

ATTACHMENTS A - C

Outpatient Services Pavilion, UP #4594

ATTACHMENT A

SPECIFIC FINDINGS FOR ZONING MAP AMENDMENT

1. *The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan.* The South Fair Oaks Specific Plan, which implements the goals, policies and objectives of the General Plan as they apply to the Specific Plan, utilizes the proposed IG/SP-2 district for the purposes of the Specific Plan. The amendment unifies a development site within the SP-2 overlay district. More specifically, the amendment supports the development of a medical office use that enhances the operations of an existing institution.
2. *The proposed amendment would not be detrimental to the public interest, health, safety, or general welfare of the City.* A Mitigated Negative Declaration, based on an Initial Environmental Study, has been adopted. The amendment permits uses that are consistent with the South Fair Oaks Specific plan and envisioned in the area for the public interest.

ATTACHMENT B

SPECIFIC FINDINGS FOR MASTER DEVELOPMENT PLAN AMENDMENT

3. *The proposed use is allowed with a Conditional Use Permit (Major and Minor) within the applicable zoning district and complies with all applicable provisions of the Zoning Code.* The amendment reduces the area of the Master Development Plan by approximately one and one quarter acres and removes entitlement of a 57,000 square foot medical office building from the Scope of Development. No additional use is proposed for the Master Development Plan.
4. *The location of the proposed use complies with the special purposes of this Zoning code and the purposes of the applicable zoning district.* The amendment reduces the area of the Master Development Plan by approximately one and one quarter acres and removes entitlement of a 57,000 square foot medical office building from the Scope of Development. No additional use is proposed for the Master Development Plan.
5. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The amendment reduces the area of the Master Development Plan by approximately one and one quarter acres and removes entitlement of a 57,000 square foot medical office building from the Scope of Development. No additional use is proposed for the Master Development Plan.
6. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The amendment reduces the area of the Master Development Plan by approximately one and one quarter acres and removes entitlement of a 57,000 square foot medical office building from the Scope of Development. No additional use is proposed for the Master Development Plan.

7. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The amendment reduces the area of the Master Development Plan by approximately one and one quarter acres and removes entitlement of a 57,000 square foot medical office building from the Scope of Development. No additional use is proposed for the Master Development Plan.*
8. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection. The amendment reduces the area of the Master Development Plan by approximately one and one quarter acres and removes entitlement of a 57,000 square foot medical office building from the Scope of Development. No additional use is proposed for the Master Development Plan.*

ATTACHMENT C

SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #4594

Minor Conditional Use Permit: Commercial or industrial development exceeding 15,000 square feet in a Transit-Oriented Development district:

9. *The proposed use is allowed with a Conditional Use Permit (Major and Minor) within the applicable zoning district and complies with all applicable provisions of the Zoning Code. A medical office building is a permitted use in the IG/SP-2 district and may exceed 15,000 square feet within the TOD with a Minor Conditional Use Permit.*
10. *The location of the proposed use complies with the special purposes of this Zoning code and the purposes of the applicable zoning district. The proposed medical office building is located and designed to comply with the purposes of the SP-2 South Fairs Oaks Specific Plan Zoning District and of the Commercial Zoning District, including the IG Industrial District. It is designed in compliance with the purposes of the Zoning Code.*
11. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan. The General Plan designates the project site as part of the South Fair Oaks Specific Plan area. The Specific Plan emphasizes the development of technology-based uses, including medical office. The project is designed to meet the goals identified for the Plan area in the South Fair Oaks Specific Plan.*
12. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use. An Initial Environmental Study determined that the project will have no significant impacts after mitigation. Technical analyses of traffic and air*

quality are included. Based on the Initial Environmental Study, a Mitigated Negative Declaration has been adopted.

13. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* As noted in other findings, a Mitigated Negative Declaration, based on an Initial Environmental Study, has been adopted. The medical office building provides opportunity for healthcare for area residents and workers.
14. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The proposed medical office building is consistent with the provisions of the South Fair Oaks Specific Plan, which implements the General Plan direction for uses on the site and in the vicinity. Although the project requires variances for building height, including the height of the parking structure, the proposed heights are consistent with the three- and four-story character envisioned in the Specific Plan.

