



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: JUNE 14<sup>TH</sup>, 2012

*Date:* June 7<sup>th</sup>, 2012  
*Case No.:* 2011.1372C  
*Project Address:* 3901 24<sup>th</sup> STREET  
*Zoning:* 24<sup>th</sup> Street - Noe Valley Neighborhood Commercial District  
40-X Height and Bulk District  
*Block/Lot:* 6508/001  
*Project Sponsor:* Michael Halow  
150 California Street, Suite 1400  
San Francisco, CA 94111  
*Staff Contact:* Tom Wang – (415) 558-6335  
[thomas.wang@sfgov.org](mailto:thomas.wang@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The Project seeks to establish a financial service (d.b.a. First Republic Bank) in a currently vacant ground floor commercial space, at 3901 24<sup>th</sup> Street. The proposed work under the Project includes replacing exterior windows and an entry door in-kind and interior tenant improvement. No other alterations to the subject building are proposed. The Project Site measures approximately 585 square feet in gross floor area and has an approximately 14 feet wide frontage on 24<sup>th</sup> Street.

First Republic Bank's headquarters is in downtown San Francisco. The proposed First Republic Bank would be its first branch in the Noe Valley neighborhood and would provide banking services and products to the public, including regular banking services such as deposits, withdrawals, ATMs, and an after-hours drop box. The Project would also facilitate new accounts for both consumer and business clients, offering home mortgages, commercial loans and lines of credit, as well as small business loans.

The proposed First Republic Bank would be operated by three employees. The office hours would be Monday through Thursday 9 a.m. to 5 p.m., Fridays 9 a.m. to 6 p.m., and Saturdays 9 a.m. to 2 p.m.

### SITE DESCRIPTION AND PRESENT USE

The Property is on the southwest corner of 24<sup>th</sup> and Sanchez streets, Lot 001 in Assessor's Block 6508, within the 24<sup>th</sup> Street -- Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District. The Property measures 25 feet wide on 24<sup>th</sup> Street and 80 feet deep along Sanchez Street and is developed with multiple commercial uses within a two-story building. Currently, the second floor is occupied by a medical service office and the ground floor contains a vacant commercial storefront (hereafter "the Project Site") and a second commercial storefront, which is occupied by a floral shop. The Project Site was most recently occupied by Tuttimelon Frozen Yogurt, but has become vacant since Tuttimelon Frozen Yogurt closed its business and moved out in March 2011. The Project Site is within the

center of a vital neighborhood commercial area and is well served by the public transportation, including Muni Bus Route 48 operating on 24<sup>th</sup> Street, directly in front of the Project Site and Muni Bus Route 24 operating on Castro Street, two blocks from the Project Site.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

Surrounding properties along 24<sup>th</sup> Street contain mainly two and three story buildings and the majority of them are developed with ground floor commercial uses and residential uses on the upper floors. The surrounding residential district is RH-2 (Residential, House, Two-Family) Zoning District.

The 24th Street – Noe Valley Neighborhood Commercial District is situated along 24th Street between Chattanooga and Diamond streets in the Noe Valley neighborhood of central San Francisco. This daytime-oriented, multi-purpose commercial district provides a mixture of convenience and comparison shopping goods and services to a predominantly local market area. It contains primarily retail sales and personal services at the street level, some office uses on the second story, and residential use almost exclusively on the third and upper stories.

There are currently five financial service establishments within the 24th Street – Noe Valley Neighborhood Commercial District, including Bank of America at 4098 24<sup>th</sup> Street; Wells Fargo Bank at 4045 24<sup>th</sup> Street; JPMorgan Chase Bank at 3998 24<sup>th</sup> Street; Circle Bank at 3936-3938 24<sup>th</sup> Street; and Sterling Bank & Trust at 3800 24<sup>th</sup> Street.

## ENVIRONMENTAL REVIEW

The Conditional Use Application was determined by the Department to be categorically exempt from Environmental Review pursuant to CEQA Guidelines Section 15301 Class 1- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. Changes of use are included if the new use, as compared with the former use, would first be permitted as a principal or conditional use either in any equally restrictive or more restrictive zoning district and defined in the Planning Code. The Commission has reviewed and concurs with said determination.

## HEARING NOTIFICATION

| TYPE               | REQUIRED PERIOD | REQUIRED NOTICE DATE          | ACTUAL NOTICE DATE            | ACTUAL PERIOD |
|--------------------|-----------------|-------------------------------|-------------------------------|---------------|
| Classified News Ad | 20 days         | April 27 <sup>th</sup> , 2012 | April 25 <sup>th</sup> , 2012 | 22 days       |
| Posted Notice      | 20 days         | April 27 <sup>th</sup> , 2012 | April 27 <sup>th</sup> , 2012 | 20 days       |
| Mailed Notice      | 20 days         | April 27 <sup>th</sup> , 2012 | April 27 <sup>th</sup> , 2012 | 20 days       |

## PUBLIC COMMENT

- The Department received a number of e-mails, letters and telephone calls that expressed opposition to the Project.
- The Department received a number of letters that expressed support of the Project.

## ISSUES AND OTHER CONSIDERATIONS

- The proposed First Republic Bank is technically not yet subject to “formula retail controls” under a proposed Ordinance, amending Planning Code 703.3(c) to include “financial services” within the uses subject to “formula retail controls” in Neighborhood Commercial Districts

However, the Project has been evaluated pursuant to this proposed Ordinance. An analysis is provided as follows:

- (1) The existing concentrations of formula retail uses within the Neighborhood Commercial District.

*Based upon a Department Land Use Survey compiled in January 2012, there are one hundred sixty operating retail, service and restaurant uses within the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial District of which five uses (3.1%) are formula retail uses.*

*Had the proposed First Republic Bank and other five financial services in this district been included, a total of eleven uses (6.9%) would have been formula retail uses within the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial District.*

*In either scenario, there does not appear to be an over-concentration regarding existing formula retail uses or potentially including financial services in this district.*

*At present, this district has a very strong sense of individuality and uniqueness. If the proposed First Republic Bank were included within the uses subject to formula retail controls, it would not detract from the current commercial character along 24<sup>th</sup> Street.*

- (2) The availability of other similar retail uses within the Neighborhood Commercial District.

*The above described Land Use Survey indicates that there are five other financial services, including Bank of America at 4098 24<sup>th</sup> Street; Wells Fargo Bank at 4045 24<sup>th</sup> Street; JPMorgan Chase Bank at 3998 24<sup>th</sup> Street; Circle Bank at 3936-3938 24<sup>th</sup> Street; and Sterling Bank & Trust at 3800 24<sup>th</sup> Street, within the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial District.*

*However, the nearest branches of First Republic Bank from the Project Site are at 653 Irving Street and 279 West Portal Avenue, respectively. The Project at 3901 24<sup>th</sup> Street could more closely and conveniently serve First Republic Bank’s approximate 3,500 current clients in the Noe Valley neighborhood and save their time and energy as opposed to traveling approximately two miles to obtain similar banking services and products offered by either of its two nearest branches.*

- (3) The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District.

*The proposed work under the Project, which only includes replacing exterior windows and an entry door in-kind and interior tenant improvement, would maintain the features that define formula retail uses in a low key manner.*

- (4) The existing retail vacancy rates within the Neighborhood Commercial District.

*According to the same Land Use Survey, there are ten vacant ground floor commercial spaces. Lack of available retail space does not appear to be an issue in this district. The Project will contribute to the economic strength and vitality of the neighborhood by occupying a vacant storefront in accordance to the general land use requirements of the Planning Code.*

- (5) The existing mix of City-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

*The existing retail uses in the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial Districts serve mostly the surrounding residential neighborhoods. However, a few retail uses in this district, including fashion design, salons and restaurants, also attract consumers citywide. The Project will complement the mix of goods and services currently available within this district.*

## REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to allow a financial service in the 24<sup>th</sup> Street – Noe Valley Neighborhood Commercial District.

## BASIS FOR RECOMMENDATION

The Department believes this Project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The Project is a neighborhood serving use and complements the mix of goods and services currently available in this district and will contribute to the economic strength and vitality of the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial District by occupying a vacant storefront and eliminating neighborhood blight.
- The relatively small size and intensity of the Project will be compatible with the majority of other storefronts and uses and will not reduce the opportunities for other needed uses in the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial District.
- The Project Site is well served by public transit and the Project should cause no significant impact to traffic or street parking in this neighborhood.
- The Project will create up to three employment opportunities for residents in this neighborhood.
- The Project meets all applicable requirements of the Planning Code and is consistent with the General Plan.

