kwiatkowska – (415) 575-9185  
[natalia.kwiatkowska@sfgov.org](mailto:natalia.kwiatkowska@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE DISAPPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 710.21, AND 790.130 OF THE PLANNING CODE TO ALLOW A NON-RESIDENTIAL USE EXCEEDING 2,999 SQUARE FEET WITHIN THE NC-1 (NEIGHBORHOOD COMMERCIAL, CLUSTER) DISTRICT AND A 26-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On January 14, 2016 HSRE-BW Lakeside MOB, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 710.21 and 790.130 to allow a use size greater than 2,999 square feet on a property within the NC-1 (Neighborhood Commercial, Cluster) District and a 26-X Height and Bulk District.

On November 10, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-001528CUA. After hearing and closing public comment, the Commission adopted a motion of intent to Disapprove and continued the item by a vote of +6-1.

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

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 does not authorize the Conditional Use requested in Application No. 2016-001528CUA, 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 Ocean Avenue, near the intersection of Ocean and 19<sup>th</sup> Avenues, Block 7226, Lot 023. The subject property is located within the NC-1 (Neighborhood Commercial, Cluster) District and the 26-X Height and Bulk District. The property is developed with a three-story mixed-use building. The ground floor is currently occupied by medical uses, a bank, an optical shop, and a salon while the second and third floors are occupied by medical uses.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character, with a majority of commercial uses. A variety of commercial establishments are located within ground floor storefronts in the NC-1 District, including restaurants, banks, salons, and other types of retailers. Other medical services uses are also located in the surrounding area. Buildings in the vicinity typically range from one to two stories in height. Properties located in the surrounding area are located within the RH-1(D) (Residential – House, One Family – Detached) Zoning District.
4. **Project Description.** The project sponsor proposes to consolidate an existing medical service establishment with individual medical providers into one large medical service use establishment of 26,181 gross square feet at the project site at 2645 Ocean Avenue in the NC-1 (Neighborhood Commercial, Cluster) District.

The existing facility offers a range of individual providers which offer primary medical care including: family medicine, pediatrics, internal medicine, OB/GYN and specialty services such as oncology and dermatology. The existing facility also provides dental care, acupuncture, and therapy services. The new consolidated facility is expected to remain fairly consistent with the existing breakdown of medical services. The new facility will also provide ancillary services including: laboratory, x-ray, blood raw, mammogram, and ultrasound. While the number of exam rooms is expected to remain fairly consistent, the interior layout is proposed for alteration resulting in a more open layout with doctors occupying open work stations and combined waiting and reception areas. The remaining tenants will be assisted in moving to another location in San Francisco when the renovations begin. The Project Sponsor has not selected a new tenant at this time.

The proposed project is an interior alteration of the existing three-story building and proposed new signage. The existing gross square footage will remain unchanged. The existing retail tenant space measures 2,134 gross square feet and will remain unchanged. Although the existing medical service tenant space is occupied by individual providers, the total measures 26,181 gross square feet and the final project will result in one large medical service facility with a total of 26,181 gross square feet.

The proposed project will allow the new tenant to better serve the Lakeshore neighborhood and community. The proposed health center will enhance healthcare options in the neighborhood, provide a wider range of medical care and improved access to care.

5. **Public Comment.** To date, the Department has received four communications in opposition to the proposal from community members and existing medical providers. The primary concerns related to the displacement of the existing individual medical providers.

The project sponsor has conducted outreach to the existing tenants at the subject property as well as outreach to the retail uses at the site and surrounding properties.

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 Size.** Planning Code Sections 121.2 and 710.21 state that a Conditional Use Authorization is required for non-residential uses exceeding 2,999 square feet.

*The proposed use is 26,181 gross square feet in size and requires conditional use authorization as proposed.*

- B. **Use – Service, Medical.** Planning Code Section 790.114 defines a retail use which 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 in Section 790.44 of this Code.

*The subject property was constructed as a medical facility in 1963 and has been operating as a medical service establishment with individual medical providers at the first, second, and third floors. The proposal will operate as a medical service establishment with one consolidated medical provider at the first, second, and third floors. The project is considered Medical Service Land Use Category, as defined in Planning Code Section 790.114, which is a principally permitted use at the first floor of properties located in the NC-1 District per Planning Code Section 710.51. The proposal also includes medical service uses at the second and third floors, which have a history of being used by individual medical providers and therefore are considered a legal nonconforming use.*



- C. **Hours of Operation.** Planning Code Section 710.27 permits hours of operation from 6:00AM to 11:00PM, with a Conditional Use Authorization required for maintaining hours of operation from 11:00PM to 2:00AM, as defined by Planning Code Section 790.48

*The proposed hours of operation will be in compliance with the principally permitted hours within the NC-1 Zoning District.*

- D. **Parking.** Planning Section 710.22 of the Planning Code requires off-street parking for commercial or institutional uses with occupied floor area exceeding 5,000 square feet. Section 151 of the Planning Code requires one off-street parking space for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

*The proposed use size of 26,181 gross square feet includes 17,652 square feet of occupied floor area, which requires 59 off-street parking spaces. The subject property currently provides 64 off-street parking spaces and will remain unchanged. The current parking will continue to satisfy the required off-street parking requirement for the subject property.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The subject commercial space has approximately 100-feet of frontage on Ocean Avenue with approximately 84 percent of the street frontage dedicated to windows and the main entry. The first 25 feet of the ground floor and the first 15 feet of the second and third floors are comprised of active uses.*

- F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department per Article 6 of the Planning Code.

*The Project Sponsor shall apply for the appropriate sign permits, and shall follow the requirements of Article 6 of the San Francisco Planning Code.*

- G. **Health Care Services Master Plan Findings.** Planning Code Section 342.5 requires any change of use to a Medical Use, as defined in Section 342.1(a) that would occupy 10,000 gross square feet of floor area, or any expansion of an existing Medical Use that would add at least 5,000 gross square feet of floor area, file a Consistency Determination.

*The proposed Project does not constitute a change of use or an expansion of an existing Medical Use at the subject site, and would thus not be applicable to the requirements of Planning Code Section 342.5.*

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed use or features, 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.

*Members of the Planning Commission have indicated that the proposed medical service would displace the existing individual medical providers and that such large use size was not necessary, especially with no tenant selected at this time that would warrant such use size, and is therefore not desirable or compatible with the neighborhood. Furthermore, there was strong neighborhood opposition to the project. Several of the existing tenants indicated that their practices would have to close and they would no longer be able to serve the local neighborhood residents. Based on this and other observations, the Commission was unable to make findings that granting a Conditional Use Authorization would provide an establishment which was necessary or desirable.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

*The proposal does not include any changes to the size or shape of the existing three-story building.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The proposed use size of 26,181 gross square feet includes 17,652 square feet of occupied floor area, which requires 59 off-street parking spaces. The subject property currently provides 64 off-street parking spaces and will remain unchanged. The current parking will continue to satisfy the required off-street parking requirement for the subject property.*

*The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The*

*proposed project will not alter the level of service of nearby intersections. Additionally, the proposed ancillary services will decrease traffic to the site by eliminating the need to use medical couriers to run tests offsite. The site is also highly accessible by public transportation. Therefore, the proposed use will not have any adverse effect on traffic near the project site.*

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

*The Project will not produce noxious or offensive emissions related to noise, glare and dust. The project entails interior alterations within the existing three-story building and will provide proper venting for the space in compliance with the San Francisco Building Code standards.*

- iv. 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 to modify the exterior of the building and would not alter the site's landscaping, open space, parking and loading areas, service areas, and lighting.*

- 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; however, the Commission finds that the Project does not meet the requirement that it is necessary and desirable for the Commission to grant Conditional Use Authorization to approve this medical service use size. The project is inconsistent with objectives and policies of the General Plan as detailed below.*

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

*The proposed Project is consistent with the stated purposed of NC-1 District in that the intended use provides medical services to the surrounding neighborhoods; however, the Commission indicated concern regarding the displacement of the existing medical service tenants with no new tenant selected at this time.*

- 8. Planning Code Section 121.2(a) establishes additional criteria for the Planning Commission to consider when reviewing applications in excess of the use size limit:

- a. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

*The project included strong neighborhood opposition. Members of the neighborhood and several of the existing tenants indicated their medical practices would have to close and they would no longer be able to serve the local neighborhood. Members of the Planning Commission felt the proposed project would displace the existing tenants while not having a new tenant selected at this time.*

- b. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

*Members of the Planning Commission indicated that the proposed larger use size cannot be warranted without a tenant selected at this time.*

- c. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

*The Project does not propose any changes to the exterior of the building and the project will maintain the discrete architectural elements which respect the scale of development in the area.*

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

## COMMERCE AND INDUSTRY

### 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 proposal will provide a benefit in allowing the building to be used for a modern medical facility, providing comprehensive care to residents of the neighborhood and the City at large at a location highly accessible by public transit; however, the displacement of the existing tenants will have undesirable consequences*

#### OBJECTIVE 2:

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

#### Policy 2.1:

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

*The Project allows the productive use of the building as a medical facility, and allows the retention of a large medical care provider in the City which might otherwise need to relocate outside of San Francisco or*



*in another neighborhood. However, the project fails to retain the existing commercial activity by displacing the existing providers in the building.*

**Policy 3.1:**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*The Project will allow the retention of medical care provider who seek to invest in rehabilitation of an older medical building, which will provide numerous jobs, from doctors and nurses to janitorial staff.*

**OBJECTIVE 4:**

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

**Policy 4.1:**

Maintain and enhance a favorable business climate in the City.

*The Project will support business in the City by allowing a productive use of the subject property to provide a high-quality care for San Francisco residents. However, the project will displace or relocate the existing providers currently in the building.*

## TRANSPORTATION

### Objectives and Policies

**OBJECTIVE 2:**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

*The Project is located in an area highly accessible by public transportation. Most notably, it is next to two light rail routes and at least two bus routes.*

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

*The proposal would enhance the district by providing a medical service use; however, the proposal will not preserve the existing neighborhood-serving uses by displacing or relocating the existing providers in the building*

- 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 will not impact the character or diversity of the neighborhood.*

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

*The Project would not have any impact on the City's supply of affordable housing.*

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

*The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The project is not expected to generate additional demand on neighborhood parking, and will not impede MUNI transit nor overburden the City's streets. The project site is located on Ocean Avenue and well-served by public transit on or connecting to Ocean Avenue. The proposed medical service use will be used by residents in the neighborhood or those working nearby. Furthermore, the project site is well-served by the existing off-street parking.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The proposed Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*The proposed Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

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

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

*The Project will have no adverse effect on existing parks and open spaces.*

11. The Project is inconsistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would not contribute to the character and stability of the neighborhood or constitute a beneficial development.

12. The Commission hereby finds that approval of the Conditional Use authorization would not promote the health, safety and welfare of the City.
13. In disapproving the Conditional Use Authorization, the Commission understands that existing facility at 2645 Ocean Avenue will remain.

## 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 **DISAPPROVES Conditional Use Application No. 2016-001528CUA**.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. 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 April 13, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 13, 2017



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: NOVEMBER 10, 2016

*Date:* November 3, 2016  
*Case No.:* **2016-001528CUA**  
*Project Address:* **2645 OCEAN AVENUE**  
*Zoning:* NC -1 (Neighborhood Commercial, Cluster) District  
26-X Height and Bulk District  
*Block/Lot:* 7226/023  
*Project Sponsor:* HSRE-BW Lakeside MOB, LLC  
1437 7<sup>th</sup> Street, Suite 200  
Santa Monica, CA 90401  
*Staff Contact:* Natalia Kwiatkowska – (415) 575-9185  
[natalia.kwiatkowska@sfgov.org](mailto:natalia.kwiatkowska@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The project sponsor proposes to consolidate an existing medical service establishment with individual medical providers into one large medical service use establishment of 26,181 gross square feet at the project site at 2645 Ocean Avenue in the NC-1 (Neighborhood Commercial, Cluster) District.

The existing facility offers a range of individual providers which offer primary medical care including: family medicine, pediatrics, internal medicine, OB/GYN and specialty services such as oncology and dermatology. The existing facility also provides dental care, acupuncture, and therapy services. The new consolidated facility is expected to remain fairly consistent with the existing breakdown of medical services. The new facility will also provide ancillary services including: laboratory, x-ray, blood raw, mammogram, and ultrasound. While the number of exam rooms is expected to remain fairly consistent, the interior layout is proposed for alteration resulting in a more open layout with doctors occupying open work stations and combined waiting and reception areas. The remaining tenants will be assisted in moving to another location in San Francisco when the renovations begin. The Project Sponsor has not selected a new tenant at this time.

The proposed project is an interior alteration of the existing three-story building and proposed new signage. The existing gross square footage will remain unchanged. The existing retail tenant space measures 2,134 gross square feet and will remain unchanged. Although the existing medical service tenant space is occupied by individual providers, the total measures 26,181 gross square feet and the final project will result in one large medical service facility with a total of 26,181 gross square feet.

The proposed project will allow the new tenant to better serve the Lakeshore neighborhood and community. The proposed health center will enhance healthcare options in the neighborhood, provide a wider range of medical care and improved access to care.



## SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of Ocean Avenue, near the intersection of Ocean and 19th Avenues, Block 7226, Lot 023. The subject property is located within the NC-1 (Neighborhood Commercial, Cluster) District and the 26-X Height and Bulk District. The property is developed with a three-story mixed-use building. The ground floor is currently occupied by medical uses, a bank, an optical shop, and a salon while the second and third floors are occupied by medical uses.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is mixed-use in character, with a majority of commercial uses. A variety of commercial establishments are located within ground floor storefronts in the NC-1 District, including restaurants, banks, salons, and other types of retailers. Other medical services uses are also located in the surrounding area. Buildings in the vicinity typically range from one to two stories in height. Properties located in the surrounding area are located within the RH-1(D) (Residential – House, One Family – Detached) Zoning District.

## ENVIRONMENTAL REVIEW

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

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	October 21, 2016	October 21, 2016	20 days
Posted Notice	20 days	October 21, 2016	October 21, 2016	22 days
Mailed Notice	20 days	October 21, 2016	October 21, 2016	20 days

## PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received two communications in opposition to the proposal from a community member and an existing medical provider. The primary concerns related to the displacement of the existing individual medical providers.
- The project sponsor has conducted outreach to the existing tenants at the subject property. Additional details on the project sponsor’s outreach are included below:
  - Outreach to all existing tenants within the last two months to discuss relocation options.
  - Meetings with tenants on October 26<sup>th</sup> and October 27<sup>th</sup>, 2016 with further meetings anticipated.

## **ISSUES AND OTHER CONSIDERATIONS**

- Pursuant to Planning Code Section 710.21, non-residential uses greater than 2,999 square feet are conditionally permitted in the NC -1 (Neighborhood Commercial, Cluster) District.
- Pursuant to Planning Code Sections 710.51 and 790.114, medical service uses are principally permitted on the first floors of properties located within the NC -1 (Neighborhood Commercial, Cluster) District. The proposal also includes medical service uses at the second and third floors, which have a history of being used by individual medical providers since the construction of the building in 1963 and are therefore considered a legal nonconforming use.
- Pursuant to Planning Code Section 790.114 medical service is defined a retail use which 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 in Section 790.44 of this Code.

Per Planning Code Section 790.44 a hospital or medical center is defined as a public or private institutional use which provides medical facilities for inpatient or outpatient medical care, medical offices, clinics, and laboratories. It may also include employee or student dormitories adjacent to medical facilities when the dormitories are operated by and affiliated with a medical institution. The institution must have met the applicable provisions of Section 304.5 of this Code concerning institutional master plans.

Pursuant to Planning Code Section 710 a hospital or medical center is not permitted within the NC - 1 (Neighborhood Commercial, Cluster) District.

The new tenants at the subject property will continue to operate as a medical service establishment as defined in Planning Code Section 790.114, providing outpatient care and not part of a hospital or medical center.

- The subject property is currently occupied by 26 full-time and 2 part-time doctors and 41 full-time and 3 part-time staff. Some of the existing individual medical providers have retired, moved to other medical facilities, or have been allowed early lease termination. The Project Sponsor has agreed to give practices ample time to relocate and the remaining tenants will be assisted in moving to another location in San Francisco when the renovations begin. The proposed headcount will be approximately 25 doctors and 41 staff.
- Similar uses within the immediate vicinity include: Kidsmiles Pediatric Dentistry, LabCorp, Dr. Monetta Optometry, Robyn L. Moyer, D.D.S., Pearl W. Yee, M.D., and numerous medical and dental offices located on Ocean Avenue between Junipero Serra Boulevard and Paloma Avenue.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant conditional use authorization for a use size greater than 2,999 square feet pursuant to Planning Code Section 710.21.

## **BASIS FOR RECOMMENDATION**

- The proposed project is consistent with the stated purposed of the NC-1 District in that the intended use will provide a compatible service for the immediately surrounding neighborhoods.
- The proposed project does not impact any historic landmark or building.
- The proposed project meets all applicable requirements of the Planning Code.
- The proposed project is desirable because it will increase access to medical services to both residents of the Lakeshore neighborhood, as well as citywide by providing a wider range of care and better access to care.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
--

### **Attachments:**

Draft Motion – Conditional Use Authorization  
Environmental Determination  
Block Book Map  
Sanborn Map  
Aerial Photographs  
CUA Notice  
CUA Application  
Project Sponsor Submittal, including:

- Sponsor's Brief
- Reduced Plans

Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project sponsor submittal                              |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>   |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>  |
| <input type="checkbox"/> Height & Bulk Map                      | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Parcel Map                  | 3-D Renderings (new construction or significant addition)                                  |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Wireless Telecommunications Materials                             |
| <input checked="" type="checkbox"/> Context Photos              | <input type="checkbox"/> Health Dept. review of RF levels                                  |
| <input checked="" type="checkbox"/> Site Photos                 | <input type="checkbox"/> RF Report   |
|   | <input type="checkbox"/> Community Meeting Notice  |
|   | <input type="checkbox"/> Housing Documents   |
|   | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

Exhibits above marked with an "X" are included in this packet

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NK  
Planner's Initials

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# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## Planning Commission Draft Motion

**HEARING DATE: NOVEMBER 10, 2016**

*Date:* November 3, 2016  
*Case No.:* **2016-001528CUA**  
*Project Address:* **2645 OCEAN AVENUE**  
*Zoning:* NC -1 (Neighborhood Commercial, Cluster) District  
26-X Height and Bulk District  
*Block/Lot:* 7226/023  
*Project Sponsor:* HSRE-BW Lakeside MOB, LLC  
1437 7<sup>th</sup> Street, Suite 200  
Santa Monica, CA 90401  
*Staff Contact:* Natalia Kwiatkowska – (415) 575-9185  
[natalia.kwiatkowska@sfgov.org](mailto:natalia.kwiatkowska@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 710.21, AND 790.130 OF THE PLANNING CODE TO ALLOW A NON-RESIDENTIAL USE EXCEEDING 2,999 SQUARE FEET WITHIN THE NC-1 (NEIGHBORHOOD COMMERCIAL, CLUSTER) DISTRICT AND A 26-X HEIGHT AND BULK DISTRICT.**

### **PREAMBLE**

On January 14, 2016 HSRE-BW Lakeside MOB, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 710.21 and 790.130 to allow a use size greater than 2,999 square feet on a property within the NC-1 (Neighborhood Commercial, Cluster) District and a 26-X Height and Bulk District.

On November 10, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-001528CUA.

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

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-001528CUA, 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 Ocean Avenue, near the intersection of Ocean and 19<sup>th</sup> Avenues, Block 7226, Lot 023. The subject property is located within the NC-1 (Neighborhood Commercial, Cluster) District and the 26-X Height and Bulk District. The property is developed with a three-story mixed-use building. The ground floor is currently occupied by medical uses, a bank, an optical shop, and a salon while the second and third floors are occupied by medical uses.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character, with a majority of commercial uses. A variety of commercial establishments are located within ground floor storefronts in the NC-1 District, including restaurants, banks, salons, and other types of retailers. Other medical services uses are also located in the surrounding area. Buildings in the vicinity typically range from one to two stories in height. Properties located in the surrounding area are located within the RH-1(D) (Residential – House, One Family – Detached) Zoning District.
4. **Project Description.** The project sponsor proposes to consolidate an existing medical service establishment with individual medical providers into one large medical service use establishment of 26,181 gross square feet at the project site at 2645 Ocean Avenue in the NC-1 (Neighborhood Commercial, Cluster) District.

The existing facility offers a range of individual providers which offer primary medical care including: family medicine, pediatrics, internal medicine, OB/GYN and specialty services such as oncology and dermatology. The existing facility also provides dental care, acupuncture, and therapy services. The new consolidated facility is expected to remain fairly consistent with the existing breakdown of medical services. The new facility will also provide ancillary services including: laboratory, x-ray, blood raw, mammogram, and ultrasound. While the number of exam rooms is expected to remain fairly consistent, the interior layout is proposed for alteration resulting in a more open layout with doctors occupying open work stations and combined waiting and reception areas. The remaining tenants will be assisted in moving to another location

in San Francisco when the renovations begin. The Project Sponsor has not selected a new tenant at this time.

The proposed project is an interior alteration of the existing three-story building and proposed new signage. The existing gross square footage will remain unchanged. The existing retail tenant space measures 2,134 gross square feet and will remain unchanged. Although the existing medical service tenant space is occupied by individual providers, the total measures 26,181 gross square feet and the final project will result in one large medical service facility with a total of 26,181 gross square feet.

The proposed project will allow the new tenant to better serve the Lakeshore neighborhood and community. The proposed health center will enhance healthcare options in the neighborhood, provide a wider range of medical care and improved access to care.

5. **Public Comment.** To date, the Department has received two communications in opposition to the proposal from a community member and an existing medical provider. The primary concerns related to the displacement of the existing individual medical providers.

The project sponsor has conducted outreach to the existing tenants at the subject property. Additional details on the project sponsor's outreach are included below:

- Outreach to all existing tenants within the last two months to discuss relocation options.
- Meetings with tenants on October 26<sup>th</sup> and October 27<sup>th</sup>, 2016 and further meetings anticipated.

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 Size.** Planning Code Sections 121.2 and 710.21 state that a Conditional Use Authorization is required for non-residential uses exceeding 2,999 square feet.

*The proposed use is 26,181 gross square feet in size and requires conditional use authorization as proposed.*

- B. **Use – Service, Medical.** Planning Code Section 790.114 defines a retail use which 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 in Section 790.44 of this Code.

*The subject property was constructed as a medical facility in 1963 and has been operating as a medical service establishment with individual medical providers at the first, second, and third floors. The*

*proposal will operate as a medical service establishment with one consolidated medical provider at the first, second, and third floors. The project is considered Medical Service Land Use Category, as defined in Planning Code Section 790.114, which is a principally permitted use at the first floor of properties located in the NC-1 District per Planning Code Section 710.51. The proposal also includes medical service uses at the second and third floors, which have a history of being used by individual medical providers and therefore are considered a legal nonconforming use.*

- C. **Hours of Operation.** Planning Code Section 710.27 permits hours of operation from 6:00AM to 11:00PM, with a Conditional Use Authorization required for maintaining hours of operation from 11:00PM to 2:00AM, as defined by Planning Code Section 790.48

*The proposed hours of operation will be in compliance with the principally permitted hours within the NC-1 Zoning District.*

- D. **Parking.** Planning Section 710.22 of the Planning Code requires off-street parking for commercial or institutional uses with occupied floor area exceeding 5,000 square feet. Section 151 of the Planning Code requires one off-street parking space for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

*The proposed use size of 26,181 gross square feet includes 17,652 square feet of occupied floor area, which requires 59 off-street parking spaces. The subject property currently provides 64 off-street parking spaces and will remain unchanged. The current parking will continue to satisfy the required off-street parking requirement for the subject property.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The subject commercial space has approximately 100-feet of frontage on Ocean Avenue with approximately 84 percent of the street frontage dedicated to windows and the main entry. The first 25 feet of the ground floor and the first 15 feet of the second and third floors are comprised of active uses.*

- F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department per Article 6 of the Planning Code.

*The Project Sponsor shall apply for the appropriate sign permits, and shall follow the requirements of Article 6 of the San Francisco Planning Code.*

- G. **Health Care Services Master Plan Findings.** Planning Code Section 342.5 requires any change of use to a Medical Use, as defined in Section 342.1(a) that would occupy 10,000 gross square feet of floor area, or any expansion of an existing Medical Use that would add at least 5,000 gross square feet of floor area, file a Consistency Determination.

*The proposed Project does not constitute a change of use or an expansion of an existing Medical Use at the subject site, and would thus not be applicable to the requirements of Planning Code Section 342.5.*

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed use or features, 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 project will be in keeping with the other buildings on the block. The proposed project will better serve the Lakeshore neighborhood, as well as the surrounding neighborhoods due to its location, which is readily accessible by transit. Additionally, the proposed use is desirable because it will enhance healthcare options in the neighborhood, provide a wider range of medical services and improved access to care. The proposal will not impact traffic or parking in the District because the existing off-street parking spaces will be retained and the property is easily accessible by public transportation.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

*The proposal does not include any changes to the size or shape of the existing three-story building.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The proposed use size of 26,181 gross square feet includes 17,652 square feet of occupied floor area, which requires 59 off-street parking spaces. The subject property currently provides 64 off-street*

*parking spaces and will remain unchanged. The current parking will continue to satisfy the required off-street parking requirement for the subject property.*

*The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposed project will not alter the level of service of nearby intersections. Additionally, the proposed ancillary services will decrease traffic to the site by eliminating the need to use medical couriers to run tests offsite. The site is also highly accessible by public transportation. Therefore, the proposed use will not have any adverse effect on traffic near the project site.*

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

*The Project will not produce noxious or offensive emissions related to noise, glare and dust. The project entails interior alterations within the existing three-story building and will provide proper venting for the space in compliance with the San Francisco Building Code standards.*

- iv. 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 to modify the exterior of the building and would not alter the site's landscaping, open space, parking and loading areas, service areas, and lighting.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

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

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

*The proposed Project is consistent with the stated purposed of NC-1 District in that the intended use provides medical services to the surrounding neighborhoods.*

- 8. Planning Code Section 121.2(a) establishes additional criteria for the Planning Commission to consider when reviewing applications in excess of the use size limit:

- a. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

*The Project will not preclude or foreclose other necessary neighborhood-serving uses from locating in the area. The proposal will allow one medical provider to consolidate multiple individual medical providers, allowing for more efficiency in medical care and better service to patients.*



- b. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

*The proposal is expected to serve many residents of the neighborhood who will have access to a comprehensive high-quality medical clinic. The size of the use is essential to meet the demands of modern medical facilities, which provide a variety of care. The conversion from individual medical providers to a single large medical provider will allow it to better serve its customers.*

- c. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

*The Project does not propose any changes to the exterior of the building and the project will maintain the discrete architectural elements which respect the scale of development in the area.*

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

## COMMERCE AND INDUSTRY

### 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 proposal will provide a substantial net benefit in allowing the building to be used for a modern medical facility, providing comprehensive care to residents of the neighborhood and the City at large at a location highly accessible by public transit.*

#### OBJECTIVE 2:

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

#### Policy 2.1:

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

*The Project allows the productive use of the building as a medical facility, and allows the retention of a large medical care provider in the City which might otherwise need to relocate outside of San Francisco or in another neighborhood.*

**Policy 3.1:**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*The Project will allow the retention of medical care provider who seek to invest in rehabilitation of an older medical building, which will provide numerous jobs, from doctors and nurses to janitorial staff.*

**OBJECTIVE 4:**

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

**Policy 4.1:**

Maintain and enhance a favorable business climate in the City.

