



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: 02/14/2019

File Date: February 4, 2019
Record No.: 2018-007049CUA
Project Address: 3378 Sacramento Street
Zoning: Sacramento Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 1008/049
Project Sponsor: Gerald Green
7765 Greenly Drive
Oakland, CA 94605
Staff Contact: Laura Ajello – (415) 575-9142
laura.ajello@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
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415.558.6377

PROJECT DESCRIPTION

The Project is a request for Conditional Use Authorization pursuant to Planning Code Sections 303, 724, and 102 to establish a Health Services use (dental/orthodontics office) at the basement level of a mixed-use building within the Sacramento Street NCD (Neighborhood Commercial District) District and a 40-X Height and Bulk District. The proposal is to convert a Business or Professional Service use with approximately 2,072 square feet of floor area (occupied by "Walnut Financial"). The proposal will involve interior tenant improvements to the ground floor commercial tenant space. There will be no expansion of the existing tenant space or building envelope.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization to establish the proposed Health Service Use within the Sacramento Street NCD (Neighborhood Commercial District) District and a 40-X Height and Bulk District pursuant to Planning Code Sections 303, 724, and 102.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Planning Department has received no public comments on the Project as of the date of this Executive Summary.
- The Project will allow a doctor to relocate his medical office from Geary Boulevard, which is within one mile of the subject site.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will establish a Health Services use (dental/orthodontics office) in a below grade commercial storefront that is not desirable for typical retail sales and service uses. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization
Exhibit A – Conditions of Approval
Exhibit B – Plans
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F - Project Sponsor Submittal



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: FEBRUARY 14, 2019

1650 Mission St.
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San Francisco,
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Record No.: February 4, 2019
Record No.: **2018-007049CUA**
Project Address: **3378 Sacramento Street**
Zoning: Sacramento Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 1008/049
Project Sponsor: Gerald Green
7765 Greenly Drive
Oakland, CA 94605
Property Owner: Dr. Yan Kalika
3412 Geary Boulevard
San Francisco, CA 94118
Staff Contact: Laura Ajello – (415) 575-9142
laura.ajello@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 724 and 102 OF THE PLANNING CODE TO ALLOW A HEALTH SERVICES USE (DENTAL/ORTHODONTICS) WITHIN THE SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On May 11, 2018, Gerald Green (hereinafter "Project Sponsor") filed Application No. 2018-007049CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Health Services use (dental/orthodontics office) at the basement level of a mixed-use building (hereinafter "Project") at 3378 Sacramento Street, Block 1008 Lot 049, (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-007049CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On February 14, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-007049CUA.

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 Authorization as requested in Application No. 2018-007049CUA, 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. **Project Description.** The project sponsor seeks Conditional Use Authorization pursuant to Planning Code Sections 303, 724 and 102 to establish a Health Services use for a dental/orthodontics office at the basement level of a mixed-use building. The existing tenant space measures approximately 2,072 square feet. The project includes interior tenant improvements with no exterior changes proposed.
3. **Site Description and Present Use.** The project site is located at 3378 Sacramento Street, on the northeast corner of Sacramento and Walnut Streets on Assessor's Block 1008, Lot 049. The project site is centrally located within the Sacramento Street Neighborhood Commercial District (NCD), 40-X Height and Bulk District. The parcel measures approximately 2,422 square feet in total area (approximately 87.5 feet wide by 27.7 feet deep). The existing three-story over basement mixed-use building has one other commercial tenant fronting on Sacramento Street (d.b.a. Marilyn Jaeger Skincare) and four dwellings that are entered from Walnut Street. The basement-level tenant space is currently occupied by a Business or Professional Service use that provides wealth management services (d.b.a. Walnut Associates).
4. **Surrounding Properties and Neighborhood.** The project site is located in the Presidio Heights neighborhood. The surrounding development consists of a variety of residential, commercial, and mixed-use buildings mostly featuring residential uses above ground floor commercial establishments. The scale of development in the area consists of an eclectic mix of two- to four-story buildings built between the Victorian era and the 1990s. Generally, the commercial establishments characterizing this portion of Sacramento Street include a mix of specialty shops featuring home furnishings, clothing, dry cleaners, restaurants and personal service establishments. The surrounding zoning is primarily RM-1 (Residential, Mixed, Low-Density) and RH-2 (Residential, House, Two-Family).
5. **Public Outreach and Comments.** To date, the Planning Department has not received public comment on the Project. The Department is not aware of any opposition to the project.

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. **Planning Code Section 724** states that a Conditional Use Authorization is required for a Health Services use, whether it is Principal or Accessory, as defined by Planning Code Section 102.

The proposed Health Service uses at the basement level of the building would consist of a dental/orthodontics office.

- B. **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 Project would occupy an existing basement-level commercial space where existing fenestration consists of unobstructed glazing that is located below eye-level. The basement-level space is not considered an active storefront; because it is below grade. Additionally, the storefront window visibility zone for active uses is located between four feet to eight feet above grade. The subject commercial space has approximately 87 feet of frontage on Sacramento Street with approximately 41 linear feet devoted to either the entrance or window space. There are no changes proposed to the commercial frontage.

- C. **Use Size.** Planning Code Section 724 allows a non-residential use size up to 2,499 sq. ft. as-of-right within the Sacramento Street Neighborhood Commercial District, and any use size 2,500 sq. ft. and above requires Conditional Use Authorization.

The Project will occupy a below-grade tenant space that was previously occupied by a Business or Professional use of equal size. The existing space includes approximately 2,072 gross square feet at the basement level of a multi-story, mixed-use building.

D. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department.

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

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

Although located below grade, the size of the proposed use is in keeping with other storefronts on the block face. The proposed Health Services use provides services to the general public but will not affect traffic or parking in the District because it is specialized service that will rely on scheduled appointments rather than walk-in customers. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by occupying a partially subterranean storefront.

The property owner is a doctor that currently practices from a leased office space less than one mile from the subject site. The Project will allow continued service to existing patients and future patients who live in the surrounding area.

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

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

The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The tenant space is approximately four feet below the adjoining sidewalk along Sacramento Street with windows below knee level. The space has limited exposure and isn't attractive to retailers due to the inability to interact with pedestrians.

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

The Planning Code does not require parking or loading for a 2,072 square-foot Business or Professional Service use. 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 Orthodontics office is open two days per week. On those days of operation patients will be encouraged to park at the Jewish Community Center parking facility, which is less than a quarter mile away from the site.

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

No noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed Project.

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

The proposed Health Services use does not propose any exterior alterations to the building. There will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.

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

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

- 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 purposes of the Sacramento Street NCD in that the intended use is not located above the first story, will provide a compatible Health Service that provides a medical use to the public in the immediately surrounding neighborhoods during daytime hours.

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

NEIGHBORHOOD COMMERCE

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 that has substantial undesirable consequences that cannot be mitigated.

The proposed Health Services use would be compatible with and complementary to the type of uses characterizing the Sacramento NCD, a small-scale linear shopping area, which includes a mixture of daytime-oriented uses such as elegant retail stores and personal services that attract customers from a wider trade area.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed development will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. The proposed use will not result in undesirable consequences. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

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 will provide a new commercial activity to the Neighborhood Commercial District and will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood. The Project is not a Formula Retail use.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies 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.

Existing neighborhood-serving retail uses are not impacted by the establishment of the proposed medical office. The existing space is four feet below the grade and does not provide adequate street exposure for pedestrian interaction. Also with the space located below the sidewalk, display of goods and products would be limited.

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

Existing residential units on upper floors and in the surrounding neighborhood would not be adversely affected by the Project. The proposal does not affect housing or change the character of the building.

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

The Project has no effect on housing and does not convert housing to a non-residential use.

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

The site is on Sacramento Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The subject site has four MUNI bus lines located within one block (1-California, 2-Clement, 3-Jackson and 43-Masonic).