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| <b>RECOMMENDATION:</b> <b>Approval with Conditions</b> |
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**Attachments:**

Draft Motion  
Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photographs  
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 type="checkbox"/>            | Height & Bulk Map           |                                     | Drawings: <u>Proposed Project</u>    |
| <input checked="" type="checkbox"/> | Parcel Map                  | <input checked="" type="checkbox"/> | Check for legibility                 |
| <input checked="" type="checkbox"/> | Sanborn Map                 | <input checked="" type="checkbox"/> | Site/ context Photos                 |
| <input checked="" type="checkbox"/> | Zoning District Map         | <input checked="" type="checkbox"/> | Letters in support and/or opposition |
| <input checked="" type="checkbox"/> | Aerial Photo                | <input type="checkbox"/>            | Community Meeting Notice             |
| <input checked="" type="checkbox"/> | Site Photo                  |                                     |                                      |
| <input checked="" type="checkbox"/> | Context Photos              |                                     |                                      |

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

TW

Planner's Initials

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# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

- |  |  |
|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315)         | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139)            | <input type="checkbox"/> Other                             |

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## Planning Commission Motion No. XXXXX

HEARING DATE: JUNE 14<sup>TH</sup>, 2012

*Date:* June 7<sup>th</sup>, 2012  
*Case No.:* 2011.1372C  
*Project Address:* 3901 24<sup>th</sup> STREET  
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*Staff Contact:* Tom Wang- (415) 558-6335  
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**ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 728.49 AND 790.110 OF THE PLANNING CODE TO ALLOW A FINANCIAL SERVICE (D.B.A. FIRST REPUBLIC BANK) WITHIN THE 24<sup>TH</sup> STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On December 8<sup>th</sup>, 2011, Michael Halow (hereinafter "Project Sponsor") filed an application with the San Francisco Planning Department (hereinafter "Department") for Conditional Use Authorization on the property at 3901 24<sup>th</sup> Street, Assessor's Lot 001 in Block 6508 (hereinafter "Property") to convert a vacant ground floor commercial space into a financial service (d.b.a. First Republic Bank) under Planning Code Sections 728.49, and 790.110, in the 24<sup>th</sup> Street – Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District, in general conformity with plans filed with the Application and labeled "EXHIBIT B" (hereinafter "Project").

On June 14<sup>th</sup>, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.1372C (hereinafter "Application").

The Application was determined by the Department to be categorically exempt from Environmental Review pursuant to CEQA Guidelines Section 15301 Class 1- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. Changes of use are included if the new use, as compared with the former use, would first be permitted as a principal or conditional use either in any equally restrictive or more restrictive zoning district and defined in the Planning Code. The Commission has reviewed and concurs with said determination.

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. 2011.1372C, 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 Property is on the southwest corner of 24<sup>th</sup> and Sanchez streets, Lot 001 in Assessor's Block 6508, within the 24<sup>th</sup> Street -- Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District. The Property measures 25 feet wide on 24<sup>th</sup> Street and 80 feet deep along Sanchez Street and is developed with multiple commercial uses within a two-story building. Currently, the second floor is occupied by a medical service office and the ground floor contains a vacant commercial storefront (hereafter "the Project Site") and a second commercial storefront, which is occupied by a floral shop. The Project Site was most recently occupied by Tuttimelon Frozen Yogurt, but has become vacant since Tuttimelon Frozen Yogurt closed its business and moved out in March 2011. The Project Site is within the center of a vital neighborhood commercial area and is well served by the public transportation, including Muni Bus Route 48 operating on 24<sup>th</sup> Street, directly in front of the Project Site and Muni Bus Route 24 operating on Castro Street, two blocks from the Project Site.
3. **Surrounding Properties and Neighborhood.** Surrounding properties along 24<sup>th</sup> Street contain mainly two and three story buildings and the majority of them are developed with ground floor commercial uses and residential uses on the upper floors. The surrounding residential district is RH-2 (Residential, House, Two-Family) Zoning District.

The 24th Street — Noe Valley Neighborhood Commercial District is situated along 24th Street between Chattanooga and Diamond streets in the Noe Valley neighborhood of central San Francisco. This daytime-oriented, multi-purpose commercial district provides a mixture of convenience and comparison shopping goods and services to a predominantly local market area. It contains primarily retail sales and personal services at the street level, some office uses on the second story, and residential use almost exclusively on the third and upper stories.

There are currently five financial service establishments within the 24th Street – Noe Valley Neighborhood Commercial District, including Bank of America at 4098 24<sup>th</sup> Street; Wells Fargo Bank at 4045 24<sup>th</sup> Street; JPMorgan Chase Bank at 3998 24<sup>th</sup> Street; Circle Bank at 3936-3938 24<sup>th</sup> Street; and Sterling Bank & Trust at 3800 24<sup>th</sup> Street.

4. **Project Description.** The Project seeks to establish a financial service (d.b.a. First Republic Bank) in a currently vacant ground floor commercial space, at 3901 24<sup>th</sup> Street. The proposed work under the Project includes replacing exterior windows and an entry door in-kind and interior tenant improvement. No other alterations to the subject building are proposed. The Project Site measures approximately 585 square feet in gross floor area and has an approximately 14 feet wide frontage on 24<sup>th</sup> Street.

First Republic Bank's headquarters is in downtown San Francisco. The proposed First Republic Bank would be its first branch in the Noe Valley neighborhood and would provide banking services and products to the public, including regular banking services such as deposits, withdrawals, ATMs, and an after-hours drop box. The Project would also facilitate new accounts for both consumer and business clients, offering home mortgages, commercial loans and lines of credit, as well as small business loans.

The proposed First Republic Bank would be operated by three employees. The office hours would be Monday through Thursday 9 a.m. to 5 p.m., Fridays 9 a.m. to 6 p.m., and Saturdays 9 a.m. to 2 p.m.

5. **Public Comment.** The Department received a number of e-mails, letters and telephone calls that expressed opposition to the Project. The Department received a number of letters that expressed support of 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. **Land Use.** Planning Code Section 728.49 provides that a financial service, as defined in Planning Code Section 790.110, is permitted on the ground floor of property within the 24th Street - Noe Valley Neighborhood Commercial District with Conditional Use Authorization. Additionally, any Applicant for a financial service use shall provide the Department with a true copy of the license issued to it by the State of California.

*The Project Sponsor seeks Conditional Use Authorization to allow a financial service (First Republic Bank) on the ground floor of the Project Site within the 24th Street - Noe Valley Neighborhood Commercial District. The Project Sponsor provided the Department with a true copy of the license issued to First Republic Bank by the State of California.*

- B. **Neighborhood Commercial Permit Review.** Planning Code Section 312 provides permit review and notification procedures for a change in use from a vacant ground floor commercial space to a financial service, as defined in Planning Code Section 790.110, on lots within the 24th Street – Noe Valley Neighborhood Commercial District.

*The Project Sponsor proposes to establish a financial service in a currently vacant ground floor commercial space on the ground floor of the project site within the 24<sup>th</sup> Street – Noe Valley Neighborhood Commercial District. Section 312 notice of building permit application was conducted in conjunction with the Conditional Use Authorization notification.*

- C. **Use Size [Non-Residential].** Planning Code Section 728.21 provides that Use Size [Non-Residential] is permitted up to 2,499 square feet; Conditional Use Authorization is required for 2,500 square feet and above within the 24th Street – Noe Valley Neighborhood Commercial District.

*The Project Site would contain a gross floor area of approximately 585 square feet, which is permitted by Planning Code Section 728.21 within the 24th Street – Noe Valley Neighborhood Commercial District.*

- D. **Walk-up Facilities.** Planning Code Section 728.26 provides that a walk-up facility, defined by Planning Code Section 790.140, is permitted if recessed at least three feet from the property line of the lot on which the commercial use is located. A walk-up facility, which does not comply with such provision, is permitted only upon approval of a conditional use application, pursuant to Planning Code Section 145.2(b).