*The Project will support business in the City by allowing a productive use of the subject property to provide a high-quality care for San Francisco residents. It will not displace any providers currently in the building as they will be relocated to other space within San Francisco. Therefore, the Project will expand the medical care options available in the City.*

## TRANSPORTATION

### Objectives and Policies

**OBJECTIVE 2:**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

*The Project is located in an area highly accessible by public transportation. Most notably, it is next to two light rail routes and at least two bus routes.*

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

*The proposal would enhance the district by providing a medical service use and will not displace any neighborhood-serving retail use.*

- 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 will not impact the character or diversity of the neighborhood.*

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

*The Project would not have any impact on the City's supply of affordable housing.*

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

*The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The project is not expected to generate additional demand on neighborhood parking, and will not impede MUNI transit nor overburden the City's streets. The project site is located on Ocean Avenue and well-served by public transit on or connecting to Ocean Avenue. The proposed medical service use will be used by residents in the neighborhood or those working nearby. Furthermore, the project site is well-served by the existing off-street parking.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The proposed Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*The proposed Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

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

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

*The Project will have no adverse effect on existing parks and open spaces.*

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-001528CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 26, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. 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 October 20, 2016.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 10, 2016

# EXHIBIT A

## AUTHORIZATION

This authorization is for a conditional use to allow a medical service use in excess of 2,999 square feet located at 2645 Ocean Avenue, Block 7226, and Lot 023 pursuant to Planning Code Sections **710.21** within the **NC-1 (Neighborhood Commercial, Cluster) District** and a **26-X** Height and Bulk District; in general conformance with plans, dated **October 26, 2016**, and stamped "EXHIBIT B" included in the docket for Case No. **2016-001528CUA** and subject to conditions of approval reviewed and approved by the Commission on **November 10, 2016** 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 **November 10, 2016** 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 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

9. **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 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

1. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide 72 independently accessible off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING – AFTER ENTITLEMENT

10. **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)*
11. **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

12. **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>*
13. **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/>*
14. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2645 Ocean Avenue		7226/023	
Case No.	Permit No.	Plans Dated	
2016-001528CUA	N/A	7/31/16	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Interior alterations and new signage.			

### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

<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/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<b>Class</b> ____

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

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<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)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	<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</i>

	<i>Mahe 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>
<input type="checkbox"/>	<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?
<input type="checkbox"/>	<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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</i>
<input type="checkbox"/>	<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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i>
<input type="checkbox"/>	<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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i> <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u></b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b>	

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

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input 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 checked="" 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 PRESERVATION 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 checked="" 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 checked="" 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): new signage.

<input type="checkbox"/>	<p>9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):</p>  <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input type="checkbox"/>	<p>10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A      <input type="checkbox"/> Reclassify to Category C         </p> <p style="padding-left: 40px;">a. Per HRER dated: _____ (attach HRER)</p> <p style="padding-left: 40px;">b. Other (specify): _____</p>
<p><b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b></p>	
<input type="checkbox"/>	<p><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></p>
<input checked="" type="checkbox"/>	<p><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></p>
<p><b>Comments (optional):</b></p>   	
<p><b>Preservation Planner Signature:</b> Natalia Kwiatkowska</p> <div style="text-align: right; font-size: small;">       Digitally signed by Natalia Kwiatkowska        DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org        Date: 2016.10.05 13:07:18 -07'00'     </div>	

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

<input type="checkbox"/>	<p><b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply):</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts  <input type="checkbox"/> Step 5 – Advanced Historical Review         </p> <p><b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b></p>			
<input checked="" type="checkbox"/>	<p><b>No further environmental review is required. The project is categorically exempt under CEQA.</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p><b>Planner Name:</b> Natalia Kwiatkowska</p> <hr/> <p><b>Project Approval Action:</b></p> <p style="padding-left: 20px;">Planning Commission Hearing</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p> </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p><b>Signature:</b></p> <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">Natalia Kwiatkowska</div> <div style="font-size: small;">           Digitally signed by Natalia Kwiatkowska            DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org            Date: 2016.10.05 13:07:31 -07'00'         </div> </td> </tr> </table> <p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		<p><b>Planner Name:</b> Natalia Kwiatkowska</p> <hr/> <p><b>Project Approval Action:</b></p> <p style="padding-left: 20px;">Planning Commission Hearing</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p><b>Signature:</b></p> <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">Natalia Kwiatkowska</div> <div style="font-size: small;">           Digitally signed by Natalia Kwiatkowska            DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org            Date: 2016.10.05 13:07:31 -07'00'         </div>
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## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

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

### PROPERTY INFORMATION/PROJECT DESCRIPTION

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

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

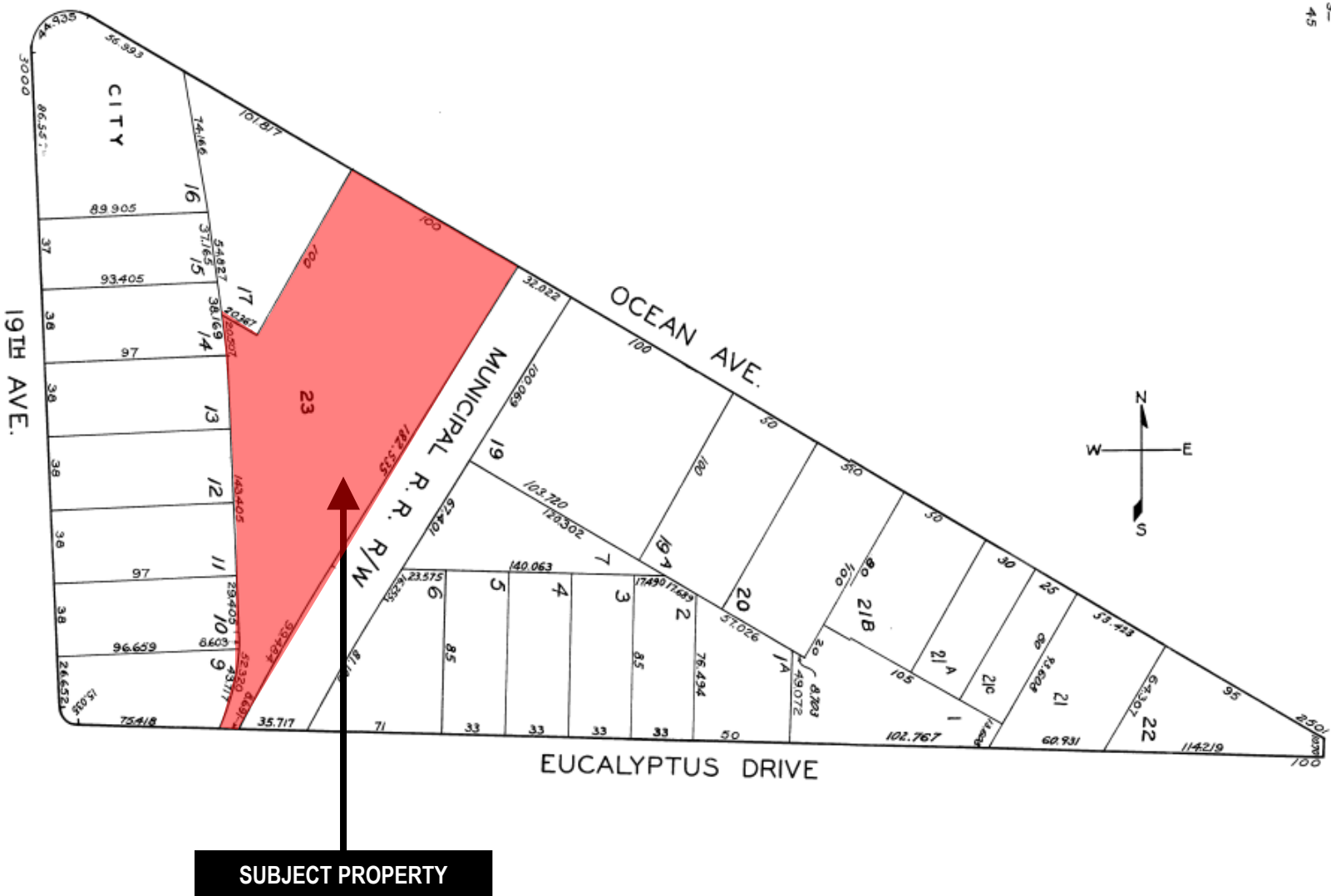
<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall 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:

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# Exhibits



# Parcel Map



Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue

# 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  
Case Number 2016-001528CUA  
2645 Ocean Avenue



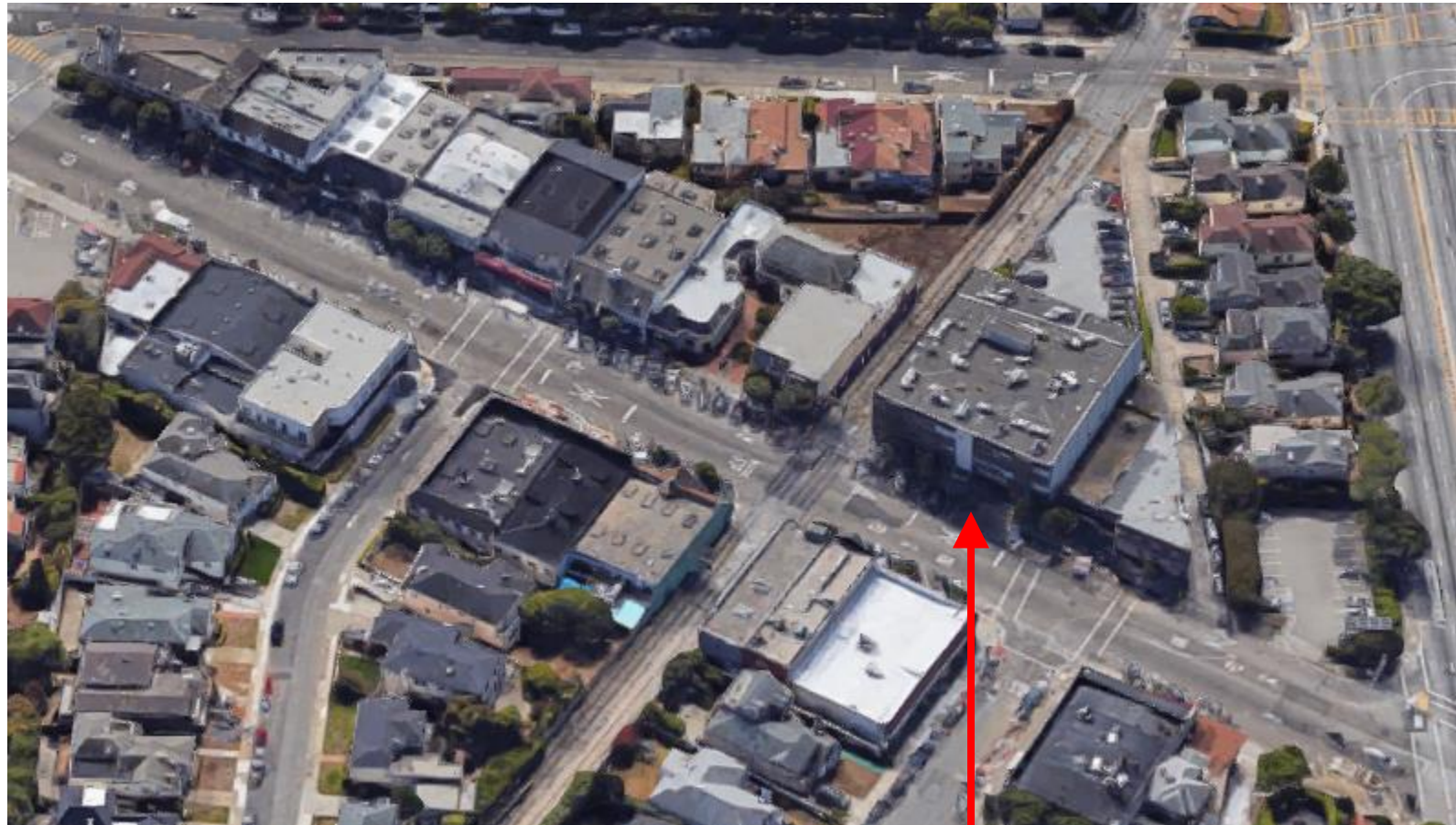
# Aerial Photo



**SUBJECT PROPERTY**



# Aerial Photo



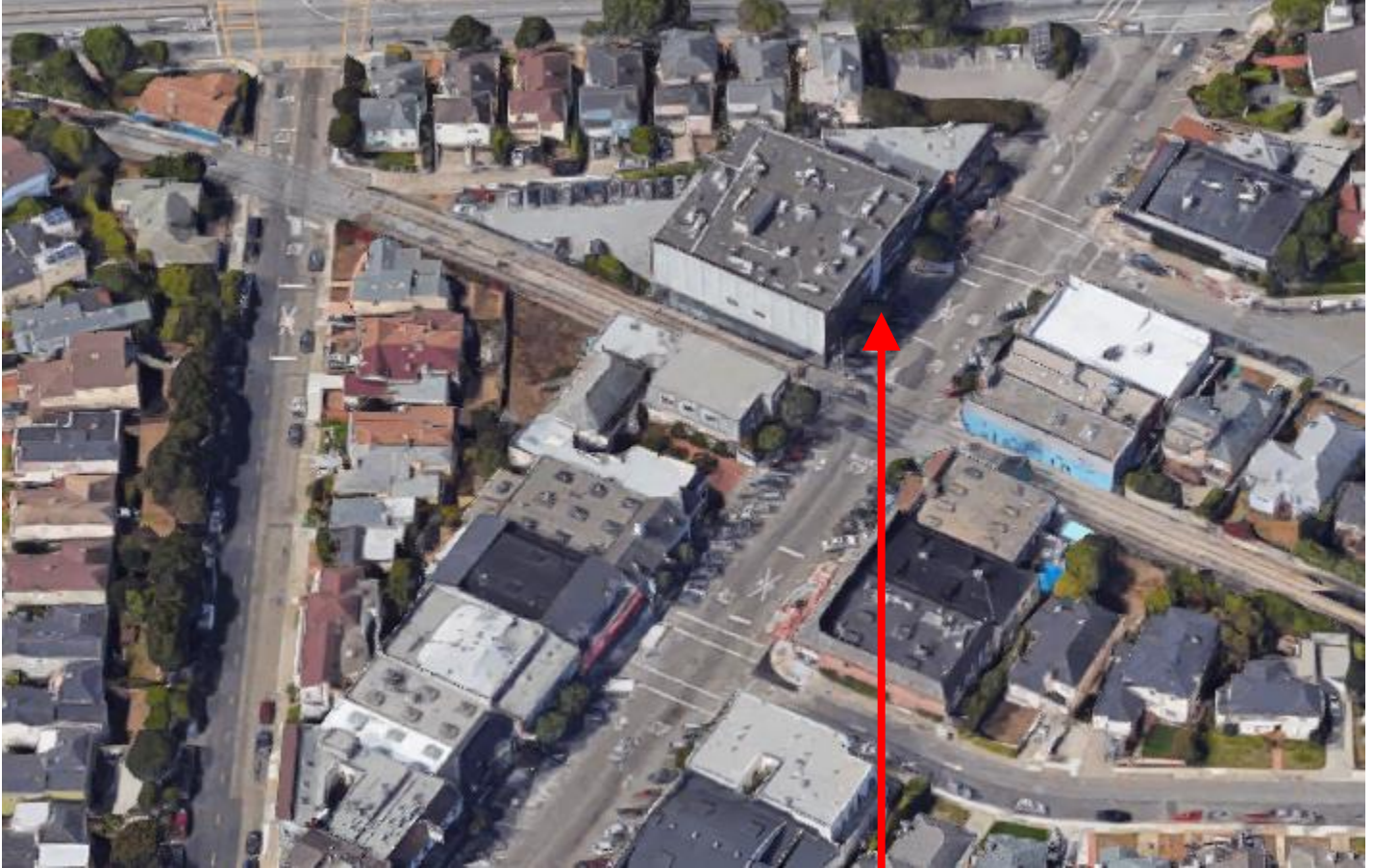
**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue



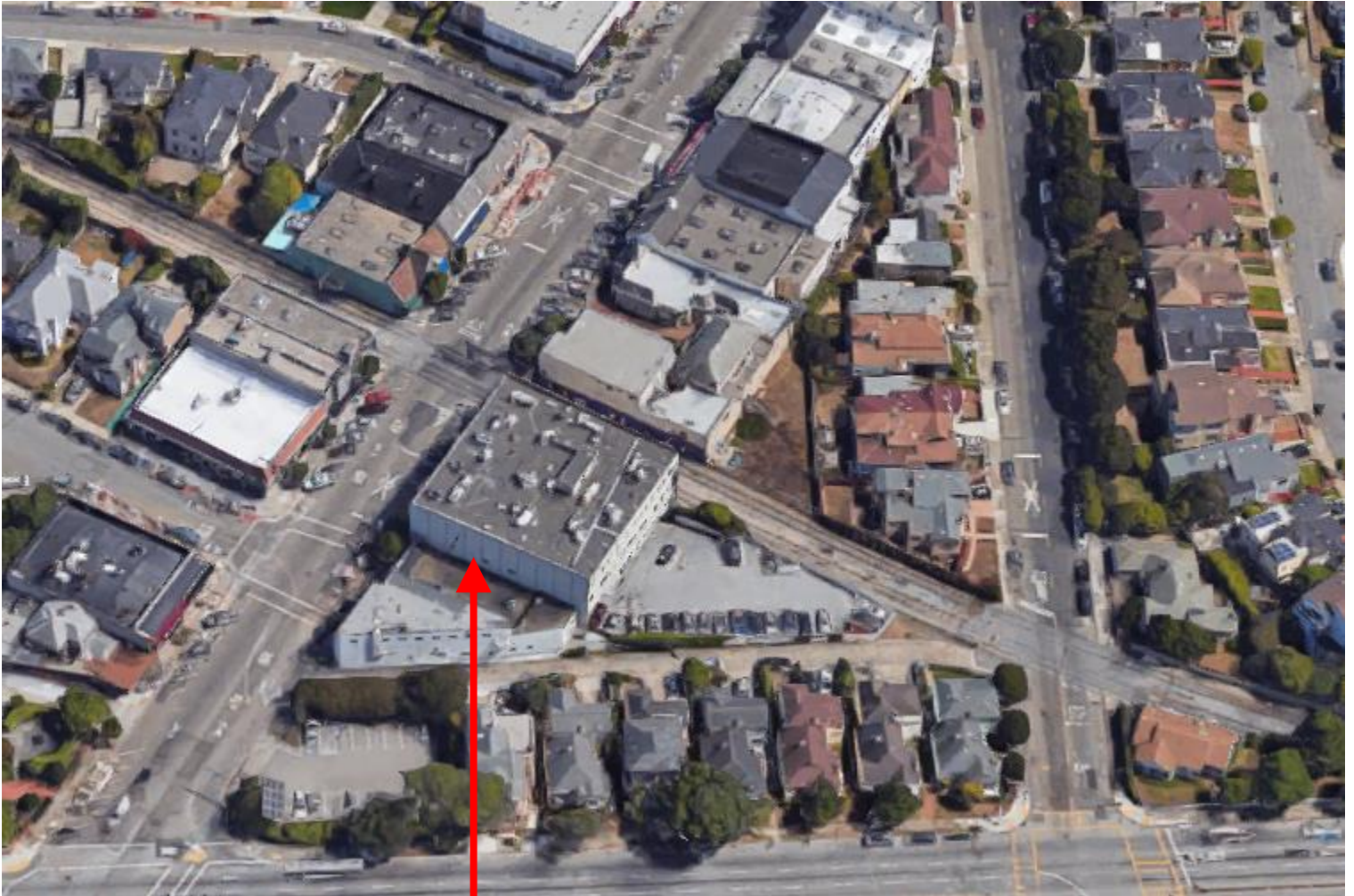
# Aerial Photo



**SUBJECT PROPERTY**



# Aerial Photo

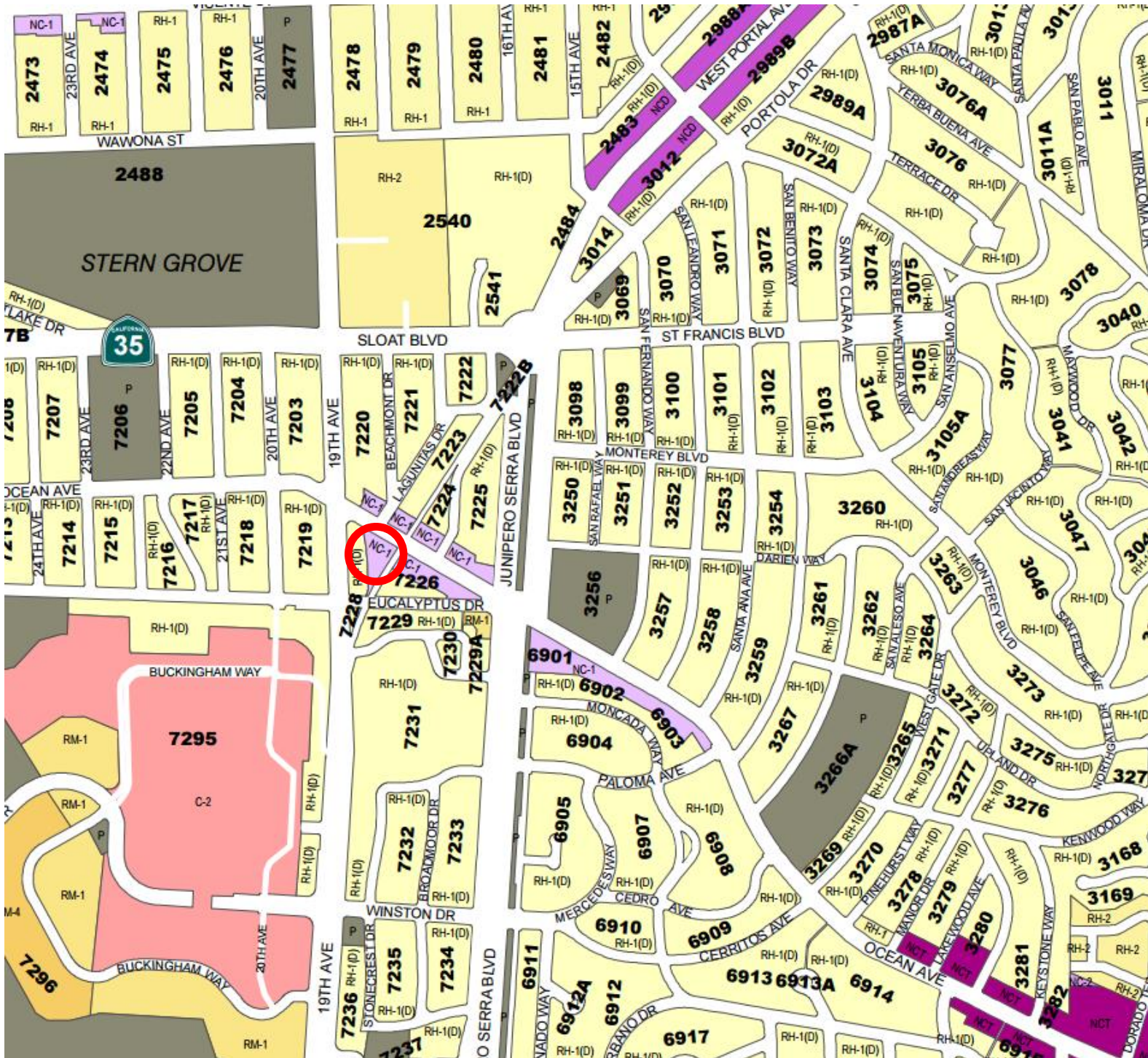


**SUBJECT PROPERTY**





# Zoning Map



Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue



# Site Photo



**SUBJECT PROPERTY  
OCEAN AVENUE FRONTAGE**

Conditional Use Authorization  
Case Number 2016-001528CUA  
2645 Ocean Avenue

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# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

## NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, November 10, 2016**

Time: **Not before 12:00 PM (noon)**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**

Case Type: **Conditional Use**

Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: <b>2645 Ocean Avenue</b>	Case No.: <b>2016-001528CUA</b>
Cross Street(s): <b>19<sup>th</sup> Avenue</b>	Building Permit: <b>N/A</b>
Block /Lot No.: <b>7226 / 023</b>	Applicant: <b>Jody Knight</b>
Zoning District(s): <b>NC-1 / 26-X</b>	Telephone: <b>(415) 567-9000</b>
Area Plan: <b>N/A</b>	E-Mail: <a href="mailto:jknight@reubenlaw.com">jknight@reubenlaw.com</a>

### PROJECT DESCRIPTION

The proposal is for **CONDITIONAL USE AUTHORIZATION (CUA)** to convert the existing individual medical uses into one large medical service of 21,313 gross square feet in an existing three-story structure. The proposal includes interior alterations and new signage. The proposed use size requires CUA pursuant to Planning Code Section 710.21 since it is greater than 2,999 square feet.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

### ADDITIONAL INFORMATION

**ARCHITECTURAL PLANS:** If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org> or by request at the Planning Department office located at 1650 Mission Street, 4<sup>th</sup> Floor.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

### FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Natalia Kwiatkowska** Telephone: **(415) 575-9185** E-Mail: [natalia.kwiatkowska@sfgov.org](mailto:natalia.kwiatkowska@sfgov.org)

# GENERAL INFORMATION ABOUT PROCEDURES

## HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

## BUILDING PERMIT APPLICATION INFORMATION

Pursuant to Planning Code Section 311 or 312, the Building Permit Application for this proposal may also be subject to a 30-day notification of property owners and residents within 150-feet of the subject property. **This notice covers the Section 311 or 312 notification requirements, if required.**

## APPEAL INFORMATION

An appeal of the approval (or denial) of a **Conditional Use application** and/or building permit application associated with the Conditional Use application may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Section 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Pursuant to California Government Code Section 65009, if you challenge, in court, the decision of an entitlement or permit, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the Planning Commission prior to, or at, the public hearing.

## ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at [www.sfplanning.org](http://www.sfplanning.org). An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

**PROJECT SPONSOR'S SUBMITTAL FOR  
CONDITIONAL USE AUTHORIZATION  
FOR USE OF GREATER THAN 2,999 SQUARE FEET IN NC-1  
ZONING DISTRICT**

**(PLANNING CODE SECTION 303; 121.2)**

**for**

**Property Located at  
2645 Ocean Avenue  
Block 7226; Lot 023**

**Project Sponsor:  
HSRE-BW Lakeside MOB, LLC  
Planning Department Case No. \_\_\_\_\_**

**Application Filed: January 14, 2016**

*Attorneys for Project Sponsor:*

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**REUBEN, JUNIUS & ROSE, LLP**

One Bush Street, Suite 600 San Francisco, CA 94104  
t] 415 567 9000 f] 415 399 9480

# SECTION 303 APPLICATION – CONDITIONAL USE

## TABLE OF CONTENTS

A.	INTRODUCTION AND BACKGROUND.....	1
B.	OWNER/PROJECT SPONSOR INFORMATION.....	1
C.	SITE INFORMATION .....	1
D.	EXISTING SITE AND SURROUNDING AREA CONDITIONS .....	2
E.	PROJECT SUMMARY.....	2
F.	DESCRIPTION OF THE PROPOSED PROJECT .....	3
G.	COMPLIANCE WITH CRITERIA OF SECTION 121.2.....	3
H.	COMPLIANCE WITH CONDITIONAL USE CRITERIA (SECTION 303 FINDINGS) ...	4
I.	PRIORITY MASTER PLAN POLICIES FINDINGS .....	7
J.	ESTIMATED CONSTRUCTION COSTS.....	8
K.	APPLICANT’S AFFIDAVIT.....	8
	LIST OF EXHIBITS .....	9

**A. INTRODUCTION AND BACKGROUND**

HSRE-BW Lakeside MOB, LLC, a California limited liability company ("Project Sponsor"), seeks approval to convert 2645 Ocean ("Property") from individual uses to use by one large medical provider, which requires conditional use approval for a use of greater than 2,999 square feet under Planning Code Section 121.2 (the "Project"). Current zoning does not permit medical use above the ground floor at the Property. However, the upper floors have a consistent history of medical use by individual providers and are therefore are a legal nonconforming use. Medical use is permitted at the ground floor, which currently contains both medical uses and a bank, an optical shop and a salon. The Project seeks to maintain the present medical use, but simply permit the building to be combined for use by a single medical provider. This presents a better use of the building more compatible with the current demands of medical care.

Project Plans are attached as **Exhibit A**. The envelope of the building will not change. Moreover, remaining tenants when the renovations begin will be assisted in moving to another location in San Francisco. This Project is beneficial to the residents of San Francisco because it will allow for the addition of a modernized medical facility that represents the new model for community care and services to serve patients in the neighborhood and citywide.

**B. OWNER/PROJECT SPONSOR INFORMATION**

Project Sponsor: HSRE-BW Lakeside MOB, LLC  
1437 7th Street, Suite 200  
Santa Monica, CA 90401  
Attn: Mr. Paul Slye

Project Contact: Reuben, Junius & Rose, LLP  
One Bush Street, Suite 600  
San Francisco, CA 94104  
Tel: (415) 567-9000  
Fax: (415) 399-9480  
Email: jknight@reubenlaw.com  
Attn: Ms. Jody Knight

**C. SITE INFORMATION**

Street address: 2645 Ocean Avenue  
Cross streets: Lagunitas Drive and Woodacre Drive  
Assessor's block/lot: 7226/023  
Zoning district: NC-1  
Height/bulk district: 26-X

Preservation Status: B – Unknown

Conservation district: None

#### **D. EXISTING SITE AND SURROUNDING AREA CONDITIONS**

The site is located on Ocean Avenue in the Lakeshore neighborhood (“Site”). The nearest major cross streets are 19th Avenue and Junipero Serra Boulevard. The Property is situated in an area of Ocean Avenue that has mostly commercial uses, and the surrounding area is largely residential. A photograph of the Property is attached as **Exhibit B**.

#### **E. PROJECT SUMMARY**

<b>CHANGE OF USE</b>	No	<b>PRESENT OR PREVIOUS USE:</b>
<b>CHANGE OF HOURS</b>	No	Medical – multiple providers
<b>NEW CONSTRUCTION</b>	No	
<b>ALTERATIONS</b>	Yes	<b>PROPOSED USE:</b>
<b>DEMOLITION</b>	No	Medical – single provider
<b>ADDITIONS TO BUILDING</b>	No	
▪ <b>REAR</b>	No	<b>BUILDING PERMIT APPLICATION NUMBER</b>
▪ <b>FRONT</b>	No	Not yet filed.
▪ <b>HEIGHT</b>	No	<b>DATE FILED</b>
▪ <b>SIDE YARD</b>	No	N/A

	EXISTING USES	EXISTING USES RETAINED	NET NEW CONSTRUCTION	PROJECT TOTALS
PROJECT FEATURES				
<b>DWELLING UNITS</b>	0	0	0	0
<b>HOTEL ROOMS</b>	0	0	0	0
<b>PARKING SPACES</b>	82	82	0	82
<b>LOADING SPACES</b>	0	0	0	0
<b>NUMBER OF BUILDINGS</b>	1	1	0	1
<b>HEIGHT OF BUILDINGS</b>				
<b>NUMBER OF STORIES</b>	3	3	0	3
	EXISTING USES	EXISTING USES RETAINED	NET NEW CONSTRUCTION	PROJECT TOTALS

GROSS SQUARE FOOTAGE				
RESIDENTIAL	0	0	0	0
RETAIL	2,382	2,382		2,382
OFFICE	0	0	0	0
INDUSTRIAL/PDR	0	0	0	0
PARKING	4,068	4,068	0	4,068
OTHER (MEDICAL)	21,313	21,313	0	21,313
TOTAL GSF	27,763	27,763	0	27,763

**F. DESCRIPTION OF THE PROPOSED PROJECT**

The Project Sponsor proposes to use the Property for a single medical provider rather than multiple medical providers as it is currently configured. Therefore, Project Sponsors seek conditional use approval of a use greater than 2,999 square feet.

**G. COMPLIANCE WITH CRITERIA OF SECTION 121.2**

In addition to the criteria of Section 303(c) of the Planning Code, as discussed below, in granting conditional use approval for use size, the Planning Commission shall consider the extent to which the following criteria are met:

1. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

The use size will allow one medical provider to take over for multiple medical providers, allowing for more efficiency in medical care and better service to patients. It will not displace or foreclose the location of other neighborhood-serving uses.

2. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

The new medical center is expected to serve many residents of the neighborhood who will have access to a comprehensive high-quality medical clinic. The size of the use is essential because of the demands of modern medical facilities, which provide a variety of care, including, for example, doctors in different specialties, diagnostics, and rehabilitation services.



3. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

The exterior of the building is not proposed to be modified by this application. It does contain discrete architectural elements which respect the scale of development in the area.

#### **H. COMPLIANCE WITH CONDITIONAL USE CRITERIA (SECTION 303 FINDINGS)**

Under Planning Code Section 303(c), the City Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish the following:

1. Desirability and Compatibility of Project

Planning Code section 303(c)(1) requires that facts be established which demonstrate the following:

**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 is necessary and desirable because it will allow the space to be better used for providing medical care to residents of San Francisco.

2. Effect of Project on Health, Safety, Convenience or General Welfare

Planning Code section 303(c)(2) requires that facts be established which demonstrate the following:

**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 the structure.**

There will be no changes to the size or shape of the building.

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

The Project does not propose a change to the parking on the Site, which at 82 spaces is adequate to meet the demands of patients. The Site is also highly accessible by public transportation. It is a block from an M light rail stop and two blocks from a K light rail stop. It is also a block from the 23 and 57 bus lines. A map of available public transportation options is attached as **Exhibit C**. There is also plentiful street meter parking on Ocean Avenue. Moreover, it is expected that many local residents will utilize the updated medical facility and will access the center on foot.

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

The medical use will not cause noxious or offensive omissions, and the renovation needed for tenant improvements will be carefully controlled to minimize impact on the neighborhood.

- (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 to modify the exterior of the building.

3. Compliance with the General Plan.

Planning Code Section 303(c)(3) requires that facts be established that demonstrate that such use or feature as proposed will comply with the applicable provisions of this code and will not adversely affect the General Plan.

The Project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, including specifically the Commerce and Industry and Transportation Elements of the General Plan:

Commerce and Industry Element

**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 Project provides a substantial net benefit in allowing the building to be used for a modern medical facility, providing comprehensive care to residents of the neighborhood and the City at large at a location highly accessible by public transit.

**Objective 2**                    **Maintain and enhance a sound and diverse economic base and fiscal structure for the city.**

**Policy 2.1**                    **Seek to retain existing commercial and industrial activity and to attract new such activity to the city.**

The Project allows the productive use of the building as a medical facility, and allows the retention of a larger medical care provider in the City which might otherwise need to relocate outside of San Francisco or in another neighborhood.

**Policy 3.1**                    **Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.**

The Project will allow the retention of a medical care provider who seeks to invest in rehabilitation of an older medical building, which will provide numerous jobs, from doctors and nurses to janitorial staff.

**Objective 4**                    **Improve the viability of existing industry in the City and the attractiveness of the City as a location for new industry.**

**Policy 4.1**                    **Maintain and enhance a favorable business climate in the City.**

The Project will support business in the City by allowing a productive use of the Property to provide high-quality care for San Francisco residents. It will not displace any providers currently in the building as they will be relocated to other space within San Francisco. Therefore, the Project will expand the medical care options available in the City.

#### **Transportation Element**

**Objective 2**                    **Use the transportation system as a means for guiding development and improving the environment.**

The Project is in an area highly accessible by public transportation. Most notably it is next to two light rail routes and at least two bus routes.

## **I. PRIORITY MASTER PLAN POLICIES FINDINGS**

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this Section 303 Application are consistent with each of these policies as follows:

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

The Project does not seek to immediately displace the retail uses on the Site, including a bank, an optical store and a salon, but does seek approval for the entire building to be used for medical purposes (including potentially medical retail services such as a pharmacy) if necessary for medical use of the building.

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

The Project will not eliminate housing. It gives new life to a building by adding a modern medical facility without changing the building envelope, thereby preserving neighborhood character.

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

The Project would have no effect on affordable housing as the Project does not propose the removal of housing.

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

The traffic generated by the Project will be minimal. Many patients and employees are expected to walk, bike or take public transportation. It is not expected that traffic will be significantly increased by the change in the tenant. Moreover, any parking demand will be accommodated by the on site parking or metered street parking on Ocean Avenue. There will not be a sufficient increase in transit use from the use to detrimentally impact Muni transit service.

**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.**

The Project will not displace industrial or service sector use. It supports the service sector by allowing the building to be updated and fully utilized for medical care.

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

The Project conforms to the structural and seismic requirements of the San Francisco Building Code, and thus meets this requirement.

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

The Project does not propose to alter the facade of the building other than installing signage.

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

The Project does not propose any changes to the Property that would impact on parks, open space or their access to sunlight or vistas.

**J. ESTIMATED CONSTRUCTION COSTS**

- |                          |                               |
|--------------------------|-------------------------------|
| 1. Type of Application:  | Conditional Use (Section 303) |
| 2. Construction Cost:    | \$621,133.00                  |
| 3. Estimate Prepared By: | Project Sponsor               |
| 4. Fee Established:      | \$621,133                     |

**K. 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; and (c) other information or applications may be required.

Dated: January 14, 2016

Respectfully submitted,

**REUBEN, JUNIUS & ROSE, LLP**  
Attorneys for Project Sponsor



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

Jody Knight

# REUBEN, JUNIUS & ROSE, LLP

October 26, 2016

## **Delivered By E-mail**

President Rodney Fong and Commissioners  
San Francisco Planning Commission  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94107

**Re: 2645 Ocean Avenue**  
**Planning Case Number: 2016-001528**  
**Hearing Date: November 10, 2016**  
**Our File: 8934.01**

Dear President Fong and Commissioners:

This office represents HSRE-BW Lakeside MOB, LLC (“**Project Sponsor**”), which seeks approval to convert Lakeside Medical Center (“**Center**”) located at 2645 Ocean Avenue (“**Property**”) from individual medical uses to use by one large medical provider (the “**Project**”). The building was constructed as a medical facility in 1963. The Project requires conditional use approval for a use of greater than 2,999 square feet under Planning Code Section 121.2 because it proposes 26,181 gross square feet of a single medical use.