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

The Project 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 Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the 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. No modifications to the building exterior are proposed.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2018-007049CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 24, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 14, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 14, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish a Health Services use (dental/orthodontics office) located at 3378 Sacramento Street, Block 1008, and Lot 049 pursuant to Planning Code Sections 303, 724 and 102 within the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated **January 24, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-007049CUA** and subject to conditions of approval reviewed and approved by the Commission on **February 14, 2019** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

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 **February 14, 2019** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

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

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

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

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

DESIGN

6. **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

MONITORING - AFTER ENTITLEMENT

7. **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

8. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

9. **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>

10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to

the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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8 | DISABLED ACCESS 20% RULE

7	D. A. CHECKLIST
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I BUILDING DATA



Form C: DISABLED ACCESS 20% RULE

This form is only required for projects equal to or under the valuation threshold when box "C" is checked off on the D.A. Checklist and is for providing an itemized list of the estimated costs for the expenditures used for disabled access upgrades for this project. Reproduce this form along with the D.A. Checklist and any required form(s) on the plans.

Based on CBC Section 11B-202.4 Exception 8, only projects with a construction cost less than or equal to the valuation threshold (current ENR Construction Cost Index Amount) are eligible for the 20% rule. In choosing which accessible elements to provide, priority should be as listed on p. 2 of the D.A. Checklist.

In general, projects valued over the threshold are not eligible for the 20% rule (see CBC 11B-202.4 Exceptions¹ through 8 for other exceptions).

CBC Section 11B-202.4, Exception 9 (*abbreviated*): In alteration projects involving buildings & facilities previously approved & built without elevators, areas above & below the ground floor are subject to the 20% disproportionality provisions described in Exception 8, even if the value of the project exceeds the valuation threshold in Exception 8. Refer to the Code for the types of buildings & facilities that qualifies for this 20% disproportionality provisions when project valuation is over the threshold.

	Contractor's Estimated Cost	DBI Revised Cost
A) Cost of Construction: (Excluding Alterations to the Path of Travel as required by 11B-202.4)	\$ 80,000	\$
B) 20% of A) :	\$ 16,000	\$

List the Upgrade Expenditures and their respective construction cost below:

1. RESTROOM 1 UPGRADE	\$ 15,000	\$
2. SIGNAGE	\$ 1,000	\$
3.	\$	\$
4.	\$	\$
5.	\$	\$
6.	\$	\$
7.	\$	\$
8.	\$	\$
9.	\$	\$

Total Upgrade Expenditures	\$ 16,000	\$
Should be approximately equal to, but not to exceed, Line 5		

D.A. CHECKLIST (p. 2 of 2): The address of the project is : 3378 SACRAMENTO STREET

Check all applicable boxes and specify where on the drawings the details are shown:

	Existing Fully Complying	Will be Upgraded to Full Compliance	Equivalent facilitation will provide full access	Compliance is Technically Infeasible	Approved in compliance with immediately preceding code	Not required by Code (senior name existing)	Non-compliant request (RR) Must be certified by AAC	Location of data(s)- include detail no. & drawing sheet (do not leave this part blank). Also clarification comments can be written here.
A. One accessible entrance including: approach walk, vertical access, platform (landings), door / gate and hardware for door/gate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	UPGRADE OF ENTRANCE IS TECHNICALLY INFEASIBLE
B. An accessible route to the area of remodel including: Parking/access aisles and curb ramps Curb ramps and walks Corridors, hallways, floors Ramps/elevators, lifts	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	EXCEPT ENTRY
C. At least one accessible restroom for each sex or a single unisex restroom serving the area of remodel.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(E) RR1 WILL BE UPGRADED PER I/A-21
D. Accessible public pay phone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
E. Accessible drinking fountains.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
F. Additional accessible elements such as parking, stairways, storage, alarms and signage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
See the requirements for additional forms listed below	1.	2.	3.	4.	5.	6.	7.	

1. No additional forms required
2. No additional forms required
3. Fill out Request for Approval of Equivalent Facilitation form for each item checked and attach to plan.
4. Fill out Request for Approval of Technical Infeasibility form for each item checked and attach to plans.
5. Provide details from a set of City approved reference drawings, provide its permit application number _____ and list reference drawing numbers on plans.
6. No additional forms required
7. Fill out Request for an Unreasonable Harassment form for each item checked and attach to plan. All UHR must be ratified by the Access Appeals Commission (see UHR form for details)

D.A. CHECKLIST (p. 1 of 2): The address of the project is : 3378 SACRAMENTO STREET

For ALL tenant improvement projects in commercial use spaces, both pages of this checklist are required to be reproduced on the plan set and signed.

1. The proposed use of the project is DENTAL OFFICE (e.g. Retail, Office, Restaurant, etc.)
2. Describe the area of remodel, including which floor: HALF-BASEMENT (44" BELOW SIDEWALK)
3. The construction cost of this project excluding disabled access upgrades to the path of travel is \$ 200,000, which is: (check one) / ☒ more than / ☐ less than the Accessibility Threshold amount of \$250,000 based on the "2013 ENR Construction Cost Index" (The cost index & threshold are updated annually).
4. Is this a City project and/or does it receive any form of public funding? Check one: ☐ Yes / ☒ No
- Note: If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.

Conditions below must be fully documented by accompanying drawings

5. Read A through D below carefully and check the most applicable boxes. Check one box only:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required:
Fill out page 2 of D.A. Checklist |
| <input type="checkbox"/> | B: Project Adjusted cost of construction is greater than the current valuation threshold:
Fill out and attach page 2 of D.A. Checklist and any other required forms to plans |
| <input checked="" type="checkbox"/> | C: Project adjusted cost of construction is less than or equal to the current valuation threshold:
List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column. |
| <input type="checkbox"/> | D: Proposed project consists entirely of Barrier removal:
Fill out and attach Barrier removal form to Plans |
| <input type="checkbox"/> | E: Proposed project is minor revision to previously approved permit drawings only.
(Note: This shall <u>NOT</u> be used for new or additional work) Provide previously approved permit application here: _____ Description of revision: _____ |

CBC chapter 2 section 202 Definitions:

Technically Infeasible. An alteration of a building or a facility, that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

Unreasonable Hardship. When the enforcing agency finds that compliance with the building standard would make the specific work of the project effected by the building standard infeasible, based on an overall evaluation of the following factors:

1. The cost of providing access.
2. The cost of all construction contemplated.
3. The impact of proposed improvements on financial feasibility of the project.
4. The nature of the accessibility which would be gained or lost.
5. The nature of the use of the facility under construction and its availability to persons with disabilities

The details of any Technical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be ratified by the AAC.

2	DRAWING INDEX
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A - 10	BLDG DATA, NOTES, LOCATION PLAN, DRAWING INDEX, EXISTING FLOOR PLAN, D. A. CHECKLIST
A - 21	PROPOSED FLOOR PLAN, DOOR SCHEDULE, INT. ELEVATIONS OF RESTROOMS, EXISTING CONDITION IN PHOTOS
A - 22	REFLECTED CEILING PLAN W/ LEGEND, FLOOR PLAN WITH FRAMING DIMENSIONS
A - 23	ELECTRICAL PLAN, SPECIFICATIONS, NOTES AND LEGEND
A - 24	PLUMBING PLAN, SPECIFICATIONS, NOTES AND LEGEND

