



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 19, 2012

Date: April 12, 2012
Case No.: **2012.0074C**
Project Address: **1400 NORIEGA STREET**
Zoning: NC-2 (Small-Scale Neighborhood Commercial District)
40-X Height and Bulk District
Block/Lot: 2028/030
Project Sponsor: Frank Fung
1400 Noriega Street
San Francisco, CA 94122
Staff Contact: Sophie Hayward – (415) 558-6372
sophie.hayward@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposed project is a request for Conditional Use Authorization to allow a non-residential use that exceeds 4,000 square feet within an NC-2 (Neighborhood Commercial, Small-Scale) Zoning District, pursuant to Planning Code Sections 303 and 711.21.

The applicant proposes to change the use from two floors of office use to a medical services clinic. The subject building has been vacant for more than two years. The proposal includes tenant improvements to the interior of the subject building and minor tenant improvements to the exterior of the building, but the existing building's exterior envelope would not be enlarged. Based on plans submitted with the Application for Conditional Use Authorization, the scope of the proposed tenant improvements includes: widening the existing entrances on Noriega Street to meet ADA requirements and reconfiguring the ground floor to accommodate a pharmacy, waiting room, staff lounge, two restrooms, a stairwell, and storage space. The second story will be reconfigured to provide eight exam rooms, a nurses' station, two medical prep rooms, two restrooms, and storage, lobby, and waiting areas. The existing office space measures approximately 4,987 square feet, and will not be expanded as part of the proposed project.

The proposed new use is as a medical clinic run by the North East Medical Services (NEMS), a federally funded, private, non-profit comprehensive health center that serves over 30,000 members throughout the San Francisco Bay Area. The NEMS headquarters is at 1520 Stockton Street in San Francisco, and they have three additional satellite clinics. The proposed new clinic at 1400 Noriega Street will serve the Sunset District residents. The proposed use is not a Formula Retail use.

SITE DESCRIPTION AND PRESENT USE

The project is located on the northwest corner of Noriega Street and 21st Avenue, Block 2028, Lot 030. The property is located within the NC-2 (Neighborhood Commercial, Small-Scale) District with 40-X Height and Bulk district. The property is developed as a two-story office building with two entrances on Noriega Street, and access to the parking and rear yard from 21st Avenue. The subject building is a currently vacant commercial and office building that has not been occupied in more than two years. The subject property is a corner lot, with approximately 44 feet of frontage on Noriega Street and 93 feet of frontage on 21st Street. It has 73% lot coverage and includes a rear yard that along 21st Avenue that measures approximately 25 feet in length.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the intersection of Noriega and 21st Avenue. The NC-2 District has a variety of neighborhood-serving uses. A mixture of food establishments, personal services, and small retail establishments defines the District. The food service establishments are primarily full service restaurants. The surrounding properties are located within the RH-1 (Residential House, One-Family) and RH-2 (Residential House, Two-Family) 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	March 30, 2012	March 29, 2012	21 days
Posted Notice	20 days	March 30, 2012	March 30, 2012	20 days
Mailed Notice	20 days	March 30, 2012	March 29, 2012	21 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has received no public comment regarding the proposed project.

ISSUES AND OTHER CONSIDERATIONS

- The subject building is a two-story vacant office building that has been unoccupied for more than two years. The proposed new use is a neighborhood-serving community health clinic, and will occupy both floors of the structure and will include medical examination and prep rooms as well as a pharmacy, consultation room, and waiting rooms.
- The Department knows of no opposition to the proposed project.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a non-residential use that exceeds 4,000 square feet, pursuant to Planning Code Section 711.21.

BASIS FOR RECOMMENDATION

- The project provides a needed service to the surrounding residents, and is well located within a commercial corridor within an NC-2 Zoning District.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood, as the subject building is a currently vacant office building.
- The myriad services provided by the community health clinic will activate the Noriega Street streetscape throughout the day.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The medical clinic is not a Formula Retail use and would serve residents of the immediate neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Block Book Map

Sanborn Map

Aerial Photographs

Project Sponsor Submittal, including:

- Site Photographs

- 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 type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

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 19, 2012

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Case No.: **2012.0074C**
Project Address: **1400 NORIEGA STREET**
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 711.21 OF THE PLANNING CODE TO ALLOW A MEDICAL SERVICES USE (D.B.A. NORTH EAST MEDICAL SERVICES) IN A 4,987 SQUARE FOOT, TWO-STORY VACANT OFFICE BUILDING WITHIN THE NC-2 (SMALL-SCALE, NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 20, 2012, Frank Fung (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 711.21 to allow a medical services use (d.b.a. North East Medical Services) to operate in a two-story, 4,987 square foot vacant office space within the NC-2 (Small-Scale, Neighborhood Commercial) District and a 40-X Height and Bulk District.

On April 19, 2012, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.0074C.

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. 2012.0074C, 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 northwest corner of Noriega Street and 21st Avenue, Block 2028, Lot 030. The property is located within the NC-2 (Neighborhood Commercial, Small-Scale) District with 40-X Height and Bulk district. The property is developed as a two-story office building with two entrances on Noriega Street, and access to the parking and rear yard from 21st Avenue. The subject building is a currently vacant two-story office building that has not been occupied in more than two years. The subject property is a corner lot, with approximately 44 feet of frontage on Noriega Street and 93 feet of frontage on 21st Street. The subject building provides 73% lot coverage, and includes a rear yard along 21st Avenue that measures approximately 25 feet in length.
3. **Surrounding Properties and Neighborhood.** The project site is located at the intersection of Noriega and 21st Avenue. The Project site is located in an NC-2 District with a variety of neighborhood-serving uses. A mixture of food establishments, personal services, and small retail establishments defines the District. The food service establishments are primarily full service restaurants. The surrounding properties are located within the RH-1 (Residential House, One-Family) and RH-2 (Residential House, Two-Family) Districts.
4. **Project Description.** The applicant proposes to change the use from two floors of office use to a medical services clinic. The subject building has been vacant for more than two years. The proposal includes tenant improvements to the interior of the subject building and minor tenant improvements to the exterior of the building, but the existing building's envelope would not be enlarged. Based on plans submitted with the Application for Conditional Use Authorization, the scope of the proposed tenant improvements includes: widening the existing entrances on Noriega Street to meet ADA requirements and reconfiguring the ground floor to accommodate a pharmacy, waiting room, staff lounge, two restrooms, a stairwell, and storage space. The second story will be reconfigured to provide eight exam rooms, a nurses' station, two medical prep rooms, two restrooms, and storage, lobby, and waiting areas.

The existing office space measures approximately 4,987 square feet, and will not be expanded as part of the proposed project. As the project site is under 5,000 square feet in size, so there is no off-street parking requirement.

