



Title 19 (Subdivisions) and Title 20 (Zoning). Following is a synopsis of compliance with each of these Titles.

*Title 15 - Buildings and Construction*

The applicant is required to prepare a report signed by a qualified civil or structural engineer indicating the extent to which the structural condition of all buildings and structures in the project comply with SSFMC Title 15, any deficiencies, and recommendations for repair or replacement.

In keeping with this requirement, WEXCO International Corporation prepared a “Property Condition Assessment Report” to determine compliance with Title 15 (Attachment 2). The building was determined to be structurally safe for the purposes of change of occupancy, with only the following minor items needing attention or requiring maintenance:

- Minor ponding areas on the roof, and regular maintenance of the roof material.
- The retaining wall serving the lower garage is in need of attention as to waterproofing.
- Repair treads on west side exterior stair.
- Review north stair landing onto the parking deck regarding egress conditions.

The Chief Building Official reviewed the report, and supports the report findings that the structure is in compliance with Title 15.

*Title 19 - Subdivisions*

As part of the overall entitlements, the applicant has submitted a Tentative Parcel Map, prepared by VVH Consulting Engineers and dated July 25, 2018, to subdivide the existing parcel into Lot A for 23 condominium units and Lot B for common use (see Entitlements Resolution, Exhibit B). The proposed development complies with the requirements of SSFMC Title 19 Subdivision Ordinance. SSFMC Section 19.48.080 requires that the Planning Commission make a determination that the proposed parcel map is in conformity with the State Subdivision Map Act and SSFMC Title 19 as to design, drainage, utilities, road improvements and offers of dedication or deed. The Engineering Division has reviewed the Tentative Parcel Map application, and has included relevant conditions of approval. The Tentative Parcel Map is in compliance with the State Subdivision Map Act and SSFMC Title 19 requirements.

The applicant submitted the attached draft Conditions, Covenants and Restrictions (CC&Rs) (Attachment 4), which address issues such as: the creation and rules for an association, association voting rights, access to the property and units, parking assignment, and maintenance obligations.

*Title 20 - Zoning*

The property is located within the Community Commercial Zoning District, which is intended to provide areas for locally oriented retail and service uses, community-serving offices, restaurants, retail, public and quasi-public uses, and similar and compatible uses. VVH Consulting Engineers prepared a Zoning Checklist to determine compliance with the Community Commercial Development Standards (Attachment 3). As the checklist indicates, the existing project complies with all of the primary development standards, including lot standards, building form and location, and landscaping.

The existing parking configuration on site is nonconforming in terms of overall number of spaces required. The parking requirement for the subject property is 1 space per 300 square feet for office uses or 1 space per 200 square feet for medical office uses. Based on the existing approximately 31,000 square foot building, the number of parking spaces would range from 103 spaces for office only to 155 spaces for medical office. The building was constructed with 122 parking spaces, including an at-grade parking lot with 91 stalls and a

subterranean garage with 31 stalls.

Because the project is proposed as a medical office condominium, a Parking Reduction is required to allow the project to be approved. Staff considers the project to fall within the “Special Conditions” criteria per SSFMC Section 20.330.006.D. This section allows the Commission to reduce the amount of required parking for any use with the approval of a Use Permit, subject to making the following findings:

1. Special conditions - including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program - exist that will reduce parking demand at the site;

*The existing building was developed as a professional office complex and has historically been occupied by professional and medical office uses; currently all of the tenants are medical office uses. The property was developed with 122 parking spaces, which has provided adequate parking availability for the life of the development. The site is also located within walking distance of bus stops on Gellert Blvd providing access to SamTrans bus routes 28 (Serramonte Center - SSF High) and 122 (SSF BART - Stonestown/SF State).*

2. The use will be adequately served by the proposed on-site parking; and

*A total of 122 parking spaces are provided on-site between the rear parking lot and the subterranean parking garage. The applicant conducted parking counts over three separate weeks in late 2018 and early 2019; the parking counts showed continuous availability, with the lowest vacancy of 22 spaces available on the busiest day (Friday) and a highest vacancy of over 70 spaces. Staff also performed site visits, which corroborated the parking counts by the applicant. There have been no historical complaints of parking issues at this site.*

3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

*No on-street parking is allowed on Westborough Blvd. Parking demand generated by the project can be accommodated within the existing on-site parking, and therefore will not exceed the proposed capacity or have a detrimental impacts on the supply of on-street parking on other nearby streets.*

Based on the historic use of the 2400 Westborough parking lot, the existing on-site parking will continue to be adequate to provide parking for the proposed use. Staff is therefore recommending that the existing parking configuration be deemed adequate, and a parking reduction of 33 spaces or 21% be approved for the site.

#### GENERAL PLAN COMPLIANCE

The existing building and use is consistent with the Community Commercial General Plan Land Use Designation. The Community Commercial designation is intended to provide for shopping centers and major commercial districts, with intended uses including business and personal services. The subdivision application is designed to create a commercial condominium. The subdivision map will not hinder the implementation or execution of the intent of the General Plan.

#### ENVIRONMENTAL REVIEW

The proposed project has been determined to be categorically exempt under the provisions of CEQA, Class 1,

Section 15301, Existing Facilities. This Tentative Parcel Map application is also exempt because pursuant to CEQA Section 15061(b)(3), CEQA applies only to projects which have the potential for causing a significant effect on the environment. The subdivision map application for the approved and constructed project will not have any significant effect on the environment, and is therefore not subject to CEQA. Therefore, the Planning Commission is not required to take any further action with regard to environmental review of the project.

### CONCLUSION

The proposed commercial condominium conversion is consistent with both General Plan goals and complies with the City's Building & Construction, Subdivision and Zoning Ordinances, and with the State Map Act. Therefore, staff recommends that the Planning Commission adopt the a resolution making findings and recommending that the City Council adopt a resolution approving a Tentative Parcel Map (SA18-0002) and Parking Reduction (PE19-0001), subject to the draft conditions of approval, and make a determination that the project is categorically exempt under CEQA.

### *Attachments*

1. Site Plan / Floor Plans
2. Property Condition Assessment Report, prepared by WEXCO International Corporation
3. Zoning Checklist, prepared by VVH Consulting Engineers
4. Draft Conditions, Covenants and Restrictions, prepared by Hanna & Van Atta
5. Analysis of Available Parking Spaces

### *Associated*

1. Draft Entitlements Resolution (19-487)
  - A. Draft Conditions of Approval
  - B. Draft Tentative Map