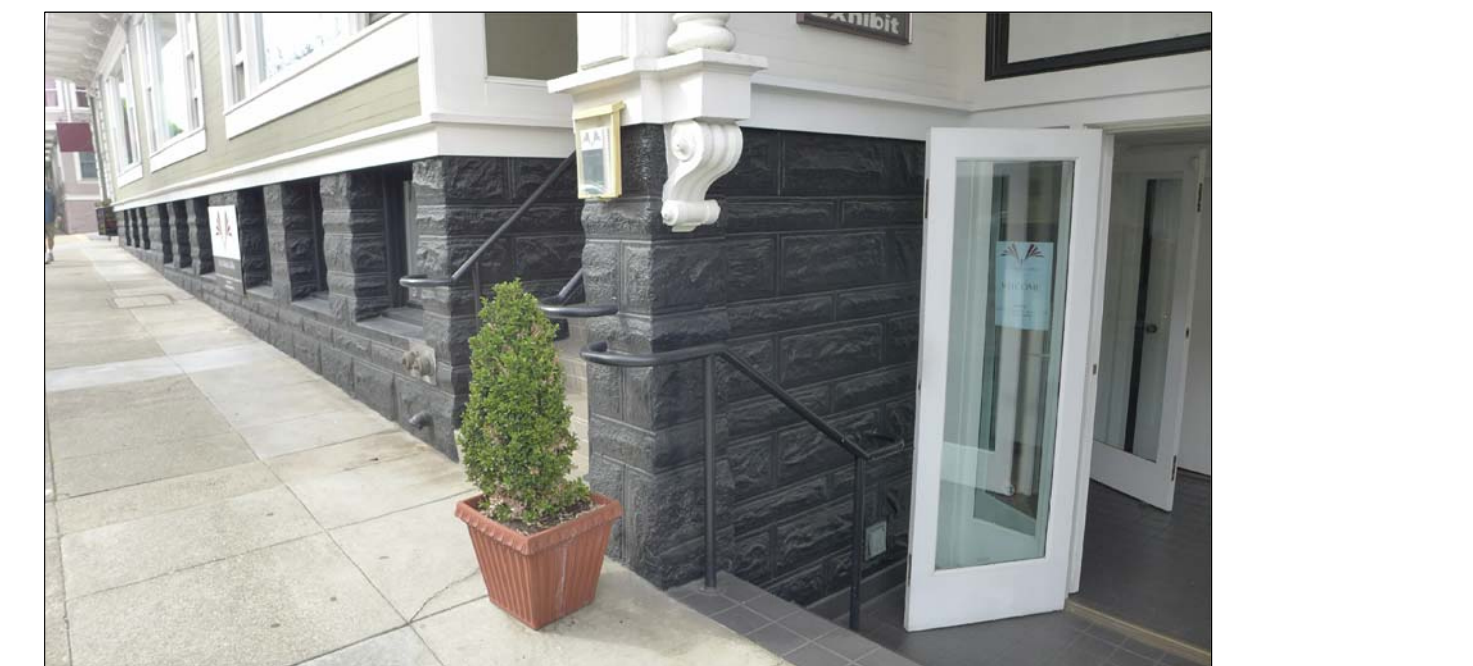
SPE. 1 MECHANICAL DETAILS FOR DENTAL EQUIPMENT

SPE. 2 MECHANICAL DETAILS FOR DENTAL EQUIPMENT

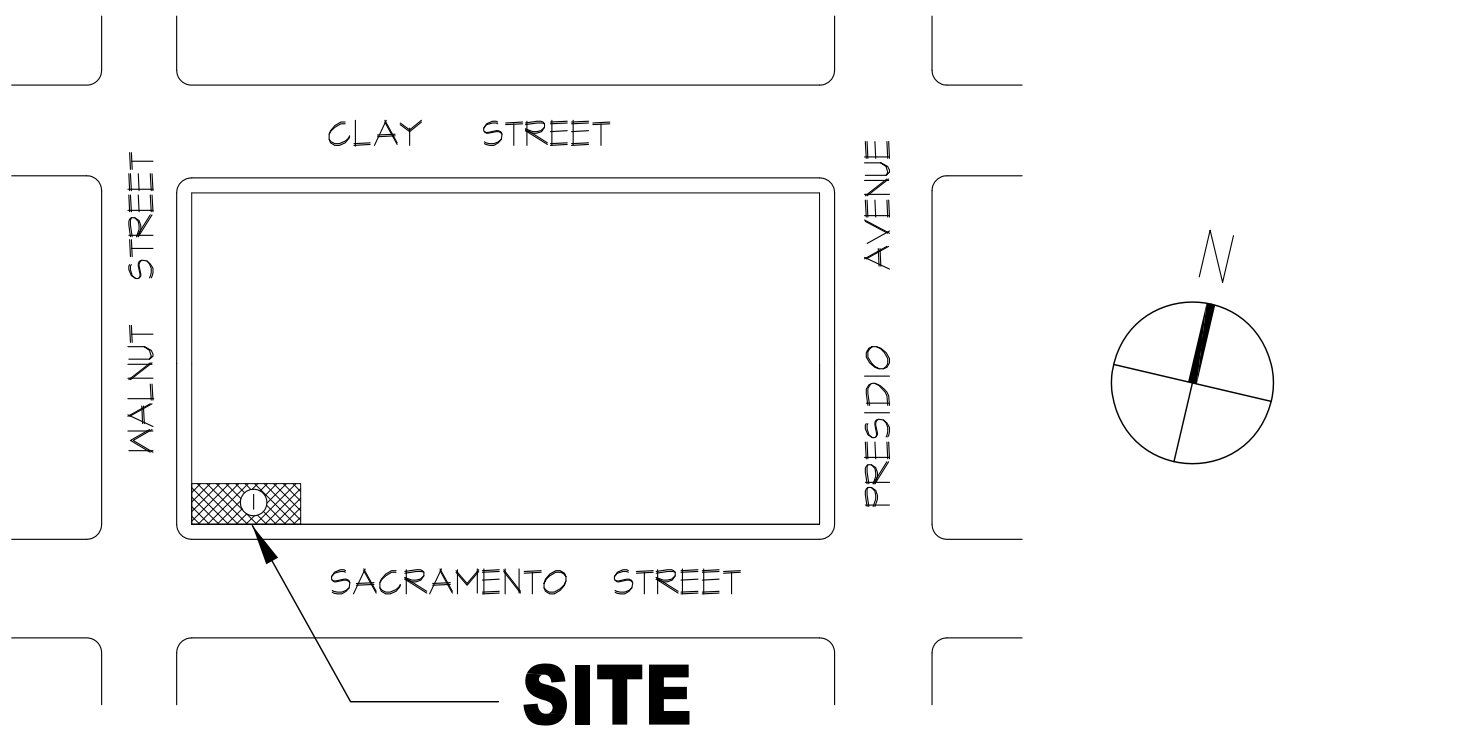
3	NOTES
---	-------

1. PROPOSED PROJECT MAKES NO ALTERATION TO THE EXTERIOR.
2. EXISTING MECHANICAL SYSTEM AND SPRINKLER SYSTEM ARE TO BE MODIFIED PER CODE FOR NEW LAYOUT.
3. MOST OF DENTAL FURNITURE AND EQUIPMENT ARE TO BE MOVED FROM (E) OFFICE AT 3412 GEARY BLVD.
4. EXISTING - THERE ARE TWO MEANS OF EGRESS FOR THIS SPACE, ONE FROM THE ENTRY AND THE OTHER IS A STAIR AT OPPOSITE END OF SPACE, LEADING OUT ONTO WALNUT STREET.
5. ELECTRICAL PERMIT TO BE SEPARATE BY ELECTRICAL SUB-CONTRACTOR.
6. MODIFICATIONS TO EXISTING SPRINKLER SYSTEM AND HVAC SYSTEM ARE TO BE UNDER SEPARATE PERMITS.

4	PHOTO OF EXTERIOR OF SPACE
---	----------------------------



5	LOCATION PLAN
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6	STAMPS
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DENTAL OFFICE FOR DR. YAN KALIKA
3378 SACRAMENTO STREET
SAN FRANCISCO CA 94118

BUILDING DATA, INDEX, NOTES
LOCATION PLAN, D.A. CHECKLIST
(E) FLOOR PLAN W/ EXTENT OF DEMO.