The proposed new use is as a medical clinic run by the North East Medical Services (NEMS), a federally funded, private, non-profit comprehensive health center that serves over 30,000 members throughout the San Francisco Bay Area. The NEMS headquarters is at 1520 Stockton Street in San Francisco, and they have three additional satellite clinics. The proposed new clinic at 1400 Noriega Street will serve the Sunset District residents. The proposed use is not a Formula Retail use. The proposal requires a change of use permit, and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process. The proposed use is a neighborhood-serving use.

NEMS offers primary medical care, including adult medicine, pediatrics, OB/GYN and specialty services including cardiology, allergy, ENT, radiology, and ophthalmology. NEMS also provides dental and optometry care. Ancillary services include laboratory, X-ray, and pharmacy services. Support services include health education, nutrition, and social services.

The proposed project will augment the primary care facility at the NEMS headquarters and will allow NEMS to serve the Sunset District community.

5. **Public Comment.** The Department has received no public comment at the time of the publication of this report.
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 Section 711.21 states that a Conditional Use Authorization is required for non-residential use-size that exceeds 4,000 square feet, as defined by Planning Code Section 790.30.

The buildings in this commercial corridor generally have extensive lot coverage, with corner buildings often providing full lot coverage. The proposed project does not include an expansion of the existing building's envelope, and would provide 75% lot coverage at the first and second stories. The existing building is consistent with the surrounding neighborhood in terms of height and massing.

The proposed new community medical center will be compatible with the adjacent and surrounding institutional, residential, commercial, and retail uses, and will not alter the neighborhood character or context. The proposed project will be a neighborhood-serving medical, health, and wellness center for the area residents.

- B. **Rear Yard Requirement in the NC-2 District.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 25 percent of the total depth of a lot in which it is situated, but in no case less than 15 feet. Planning Code Section 134(a)(1)(B) notes that the

required rear yard must be provided at the second story and above, and is not required at the ground level.

The proposal does not include any structural expansion. The rear yard meets the Planning Code requirement, which is to provide a rear yard at the second story and above that measures a minimum of 23'4" in length. The existing rear yard measures approximately 25' in length.

- C. **Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 300 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet. The Subject Property contains approximately 4,987 square-feet of occupied floor area and thus does not require any off-street parking.

Planning Code Section 151.1 permits up to one off-street parking space for every 300 square feet of occupied floor area. The existing building provides two off-street parking spaces (one of which is handicapped-accessible), accessible from 21st Avenue. These off-street parking spaces will remain.

- D. **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 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 43'6" of frontage on Noriega Street with approximately 27 feet devoted to either the medical clinic entrance or window space, which represents approximately 62% of the street facing elevation. The windows are clear and unobstructed. The active uses are within the first 25' of the building depth on the ground floor, and the floors are as close as possible to the level of the adjacent sidewalk. There are no changes proposed to the commercial frontage.

- E. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department.

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

A. The proposed new use, 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 size of the proposed use is in keeping with other storefronts on the block face. The proposed medical facility will provide much needed services for its primarily low-income patients residing in the Sunset District. Users of the health center will be predominantly neighborhood residents, and the clinic will therefore provide a package of services (listed above, that include adult medicine, pediatrics, OB/GYN, and other specialty and associated services) that is necessary and desirable for the neighborhood and for the community.

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 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 existing building is similar in height to most of the adjacent neighboring buildings and lower in height than some. The new facility will be compatible with the nearby commercial, residential, and retail uses, and will not significantly alter the neighborhood character or context. The proposed project will provide neighborhood-serving health and wellness services.

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 Planning Code does not require off-street parking or loading for the proposed use. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant numbers of vehicular trips from the immediate neighborhood or citywide. Because many of the users of the health center are anticipated to be from the surrounding neighborhood, the proposed project will not significantly impact vehicular traffic patterns. It is anticipated that many of the health clinic's users will either walk or take public transit to the site.

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

During the construction phase of the tenant improvements, some noise will be generated. The proposed project, like all projects, is subject to the City's Noise Ordinance as outlined in the Police Code. During demolition, the Applicant will enclose the site to minimize airborne particles. Construction will be limited to Monday through Saturday between the hours of 7:00AM and 6:00PM, and from 8:00AM to 5:00PM on Sundays. Upon completion of the proposed tenant improvement work, the proposed project will not generate any offensive odors, noxious fumes, glare, noise, or dust.

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

Two replacement street trees have been proposed for the Noriega Street elevation. Parking on the 21st Avenue frontage will be screened by a Code-complying fence.

- 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 NC-2 Districts in that the intended medical use will be located on two levels, and will provide neighborhood-serving medical care for the community.

- 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 development will provide desirable goods and health services to the neighborhood and will provide resident employment opportunities to those in the community. The proposed project will occupy a vacant office space and does not propose a physical expansion, thus minimizing negative consequences to the surrounding neighborhood character. 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 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The Project will provide a neighborhood-serving health clinic 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.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

Policy 6.9:

Regulate uses so that traffic impacts and parking problems are minimized.

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. An independent non-profit is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use. The proposed new non-profit health clinic will serve neighborhood residents, many of whom will travel to the clinic on foot or on public transportation. The subject property is well served by public transit.

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.3:

Promote the provision of adequate health and educational services to all geographical districts and cultural groups in the city.

The proposed new health clinic is a satellite facility for the NEMS, which is headquartered at 1520 Stockton Street in San Francisco. As noted above, while the clinic serves over 30,000 patients in the San Francisco Bay Area, the proposed new location at 1400 Noriega Street is geared toward serving the local community and will provide a wide range of health and medical services to the surrounding neighborhood.

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

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

The project site, located within an NC-2 Zoning District, is currently a vacant office building that has been unoccupied for over two years. The proposed new use for the subject building as a non-profit, neighborhood-serving health clinic will neither displace any existing business nor detract from the existing character of the neighborhood corridor. The proposed new use will preserve and enhance existing neighborhood-serving retail uses by providing a new, compatible service to local residents and by increasing foot traffic in the area.

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

The site contains no residential units. The neighborhood is diverse in uses, scale, and architectural styles. The proposed new health clinic will enhance the neighborhood by generating needed community services, and will have a positive impact on the cultural and economic diversity of the district by serving local residents.

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

No housing is removed for this Project. The proposed project will not impact existing or future affordable housing projects.

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

The site is on Noriega Street and is well served by transit. It is assumed that the employees and most users of the clinic would commute by foot or by public transit thereby would avoid overburdening street parking and traffic. Noriega Street has three MUNI bus lines (16AX, 71, and 71L).