*The proposed First Republic Bank's ATM, installed inside the bank's entry lobby at the Project Site, will be more than three feet from the property line on 24<sup>th</sup> Street and therefore, will not be subject to approval of a conditional use application under Planning Code Section 145.2(b).*

- E. **Hours of Operation.** Planning Code Section 728.27 provides that any commercial establishment, not including automated teller machines, may be open for business between 6 a.m. and 2 a.m. and that Conditional Use Authorization is required to open between 2 a.m. and 6 a.m. within the 24th Street – Noe Valley Neighborhood Commercial District.

*The Project's hours of operation are Monday through Thursday 9 a.m. to 5 p.m.; Fridays 9 a.m. to 6 p.m. and Saturdays 9 a.m. to 2 p.m.*

*The Project's proposed hours of operation comply with Planning Code Section 728.27.*

- F. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 provides that no more than 1/3 of the width of new or altered structures, parallel to and facing a street, shall be devoted to ingress/egress to parking and that NC Districts containing specific uses, including large fast-food restaurants, have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

*The Project's commercial frontage on 24<sup>th</sup> Street does not devote any area to the ingress/egress to off-street parking and is approximately 14 feet wide with approximately 11 feet devoted to either the proposed First Republic Bank's entrance or window space. All proposed windows on the street frontage will be clear and unobstructed.*

- G. **Off-Street Parking.** Planning Code Section 151 provides that no off-street parking will be required if the occupied floor area of a financial service is less than 5,000 square feet.

*The Project would occupy a gross floor area of 585 square feet; therefore, no off-street parking will be required.*

- H. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signs for the Project will be subject to the Department's review and approval.

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 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.

*The Project Site will contain a total gross floor area of approximately 585 square feet and the Project will be operated by three employees. The relatively small size and low intensity of the Project will be compatible with the majority of other storefronts and uses in this district. The Project will cause no significant impact to traffic or street parking in this neighborhood because it is designed to provide banking services and products mainly to residents in the Noe Valley neighborhood and owners of other businesses along 24<sup>th</sup> Street.*

*The Project will be a development that is desirable and necessary because it will complement the mix of goods and services currently available in this neighborhood and contribute to the economic strength and vitality of the neighborhood by occupying a vacant storefront.*

- 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 Project will only involve interior tenant improvement and replacement of exterior windows and an entry door in-kind. The Project will not include modifications to the building envelope of the existing building on the Property and will have no impact on the existing appearance or character of the vicinity.*

- 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 financial service establishment, which occupies a gross floor area of approximately 585 square feet. The Project is designed to be mainly frequented by residents from the Noe Valley neighborhood and owners and employees of other businesses on 24<sup>th</sup> Street within walking distance. The Project Site is well served by public transit (Muni Bus Route 48 operating on 24<sup>th</sup> Street, directly in front of the Project Site and Muni Bus Route 24 operating on Castro Street, two blocks from the Project Site), minimizing the amount of vehicular traffic from the immediate neighborhood or citywide.*

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

*Establishment of a financial service on the Property will not generate noxious or offensive emissions.*

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

*There are no changes proposed to the building envelope of the existing building on the Property. Off-street parking and loading areas are not required for the Project because it contains a gross floor area less than 5,000 square feet. All proposed signs for the Project will be reviewed by the Department under a separate sign permit application.*

- 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 Project is consistent with the stated purpose of the 24<sup>th</sup> Street - Noe Valley Neighborhood Commercial District in that the intended financial service use is located at the ground floor, will maintain the retail frontage by not including automobile drive up uses, will contribute to a mixture of convenience and comparison shopping goods and services to a predominantly local market.*

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 which has substantial undesirable consequences that cannot be mitigated.

*The Project supports this policy by occupying an existing vacant ground floor commercial space, creating new employment opportunities and increasing foot traffic in this district.*

#### 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 restore commercial activity at the Project Site.*

**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 is designed to be a community bank, which would offer banking services and products to residents in the Noe Valley neighborhood and owners of business along 24<sup>th</sup> street.*

This policy includes guidelines for specific uses. The guidelines state that in some districts, the balance of commercial activities has been upset by the proliferation of financial services, which reduces the opportunities for other needed uses.

The guidelines provide that financial services should not be located near other financial service uses or add to an over-concentration within a single district. In most districts, it is preferable if financial services are at least 500 feet apart. Proximity to financial services should be considered in evaluating the need for and impacts of a new financial service.

*Because the Property is located in the heart of the 24<sup>th</sup> Street - Noe Valley Neighborhood Commercial District, four of the five existing banks within this district are not at least 500 feet apart from the Project Site.*

*The Project would result in a rather negligible issue of an over-concentration of financial services in this district for the following reasons:*

*(1) Well established financial services have their own bases of clients. It would not be uncommon or unprecedented for those financial services to open branch offices in the City's various densely populated neighborhood commercial districts in order to more closely and conveniently serve their clients; and*

*(2) The nearest branches of First Republic Bank from the Project Site are at 653 Irving Street and 279 West Portal Avenue, respectively. The Project at 3901 24<sup>th</sup> Street could more closely and conveniently serve First Republic Bank's approximate 3,500 current clients in the Noe Valley neighborhood and save their time and energy as opposed to traveling approximately two miles to obtain similar banking services and products offered by either of its two nearest branches.*

The guidelines provide that new financial service establishments should provide a detailed analysis of the potential impacts on existing transportation systems that serve the location and the proposed use should be designed to mitigate any traffic impacts. The location of limited financial services should be carefully evaluated as to the potential for double parking or illegal parking. If the proposed use includes ATMs, this evaluation is especially critical in determining the appropriateness of the use and its location.

*Off-street parking is not required in this District for uses that occupy less than 5,000 square feet of gross floor area. Traffic impacts are not anticipated because the Project is designed to mainly serve residents from the Noe Valley neighborhood and owners of businesses on 24<sup>th</sup> Street within walking distance. It is not intended to be a destination financial service. Further, the Project Site is well served by public transit so that patrons and employees alike can arrive by means other than driving private automobiles.*

The guidelines state that financial services should provide retail-banking services to serve the business community as well as the residential community.

*The Project is designed to provide banking services and products to both residents and business owners in the Noe Valley neighborhood.*

The guidelines state that new financial services should avoid, if feasible, the demolition of sound buildings that are compatible in scale and character with other buildings in the district.

*The Project will not result in the demolition of the subject building on the Property.*

The guidelines state that in neighborhood commercial districts where drive-up facilities are not permitted, financial offices should be pedestrian oriented.

*Drive-up facilities, defined in Planning Code Section 790.30, are not permitted in the 24<sup>th</sup> Street – Noe Valley Neighborhood Commercial District. The Project will include one ATM, installed inside the lobby of the Project Site, which will not be a drive-up facility.*

**Policy 6.9:**

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

*The Project is designed to mainly serve residents and other business owners in the Noe Valley neighborhood within walking distance and is not intended for an automobile oriented use. Therefore, no significant traffic impacts and parking problems should arise in this neighborhood as a result of the Project.*

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

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

*The Project would be established in a currently vacant ground floor commercial storefront. No existing retail uses will be replaced as a result of the Project. The Project is intended to provide financial services more closely to its base of clients from the Noe Valley neighborhood and could offer employment opportunities for neighborhood residents.*

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

*The scale and use proposed by the Project is within the existing character of the 24<sup>th</sup> Street – Noe Valley Neighborhood Commercial District. The Project does not include any modifications to the building envelope of the existing structure or any change to the existing housing unit at the Property.*

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

*No housing will be removed as a result of the Project.*

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

*It is expected that the proposed financial service facility would be most likely used by residents and business owners from the Noe Valley neighborhood. The Project will mainly generate pedestrian traffic and will not impede MUNI transit service or overburden the streets or neighborhood parking. The Project Site is well served by public transit, Muni Bus Route 48 operating on 24<sup>th</sup> Street, directly in front of the Project site and Muni Bus Route 24 operating on nearby Castro Street.*

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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*This Project will not diminish the city's preparedness to protect against injury and loss of life in an earthquake because the Project will be designed and constructed to conform to the structural and seismic safety requirements of the City's Building Code.*

- G. That landmarks and historic buildings be preserved; and

*The subject building is not an architecturally rated building nor is it included on any architectural survey. No historic buildings or landmarks will be adversely affected by the Project.*

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

*The Project will not adversely affect any parks and open space and their access to sunlight and vistas because no alterations to the existing structure's building envelope are proposed as part of this Project.*

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. 2011.1372C** subject to the following conditions attached hereto as "EXHIBIT A" 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. 17991. 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 June 14<sup>th</sup>, 2012.

