



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: 07/12/2018

CONTINUED FROM: 02/08/2018, 03/01/2018

Record No.: 2017-008783CUA
Project Address: 1 FRONT STREET
Zoning: C-3-O (Downtown – Office) Zoning District
275-E Height and Bulk District
Block/Lot: 0266/009
Applicant: First Republic Bank
c/o Corinna Wan
111 Pine Street
San Francisco, CA 94111
Staff Contact: Andrew Perry – (415) 575-9017
andrew.perry@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The Project requests Conditional Use Authorization for the conversion of approximately 5,810 square feet of space at the ground floor of the existing building, from a Retail Financial Services use to a Non-Retail Sales and Service use. The subject building is currently occupied, in part, by First Republic Bank and the space would be used as an employee café for bank employees within the building as well as employees in satellite offices nearby. The use is considered accessory to the bank's primary office use. The employee café would operate primarily during breakfast and lunch, with occasional evening service or events. The applicant had previously obtained permits to operate a Limited Restaurant, however an employee café (not open to the general public) does not comply with this prior approval; therefore, the subject application is also intended to abate an active Planning Enforcement Case.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization to permit a Non-Retail Sales and Service use at the ground floor within the C-3-O District on Market Street.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** At the writing of this report, the Department had received one communication regarding the proposal. The comment expressed concerns over the privatized nature of the proposed use, particularly within the Downtown area and along Market Street.. Additionally, the commenter noted privatizing the space could present safety concerns,

suggesting that the Project Sponsor explore exterior lighting or other means to make the adjacent public right-of-way safer and more inviting for pedestrians both during and after normal business hours. The Project Sponsor had previously conducted outreach among employees, which indicated that an employee café was an important amenity for employee hiring and retention.

- **Pending Planning Code Text Amendment.** On March 8, 2018, under Planning Commission Resolution No. 20128, the Planning Commission initiated amendments to the Planning Code that would correct errors and make non-substantive language clarifications. The proposed legislation would amend Section 145.4, which requires ground floor commercial uses along specific commercial frontages, including Market Street within all C-3 Districts. Modifications to this requirement are permitted as specified in subsection (e), however, Code was not clear on the process for granting modifications in C-3 Districts. The proposed amendment would thus allow for modifications in C-3 Districts through a Conditional Use Authorization, such as the request before the Commission today. This legislation is still under consideration at the Board of Supervisors; therefore, any potential approval of the Conditional Use Authorization is contingent upon final adoption of the legislation, and a condition of approval has been added to that effect.

BASIS FOR RECOMMENDATION

The Department finds the Project is, on balance, consistent with the Objectives and Policies of the General Plan, and finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity. Although the Project is not a publicly available Retail Sales and Service use, the employee café will achieve similar goals in that it will provide visual interest along Market Street being still subject to the transparency and active use requirements of Section 145.1, and it will encourage pedestrian activity from the many bank employees who will walk to the site from other nearby office buildings. Additionally, the employee café would not eliminate any existing neighborhood-serving retail use; the previous tenant was a retail banking branch, which in many respects, was less active than the currently proposed use. Lastly, the Department has incorporated a Condition of Approval into the draft motion, such that this space shall remain accessory to the other office uses in the building, and any future proposal to convert this space into non-accessory general office, would require a new Conditional Use Authorization.

ATTACHMENTS:

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



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: JULY 12, 2018

CONTINUED FROM: FEBRUARY 8, 2018 AND MARCH 1, 2018

Case No.: 2017-008783CUA
Project Address: 1 FRONT STREET
Zoning: C-3-O (Downtown – Office) Zoning District
275-E Height and Bulk District
Block/Lot: 0266/009
Project Sponsor: First Republic Bank
c/o Corinna Wan
111 Pine Street
San Francisco, CA 94111
Property Owner: ONE FRONT STREET EAT LLC
1633 Broadway #1801
New York, NY 10019
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ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 210.2 AND 145.4(e) OF THE PLANNING CODE TO ESTABLISH AN APPROXIMATELY 5,810 SQUARE-FOOT, GROUND FLOOR NON-RETAIL SALES AND SERVICE USE THAT IS ACCESSORY TO THE EXISTING OFFICE USE, WITHIN THE C-3-O (DOWNTOWN – OFFICE) ZONING DISTRICT AND 275-E HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 28, 2016, Swinerton Builders on behalf of First Republic Bank filed Building Permit Application No. 2016.04.28.5955 with the Department of Building Inspection (“DBI”) for ground floor tenant improvements and a change of use from lending institution to food/beverage handling. The permit was approved by the Planning Department on May 31, 2016, and fully issued by DBI on August 17, 2016.

On February 7, 2017, Planning Enforcement Case No. 2017-001613ENF was opened due to the use of the ground floor space as a private cafeteria for office employees in the subject building. Due to the private nature and dedicated use by only the employees of First Republic Bank, the use must therefore be considered a Non-Retail Sales and Service use, accessory to the office use on the floors above, and not otherwise a Restaurant or Limited Restaurant, as was authorized under the aforementioned building permit. Non-Retail Sales and Service uses, including office functions, require Conditional Use Authorization at the ground floor along Market Street and within the C-3-O District generally.

On July 11, 2017, Dan Gershwin on behalf of First Republic Bank (hereinafter “Project Sponsor”) filed Application No. 2017-008783CUA (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 303, 210.2 and 145.4 to

establish and legalize a Non-Retail Sales and Service use, accessory to the existing office use in the building, at the ground floor along Market Street and within the C-3-O (Downtown – Office) District and a 275-E Height and Bulk District (hereinafter “Project”) at 1 Front Street, Block 0266 Lot 009 (hereinafter “Project Site”).

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2017-008783CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On February 8, 2018, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-008783CUA and continued the hearing at staff’s request to July 12, 2018.

On July 12, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-008783CUA.

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. 2017-008783CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project Sponsor requests Conditional Use authorization pursuant to Planning Code Sections 303, 210.2, and 145.4 to establish a Non-Retail Sales and Service use with approximately 5,810 square feet of space located at the ground floor of the existing building. The space is proposed for an employee café, accessory to the office use for First Republic Bank employees and their guests only; approximately 660 employees work in the One Front Street office building, with another 1,800 employees in offices within a quarter-mile of the site. The space was last used as a retail Financial Service use by “Bank of the West”. In addition to the employee café, First Republic Bank also proposes to retain approximately 1,370 square feet of space at the ground floor as retail Financial Service use. A building permit was previously issued for the change of use to a Limited Restaurant and associated tenant improvements; however, the café is not open to the public and is instead functioning in an unauthorized manner as a Non-Retail Sales and Service use, accessory to the office use in the building. This Project thus also seeks to abate active Planning Enforcement Case No. 2017-001613ENF.