DATE	20141230
JOB NO.	1420-YKO
SCALE	1/4"=1'-0"
DRAWN	HCA
CHECKED BY	HCA

SHEET

A-10

OF 7 TOTAL

6 EXISTING BUILDING CONDITION IN PHOTOS

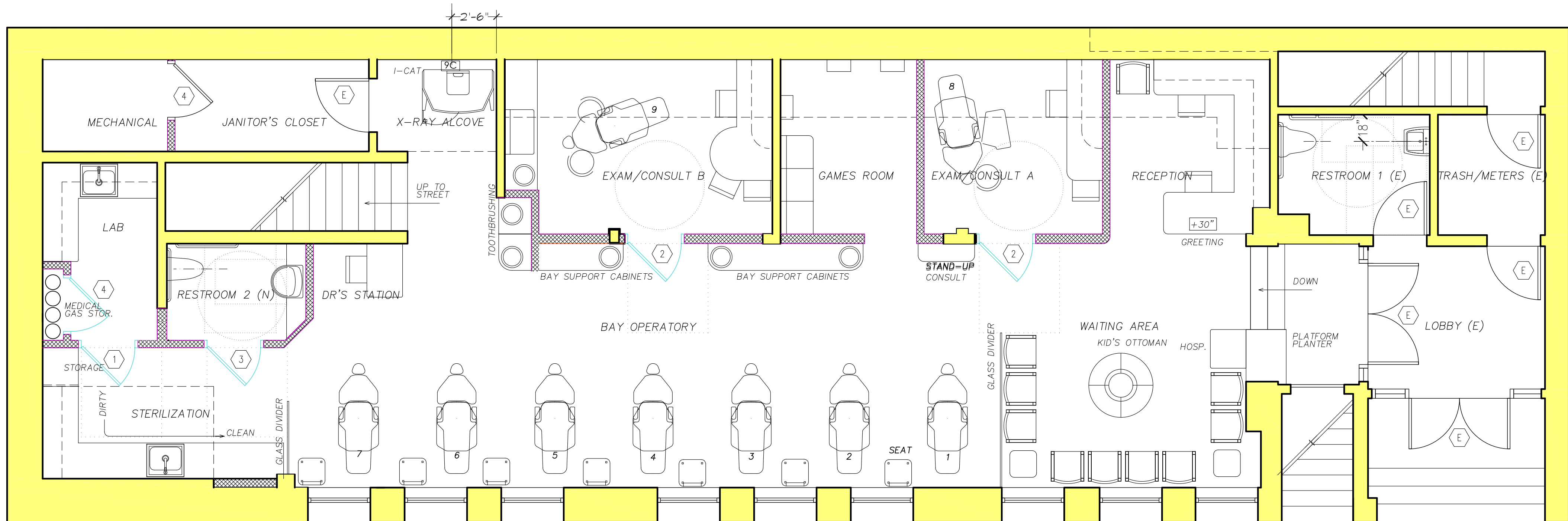


BUILDING EXTERIOR (NO CHANGE PROPOSED)



VIEW FROM ENTRY LANDING

7 PROPOSED FLOOR PLAN

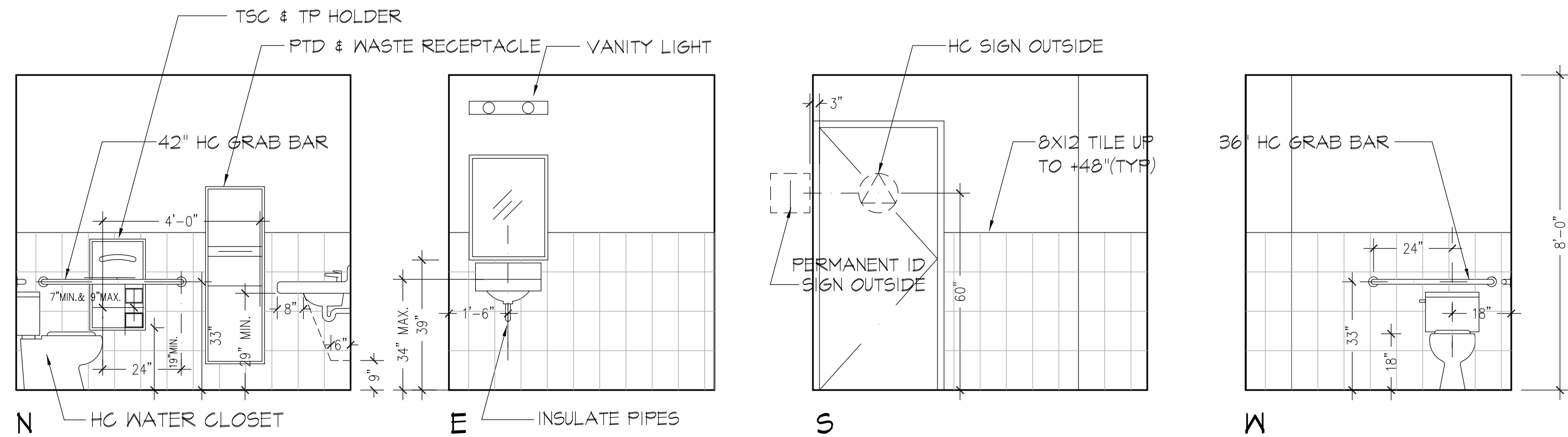


WALL LEGEND:

- EXISTING WALL TO REMAIN
- NEW WALL

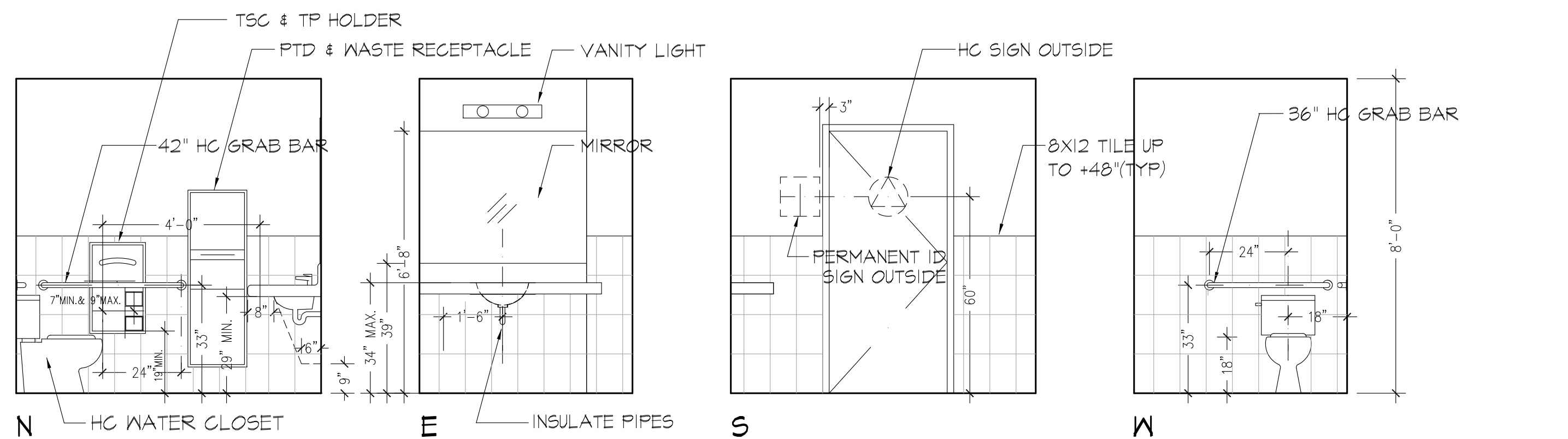
1 INTERIOR ELEVATIONS OF RESTROOM 1

SCALE = 3/8" = 1'-0"



2 INTERIOR ELEVATIONS OF RESTROOM 2

SCALE = 3/8" = 1'-0"



3 DOOR SCHEDULE

NO SCALE

NUMBER	DESCRIPTION
(E)	EXISTING DOOR TO REMAIN
(1)	3070 S. C. DOOR, STAINED BIRCH FINISH
(2)	3070 FRENCH DOOR W/ CLEAR GLASS
(3)	3070 S.C. DOOR W/ KICK PLATE, BIRCH FINISH
(4)	3070 S. C. DOOR W/ SEAL, STAINED BIRCH FINISH

NOTE: 1. ALL HARDWARE TO BE LEVER DESIGN FOR ADA COMPLIANCE.

4 REINFORCEMENT SPECIFICATIONS

BLOCKING SCHEDULE

REINFORCEMENT SPECIFICATIONS

PLEASE NOTE: ALL REQUIREMENTS TO BE VERIFIED BY MANUFACTURER'S SPEC SHEETS PROVIDED BY HENRY SCHEIN DENTAL EQUIPMENT SPECIALIST. MANUFACTURER'S SPECS SUPERSEDE ANY AND ALL INFORMATION CONTAINED HEREIN.