Linda Avery  
Commission Secretary

AYES:

NAYES:

ABSENT:

ADOPTED: June 14<sup>th</sup>, 2012

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow the establishment of a new financial service (d.b.a. First Republic Bank) in a currently vacant ground floor commercial space at the Property, 3901 24<sup>th</sup> street, Lot 001 in Assessor's Block 6508, pursuant to Planning Code Sections 728.49 and 303 in 24<sup>th</sup> Street – Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated April 9<sup>th</sup>, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2011.1372C and subject to conditions of approval reviewed and approved by the Planning Commission on June 14<sup>th</sup>, 2012 under Motion No. XXXXX. 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 June 14<sup>th</sup>, 2012 under Motion No. XXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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 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 Planning 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](http://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](http://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](http://www.sf-planning.org).*

### PARKING AND TRAFFIC

4. **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](http://www.sf-planning.org).*

## MONITORING - AFTER ENTITLEMENT

5. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
6. **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 Planning Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

7. **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>*
8. **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 a written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
9. **Lighting.** All Project lighting, including nighttime lighting, shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to any surrounding property.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Parcel Map

6508

HORNER'S ADD.  
BLK. 133

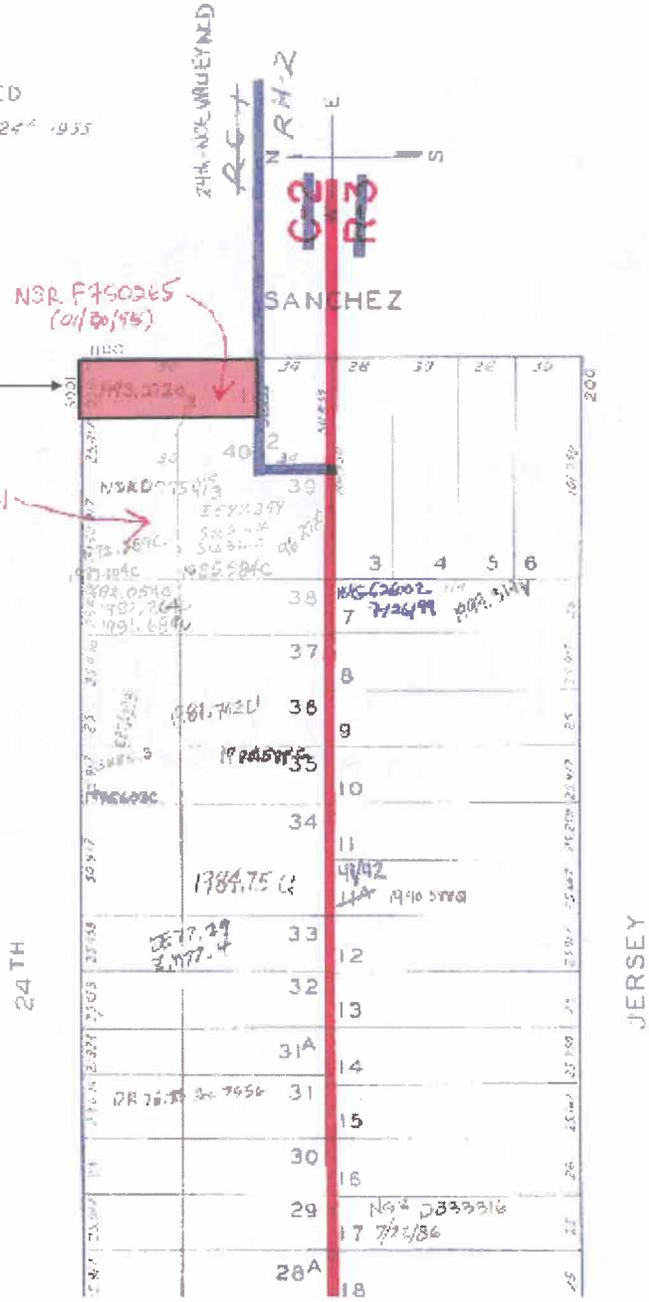
40-X

LOTS MERGED  
LOT 26<sup>A</sup> IN 10 LOT 24<sup>A</sup> 1935

**SUBJECT PROPERTY**  
3901 24<sup>TH</sup> STREET

NSR F750265  
(01/30/95)

NSR G 007581  
7/29/96

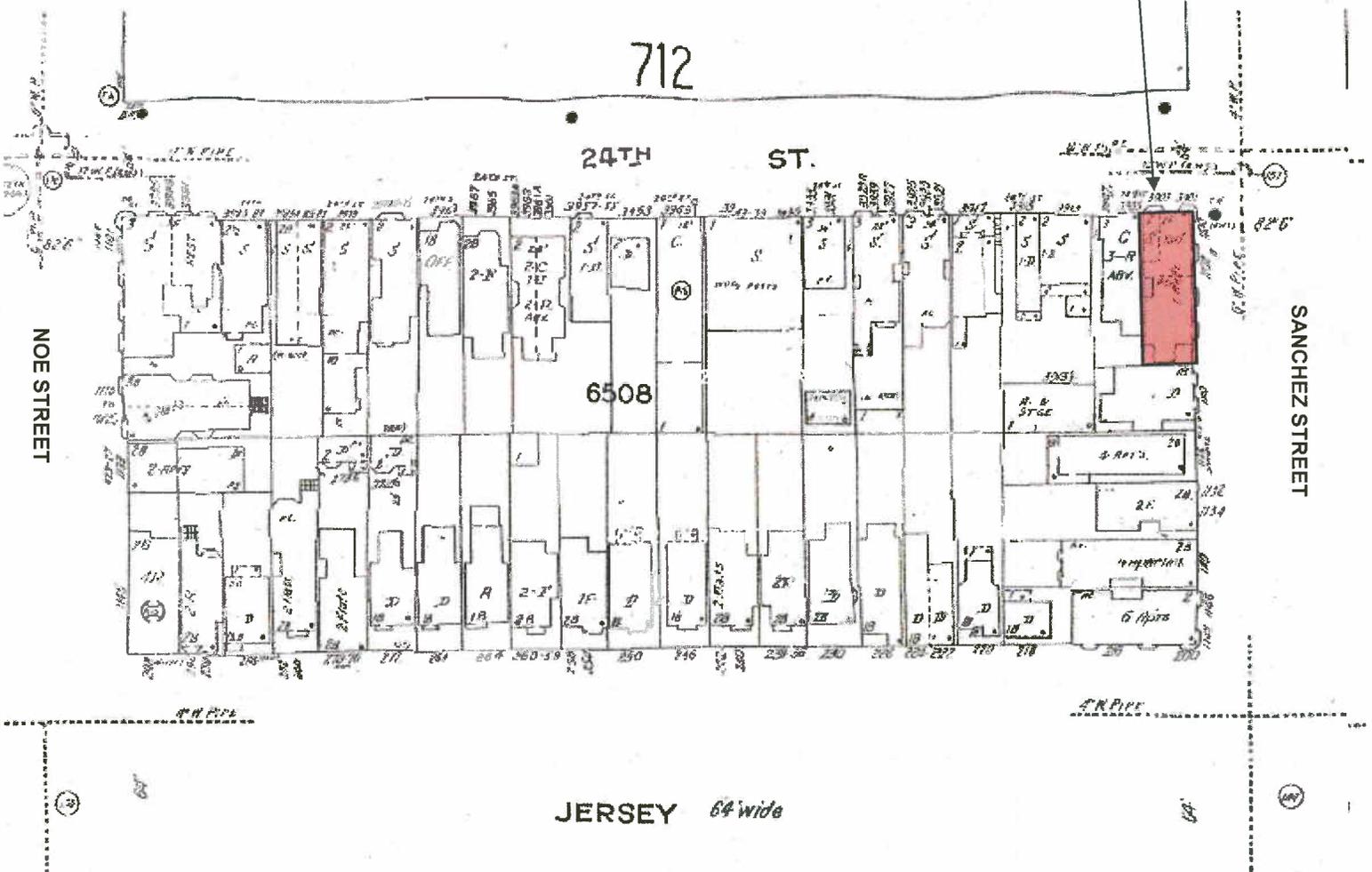


Planning Commission Hearing  
Case Number 2011.1372C  
3901 24<sup>th</sup> Street