3. **Site Description and Present Use.** The Project Site is located on the northwest corner of Front and Market Streets, Lot 009 in Assessor's Block 0266 (District 3). The subject property is located within the C-3-O (Downtown – Office) District and the 275-E Height and Bulk District. The property is developed as a 38-story commercial office building with an adjacent two-story retail building. There are two ground-floor retail spaces, currently occupied by Limited Restaurant tenants (d.b.a. "Philz Coffee", and "Front Door Café"). In addition to the two retail spaces, the ground floor also previously contained a large retail banking branch for Bank of the West, a Financial Service use. This space is the subject of the current application, and has been fully renovated to function as the employee café for First Republic Bank, which has offices on upper floors of the building and in the surrounding neighborhood. Along Market Street, the building is shaped into five L-shaped "bays"; the employee café occupies four of the bays, with the fifth bay, closest to the corner of Front and Market Streets, being retained as a retail banking branch of First Republic Bank.
4. **Surrounding Properties and Neighborhood.** The subject property is located in the center of the Financial District along Market Street, and is surrounded predominantly by other mid- to high-rise office towers. Ground floors, where not occupied by office lobbies, tend to contain Limited Restaurants, retail Financial Services, and other small personal service and business service uses designed to meet the daytime needs of surrounding office workers, and include a number of formula retail businesses. The area is well-served by transit operating both within the City of San Francisco and broader region.
5. **Public Outreach and Comments.** At the writing of this report, the Department had received one communication regarding the proposal. The comment expressed concerns over the privatized nature of the proposed use, particularly within the Downtown area and along Market Street.. Additionally, the commenter noted privatizing the space could present safety concerns, suggesting that the Project Sponsor explore exterior lighting or other means to make the adjacent public right-of-way safer and more inviting for pedestrians both during and after normal business hours. The Project Sponsor had previously conducted outreach among employees, which indicated that an employee café was an important amenity for employee hiring and retention.
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. **Floor Area Ratio.** Planning Code Section 210.2 states that the basic Floor Area Ratio (FAR) in the C-3-O District is limited to 9.0 to 1. However, pursuant to Planning Code Sections 123, through the acquisition and use of Transferable Development Rights (TDR) at the property site, the gross floor area of a structure within the C-3-O District may exceed the stated basic FAR, up to a maximum FAR of 18 to 1.

The previous retail Financial Service use that occupied the subject space at the ground floor was not exempt from Gross Floor Area; therefore the conversion to Non-Retail Sales and Service accessory office use does not result in the addition of any Gross Floor Area to the property, or any corresponding increase to the existing FAR. No other addition or expansion is proposed.

- B. **Office Use.** Planning Code Section 210.2 states that Non-Retail Sales and Service office uses require Conditional Use Authorization if located at or below the ground floor.

The project has submitted an application for Conditional Use Authorization to permit and legalize the ground floor employee café as a Non-Retail Sales and Service use, accessory to the office use in the building by First Republic Bank. See Section 7, below, for Section 303 Conditional Use findings.

- C. **Privately-Owned Public Open Space.** Planning Code Section 138 requires project sponsors to provide public open space in certain amounts, when a permit is filed to construct a new building, or propose an addition of Gross Floor Area equal to 20 percent or more of the existing building.

The project does not propose new construction of a building or addition of Gross Floor Area greater than 20 percent of the existing; therefore the requirements of this section do not apply to the project.

- D. **Required Ground Floor Commercial Uses.** Planning Code Section 145.4 requires active commercial uses along Market Street in all C-3 Districts, however, such requirement may be modified through the Conditional Use process within C-3 Districts.

The project has submitted an application for Conditional Use Authorization to permit and legalize the ground floor employee café as a Non-Retail Sales and Service use, accessory to the office use in the building by First Republic Bank. See Section 7, below, for Section 303 Conditional Use findings.

- E. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, a TDM Plan shall be required for projects resulting in new construction of 10,000 square feet of non-residential use, or for changes of use of more than 25,000 square feet.

The Project is not required to submit a TDM Plan, as it does not propose new construction of non-residential uses, and it does not involve a change of use in excess of 25,000 square feet.

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

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

The proposal is desirable for and compatible with the surrounding neighborhood in that it would result in the visual activation of a ground-floor space that was previously underutilized as a retail banking branch, often viewed with shades or other coverings over the windows. Although it would not be generally open to the public, the proposed employee café would function similarly to other Limited Restaurants in the Financial District serving meals during work hours, particularly at breakfast and lunch, with periodic activity in the evening. Additionally, while some First Republic Bank employees do work in the subject building, the company also has other nearby office locations (including at 111

Pine Street, 201 California, and 405 Howard) which will draw employees onto the street, fostering additional pedestrian activity. The employee café provides jobs for 21 full-time employees. Lastly, First Republic Bank will retain one of the Market Street “bays” as a retail banking branch for their company open to the public so that there is still some public-facing element along Market Street. Existing retail uses within the Market Street plaza and along Front Street (currently occupied by tenants d.b.a. “Philz Coffee” and “Front Door Café”) will also be retained.

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

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

As there is no proposed building expansion as part of the project, 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 size of the employee café is generally consistent with the size of other retail and food-serving businesses along Market Street and within the Downtown area.

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

The Planning Code does not require parking or loading for the conversion of approximately 5,810 square feet to an employee café, accessory to the office use in the building. The site is very well-served by transit along the Market Street corridor, and loading will continue to occur within the existing adjacent parking garage located on Lot 007 of this Block.

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

The proposal will not result in any noxious or offensive emissions related to noise, glare, dust or odor.

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

The proposal does not require any treatments associated with landscaping, screening, open spaces, parking and loading areas, service areas, lighting or signs.

- 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 Downtown – Office District.

The Project is consistent with the purpose of the Downtown – Office District, which is characterized by its role as an employment center at both a regional and national level. The Project allows First Republic Bank to create an employee café within and proximate to its office locations; provision of an employee café has been identified by the bank and its employees as an important amenity for employee hiring and retention, particularly considering the prevalence of similar employee dining amenities at other companies throughout the Downtown neighborhood and region.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

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.

Policy 2.3

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

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

DOWNTOWN AREA PLAN

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 produces substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences which cannot be mitigated.

OBJECTIVE 2:

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.1

Encourage prime downtown office activities to grow as long as undesirable consequences of such growth can be controlled.

OBJECTIVE 3:

IMPROVE DOWNTOWN SAN FRANCISCO'S POSITION AS THE REGION'S PRIME LOCATION FOR SPECIALIZED RETAIL TRADE.

Policy 3.5

Meet the convenience needs of daytime downtown workers.

The Project consists of the conversion of approximately 5,810 square feet of ground floor retail space, last used as a retail banking branch office, to accessory office use as an employee café. The Project will enable the subject bank employer, which was started and is headquartered here in San Francisco, to expand its activity slightly, and remain competitive, particularly as an employer in a changing market. Employee cafes and similar amenities are increasingly common among large employers and has been identified by bank management and current employees as an important hiring and retention tool in this instance. The café itself will employ 21 full-time employees within the food service sector, jobs which help to provide opportunities to semi-skilled workers.

Although the Project does not result in a public-facing retail business, the employee café does help to activate the space, particularly in comparison to the prior banking use at the ground floor. The employee café will essentially function as other food-serving establishments in the area, helping to meet the daytime convenience needs of workers, albeit a specific set of workers, in the vicinity. Additionally, as many of the bank employees who will use the café come from other nearby office buildings, the Project will still result in increased pedestrian activity on Market Street and the surrounding neighborhood, and is not limited to employees simply remaining entirely within the subject building envelope. In reviewing the application, the Department discussed with the Project Sponsor the possibility of opening the café, or a portion of the café to the public; however, the size and capacity of the café has been designed specifically to handle the demand from bank employees and could not likely accommodate a larger, and more variable number of customers. Additionally, there are company security concerns which could be difficult to address, in that some employees may find the cafeteria an appropriate venue to hold working lunches or other business-related lunches with clients. Lastly, while the Department would be supportive of an eventual public-facing retail tenant, the proposed use does not preclude this from happening or cause any long-term detrimental or undesirable consequence; a Condition of Approval has been added such that this space must remain in its accessory function, and may not be otherwise converted to general office space with desks or other standard

pieces of office equipment. For these reasons, the Project is, on balance, consistent with the Objectives and Policies of the General Plan.

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

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

The Project will retain some of the existing retail banking jobs similar to those previously found at the subject property, with their own banking branch office within one of the Market Street "bays". Although the employee café will not be open to the public, the proposed use will achieve similar objectives to other food-serving businesses in the area, serving a clientele that draws from office buildings throughout the surrounding neighborhood. Lastly, the Project results in a net addition of service-sector jobs, with 21 full-time employees employed.

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

The Project is consistent with the existing neighborhood character and would have no effect on housing.

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

The Project will have no effect on the City's supply of affordable housing.