- 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 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 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 Application No. 2012.0074C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated XXXXXX,2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 19, 2012.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 19, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a medical services use (d.b.a. North East Medical Services) located at 1400 Noriega Street (Block 2028, Lot 030) to operate within a 4,987 square foot vacant office space within the NC-2 (Small-Scale, Neighborhood Commercial) District and a 40-X Height and Bulk District, pursuant to Planning Code Sections 303 and 711.21; in general conformance with plans, dated January 13, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0074C and subject to conditions of approval reviewed and approved by the Commission on **April 19, 2012** 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 19, 2012** 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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

DESIGN - COMPLIANCE AT PLAN STAGE

3. **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

4. **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

5. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and specie of plant materials shall be as approved by the Department of Public Works.

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

PARKING AND TRAFFIC

6. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

MONITORING

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. **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>

10. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

11. **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



NORTH EAST MEDICAL SERVICES (NEMS)
 1400 NORIEGA STREET
 SAN FRANCISCO, CA 94112

Date	No.	Revisions
		CONDITIONAL USE

Date	No.	Revisions
		CONDITIONAL USE

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KYA
 ARCHITECTURE
 KENDALL YOUNG ASSOCIATES

770 YORK STREET - SUITE 104
 SAN FRANCISCO, CA 94110
 T 415 552 1118
 F 415 552 1372

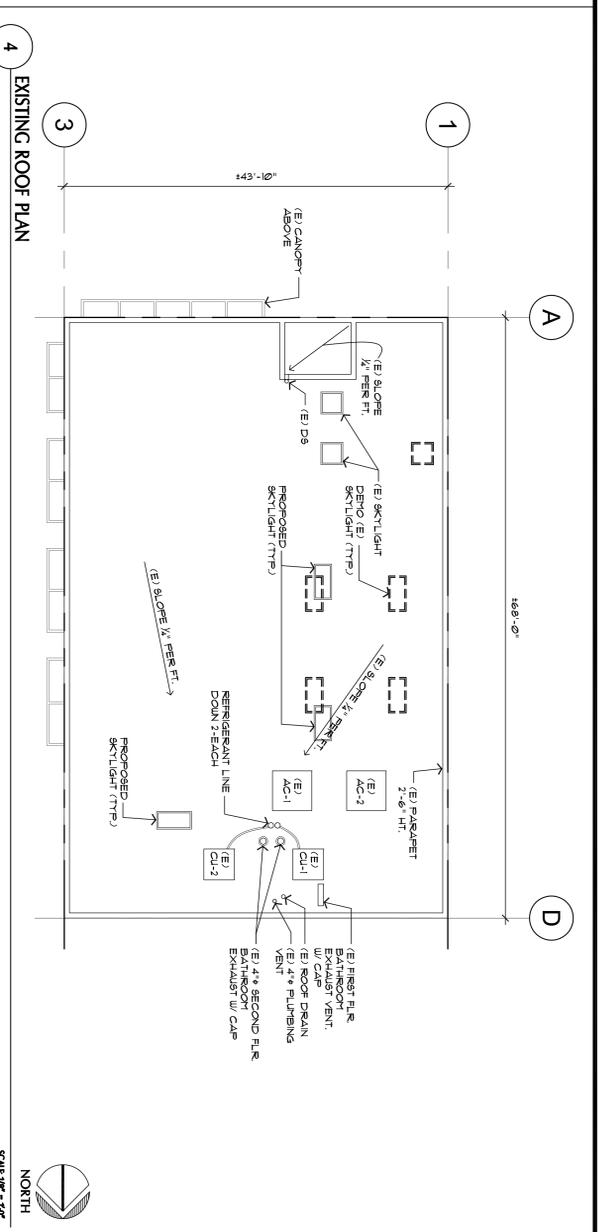
Architect Stamp
 Consultant Stamp

Consultants
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 MHC ENGINEERS
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 SAN FRANCISCO, CA 94103
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 ELECTRICAL ENGINEERS
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 415.394.4496