QUANTITY	SPEC. NUMBER	DESCRIPTION	MECH. DETAIL	CONS. DETAIL
1	9C	CONE BEAM UNIT - CONTRACTOR TO PROVIDE REQ'D UTILITIES. REQUIRES A 3 WIRE GROUNDED CIRCUIT. X-RAY UNIT SUPPLIED AND INSTALLED BY HENRY SCHEIN DENTAL.	9C	9C

VACUUM SCHEDULE

PLEASE NOTE: ALL REQUIREMENTS TO BE VERIFIED BY MANUFACTURER'S SPEC SHEETS PROVIDED BY HENRY SCHEIN DENTAL EQUIPMENT SPECIALIST. MANUFACTURER'S SPECS SUPERSEDE ANY AND ALL INFORMATION CONTAINED HEREIN.

5 STAMPS

HCA
HESTON CHAU
ARCHITECT
1832 BUCHANAN STREET #206
SAN FRANCISCO
CA 94115-3252 USA

CELL (415) 567-8900
TEL (415) 567-8800

NO.	REVISION	DATE	BY

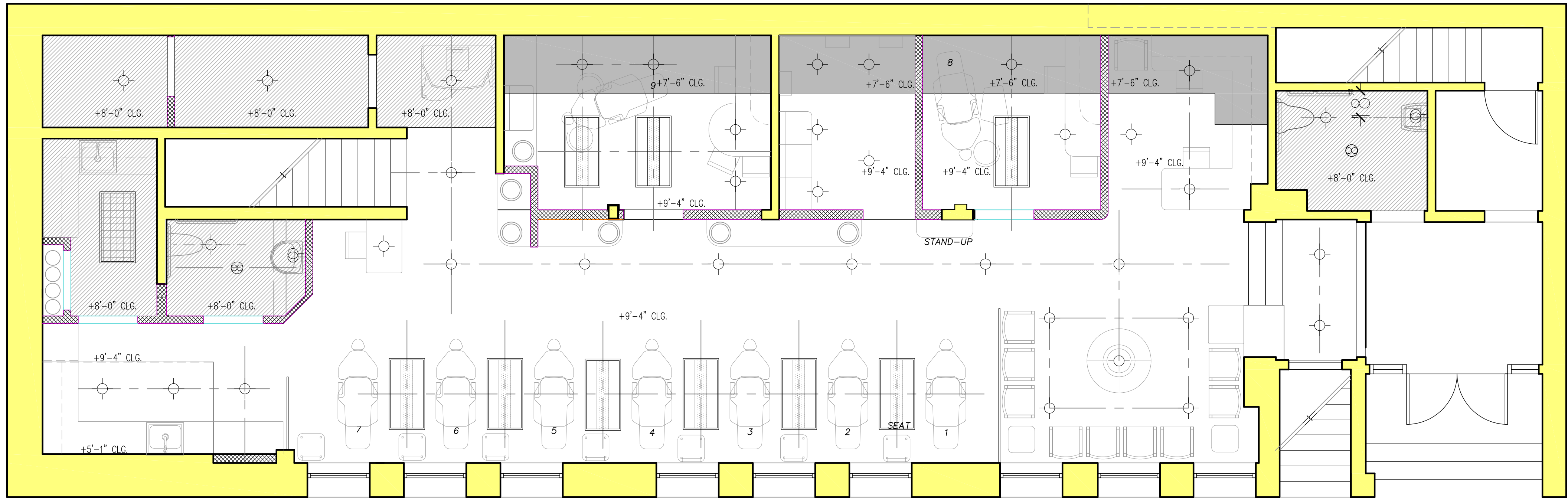
DENTAL OFFICE FOR DR. YAN KALIKA
3378 SACRAMENTO STREET
SAN FRANCISCO CA 94118

INTERIOR ELEVATIONS OF RESTROOMS
EXISTING CONDITION IN PHOTOS
PROPOSED FLOOR PLAN, DOOR SCHEDULE

DATE 20141228
JOB NO. 1420-YKO
SCALE 1/4"=1'-0"
DRAWN HCA
CHECKED BY HCA

SHEET
A-21
OF 8 TOTAL

4 PROPOSED REFLECTED CEILING PLAN



1 ELECTRICAL LEGEND

- F1 2X4 FLOURESCENT FIXTURE
(2) T-8 LAMPS
(PARABOLIC LENS)
- F2 1X4 FLOURESCENT FIXTURE
(2) T-8 LAMPS
(INDIRECT LIGHTING) BOTTOM @ 8'-0"
- F3 2X4 FLOURESCENT FIXTURE
(3) T-8 LAMPS
(INDIRECT LIGHTING)
- F4 VANITY LIGHT W/ 2-13 W BULBS
- F5 RECESSED MR16
- F6 RECESSED SPOT LIGHT
- F7 WALL SCONCE MOUNTED @ +84"
- F8 CEILING MOUNTED
FAN/LIGHT FIXTURE
80 CFM (2x18 WATTS)
- F9 VALENCE LIGHTING
@+57" W/ COUNTER @+36" &
@+51" W/ COUNTER @+30"
- I1 WALL MOUNTED FIXTURE
W/ DOOR SWITCH
- EXHAUST FAN
- EXIT SIGN W/
DIRECTIONAL ARROW @ CEILING
- COMPUTER OUTLET @+18" UON
- PHONE OUTLET @+18" UON
- SWITCH
- 3-WAY SWITCH
- DUPLEX OUTLET @+18" UON
- 220 V OUTLET @+18" UON
- QUADPLEX OUTLET @+18" UON

HCA
HESTON CHAU
ARCHITECT
1832 BUCHANAN STREET #206
SAN FRANCISCO
CA 94115-3252 USA

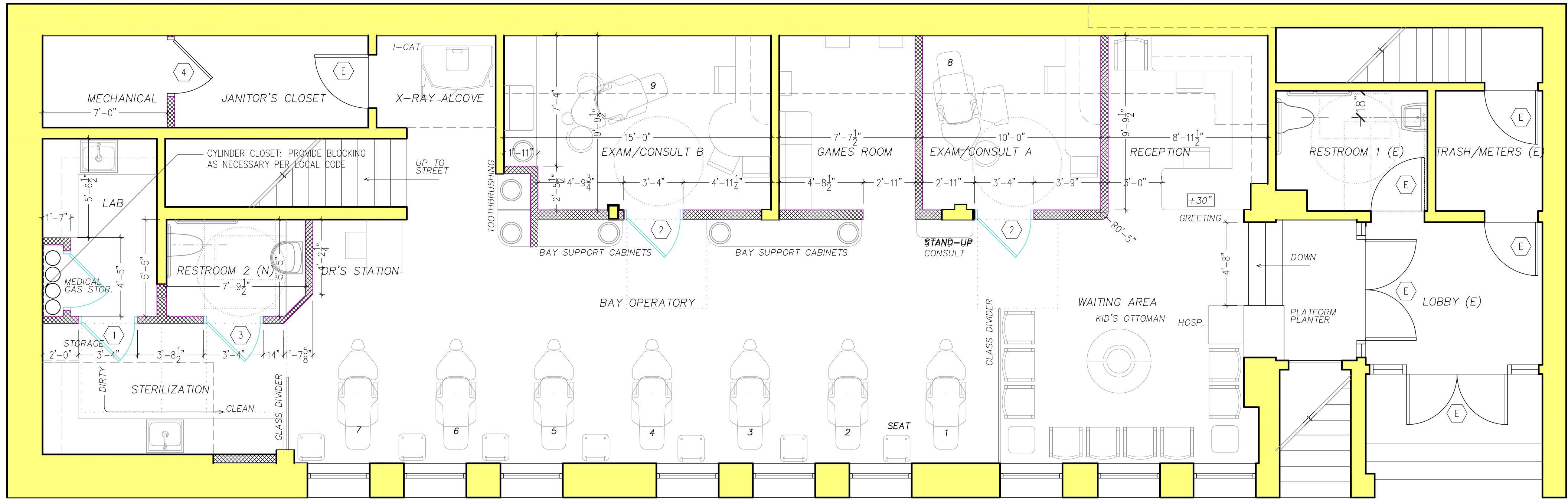
REGISTERED ARCHITECT
STATE OF CALIFORNIA
C-10870
NOV 2015
RENEWED

CELL (415) 567-8900
TEL (415) 567-8800

REVISION		
NO.	DATE	BY

2 NOT USED

5 FLOOR PLAN W/ FRAMING DIMENSIONS



3 STAMPS

DENTAL OFFICE FOR DR. YAN KALIKA
3378 SACRAMENTO STREET
SAN FRANCISCO
CA 94118

REFLECTED CEILING PLAN W/ LEGEND
FLOOR PLAN WITH FRAMING DIMENSIONS

DATE	20141228
JOB NO.	1420-YKO
SCALE	1/4"=1'-0"
DRAWN	HCA
CHECKED BY	HCA
SHEET	A-22
OF	8
TOTAL	

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SAN FRANCISCO PLANNING DEPARTMENT

EXHIBIT**C**

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
3378 SACRAMENTO ST		1008049
Case No.		Permit No.
2018-007049PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Change of Use Authorization application to permit a change of use from retail professional services to health services.		