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

The Project will not impede MUNI transit service or overburden streets or neighborhood parking. No additional parking or loading is required by the conversion to the employee café, and the site is well-served by transit in the area.

- 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 provide increased employment opportunity in the service sector downtown, and will not displace any existing industrial or service sector business.

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

The tenant improvements that were previously constructed in association with this café use meet all applicable Building and Fire Code requirements.

G. That landmarks and historic buildings be preserved.

The Project will have no effect on designated landmarks or historic buildings.

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

The Project will have no effect on parks and open space.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2017-008783CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 10, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 12, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 12, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Non-Retail Sales and Service employee café use, accessory to the existing office use for First Republic Bank located at 1 Front Street, Block 0266, Lot 009, pursuant to Planning Code Section(s) 303, 210.2, and 145.4(e) within the C-3-O (Downtown – Office) District and a 275-E Height and Bulk District; in general conformance with plans, dated July 10, 2017, and stamped “EXHIBIT B” included in the docket for Case No. 2017-008783CUA and subject to conditions of approval reviewed and approved by the Commission on July 12, 2018 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 July 12, 2018 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

6. **Additional Project Authorization.** In order to proceed, the Board of Supervisors must adopt proposed amendments to the Planning Code under Board File No. 180557. Specifically, this legislation allows for modification of the requirement for ground-floor commercial use along Market Street within the C-3 Districts, pursuant to Planning Code Section 145.4. In the event that the legislation is not adopted, or that it is altered such that modifications to this Planning Code Section are not permitted within the C-3 District, the Project must be modified so as to comply with the requirements of Planning Code Section 145.4 or return to the Planning Commission for additional consideration and disapproval. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

7. **Maintaining Accessory Nature of Office Use.** The subject approval establishes a Non-Retail Sales and Service use for purposes of an employee café, which is accessory to the other existing office uses in the building on upper floors. Should the subject space and employee café cease to operate in an accessory manner, specifically such that the space is proposed for further conversion to general office use, the Project Sponsor must seek a new Conditional Use Authorization to establish said conversion.

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

PROVISIONS

8. **Downtown Park Fee - C-3 District.** The Project is subject to the Downtown Park Fee, as applicable, pursuant to Planning Code Section 412.

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

MONITORING - AFTER ENTITLEMENT

9. **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

10. **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

11. **Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section [102](#), shall be subject to the following conditions:

A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section [34](#) of the San Francisco Police Code.

For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>.

B. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with construction noise requirements, contact the Department of Building Inspection at 415-558-6570, www.sfdbi.org.

For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415-553-0123, www.sf-police.org.

C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

D. 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 the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>.

12. **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>

13. **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

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FIRST REPUBLIC BANK
 ARCHITECTURAL
 DESIGN & DEVELOPMENT
 111 PINE STREET
 SAN FRANCISCO
 CALIFORNIA 94111

ARCHITECT _____ REG. NO. _____



FIRST REPUBLIC BANK

ONE FRONT STREET BLDG.
 GROUND FLOOR
 SAN FRANCISCO, CA

Issuances and Revisions

Date	Description
07/10/17	FOR REVIEW

Date: 07/10/17

Sheet Title

SITE/PLOT PLAN

Scale: 1/16" = 1'-0"

Project No.

PDR-1

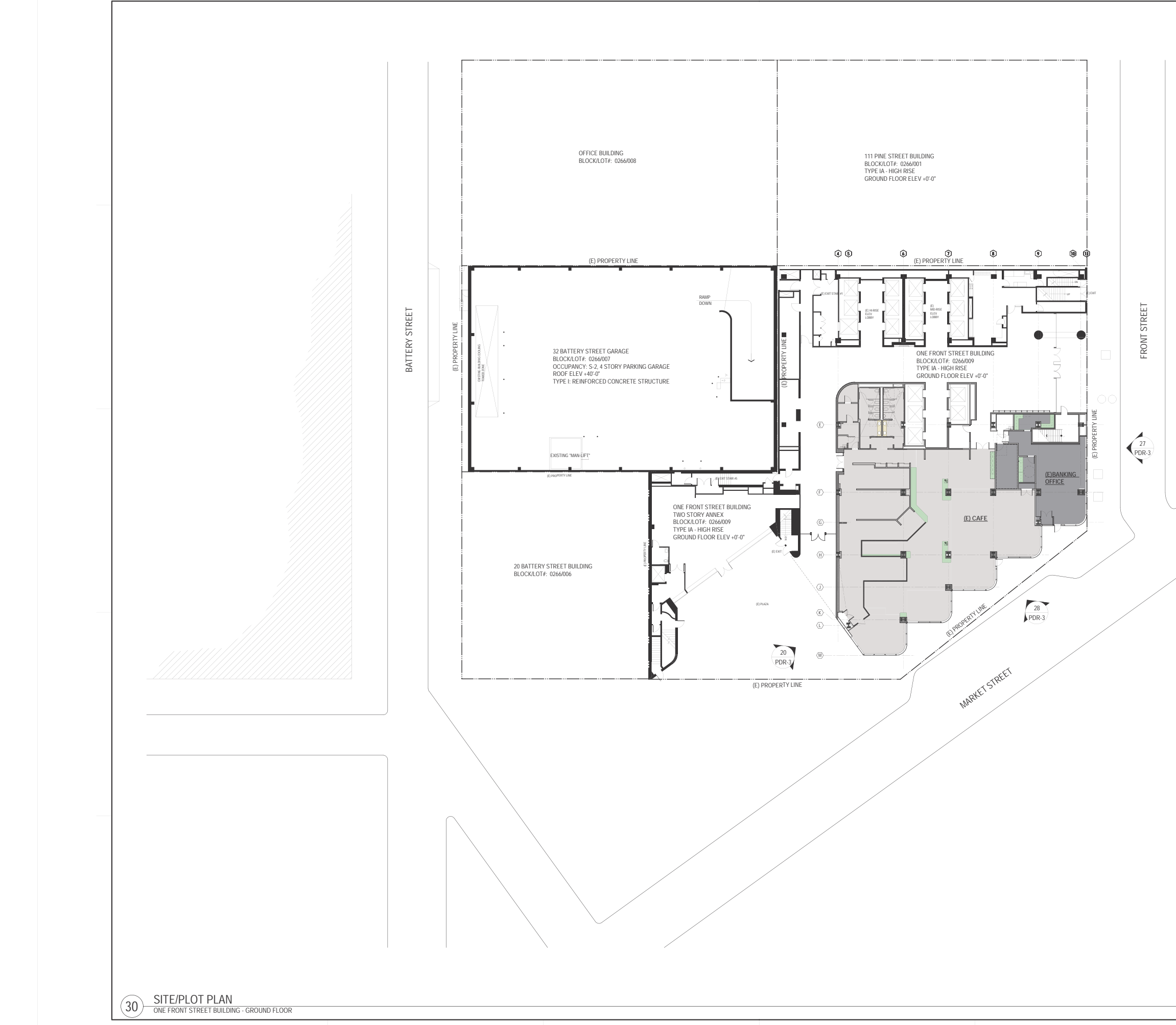
Sheet No. _____ Revision _____

PROJECT DATA :

BLOCK/LOT #	: 0266009
OCCUPANCY	: B - OFFICE
NO. OF STORIES	: EXISTING 38 STORY BUILDING
TYPE OF CONSTRUCTION	: TYPE IA - HIGH RISE
SPRINKLERED	: FULLY SPRINKLERED
TENANT FLOOR AREA	: 7,177 SQ.FT.
OCCUPANT LOAD	: SEE CHART BELOW