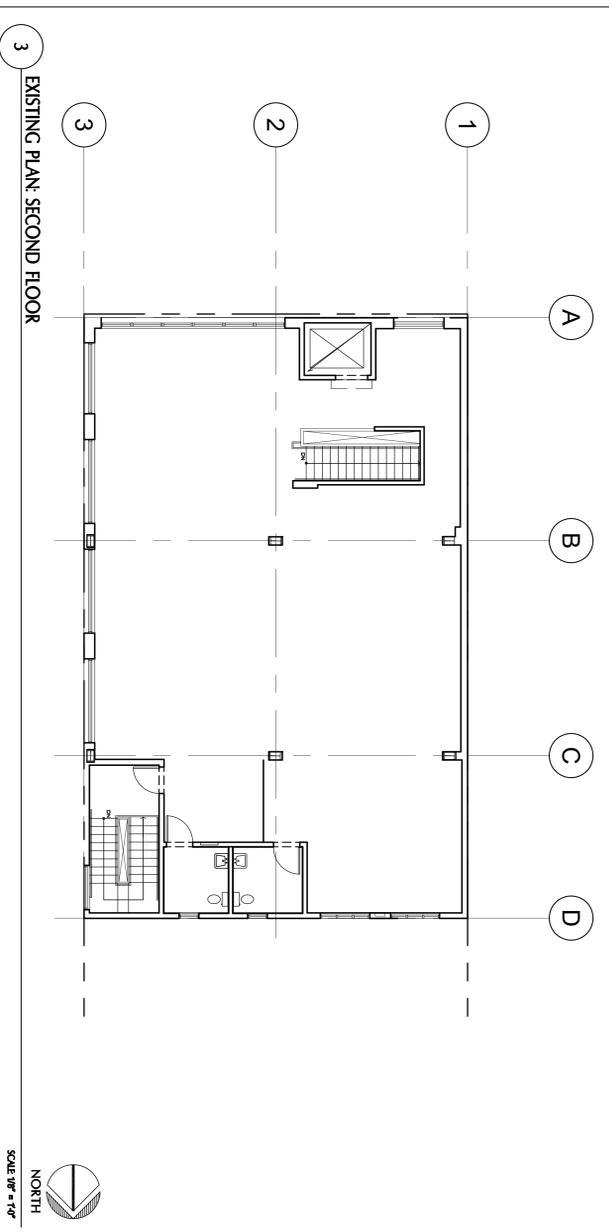
DRAWING TITLE
 EXISTING PLAN,
 FIRST FLOOR,
 SECOND FLOOR
 & ROOF PLAN

SHEET NO.
A20
 DRAWING NO.
 11010400

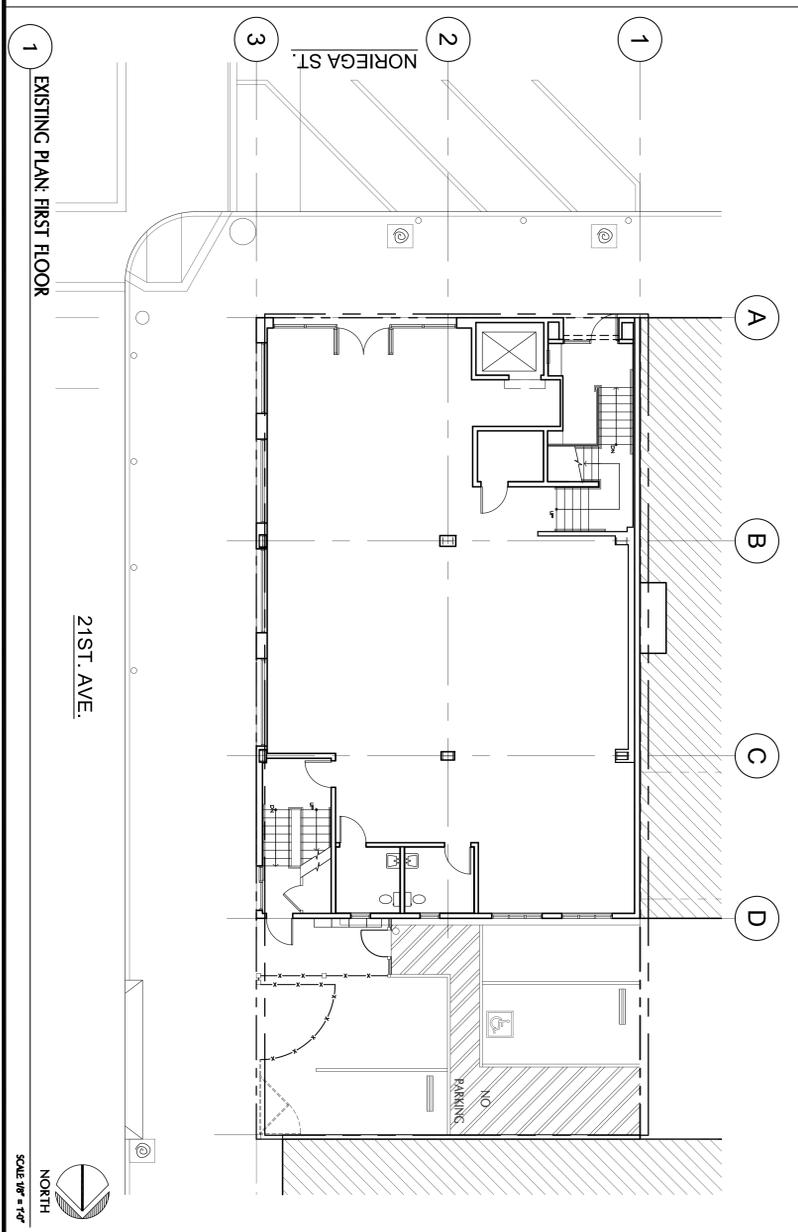
DATE
 11/17/10
 SCALE
 1/4"=1'-0"