# Sanborn Map\*

SUBJECT PROPERTY  
3901 24<sup>TH</sup> STREET

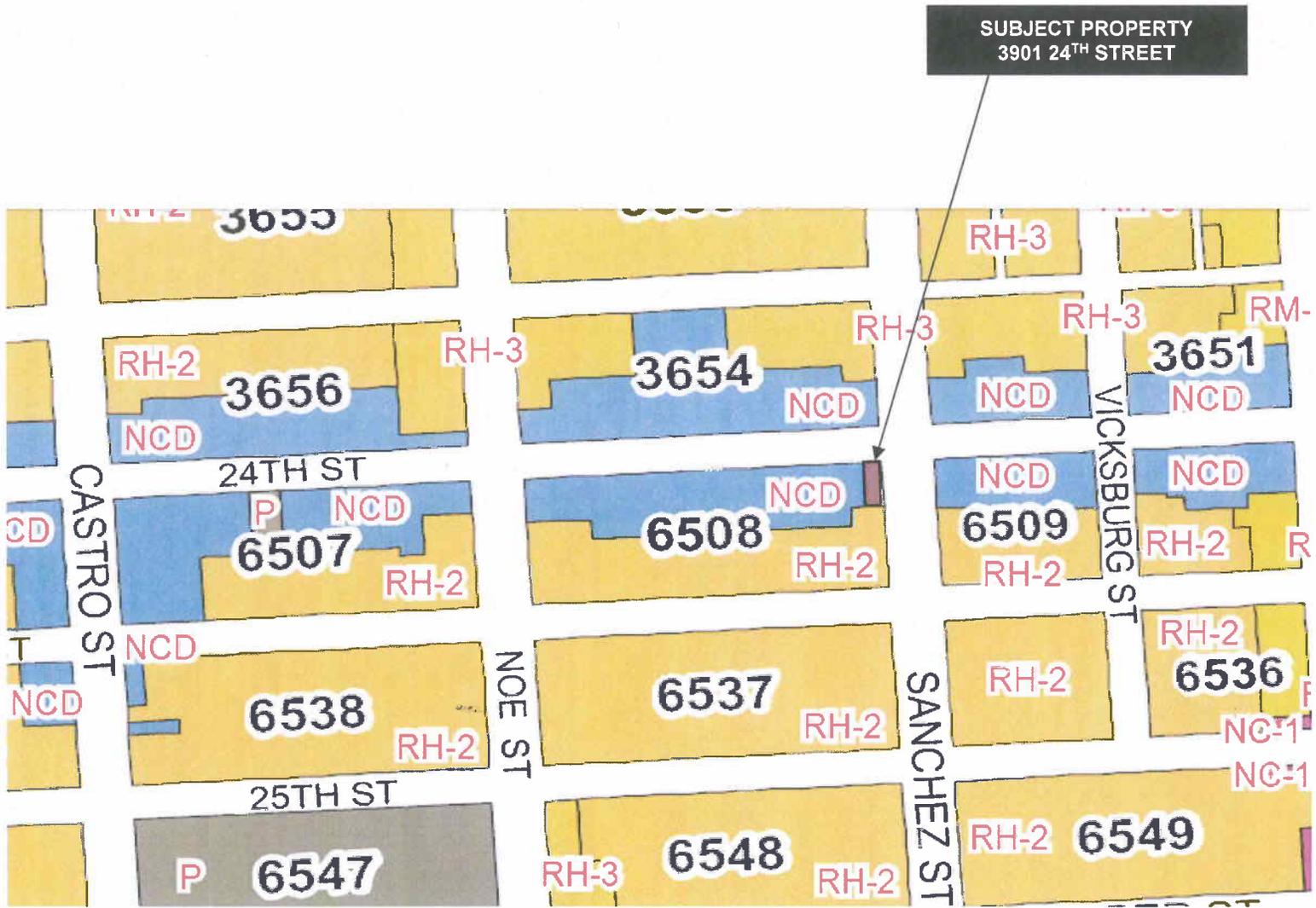


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Planning Commission Hearing  
Case Number 2011.1372C  
3901 24<sup>th</sup> Street

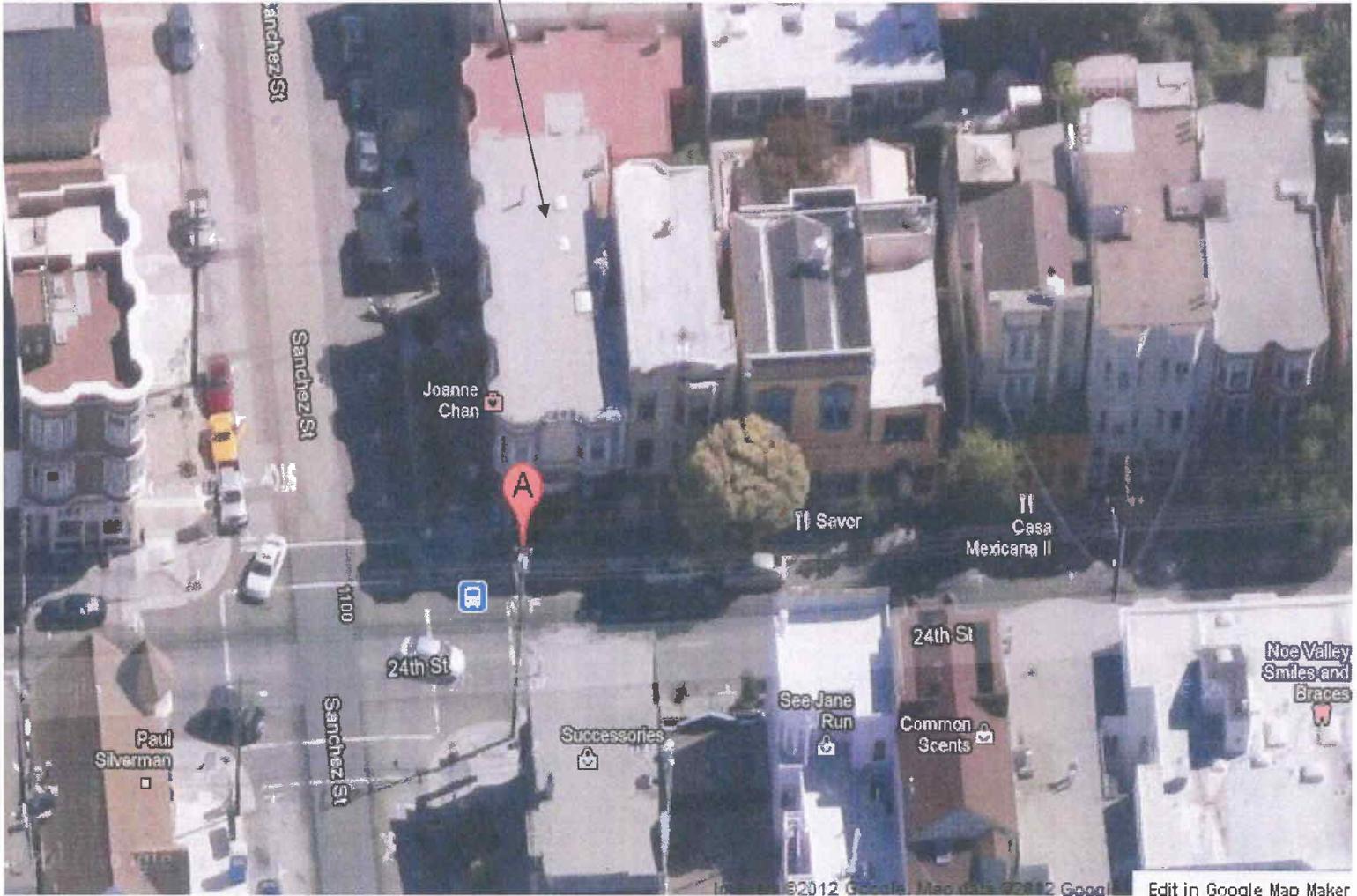
# Zoning Map



Planning Commission Hearing  
Case Number 2011.1372C  
3901 24<sup>th</sup> Street