NAME OF OCCUPANCY	AREA	USE	O.L.F.	LOAD	
BRANCH OFFICE	800 SF	BUSINESS AREAS-B	100/SF	8	
INFO/COPY/STOR	570 SF	ACCESS_STOR	300/SF	1.9	
SEATING AREA	2030 SF	UNCONCEN. ASSY.	15/SF	135.33	
KITCHEN/FOOD PREP	1750 SF	KITCHEN	200/SF	8.75	
MERCANTILE AREA	1783 SF	UNCONCEN. ASSY.	100/SF	17.83	
STORAGE	244 SF	STORAGE	300/SF	.81	
TOILETS		442 SF	OTHER	100/SF	4.42
FLOOR TOTAL:		7,177 SF	TOTAL OCCUPANT LOAD:	172.62	

NO. EXITS REQUIRED	: BRANCH 2	CAFE	: 3
NO. EXITS PROVIDED	: 2		: 3
EXIT WIDTH REQUIRED	: 10 x 0.2 = 2"		: 163 x 0.2 = 32.5"
EXIT WIDTH PROVIDED	: 72 INCHES		: 98 INCHES





Issuances and Revisions

Date	Description
07/10/17	FOR REVIEW

Date 07/10/17

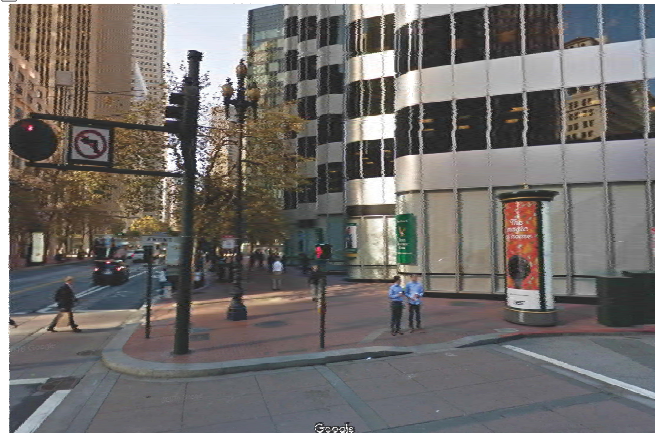
Sheet Title
 FLOOR PLANS
 PREVIOUS/CURRENT

Scale: 1/16" = 1'-0"

Project No. _____

PDR-2

Sheet No. _____ Revision _____



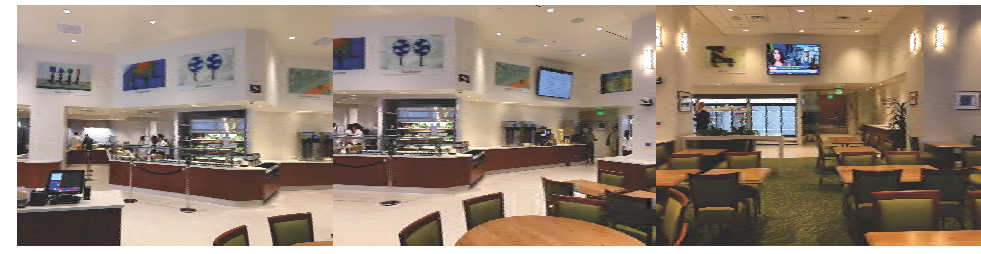
ONE FRONT STREET BUILDING - MARKET STREET LOOKING WEST (PREVIOUS)



ONE FRONT STREET BUILDING - GROUND FLOOR (PREVIOUS)



ONE FRONT STREET BUILDING - MARKET STREET LOOKING WEST (CURRENT)



ONE FRONT STREET BUILDING - GROUND FLOOR: CAFE



1/8" = 1'-0"



1/8" = 1'-0"



Issuances and Revisions

Date	Description
07/10/17	FOR REVIEW

Date: 07/10/17
 Sheet Title:

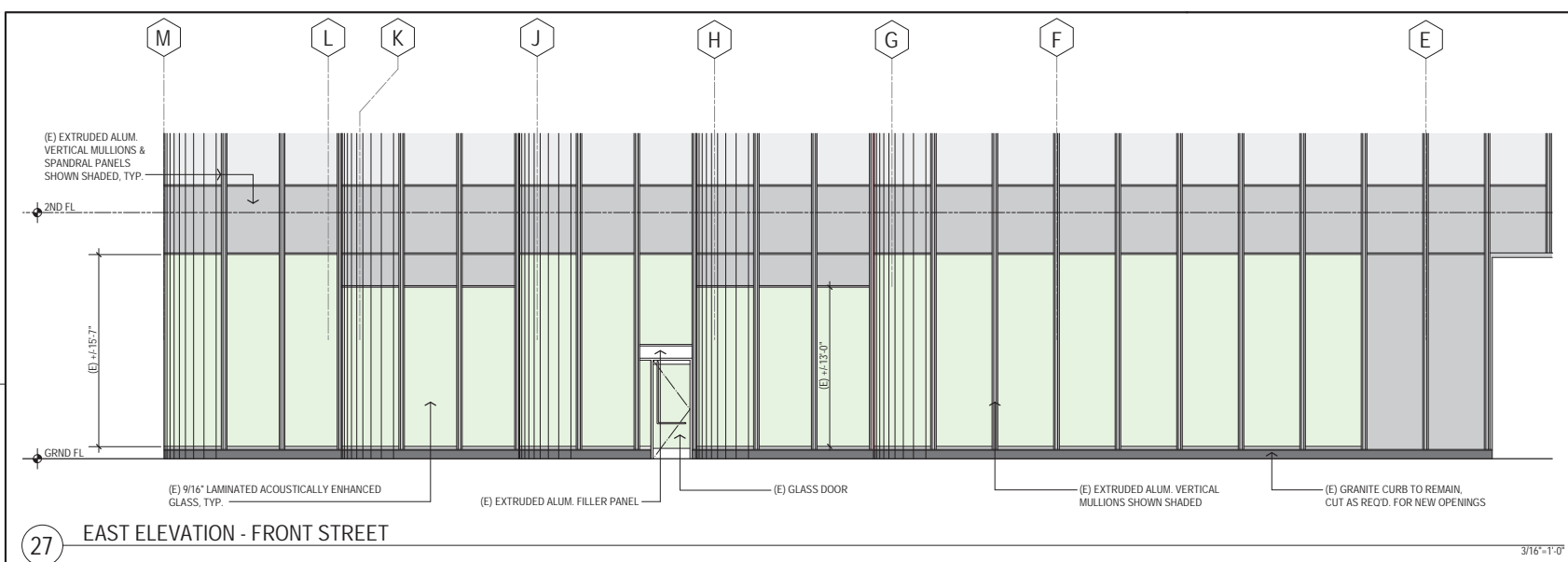
EXTERIOR ELEVATIONS

Scale: 3/16" = 1'-0"