4 EXISTING ROOF PLAN



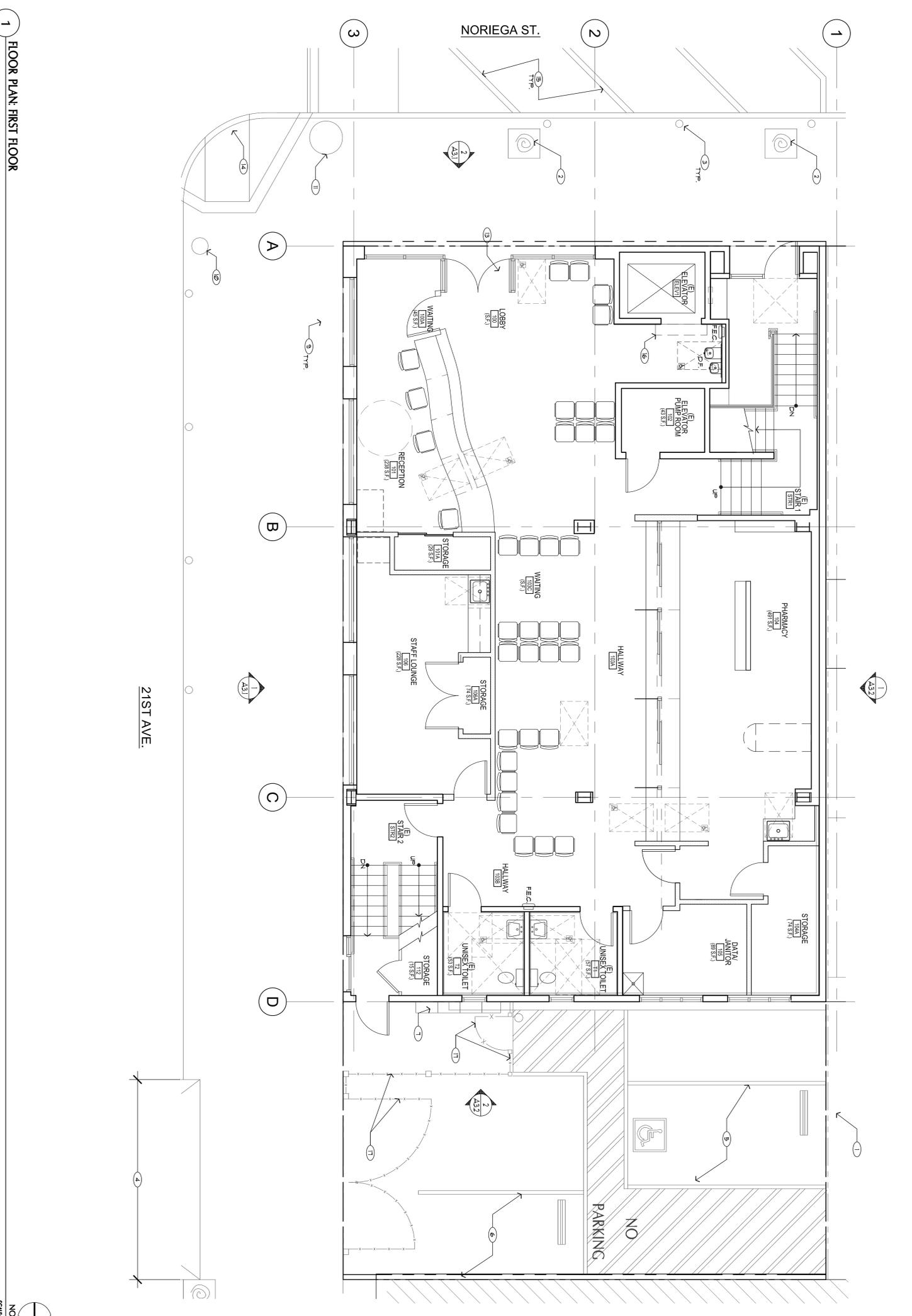
3 EXISTING PLAN SECOND FLOOR



1 EXISTING PLAN FIRST FLOOR



This sheet is 36\"/>



1 FLOOR PLAN - FIRST FLOOR

SHEET NOTES

- (1) (E) PROPERTY LINE
- (2) (E) TREE LOCATION
- (3) (E) PARKING STREET PETER
- (4) (E) DRIVE WAY
- (5) (E) ACCESSIBLE VAN PARKING
- (6) (E) COMPACT PARKING
- (7) (E) UTILITY METERS BOXES
- (8) PROPOSED TRASH ENCLOSURE
- (9) (E) CANOPY OVERHANG ABOVE
- (10) (E) LIGHT POST
- (11) (E) WASTE RECEPTACLE
- (12) (E) GATE
- (13) (E) MAIN ENTRANCE
- (14) (E) STREET CURB
- (15) (E) STREET PARKING
- (16) (E) FIRE/SMOKE CURTAIN • C.L.G
- (TT) (E) FENCE/GATES

LEGEND

- 1/ PARTITION LEGEND
- TT- INTERIOR NON-RATED PARTITION, U.O.N.
- (E) WALL PARTITION TO REMAIN



NORTH EAST MEDICAL SERVICES (NEMMS)

1400 NORIEGA STREET, SAN FRANCISCO, CA 94112

Date	No.	Revisions

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Firm Name and Address And Logo
KYA
 ARCHITECTURE
 KENDALL YOUNG ASSOCIATES

720 YORK STREET - SUITE 104
 SAN FRANCISCO, CA 94110
 T 415 552 1118
 F 415 552 1372

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MECHANICAL ENGINEERS
 MHC ENGINEERS
 90 8TH STREET
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ELECTRICAL ENGINEERS
 AEC ENGINEERS, INC.
 656 MISSION STREET, SUITE D
 SAN FRANCISCO, CA 94102
 415.774.4950

DESIGN TITLE
**FLOOR PLAN
 GROUND/ SITE PLAN**

SHEET NO.
A2.1
 A2.01

DATE: 07/17/2013
 JOB #: 11016400
 SCALE: 1/4"=1'-0"

If this sheet is not 24" x 36" it is a reduced scale drawing.

SHEET NOTES

1) FIRE SMOKE CURTAIN + CEILING



NORTH EAST MEDICAL SERVICES (NEMS)

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ARCHITECTURE
KENDALL YOUNG ASSOCIATES

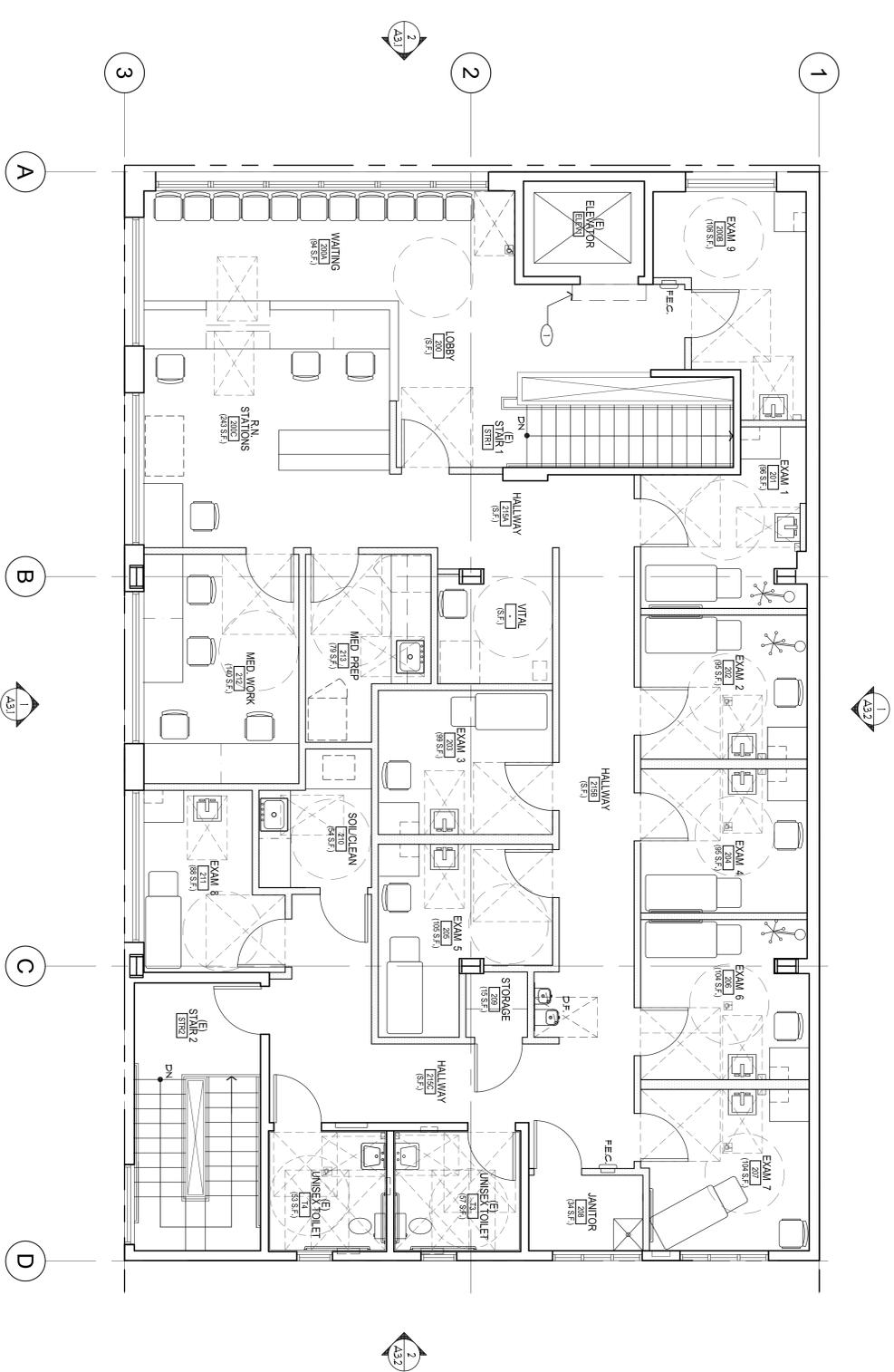
7720 YORK STREET - SUITE 104
SAN FRANCISCO, CA 94110
T 415.552.1118
F 415.552.1372