# Aerial Photo

SUBJECT PROPERTY 3901 24<sup>TH</sup> STREET

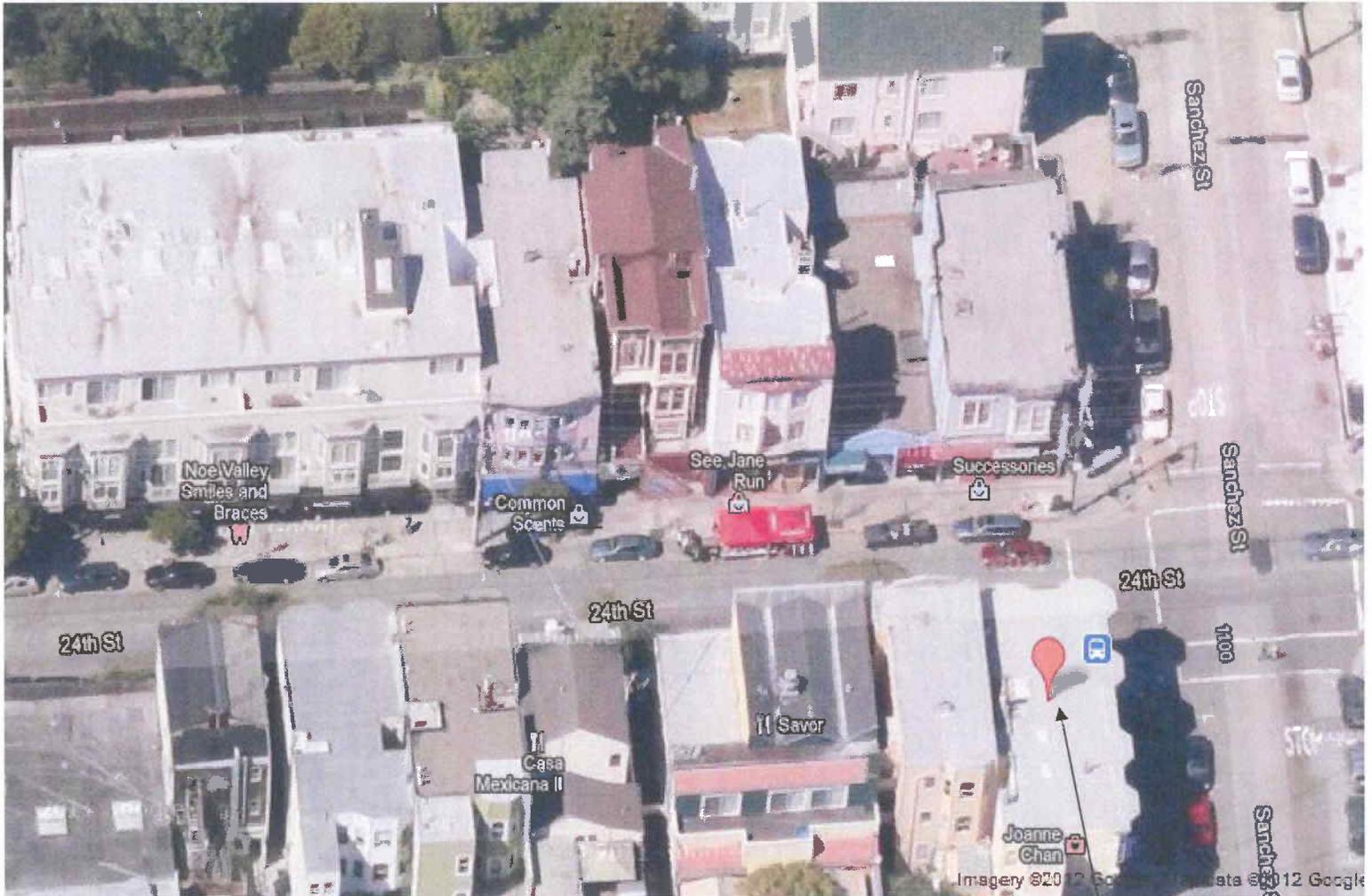


Imagery ©2012 Google, Map data ©2012 Google, Edit in Google Map Maker



Planning Commission Hearing  
Case Number 2011.1372C  
3901 24<sup>th</sup> Street

# Aerial Photo



**SUBJECT PROPERTY**  
**3901 24<sup>TH</sup> STREET**



Planning Commission Hearing  
Case Number 2011.1372C  
3901 24<sup>th</sup> Street

**First Republic Bank Remodel  
3901 24th Street  
San Francisco, CA**

**Conditional Use Authorization Application**

Case #: 2011.1372C  
June 14, 2012



**FIRST  
REPUBLIC  
BANK**

111 PINE STREET  
SAN FRANCISCO  
CA 94111  
TEL 415.364.4406

ARCHITECTURAL DESIGN AND DEVELOPMENT DEPARTMENT



FIRST REPUBLIC BANK  
It's a privilege to serve you®

May 31, 2012

Re: Conditional Use Permit for First Republic Bank

3901 24<sup>th</sup> Street, San Francisco, CA Case 2011.1372C

Dear Planning Commissioners:

First Republic Bank is requesting the approval of a conditional use permit for the opening of a 585 square foot bank branch in an existing retail suite at the Property which has been vacant for over a year. The Bank has over 3,500 customers in the area that currently must leave the neighborhood to do their banking. The proposed branch would draw customers and pedestrian traffic to 24<sup>th</sup> Street to also patronize the many other merchant retailers along 24th.

At the proposed Noe location, the Bank will provide customary banking services such as deposits, withdrawals, ATM, home mortgages, commercial loans and lines of credit, as well as small business loans. The proposed branch will provide for the creation of 3 new jobs. The office hours will be Monday – Thursday 9am to 5pm, Fridays 9am to 6pm, and Saturdays 9am to 2pm.

First Republic is a San Francisco based company and employs over 800 people locally. The Bank has a lengthy track record of supporting its local residents and merchants through the provision of relationship based banking and lending services and through the avid support of community events, local organizations and charities.

First Republic Bank is committed to being a partner in the community. The Bank (as is its custom) plans to offer the use of its space to local residents and community groups for meetings, social gatherings and events. In addition, First Republic has and will continue to sponsor a number of local benefits in support of the neighborhood, its residents and merchants.

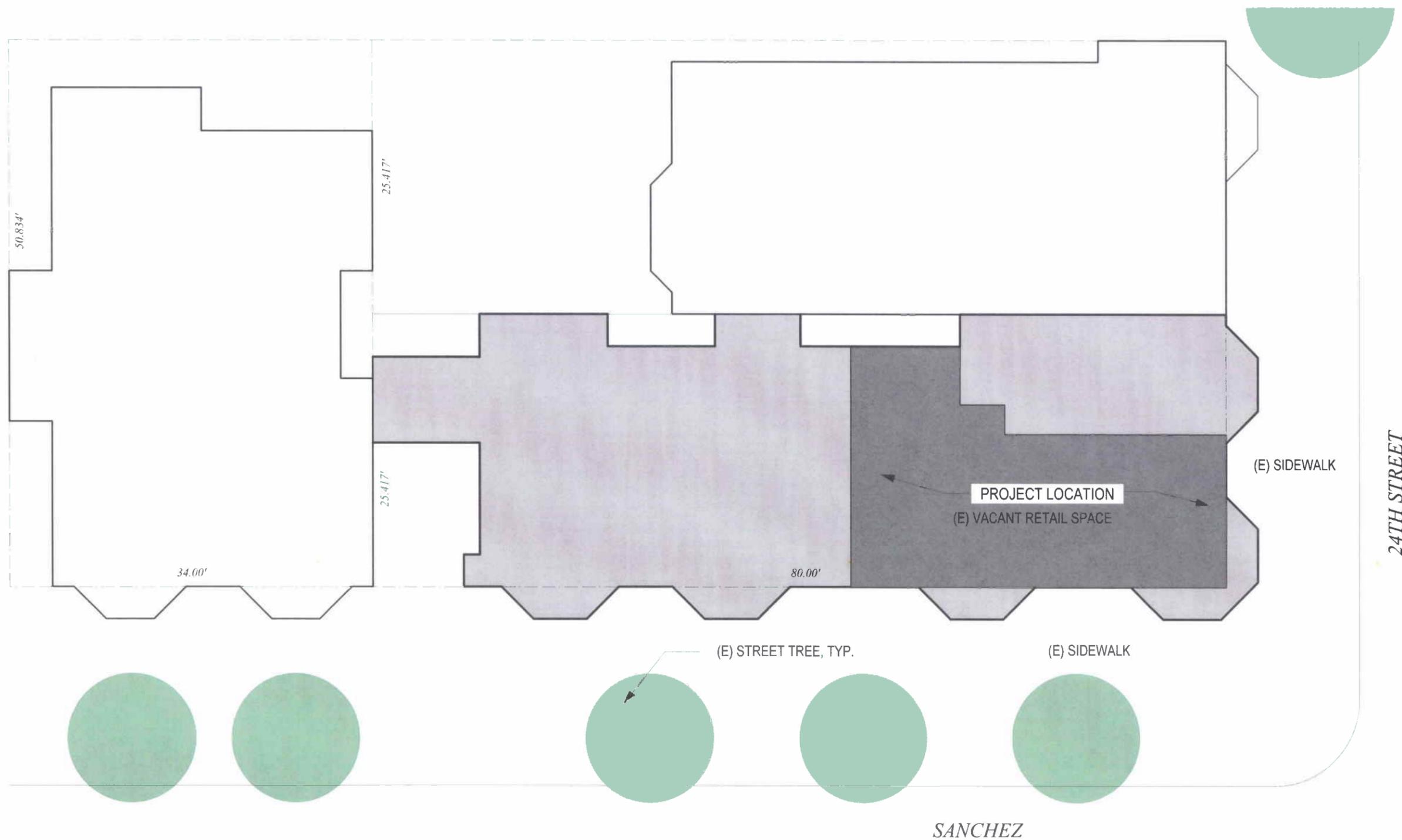
First Republic is not planning any significant changes to the building envelope, windows or doorways.