STEP 1: EXEMPTION CLASS

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

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: 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"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.

If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.

Comments and Planner Signature (optional): Laura Ajello

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

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

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

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

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

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

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER) </div> </div>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Commission Hearing If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: Laura Ajello 01/27/2019
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

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)
3378 SACRAMENTO ST		1008/049
Case No.	Previous Building Permit No.	New Building Permit No.
2018-007049PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

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:	Date:



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 3378 SACRAMENTO ST
RECORD NO.: 2018-007049CUA

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

Reception:
415.558.6378

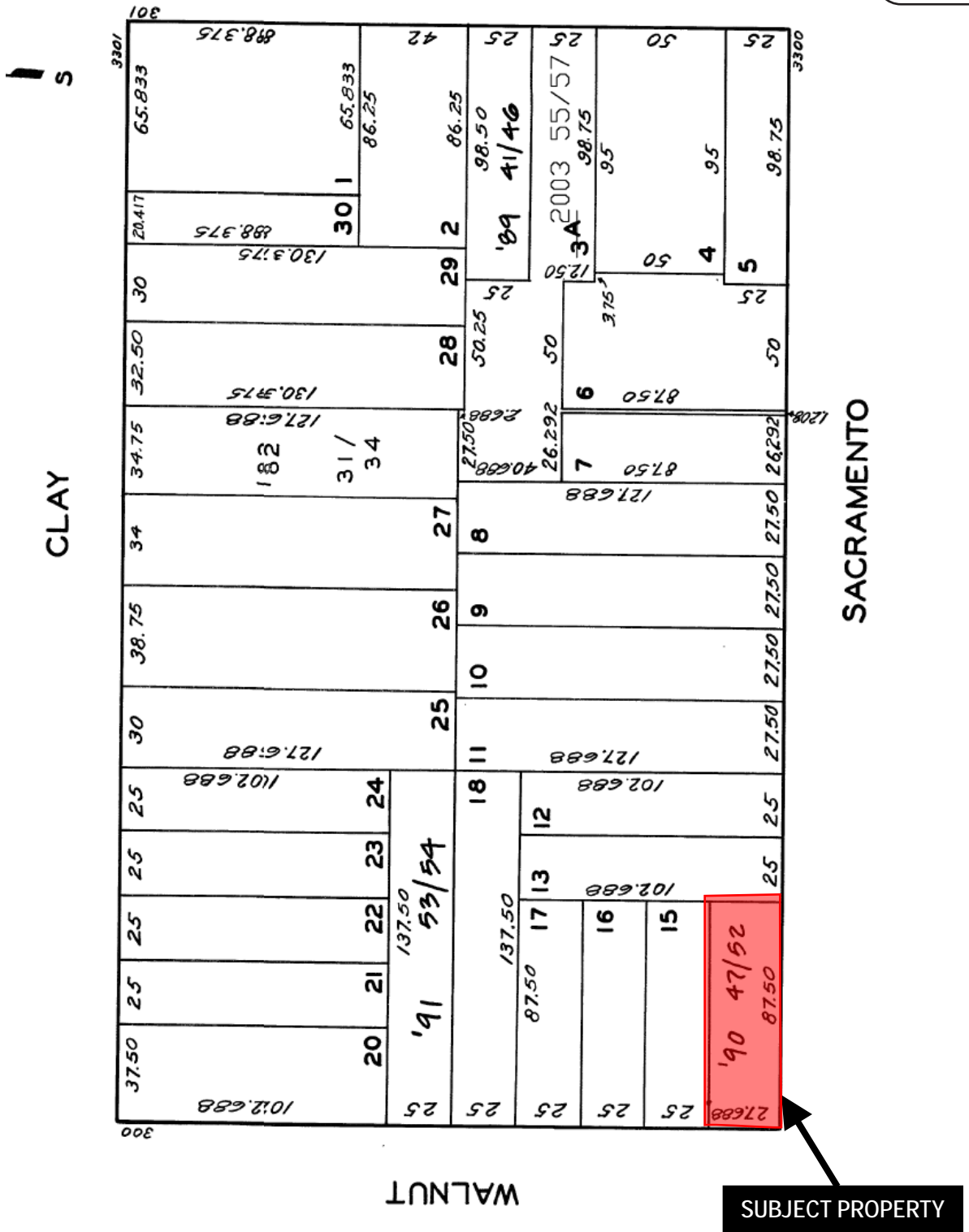
Fax:
415.558.6409

Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	0	0
Residential GSF	4,575	4,575	0
Retail/Commercial GSF	n/a	0	0
Office GSF	2,072	0	0
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>	0	0	0
Medical GSF	0	2,072	2,072
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	n/a	n/a	0
Public Open Space	n/a	n/a	0
Other ()	n/a	n/a	n/a
TOTAL GSF	6,647	6,647	0
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	4	0	4
Dwelling Units - Total	4	0	4
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	3	0	3
Parking Spaces	0	0	0
Loading Spaces	0	0	0
Bicycle Spaces	0	0	0
Car Share Spaces	0	0	0
Other ()	n/a	n/a	n/a