Additional TOD Findings:

15. *The project consists of a use, or mix of uses, that encourage transit use and is oriented toward the transit user.* The Specific Plan recognizes the opportunities provided by access to the Gold Line within the Specific Plan area and especially near the station at Fillmore. The medical office use is encouraged in the South Fair Oaks Specific Plan area, and a height bonus is offered as an incentive for medical offices on a portion of the project site. Users of the building have easy walking access to the Gold Line station.
16. *The project is designed to enhance pedestrian access and/or other non-motor vehicle modes of transportation to public transit.* The project includes pedestrian entrances to the site on Congress Street, mid-block on Fair Oaks Avenue, at the intersection of Fair Oaks Avenue and California Boulevard, and mid-block on California Boulevard. The large building footprint, which is necessary to accommodate the medical office program under the three- and four-story height limits, would discourage pedestrian access if the multiple site entrances were not provided. Tenant spaces for the pharmacy and small restaurant provide relief on the sidewalk from the screened private space along the building perimeter that is necessary for medical examination rooms and treatment areas. In addition, with project approval, the applicant will dedicate property with a width of three feet to increase the sidewalk width on the Fair Oaks Boulevard frontage, enhancing the pedestrian experience between California Boulevard and Congress Street.
17. *The project encourages pedestrian activity and/or other non-motor modes of transportation and reduces dependency on motor vehicles.* As described in the finding above, the project is designed for pedestrian access. In addition, within Transit-Oriented Development districts, parking for medical office buildings, retail, and restaurants is limited to ninety percent of the standard Code requirements. The reduced requirement serves as both minimum and maximum, to create incentive for other modes of transportation. The 693-space parking structure is designed to be consistent with this reduction is allowable parking. It also

provides at least 35 bicycle spaces, as required by Code. In addition, the project will provide travel information and a wayfinding program.

Variances: Height of building to exceed 45-foot height limit and 56-foot limit, including 11-foot height bonus incentive; height of parking structure to exceed 45-foot height limit

18. *There are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district.* Two factors in combination are circumstances of the project site that distinguish development on the project site from opportunities generally in the IG/SP-2 district. First, the site slopes downward from north to south and from west to east, and the existing topography of the site interior is the result of previous grading, creating greater variation in the existing grade than would otherwise occur. The difference in elevation from north to south is approximately four feet, over a distance of approximately 540 feet. From west to east, the difference is approximately five feet over a distance of 360 feet. However, the difference between the northwest corner of the site and the center, at one exterior wall of the proposed parking structure, is approximately six feet due to prior grading.
19. Second, by avoiding development of building floor area below grade in the medical office building, disturbance of soils contaminated by a previous use can be minimized. A former Shell service station was located at the northeast corner of the project site. As permitted by State law, some contaminated soil was left in place when other remediation work on the underground storage tanks and leakage was completed. Excavation for subterranean development, however, may disturb that soil. Development potential on the site is reduced if there is no development below grade.
20. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant and to prevent unreasonable property loss or unnecessary hardship.* The South Fair Oaks Specific Plan encourages development of technology-based uses, including medical office buildings. The program requirements of a medical office building, however, eliminate options that would be available to many other uses. Among those options is the development of multiple separate buildings on the site rather than a single structure with a large footprint. On the sloping site, the large single structure results in building heights, as measured under the Zoning Code, which exceed the heights possible with multiple smaller buildings having the same floor-to-floor heights. Floor-to-floor heights for the proposed Outpatient Services Pavilion are fifteen feet for the first floor and thirteen and one half feet for the levels above the first. These floor-to-floor heights, which are consistent with the intent of the South Fair Oaks Specific Plan, nevertheless result in building heights on the sloping site that exceed the district height limits. Without use of building area below grade, actual floor area of a medical office building would be severely limited.
21. *Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety, or general welfare.* The proposed medical office building and parking structure are generally consistent in height with the heights permitted on the site. Although the

building height as measured exceeds the heights established in the development standards, the building and parking structure are three- and four-story structures, as envisioned in the South Fair Oaks Specific Plan and hence not injurious or detrimental.

22. *Granting the application is in conformance with the goals, policies, and objectives of the General Plan, and the purposes and intent of any applicable specific plan and the purposes of this Zoning Code, and would not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* As proposed the medical office building conforms to the goals, policies and objectives of the General Plan as they are implemented in the South Fair Oaks Specific Plan. The particular circumstances of medical office development on the subject distinguish it from other properties, so approval of heights necessary for achieving the three- and four-story development envisioned in the Specific Plan is not a grant of special privilege.
23. *Cost to the applicant of strict compliance with a regulation shall not be the primary reason for granting the Variance.* Granting of the Variances is based primarily on the prohibitive effect of particular site characteristics on achieving the character of development envisioned in the South Fair Oaks Specific Plan.