Sincerely,

Anna Hirano

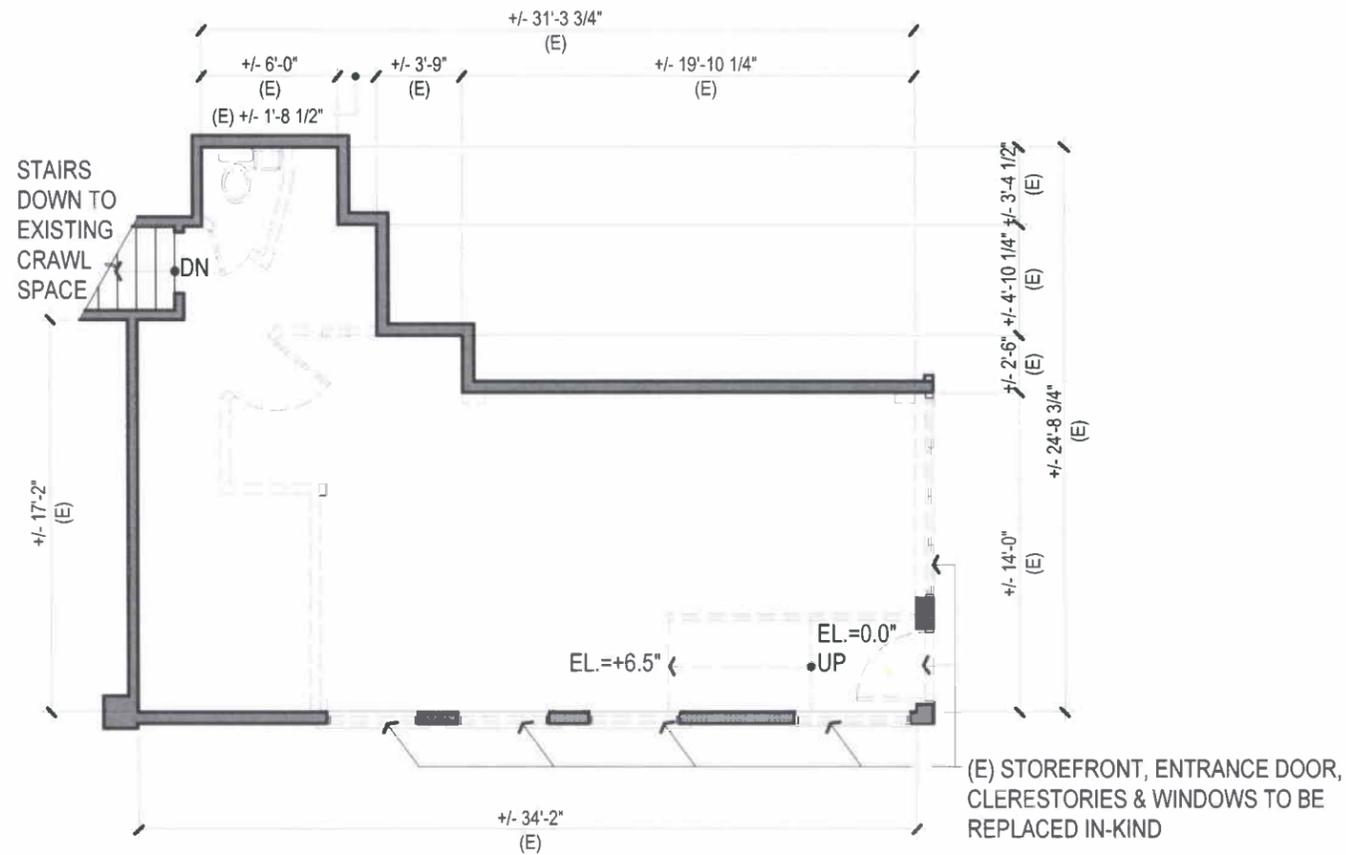
Senior Vice President, First Republic Bank





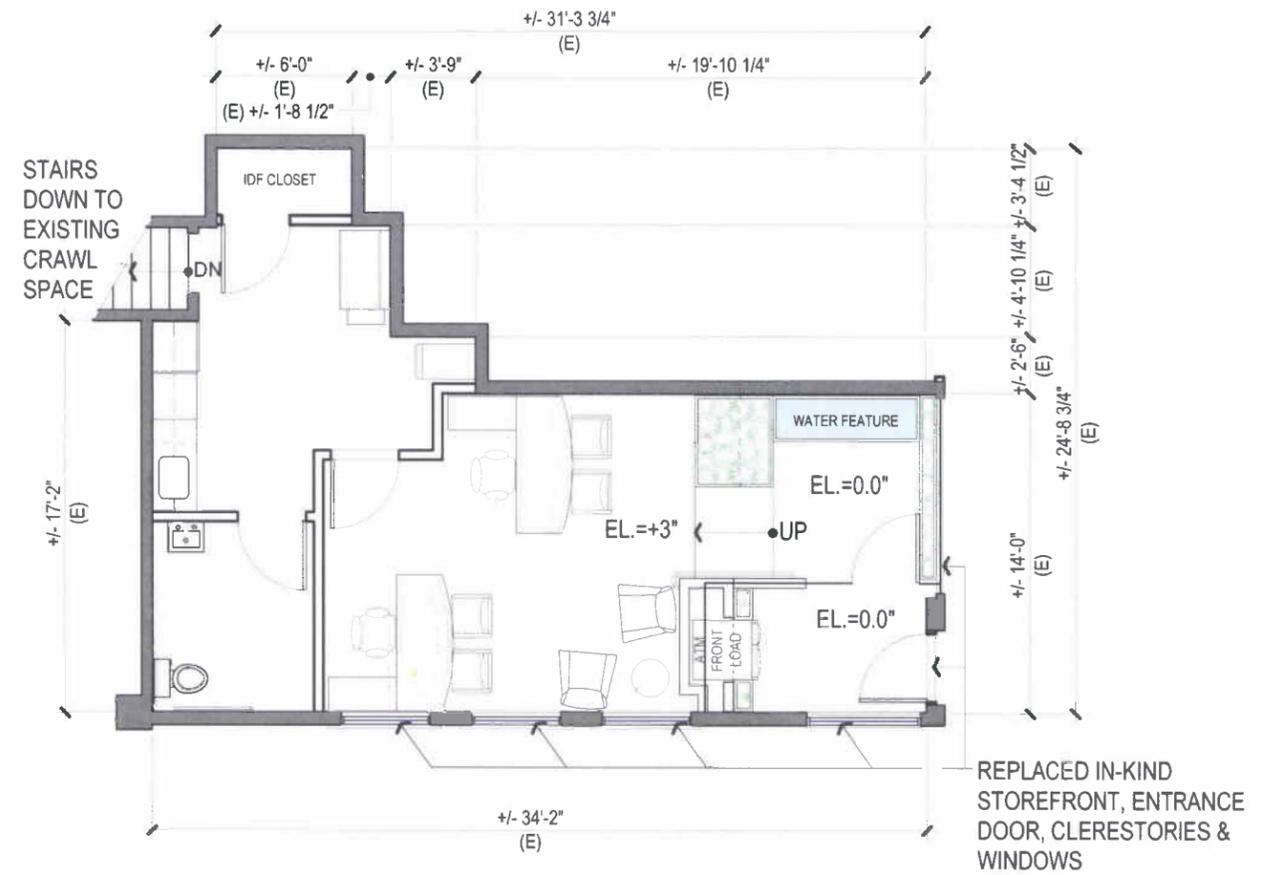
EXISTING / PROPOSED SITE PLAN

SCALE: 1" = 10'-0"