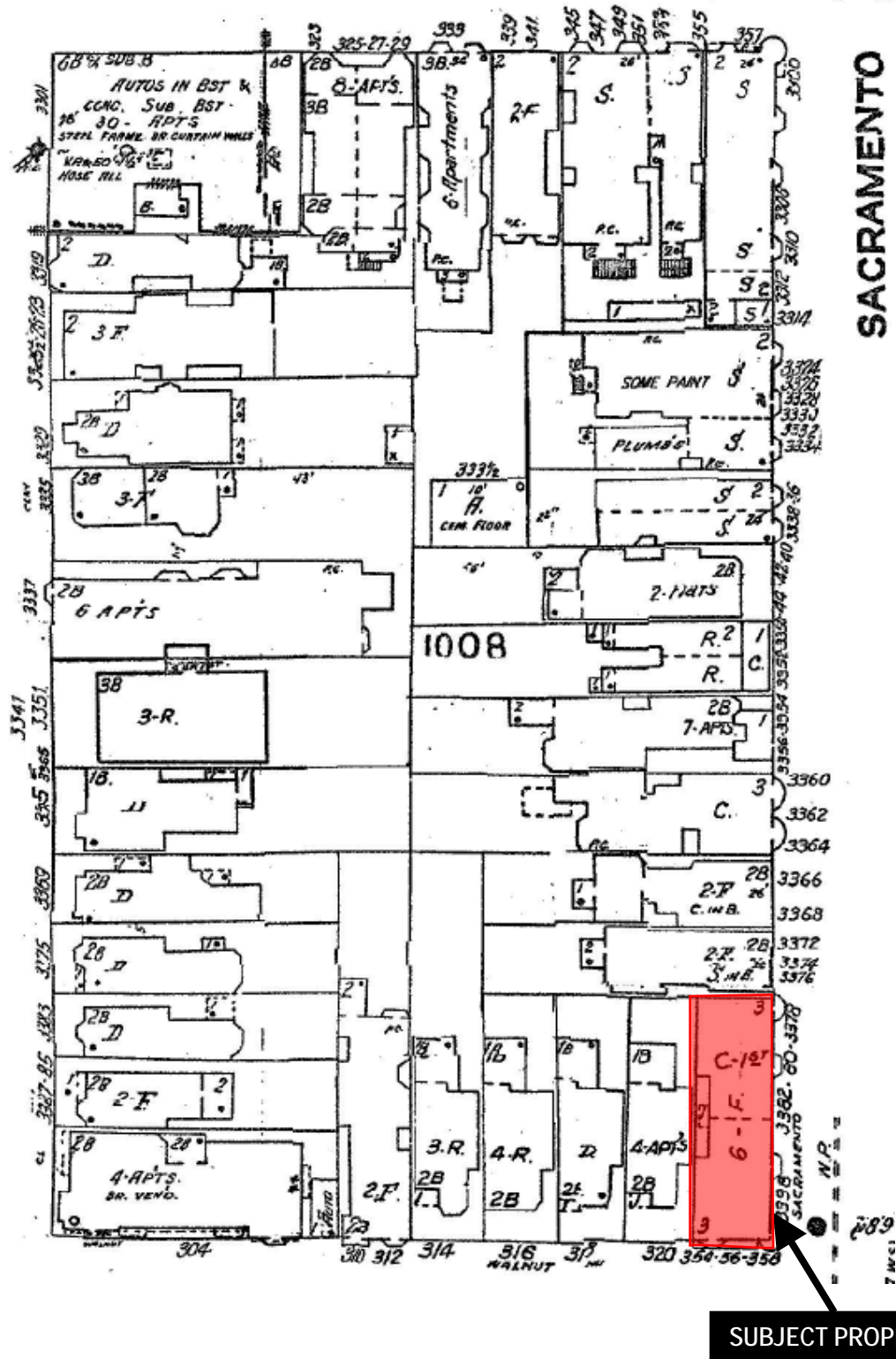
Parcel Map

EXHIBIT
E



Conditional Use Hearing
Case Number 2018-007049CUA
3378 Sacramento Street

Sanborn Map*

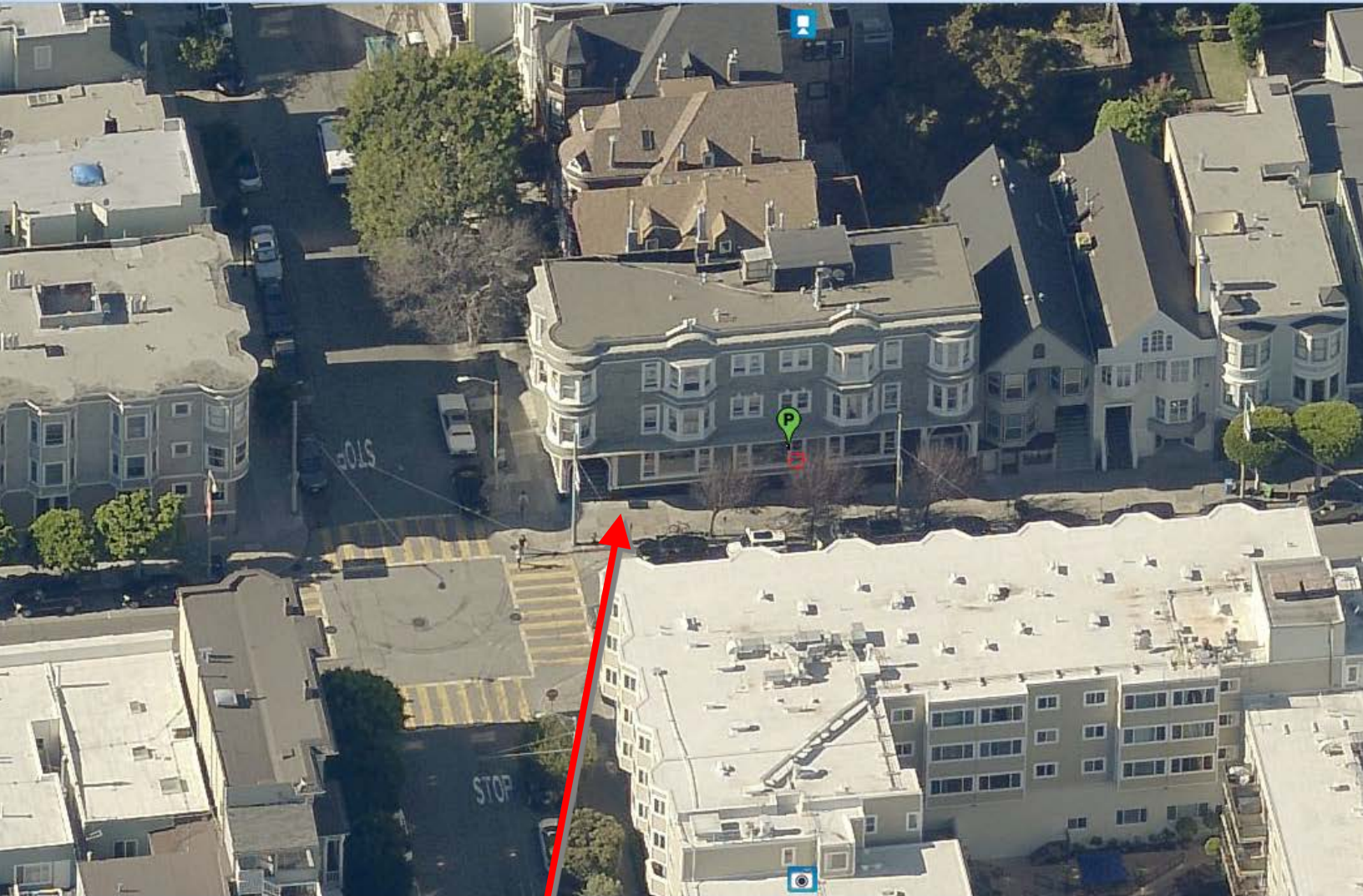


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Hearing
Case Number 2018-007049CUA
3378 Sacramento Street