Architect Stamp

Consultant Stamp

LEGEND

- 1) PARTITION LEGEND
- ____ THE INTERIOR NON-RATED PARTITION (ION)
- ____ (E) WALL PARTITION TO REMAIN



1 FLOOR PLAN SECOND FLOOR



SHEET NO. **A22**

PROJECT: NORTH EAST MEDICAL SERVICES (NEMS)

DATE: 10/10/2011

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

DRAWING TITLE: FLOOR PLAN SECOND FLOOR

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MHC ENGINEERS
290 8TH STREET
SAN FRANCISCO, CA 94103
415.372.7741

ELECTRICAL ENGINEERS
ACG ENGINEERS, INC.
6565 MISSION STREET, SUITE D
SAN FRANCISCO, CA 94120
650.994.4946

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Firm Name and Address And Logo
KRYA
ARCHITECTURE
KENNELL YOUNG ASSOCIATES
770 YORK STREET - SUITE 104
SAN FRANCISCO, CA 94110
T 415 552 1118
F 415 552 1372

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MECHANICAL ENGINEERS
MHC ENGINEERS
390 8TH STREET
SAN FRANCISCO, CA 94103
415.372.7741
ELECTRICAL ENGINEERS
ACG ENGINEERS, INC.
645 MISSION STREET, SUITE D
SAN FRANCISCO, CA 94105
415.399.4486

DRAWING TITLE
EXTERIOR ELEVATION:
SOUTH & EAST

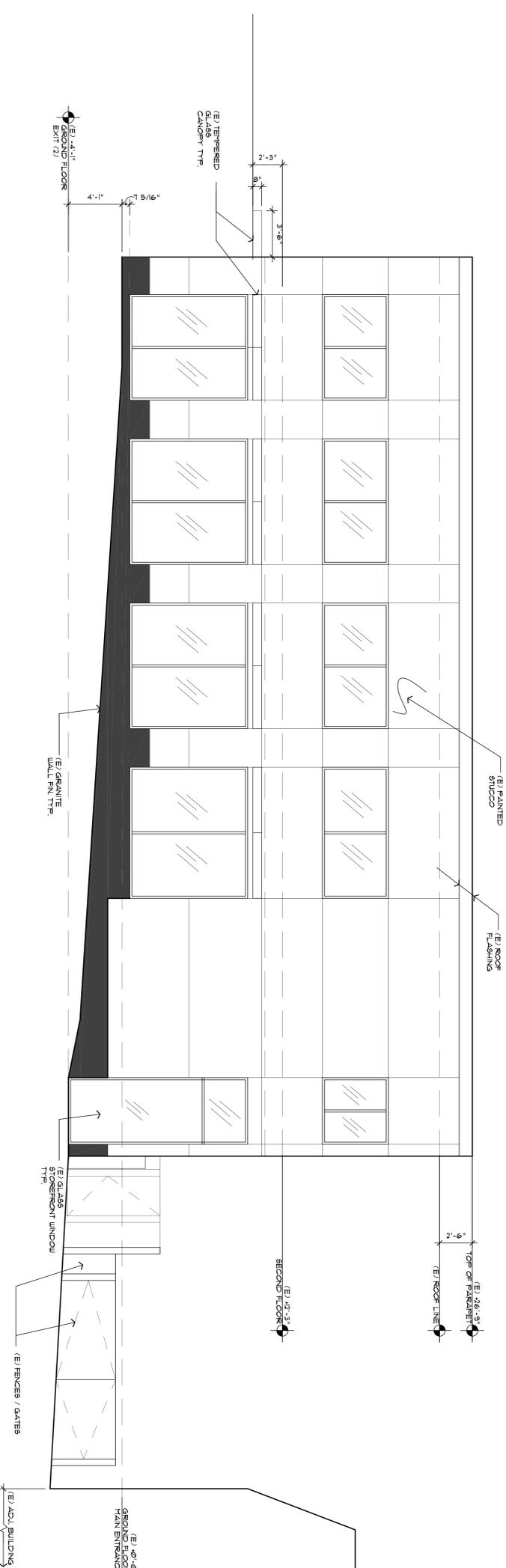
SHEET NO.
A31
ALDME

PROJECT
JOB # 10016400
SCALE
DATE
1/17/20



2 EXTERIOR ELEVATION SOUTH

SCALE: 1/4" = 1'-0"

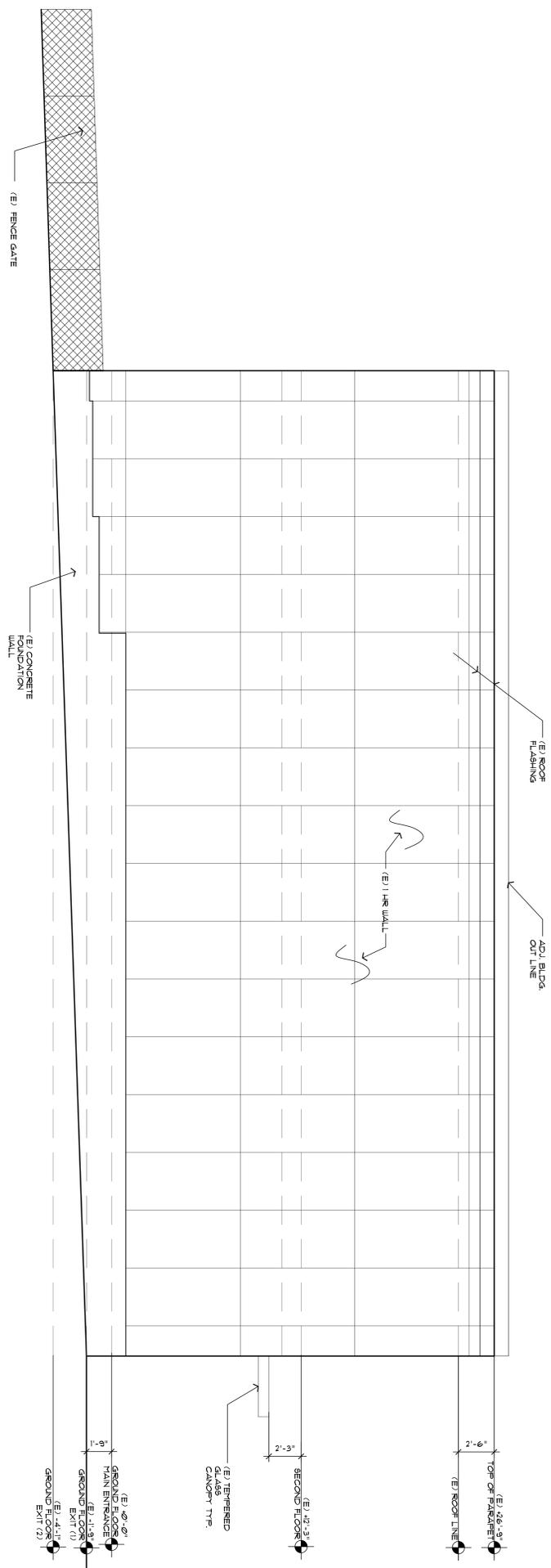


1 EXTERIOR ELEVATION EAST

SCALE: 1/4" = 1'-0"