EXISTING / DEMO FLOOR PLAN

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



PROPOSED FLOOR PLAN

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



FIRST REPUBLIC BANK  
 111 PINE STREET  
 SAN FRANCISCO  
 CA 94111  
 TEL 415.364.4406

FIRST REPUBLIC BANK  
 REMODEL  
 3901 24TH STREET, SAN FRANCISCO, CA



DATE: 05/07/2012  
 SCALE: 1/8" = 1'-0"

SHEET NO  
 CU-2



**PROPOSED EAST ELEVATION**

VIEW FROM SANCHEZ STREET

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



**PROPOSED NORTH ELEVATION**

VIEW FROM 24TH STREET

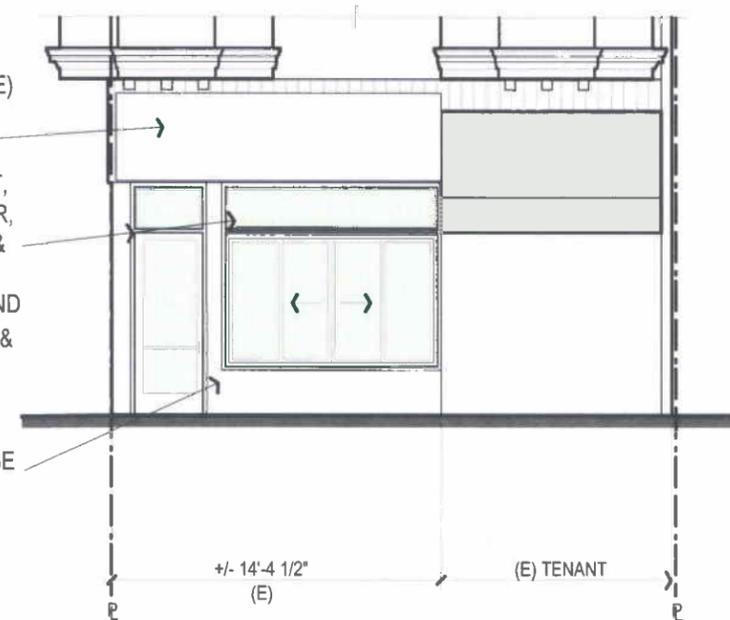
SCALE: 1/8"=1'-0"



**EXISTING EAST ELEVATION**

VIEW FROM SANCHEZ STREET

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



**EXISTING NORTH ELEVATION**

VIEW FROM 24TH STREET

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



FIRST  
REPUBLIC  
BANK

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SAN FRANCISCO  
CA 94111  
TEL 415.364.4406

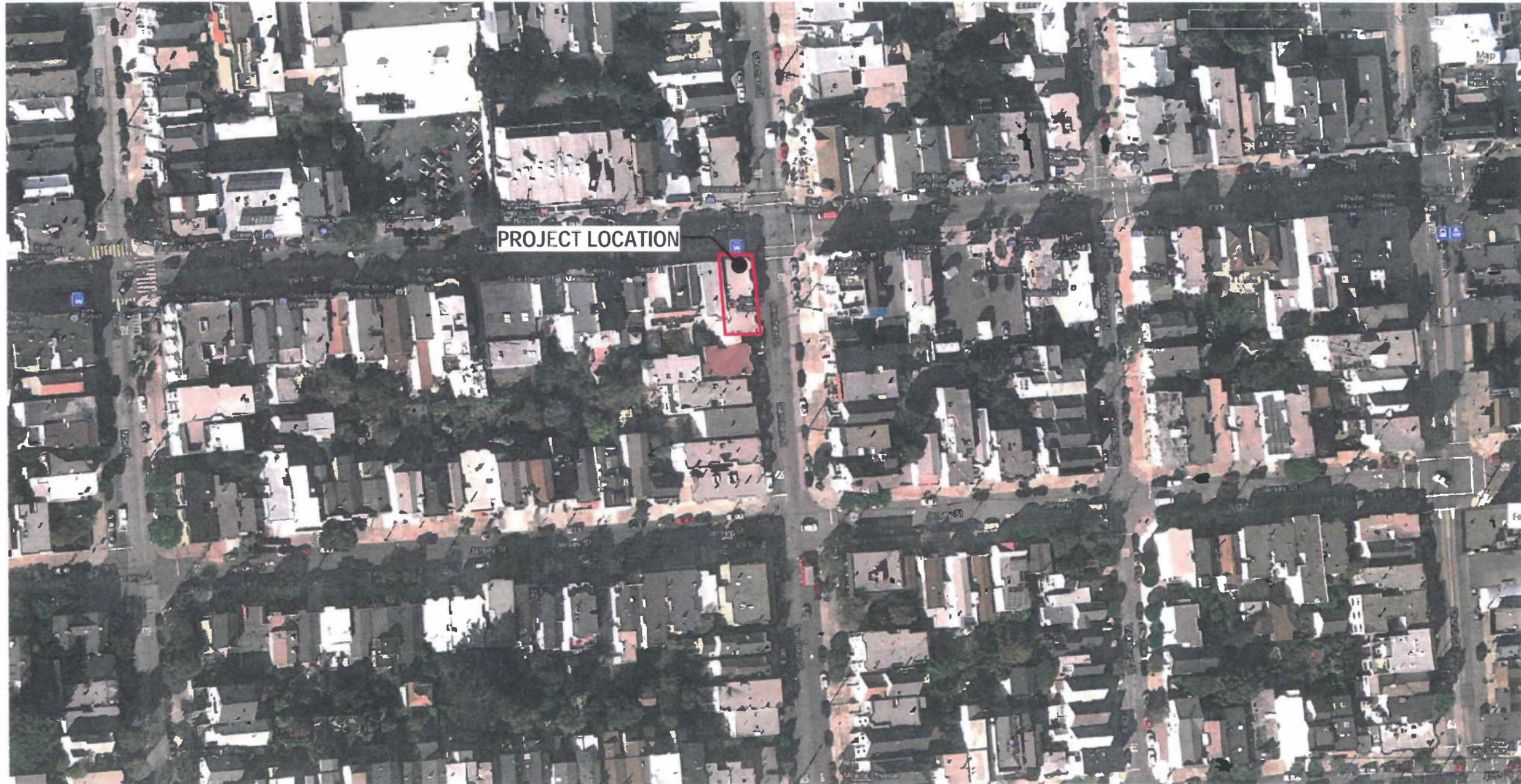
FIRST REPUBLIC BANK  
REMODEL  
3901 24TH STREET, SAN FRANCISCO, CA



DATE:  
05/07/2012  
SCALE:  
1/8" = 1'-0"

SHEET NO.

CU-3



FIRST  
REPUBLIC  
BANK

111 PINE STREET  
SAN FRANCISCO  
CA 94111  
TEL 415.364.4406

FIRST REPUBLIC BANK  
REMODEL  
3901 24TH STREET, SAN FRANCISCO, CA

DATE:  
05/07/2012  
SCALE:  
N/A

SHEET NO.

CU-4



Photo 2 - View of side facade from Sanchez



Photo 1 - View of entry & front facade from 24th Street



Photo 3 - View of south-west corner of 24th Street & Sanchez



Key Plan - Numbers indicate location from where photos were taken.



FIRST  
REPUBLIC  
BANK

111 PINE STREET  
SAN FRANCISCO  
CA 94111  
TEL 415.364.4406

FIRST REPUBLIC BANK  
REMODEL  
3901 24TH STREET, SAN FRANCISCO, CA

DATE:  
05/07/2012  
SCALE:  
N/A

SHEET NO.  
CU-5



Photo 6 - View of East side of Sanchez



Photo 4 - View of North side of 24th Street



Photo 7 - View of West side of Sanchez



Photo 5 - View of South side of 24th Street