Aerial Photo

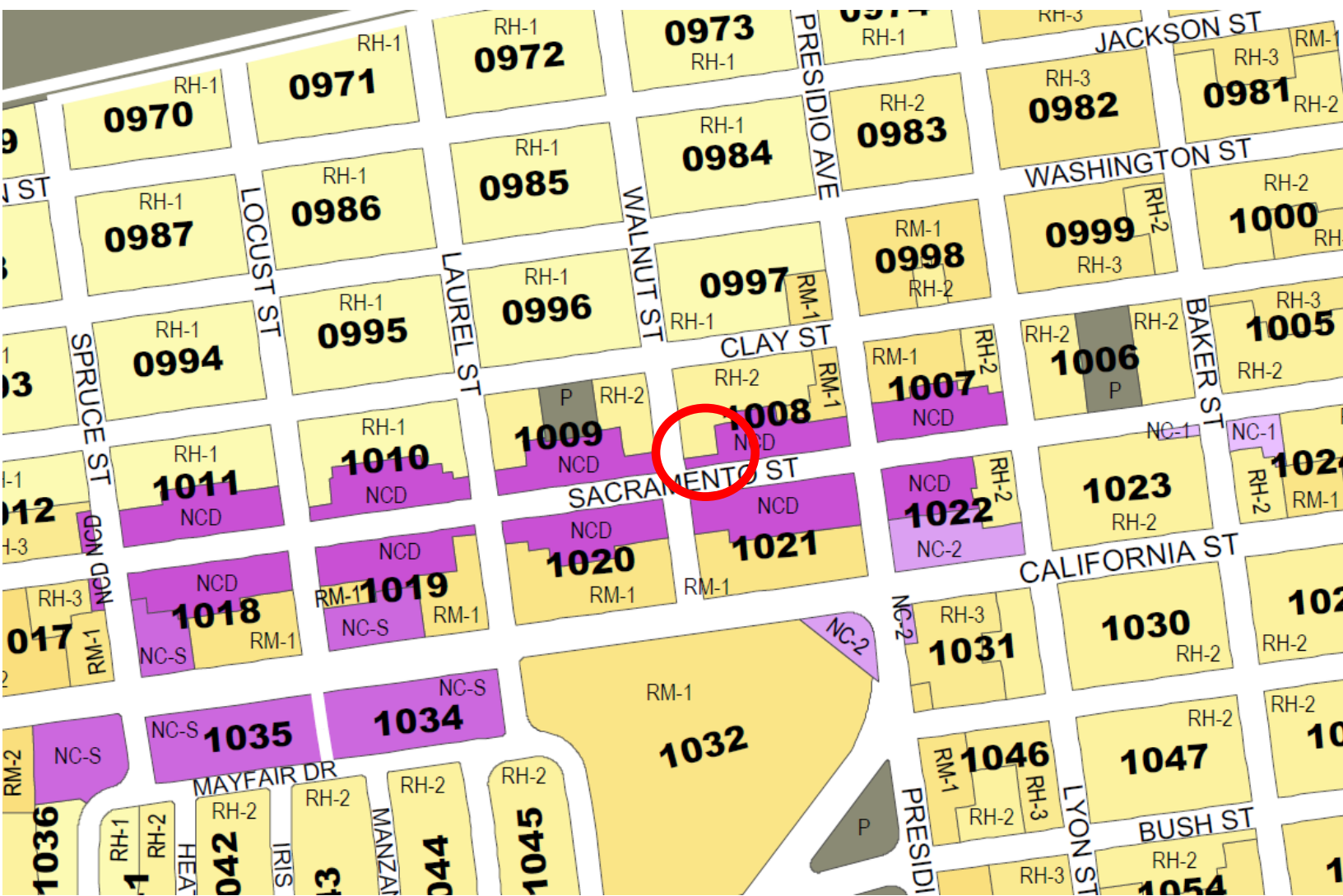


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2018-007049CUA
3378 Sacramento Street

Zoning Map



Conditional Use Hearing
Case Number 2018-007049CUA
3378 Sacramento Street

Site Photo 1



Sacramento Street Frontage

Conditional Use Hearing
Case Number 2018-007049CUA
3378 Sacramento Street

Site Photo 2



Walnut Street Frontage

Conditional Use Hearing
Case Number 2018-007049CUA
3378 Sacramento Street



January 29, 2019

President and Members of
the San Francisco Planning
Commission ;

In considering 2018-007049CUA for 3378 Sacramento Street, scheduled for Feb. 14, 2019 I would add the following :

- The proposed Orthodontics practice is currently performed from leased office space .08mi from the project site.
- The proposed Orthodontics office operates 2 days each week, and includes a staff of _____ persons.
- At least 75% of the patients come from the surrounding neighborhoods of Laurel Heights, Jordan Park, Anza Vista, Pacific Heights, and Inner/Outer Richmond.
- Granting the CUA is necessary and desirable to allow the continued service to existing and future patients, many of them children who live in the surrounding neighborhoods without generating substantially new pressures on the immediate Sacramento Street neighborhood.
- While the proposed location is on a commercial street, the interior space is approximately 4ft below the sidewalk. The Sacramento Street frontage of the proposed location has windows below knee level offering limited exposure and not attractive for traditional retail activities.
- The proposed Orthodontics Office promotes relevant objectives and policies of the SF Master Plan, and is consistent with Planning Code Section 101.1.

I therefore respectfully ask that you support my small local business by granting CUA2018-007049. I am always available for further questions.

Sincerely,

Dr. Yan Kalika

RECEIVED

By Laura Ajello at 11:44 am, Feb 04, 2019



CONDITIONAL USE AUTHORIZATION APPLICATION

Property Owner's Information

Name: _____

Address: _____

Email Address: _____

Telephone: _____

Applicant Information (if applicable)

Name: _____

Same as above ☐

Company/Organization: _____

Address: _____

Email Address: _____

Telephone: 415-377-5286

Please Select Billing Contact:

☐ Owner

☐ Applicant

☐ Other (see below for details)

Name: _____ Email: _____ Phone: _____

Please Select Primary Project Contact:

☐ Owner

☒ Applicant

☐ Billing

Property Information

Project Address: _____

Block/Lot(s): _____

Plan Area: _____

Project Description:

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

Project Details:

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

Estimated Construction Cost: _____

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

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

Related Building Permits Applications

Building Permit Applications No(s): _____

PROJECT AND LAND USE TABLES

If you are not sure of the eventual size of the project, provide the maximum estimates.

General Land Use Category		
	Existing (Square footage area)	Proposed (Square footage area)
Parking GSF		
Residential GSF		
Retail/Commercial		
Office		
Industrial-PDR		
Medical		
Visitor		
CIE (Cultural, Institutional, Educational)		
Useable Open Space		
Public Open Space		

Project Features		
	Existing Unit(s) (Count)	Proposed Unit(s) (Count)
Dwelling Units - Affordable		
Hotel Rooms		
Dwelling Units - Market Rate		
Building Number		
Stories Number		
Parking Spaces		
Loading Spaces		
Bicycle Spaces		
Car Share Spaces		
Public Art		
Other		

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

ACTION(S) REQUESTED

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

CONDITIONAL USE FINDINGS

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

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

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

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

PRIORITY GENERAL PLAN POLICIES FINDINGS

PLANNING CODE SECTION 101

(APPLICABLE TO ALL PROJECTS)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

Please respond to each policy; if it's not applicable explain why:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3. That the City's supply of affordable housing be preserved and enhanced;
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

Please respond to each policy; if it's not applicable explain why:

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;

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

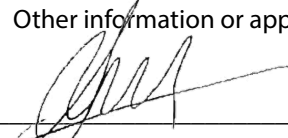
7. That landmarks and historic buildings be preserved; and

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

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

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



Signature

Name (Printed)

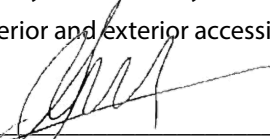
Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

APPLICANT'S SITE VISIT CONSENT FORM

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



Signature

Name (Printed)

Date

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

PLANNING CODE SECTION 303(C) FINDINGS

1. Dr. Kalika currently practices from a leased office space located at 3412 Geary Blvd. That office is .08mi from the proposed location. Dr. Kalika's existing patients live in the surrounding neighborhoods of Laurel Heights, Jordan Park, Anza Vista, Pacific Heights, Lower Pacific Heights and the Inner/Outer Richmond, and other neighborhoods in the western portion of San Francisco.

Approval of the subject Conditional Use application is necessary to allow continued service to existing and future patients who already live in the surrounding neighborhoods. Furthermore, Dr. Kalika owns the commercial condominium space at 3378 Sacramento St. and has been forced to rent to other small businesses. The previous tenant also required authorization by the City Planning Commission. Approval is desirable to allow Dr. Kalika to practice his profession and provide Orthodontics within property he owns.

2. a) The location of the proposed Orthodontics office is in interior space approximately 4ft below the adjoining sidewalk along Sacramento St. The commercial space also includes windows (along Sacramento St.) below knee level. The proposed commercial space has limited exposure to Sacramento and isn't attractive to retailers because of the inability to interact with pedestrians.

b) The proposed Orthodontics office is opened only 2 days out of each week. On those days of operation patients will be encouraged to park in the Jewish Community Center parking facility at 3200 California St just 0.2mi walking distance away.

Even if patients do wish to park on Sacramento St. there is adequate on-street metered parking in the immediate area. Furthermore, because at least 75% of the patients come from the surrounding neighborhoods they have the option of riding public transit. Patients appointments are also generally outside peak commute hours and during the 2 days of operation isn't likely to contribute to congestion in the immediate area.

c) The nature of the proposed activity is such that no noxious odors noise or other offensive emissions are associated with the change of use.

d) The nature of the site is such that there are limited opportunities to improve existing street frontage.

3. The proposed use will comply with the applicable provisions of the planning Code, and will not adversely affect the Master Plan. The proposal promotes the following Master Plan Objectives and Policies:

NEIGHBORHOOD COMMERCE

OBJECTIVE 1:

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

Policy 1.1:

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

The proposed Health Service use would be compatible with and complimentary to the type of uses characterizing the Sacramento NCD, a small-scale linear shopping area, which includes a mixture of daytime-oriented uses such as specialty retail stores and personal services that attract customers from a wider trade area.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed development will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. The proposed use will not result in undesirable consequences. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

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 will provide a new commercial activity for the Neighborhood Commercial District and will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood. The Project is not a Formula Retail use.