Project No. _____

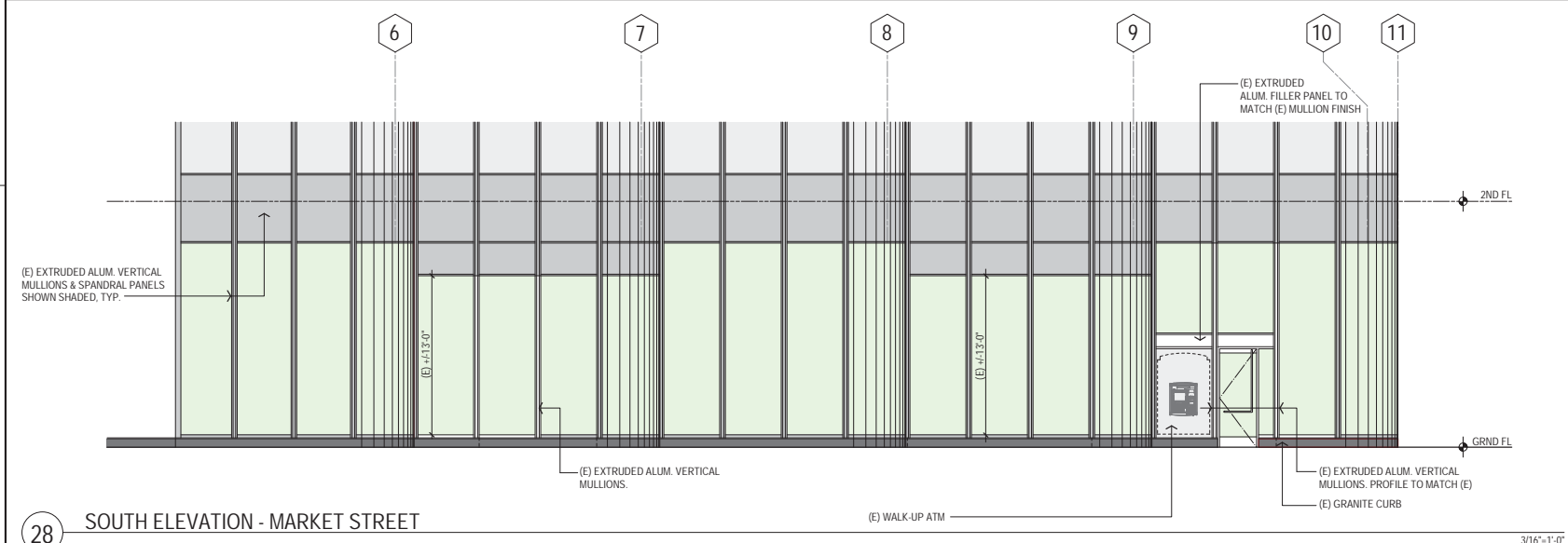
PDR-3

Sheet No. _____ Revision _____



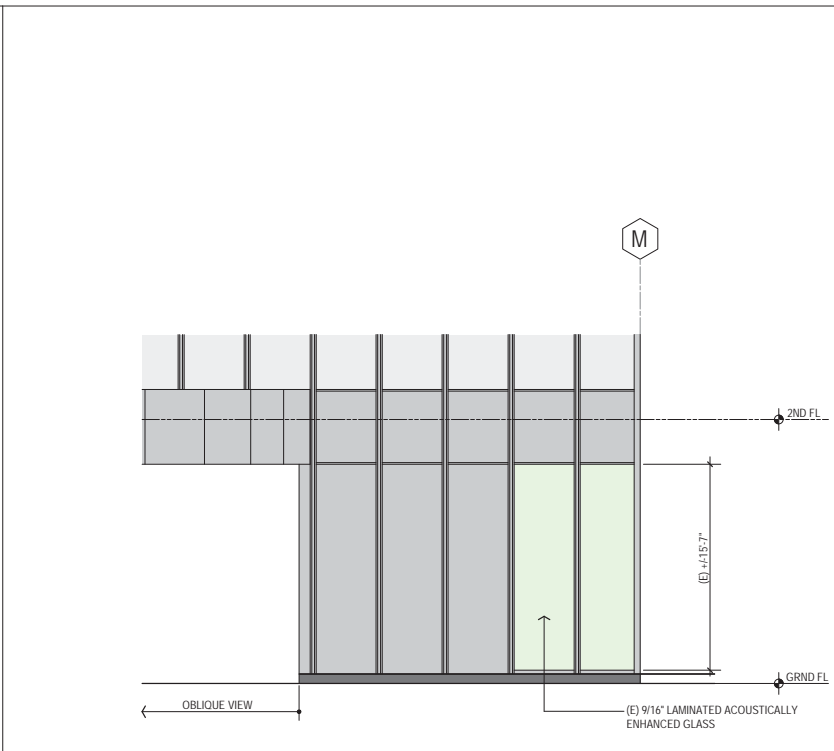
27 EAST ELEVATION - FRONT STREET

3/16"=1'-0"



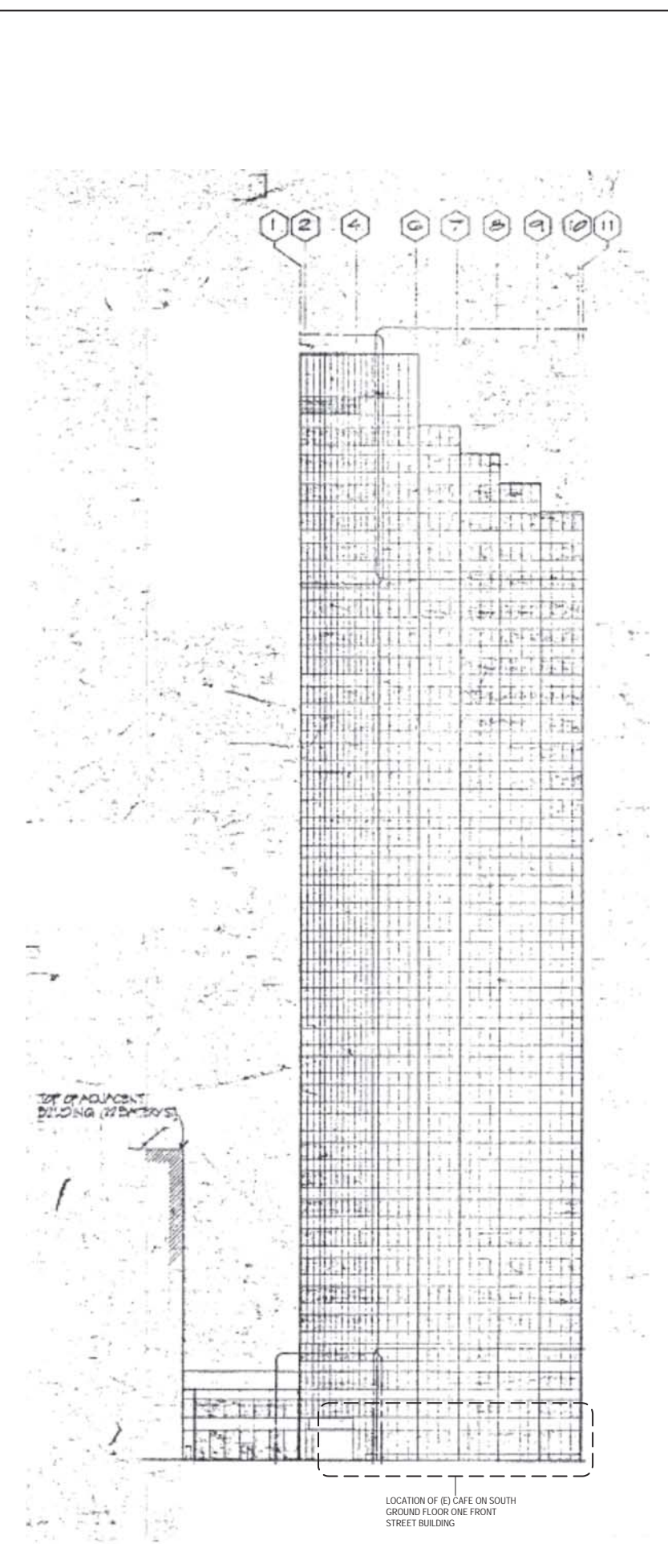
28 SOUTH ELEVATION - MARKET STREET

3/16"=1'-0"



20 SOUTHWEST ELEVATION - MARKET STREET

3/16"=1'-0"



10 EAST EXTERIOR BUILDING ELEVATION (MARKET STREET)
 FOR OVERALL BUILDING HEIGHT REFERENCE

N.T.S.