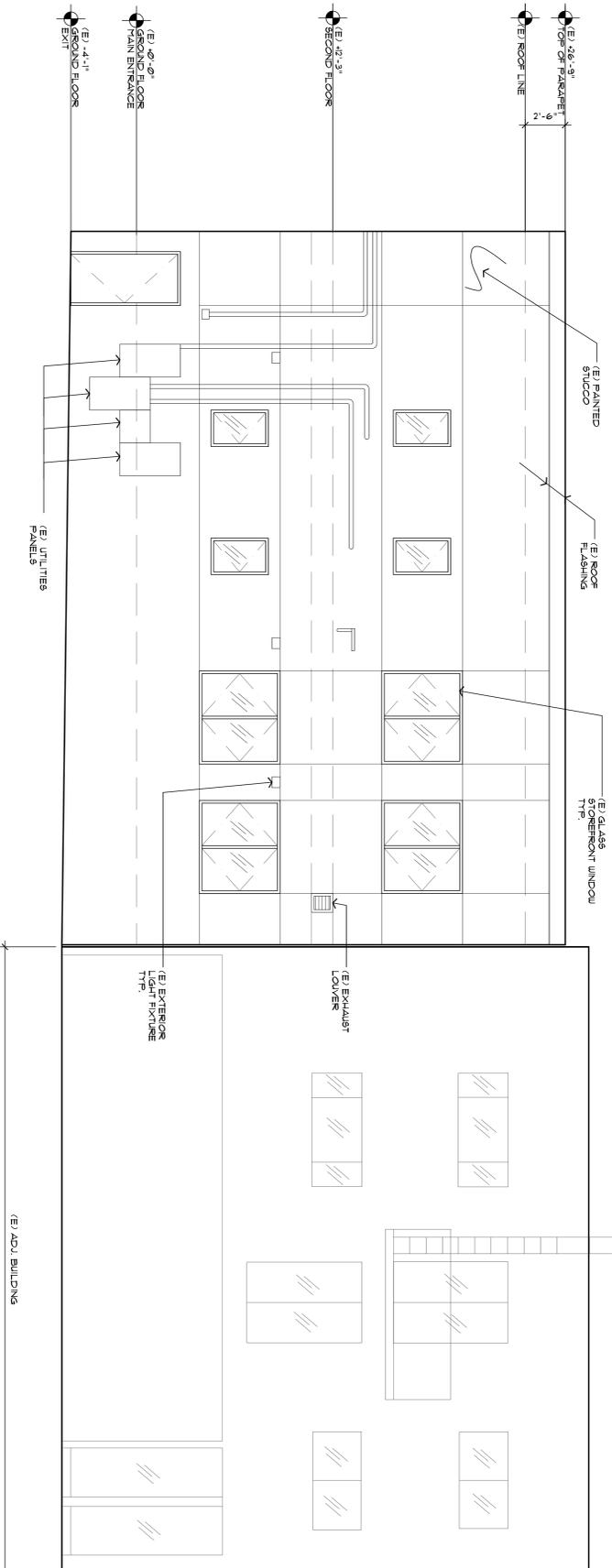
This sheet is 36" x 48" in size. Scale according to the drawing.

2 EXTERIOR ELEVATION, WEST



SCALE 1/4" = 1'-0"

1 EXTERIOR ELEVATION, NORTH



SCALE 1/4" = 1'-0"



NORTH EAST MEDICAL SERVICES (NEMMS)

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Date	No.	Revisions

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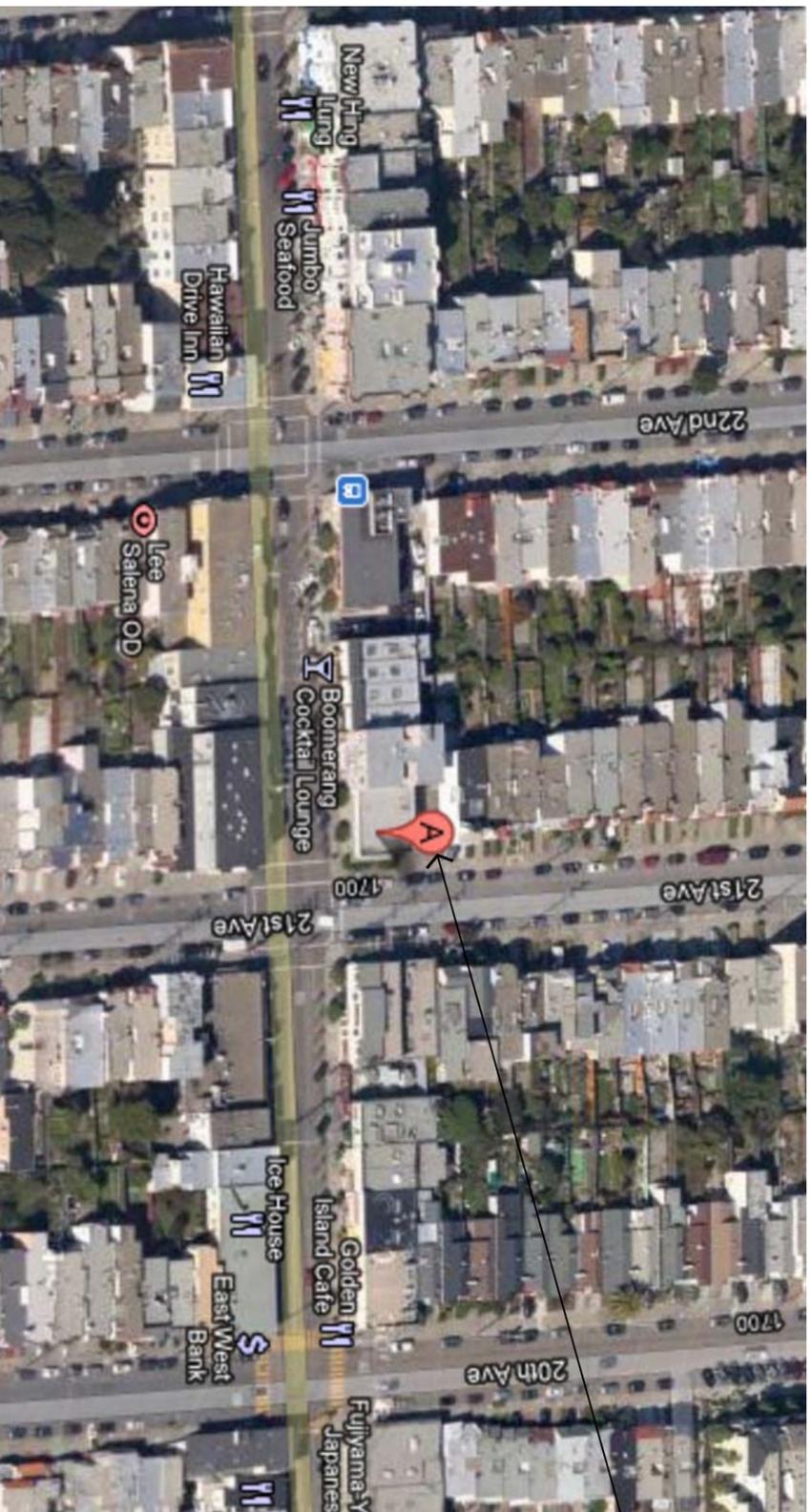
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ELECTRICAL ENGINEERS
ACG ENGINEERS, INC.
6545 MISSION STREET, SUITE D
SAN FRANCISCO, CA 94130
650.994.4846