## **A. Project Overview**

Lakeside Medical Center is a 28,315 square-foot three-story building in the Lakeshore neighborhood. The Property has a consistent history of medical use by individual providers on the upper floors since construction in 1963. The ground floor currently contains medical uses and a bank, an optical shop and a salon. The Property contains 64 parking spaces at ground level and in an underground garage. The Center is located on the M light rail line and is two blocks from a K light rail stop, as well as a block from the 23 and 57 bus lines. There is plentiful street meter parking on Ocean Avenue. However, the Center contains sufficient parking that little or no impact on street parking is anticipated. The Property is situated in an area of Ocean Avenue that has mostly commercial uses, and the surrounding area is largely residential.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin  
Tuija I. Catalano | Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben<sup>1</sup> | Thomas Tunny  
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey  
Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerman<sup>2,3</sup> | John McNerney III<sup>2</sup>

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

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The Center is outdated and in need of major renovations. The Project Sponsor seeks to conduct the rehabilitation in phases, with each floor being gutted and replaced with a state-of-the-art medical center. The items of core and shell redevelopment include the following:

- Elevators
- Lobby
- Roof
- HVAC
- Plumbing
- Common area upgrades
- ADA/bathroom upgrades
- Life-safety upgrades
- Energy and lighting upgrades
- Parking lot improvement

The use of the Center with individual practitioners is also outdated, with modern medical care evolving towards larger consolidated centers that can provide more comprehensive care on-site. The model of medical care has shifted towards the consolidated care proposed by the Project because independent providers simply cannot efficiently or cost-effectively provide the level of care delivered by a single larger facility. Therefore, the Project seeks to use the Center for one larger medical provider that can provide primary and specialized care in coordination, as well as updated and expanded diagnostic and lab facilities, making the building more compatible with the current demands of medical care.

The storefronts facing Ocean Avenue are proposed to remain active retail uses, with the new ground floor x-ray, blood draw, mammogram, lab, and ultrasound facilities pulled back from the streetfront. The two floors above will be dedicated to patient care by a mix of general practitioners and specialists. The envelope of the building will not change, but the Project team has been in discussion with a local artist to provide a mural reflecting the history of the neighborhood. It is expected that many of the patients to be served by the updated medical services will be local residents.

Some of the small practitioners at the Property have closed their operations as they have retired, and three additional practitioners intend to retire in a year or less. Others are planning to move to more up-to-date medical facilities, including the soon to be opened Stonestown Medical Building across the street from the Stonestown Galleria. There have been specific proposals to relocate two practices to Stonestown, and discussion about relocation to that facility with eight additional practices. The Project team continues to meet with tenants to assist with relocation plans to move to either Stonestown or other available vacant medical

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space. The Project team will give the practices ample time to relocate or wind up before construction begins.

## **B. Project Benefits**

The benefits of the Project include the following:

1. **The Project will allow the rehabilitation and modernization of an outdated medical facility.** The Project will allow an outdated medical building in a location highly accessible by public transit to undergo a complete overhaul. It allows the continued medical use of the building, which provides numerous jobs, from doctors and nurses to janitorial staff. The use size is necessary to provide a comprehensive state-of-the-art medical facility.
2. **The updated Center will provide a greater range of medical services.** The Project will provide area residents with a broader range of care within easy walking distance, including both general practitioners and a range of specialists, as well as modern x-ray, blood draw, mammogram, lab, and ultrasound facilities. One result of the trend towards consolidation of healthcare delivery systems (i.e. larger organizations delivering care instead of individual physicians) is that consumers are more actively seeking out larger groups, and insurance providers prefer consolidation, because there is a better health outcome where doctors providing different aspects of care are “talking” to each other in a single group. Thus, the Project will provide local residents with better healthcare.
3. **The Project provides relocation assistance for tenants.** The Project Sponsor has engaged the remaining tenants, some of which already have plans to retire or move to another location. There are multiple other leasing opportunities for those who wish to relocate in the area, and the new Stonestown Medical Center provides an attractive relocation opportunity for many tenants. The Project team will continue to assist providers with relocation.

## **C. Conclusion**

The Project proposes to invest in an outdated building to provide a new modern medical facility, which will provide a higher level of care to local residents and the City at large. We

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President Rodney Fong and Commissioners  
San Francisco Planning Commission  
October 26, 2016  
Page 4

look forward to presenting this Project to you on November 10, 2016. Please contact me if you have any questions.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



Jody Knight

cc: Natalia Kwiatkowska, Project Planner

# LAKE SIDE MEDICAL CENTER

2645 Ocean Avenue, San Francisco, CA

## Conditional Use Permit Set

October 26, 2016

### PROJECT DIRECTORY

PAUL SLYE, OWNER  
BCP  
1437 SEVENTH STREET, SUITE 200  
SANT MONICA, CA 90401

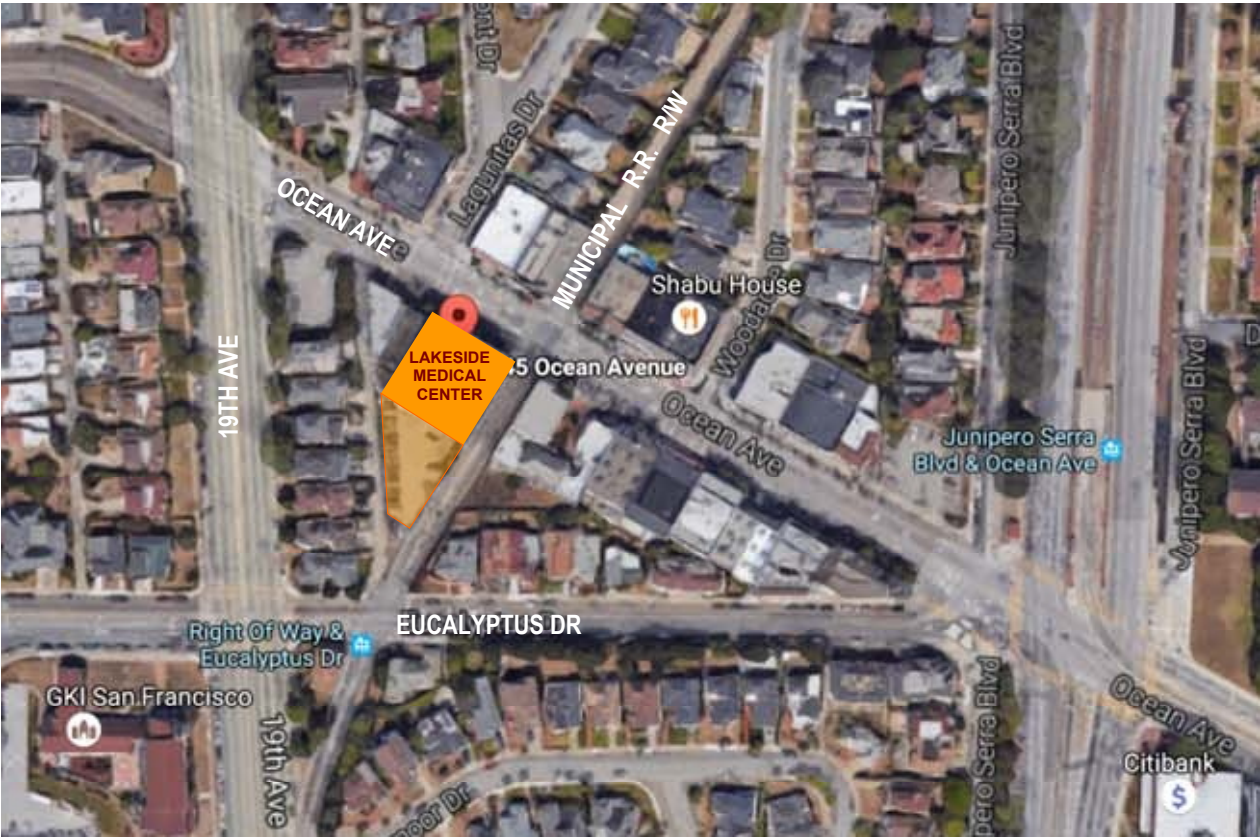
JODY KNIGHT  
REUBEN JUNIUS & ROSE LLP  
ONE BUSH STREET, SUITE 600  
SAN FRANCISCO, CA 94104  
Tel: 415-567-9000

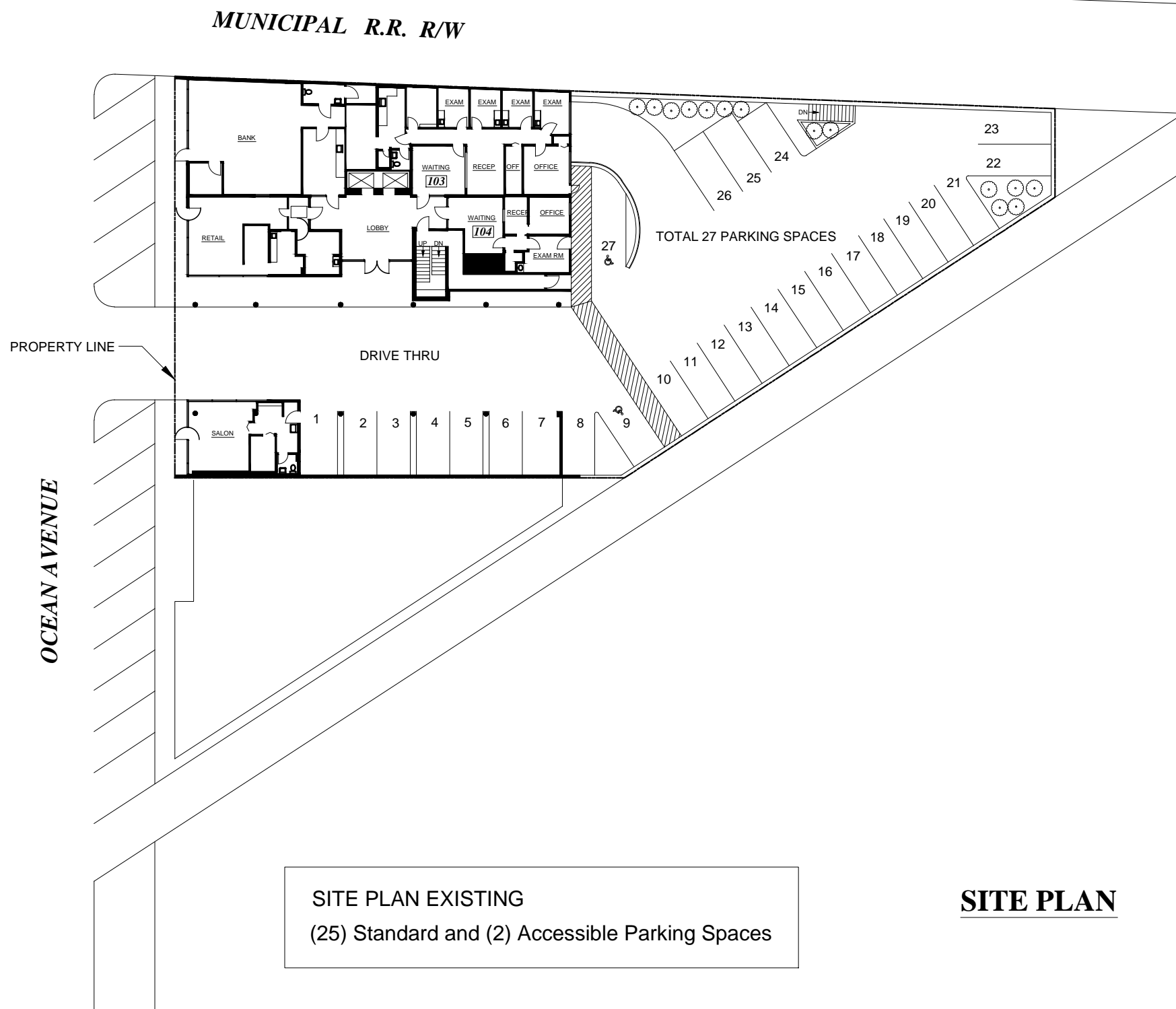
### DRAWING INDEX

E-00 EXISTING SITE PLAN  
E-0B EXISTING BASEMENT FLOOR PLAN  
E-01 EXISTING GROUND FLOOR PLAN  
E-02 EXISTING 2ND FLOOR PLAN  
E-03 EXISTING 3RD FLOOR PLAN

A-0B PROPOSED BASEMENT FLOOR PLAN  
A-01 PROPOSED GROUND FLOOR PLAN  
A-02 PROPOSED 2ND FLOOR PLAN  
A-03 PROPOSED 3RD FLOOR PLAN

### LOCATION MAP





PLAT MAP



APN: 7226-023

Acres: 0.46

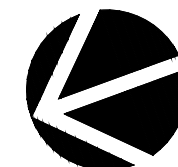
Zoning: NC-1

NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. Housing development in new buildings is encouraged above the ground story.