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SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
1 FRONT ST		0266009
Case No.		Permit No.
2017-008783PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Conditional Use authorization pursuant to Planning Code Sections 303, 210.2, and 145.4 to establish and legalize a Non-Retail Sales and Service use with approximately 5,810 square feet of space located at the ground floor of the existing building. The space is proposed for an employee café, accessory to the office use for First Republic Bank.</p>		

STEP 1: EXEMPTION CLASS

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

STEP 2: CEQA IMPACTS
TO BE COMPLETED BY PROJECT PLANNER

<p>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</p>	
<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i></p>
<input type="checkbox"/>	<p>Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</p>
<input type="checkbox"/>	<p>Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.</p>
<p>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</p>	
<p>Comments and Planner Signature (optional): Andrew Perry</p>	

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

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

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

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.				
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.				
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Project Approval Action: Commission Hearing</td> <td style="width: 50%;">Signature: Andrew Perry</td> </tr> <tr> <td>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</td> <td>07/03/2018</td> </tr> </table>		Project Approval Action: Commission Hearing	Signature: Andrew Perry	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	07/03/2018
Project Approval Action: Commission Hearing	Signature: Andrew Perry				
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	07/03/2018				
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>					

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
1 FRONT ST		0266/009
Case No.	Previous Building Permit No.	New Building Permit No.
2017-008783PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

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SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 1 FRONT ST
RECORD NO.: 2017-008783CUA

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Lot Area	27,411 sf	27,411 sf	---
Residential	---	---	---
Commercial/Retail	approx. 17,570 sf	approx. 11,760 sf	(- 5,810 sf)
Office	approx. 696,800 sf	approx. 702,610 sf	5,810 sf
Industrial/PDR <i>Production, Distribution, & Repair</i>	---	---	---
Parking	---	---	---
Usable Open Space	---	---	---
Public Open Space	---	---	---
Other ()			
TOTAL GSF	714,370 sf	714,370 sf	---
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Market Rate	---	---	---
Dwelling Units - Affordable	---	---	---
Hotel Rooms	---	---	---
Parking Spaces	---	---	---
Loading Spaces	---	---	---
Car Share Spaces	---	---	---
Bicycle Spaces	---	---	---
Number of Buildings	1	0	1
Number of Stories	38	0	38
Height of Building(s)	---	---	---
Other ()			

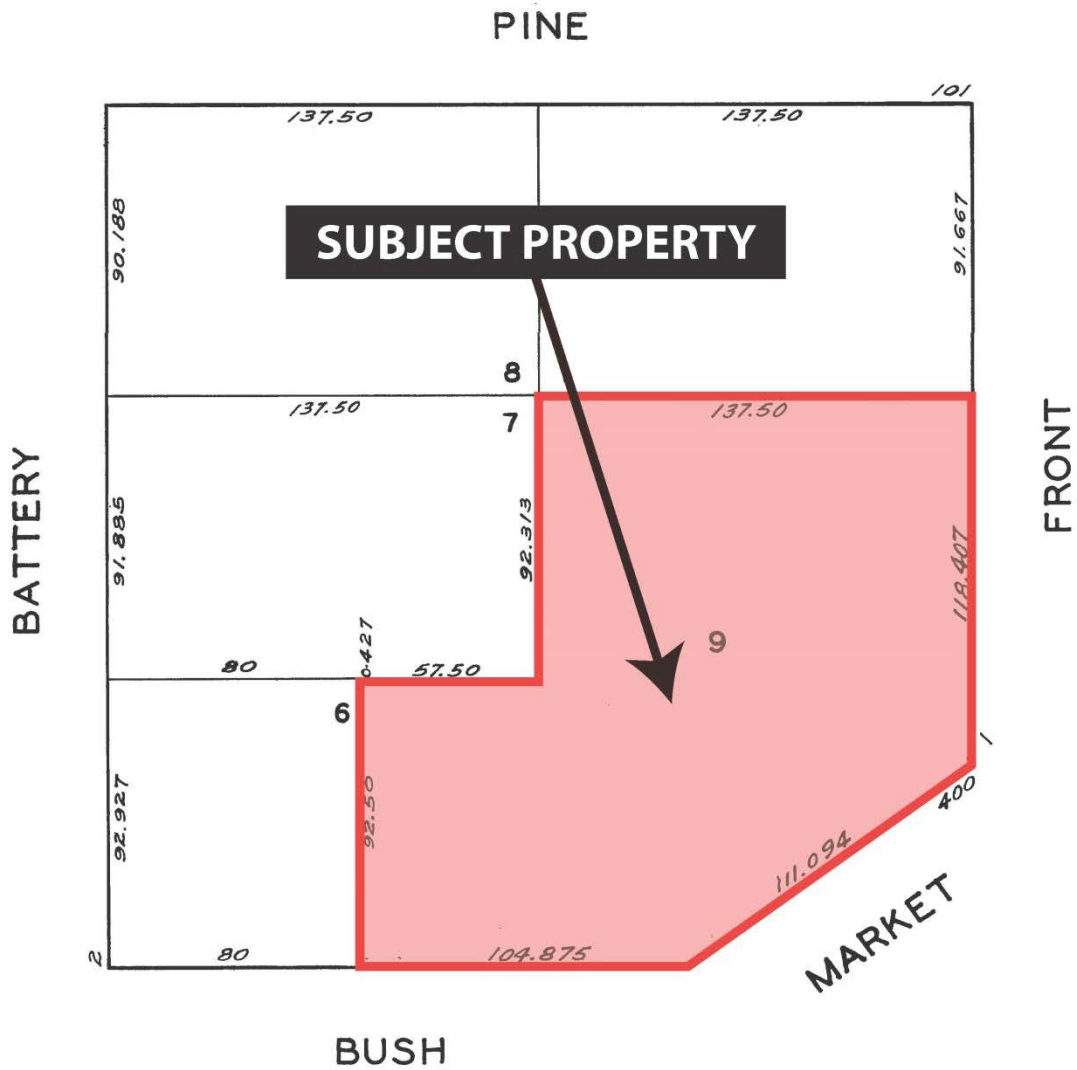
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Exhibit E