DRAWING TITLE
EXTERIOR ELEVATION,
NORTH & WEST

SHEET NO.
A32
ADMIN

PROJECT NO. 11010400
SCALE 1/4" = 1'-0"
DATE 1/17/20

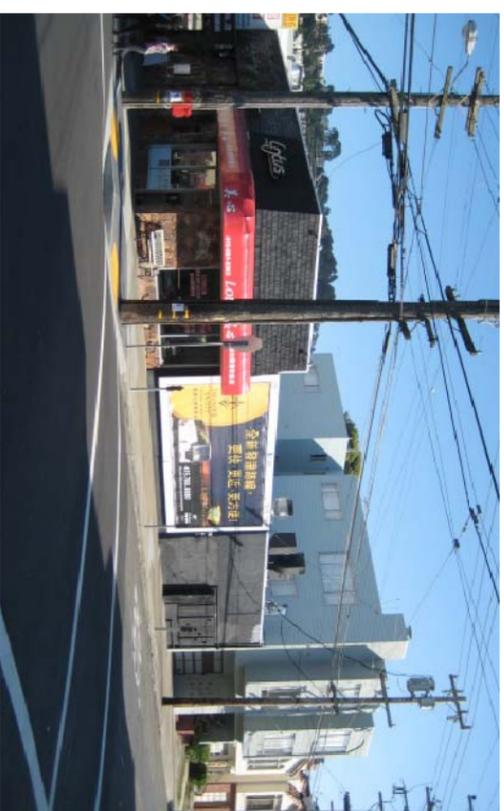
1400 NORIEGA STREET, SAN FRANCISCO, CA 94112



AERIAL MAP



PERSPECTIVE INTERSECTION • PROPERTY



ACROSS THE STREET FROM PROPERTY

NEMS

NORTH
EAST
MEDICAL
SERVICES

NEMS: NORTH EAST MEDICAL SERVICES 1400 NORIEGA

1400 NORIEGA STREET, SAN FRANCISCO, CA 94112

KYYA
ARCHITECTURE

729 YORK STREET, SUITE 114
SAN FRANCISCO, CA 94110



BUILDINGS AROUND THE CORNER OF THE PROPERTY ON 21 ST AVE



BUILDING PROPERTY

BUILDINGS ON NORIEGA STREET THE SAME BLOCK OF THE PROPERTY

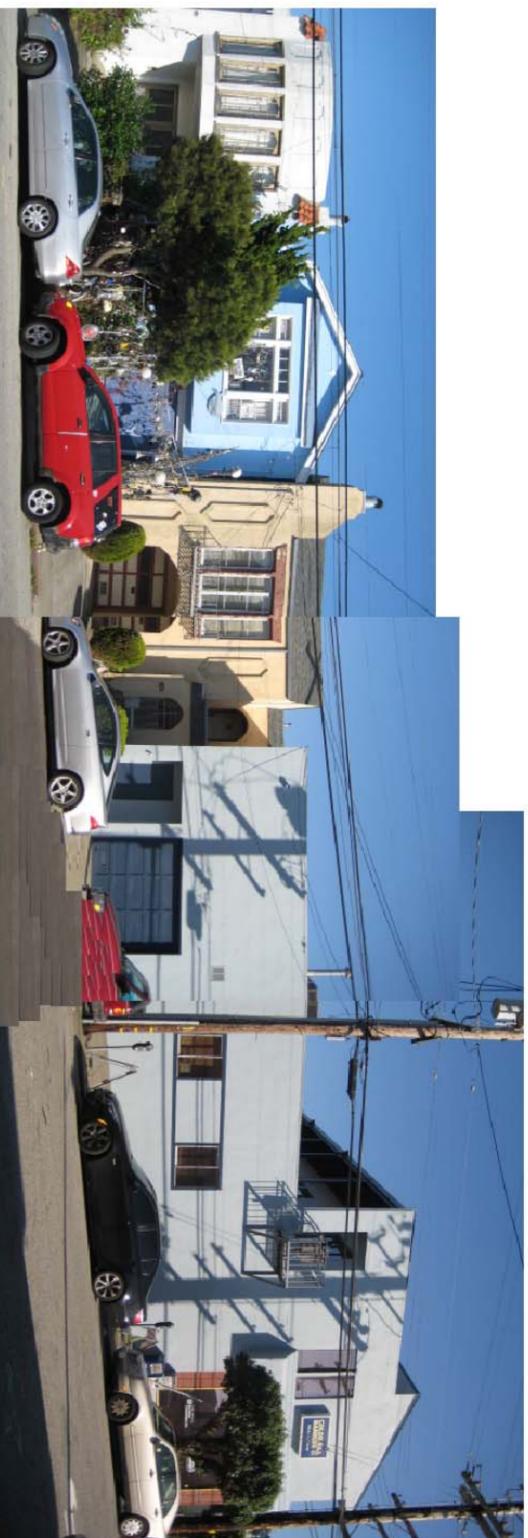
NEMS: NORTH EAST MEDICAL SERVICES 1400 NORIEGA

1400 NORIEGA STREET, SAN FRANCISCO, CA 94112





BUILDINGS ACROSS OF THE PROPERTY ON THE NORIEGA STREET



BUILDINGS ACROSS OF THE PROPERTY ON THE 21 ST AVE



NEMS: NORTH EAST MEDICAL SERVICES 1400 NORIEGA

1400 NORIEGA STREET, SAN FRANCISCO, CA 94112



729 YORK STREET, SUITE 114
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