SITE PLAN



SCALE: 1/32" = 1' - 0"

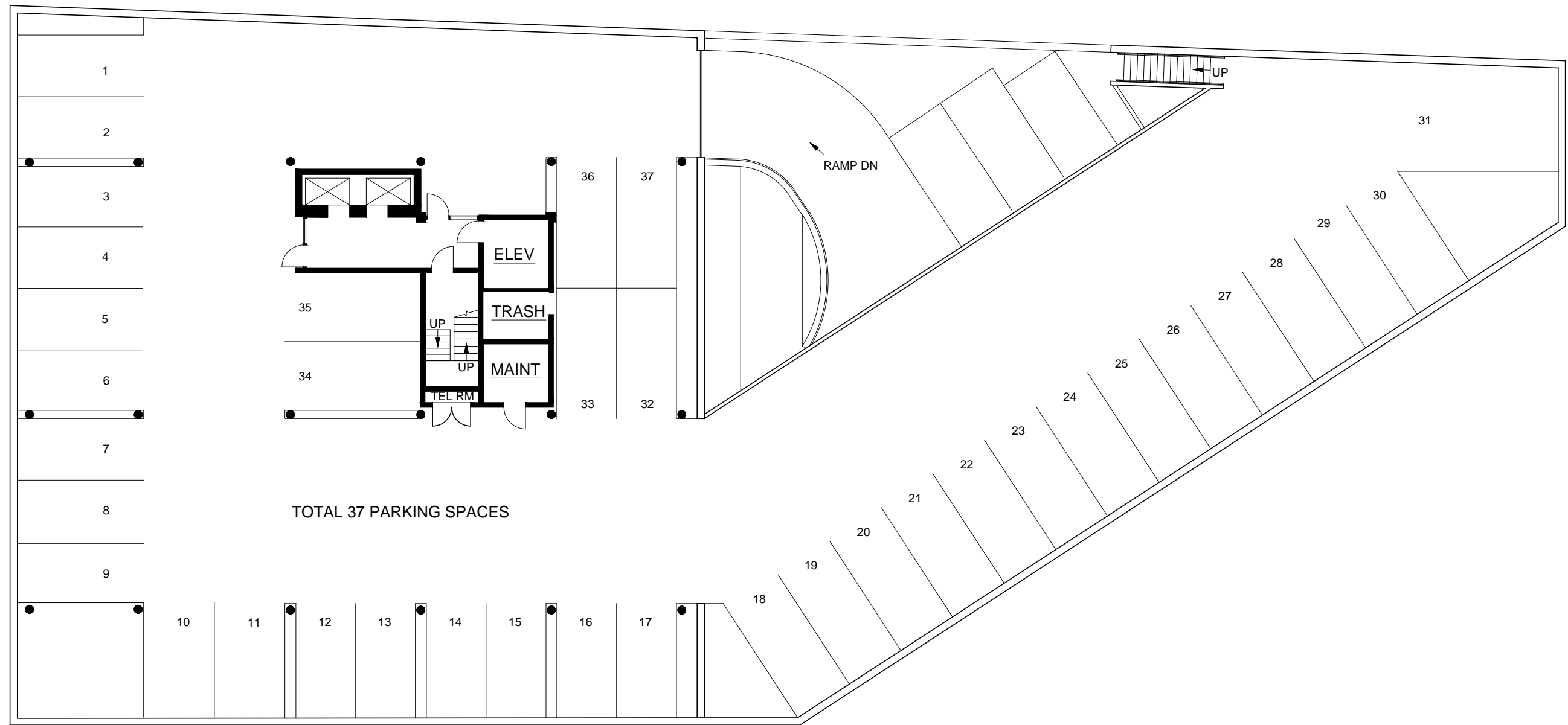


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**2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER**  
**SAN FRANCISCO, CA**      **October 26, 2016**

**E-00**



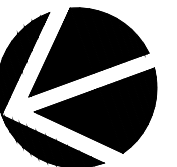
BASEMENT FLOOR PLAN EXISTING  
Total (37) Parking Spaces

### BASEMENT FLOOR PLAN

16' 8' 0 16'



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



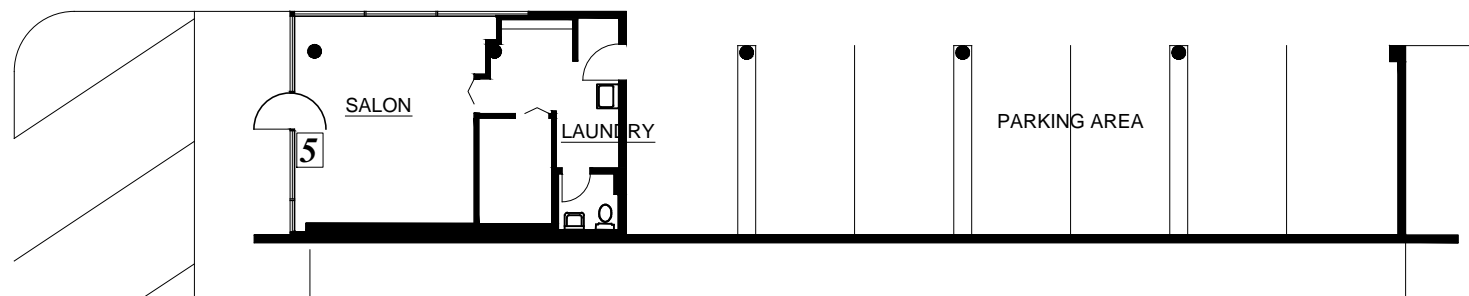
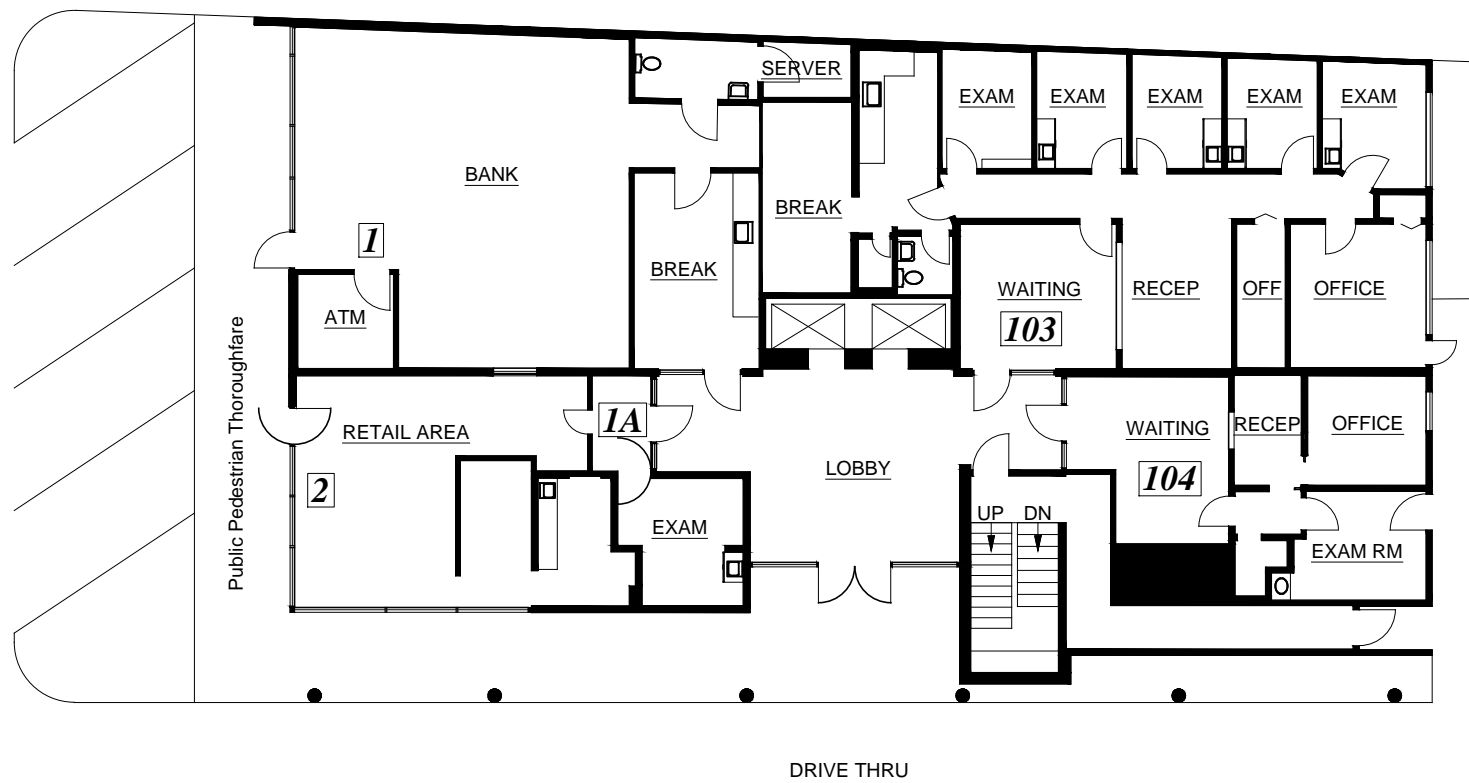
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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA October 26, 2016

**E-0B**

OCEAN AVENUE



GROUND FLOOR EXISTING  
Exclude Bank, Optical Shop & Hair Salon:  
(2) Doctors and (7) Staff

## GROUND FLOOR PLAN

Measured Area: 9,078 s.f.

16' 8' 0 16'



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

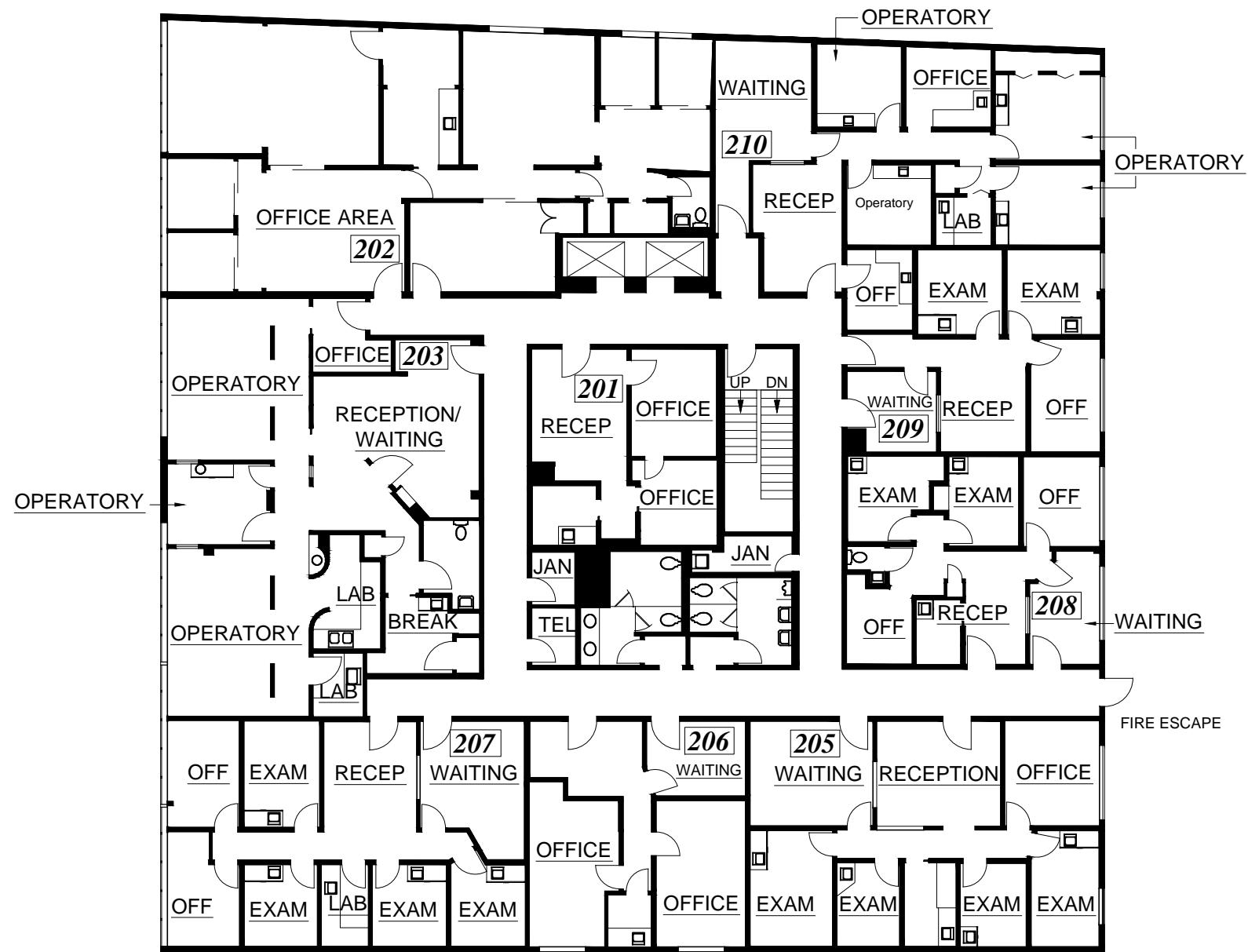


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SAN FRANCISCO, CA  
October 26, 2016

**E-01**



SECOND FLOOR EXISTING  
 (12) Full-Time and (1) Part-Time Doctor  
 (16) Full-Time and (1) Part-Time Staff