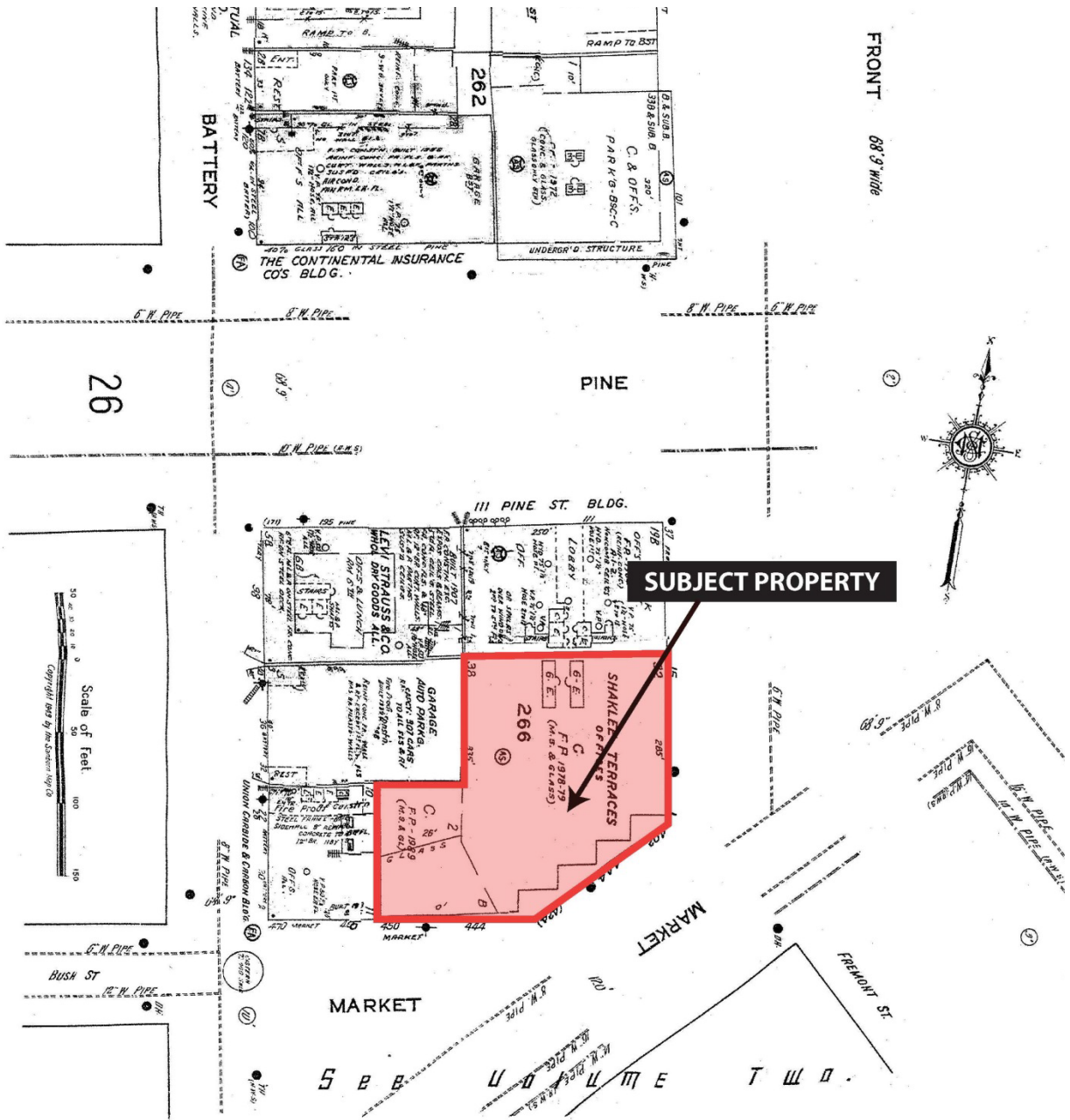
Maps and Context Photos

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Block Book Map

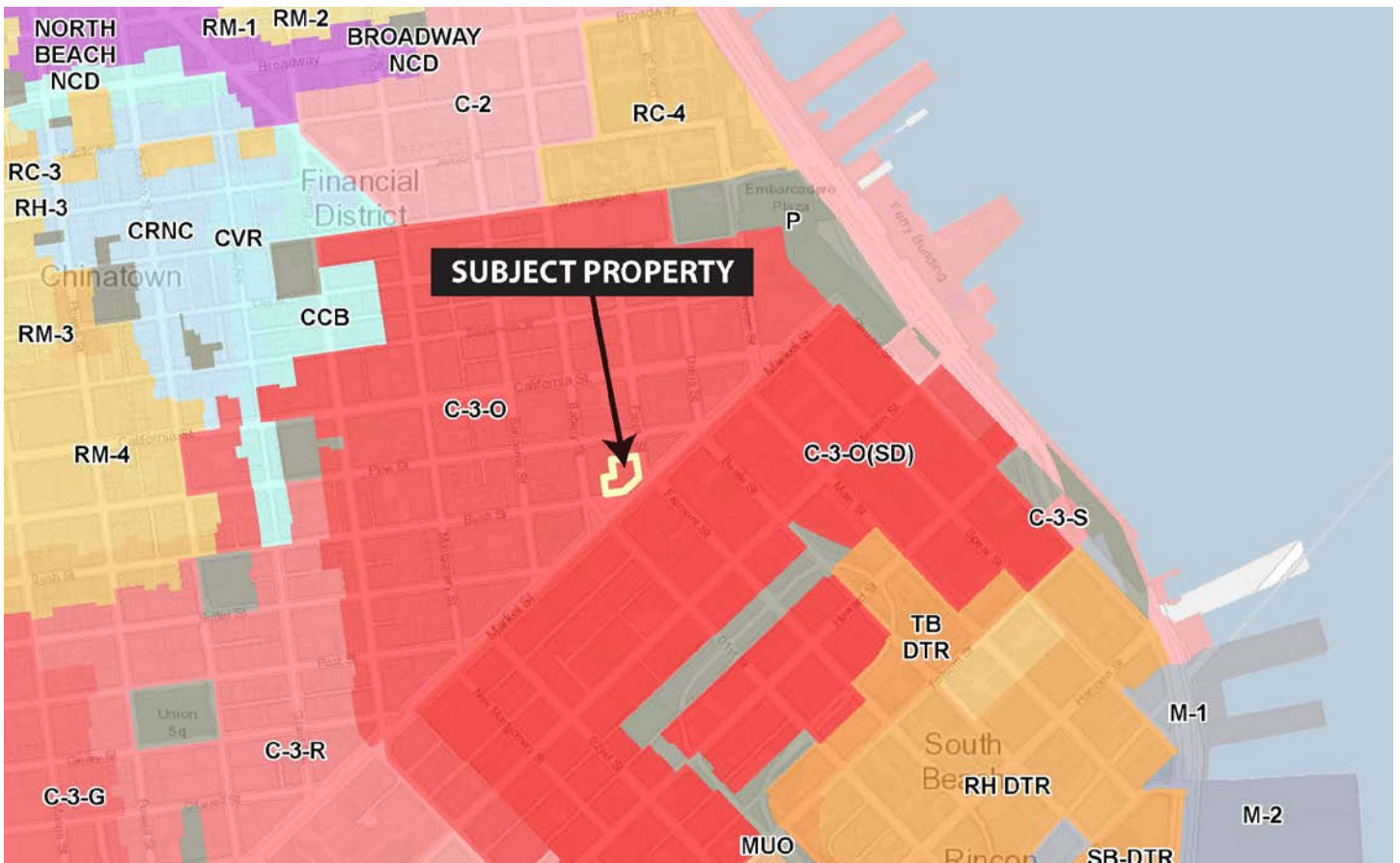


Sanborn Map*

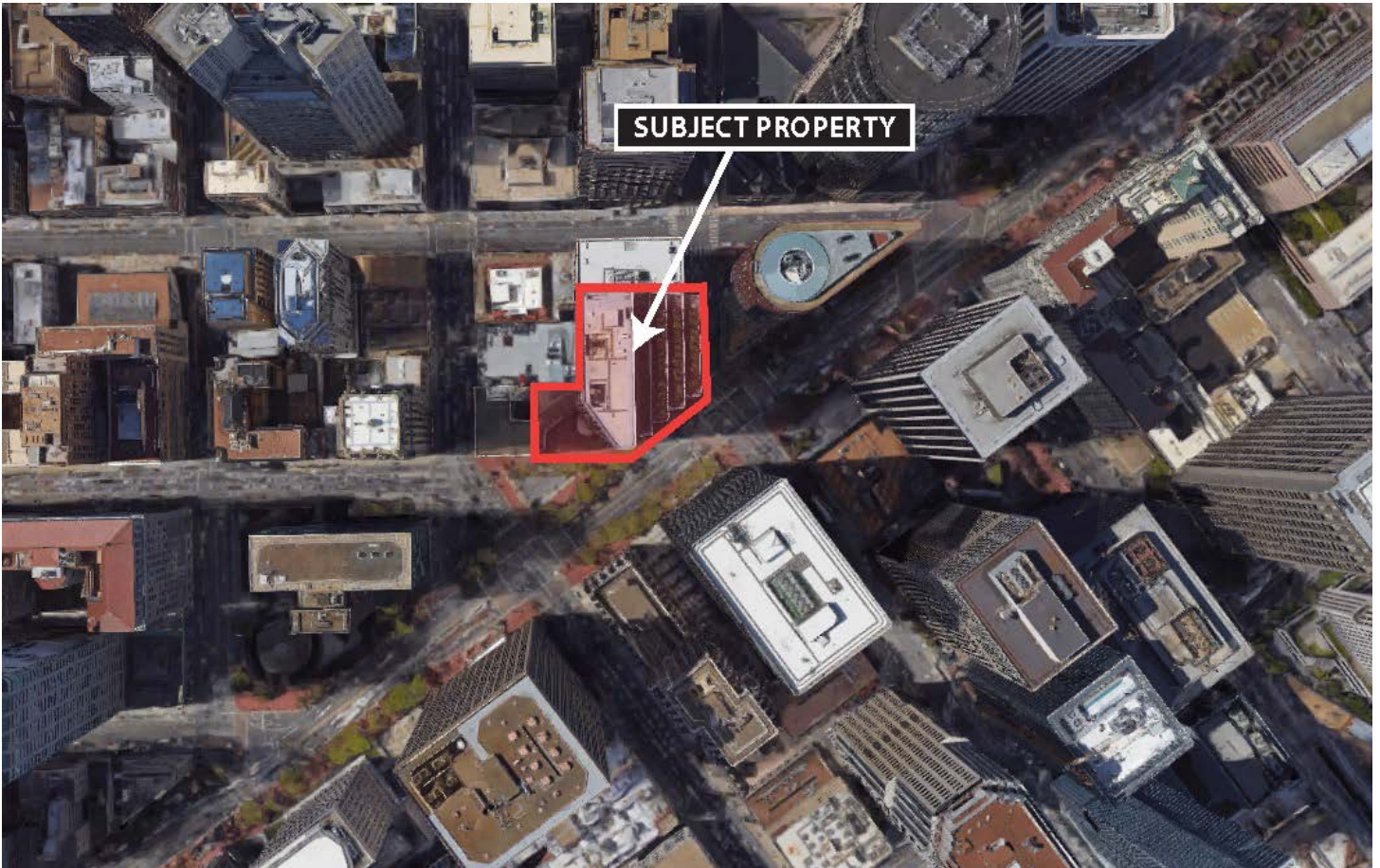


* The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Zoning Map