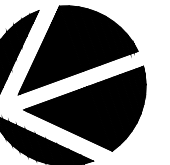
## SECOND FLOOR PLAN

*Measured Area: 9,618 s.f.*

16' 8' 0 16'



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



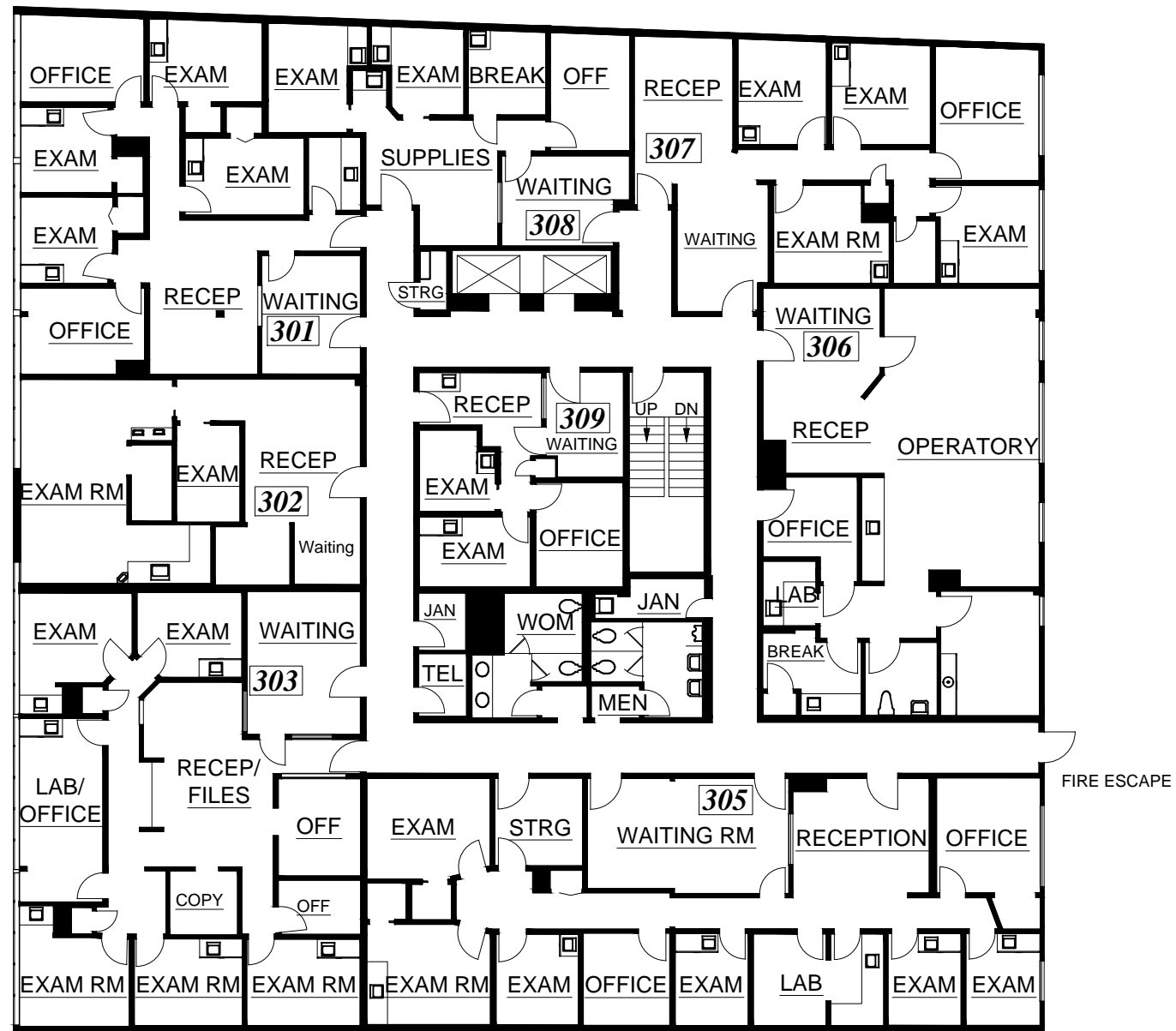
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 SAN FRANCISCO, CA  
 October 26, 2016

**E-02**





THIRD FLOOR EXISTING  
 (12) Full-Time and (1) Part-Time Doctor  
 (18) Full-Time and (2) Part-Time Staff

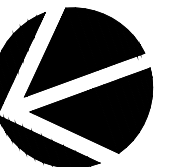
### THIRD FLOOR PLAN

Measured Area: 9,619 s.f.

16' 8' 0 16'



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

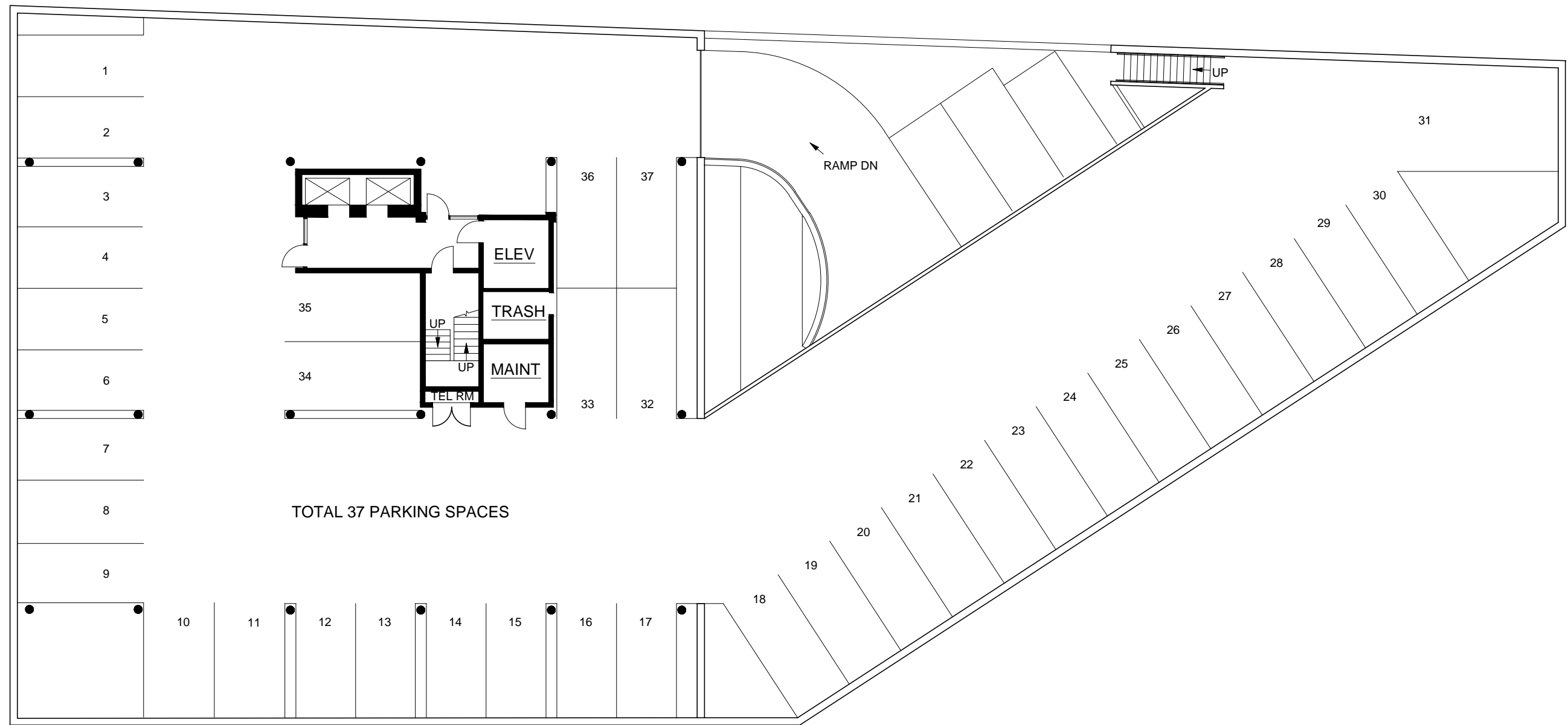


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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
 SAN FRANCISCO, CA  
 October 26, 2016

**E-03**



BASEMENT FLOOR PLAN EXISTING  
Total (37) Parking Spaces

**BASEMENT FLOOR PLAN PROPOSED**

16' 8' 0 16'



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

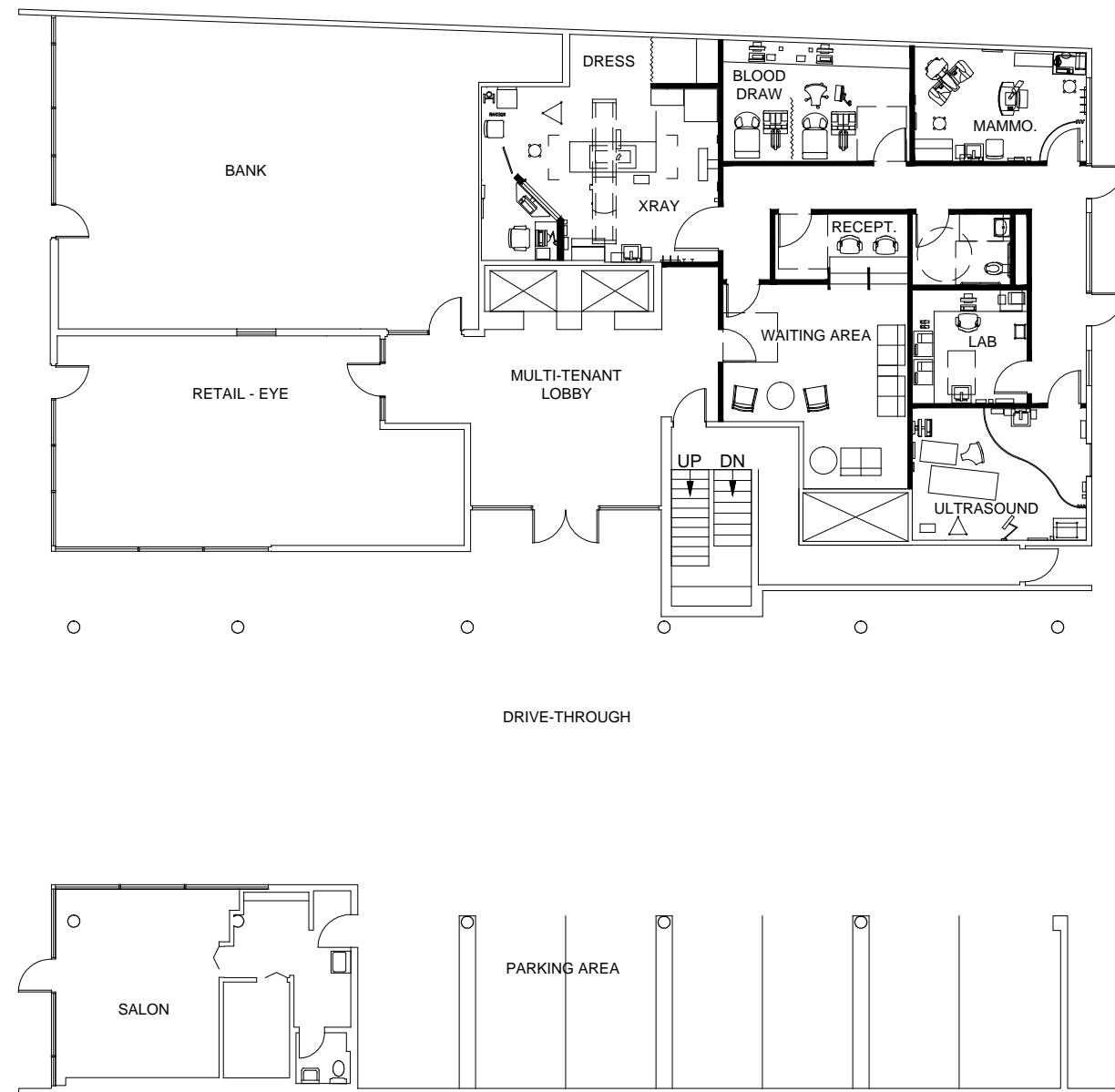


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**2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER**  
**SAN FRANCISCO, CA**  
**October 26, 2016**

**A-0B**



**GROUND FLOOR PROPOSED**

Exclude Bank, Optical Shop & Hair Salon:  
(1) Doctor and (5-6) Staff for X-Ray,  
Blood Draw, Mammogram, Lab and Ultrasound

**GROUND FLOOR PLAN PROPOSED**

*Measured Area: 9,078 s.f.*

16' 8' 0 16'



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



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**2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER**  
**SAN FRANCISCO, CA**      **October 26, 2016**

**A-01**



SECOND FLOOR PROPOSED  
(12) Doctors and (18) Staff

## SECOND FLOOR PLAN PROPOSED

Measured Area: 9,618 s.f.

16' 8' 0 16'



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



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2645 OCEAN AVENUE - LAKESIDE MEDICAL CENTER  
SAN FRANCISCO, CA  
October 26, 2016

**A-02**



THIRD FLOOR PROPOSED  
(12) Doctors and (18) Staff

### THIRD FLOOR PLAN PROPOSED

*Measured Area: 9,619 s.f.*

16' 8' 0 16'



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



**RATCLIFF**

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**A-03**