Aerial Photo (oriented north)



Context Photos

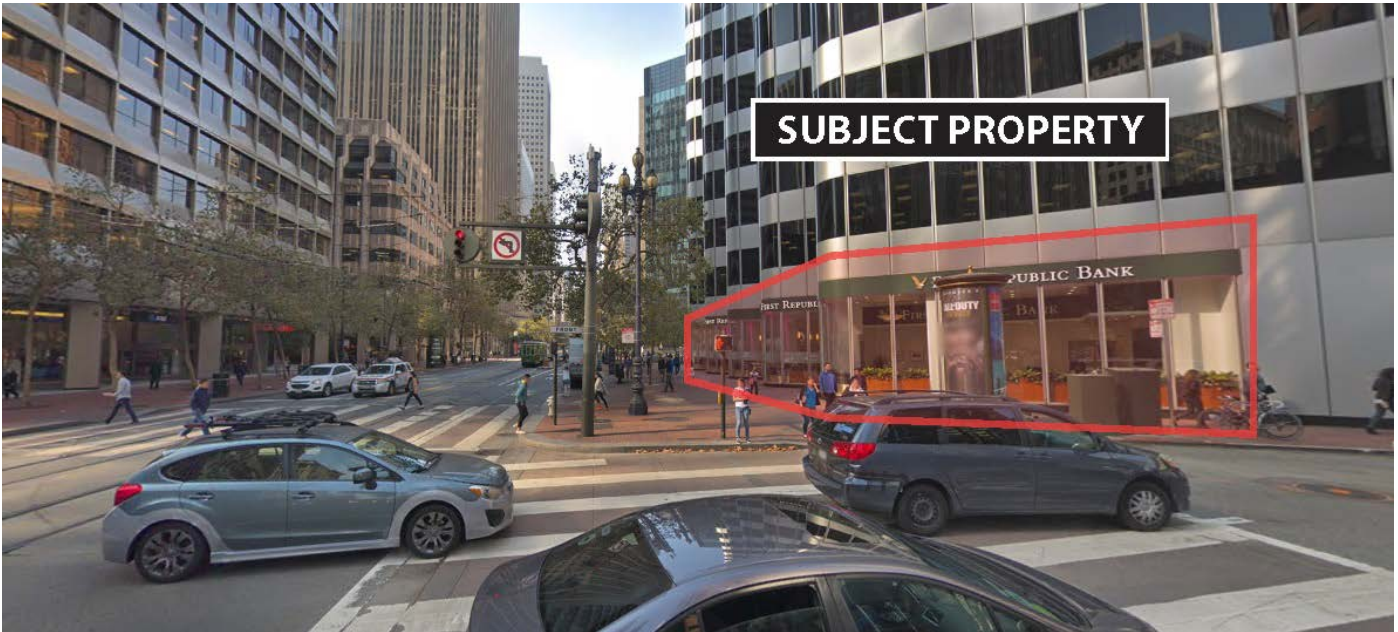
(Intersection of Market & Front Streets, looking northwest)



(On Front Street, looking west at subject building)



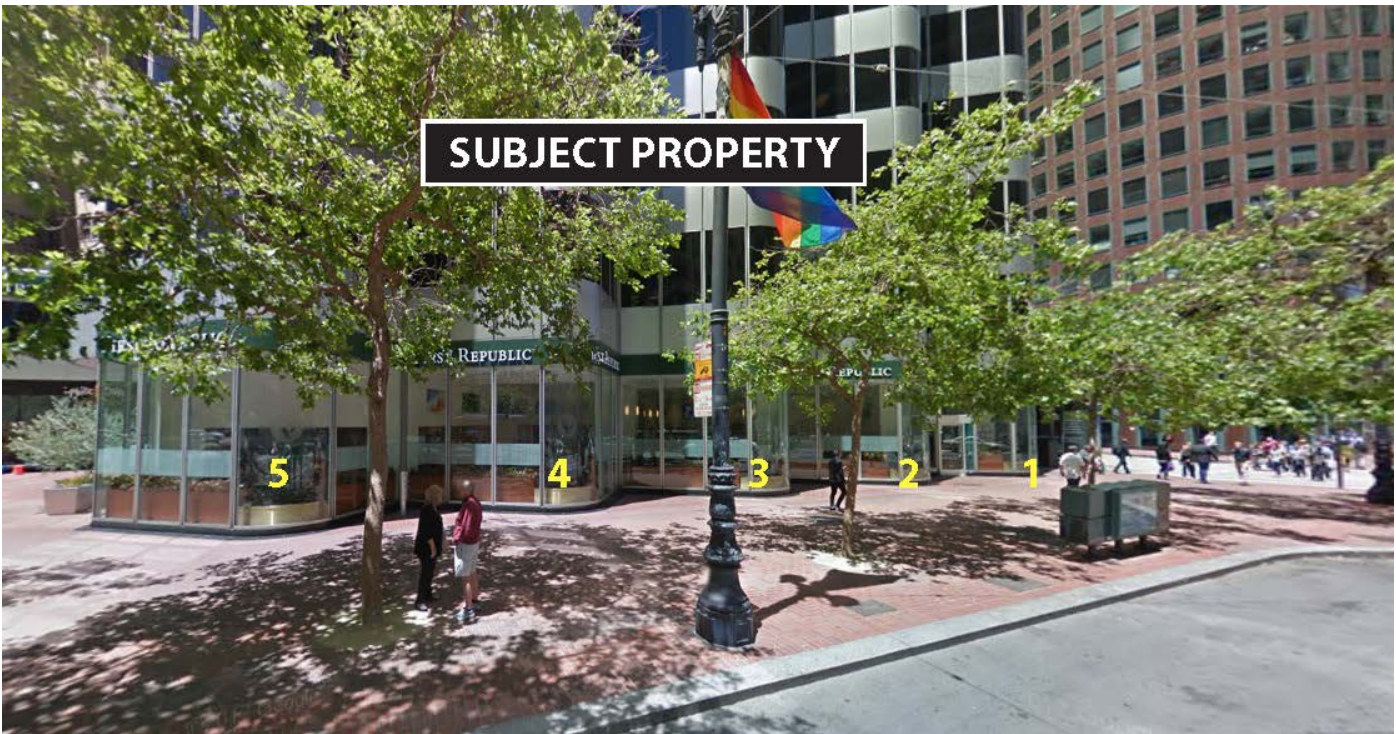
(On Market Street, looking west/up Market)



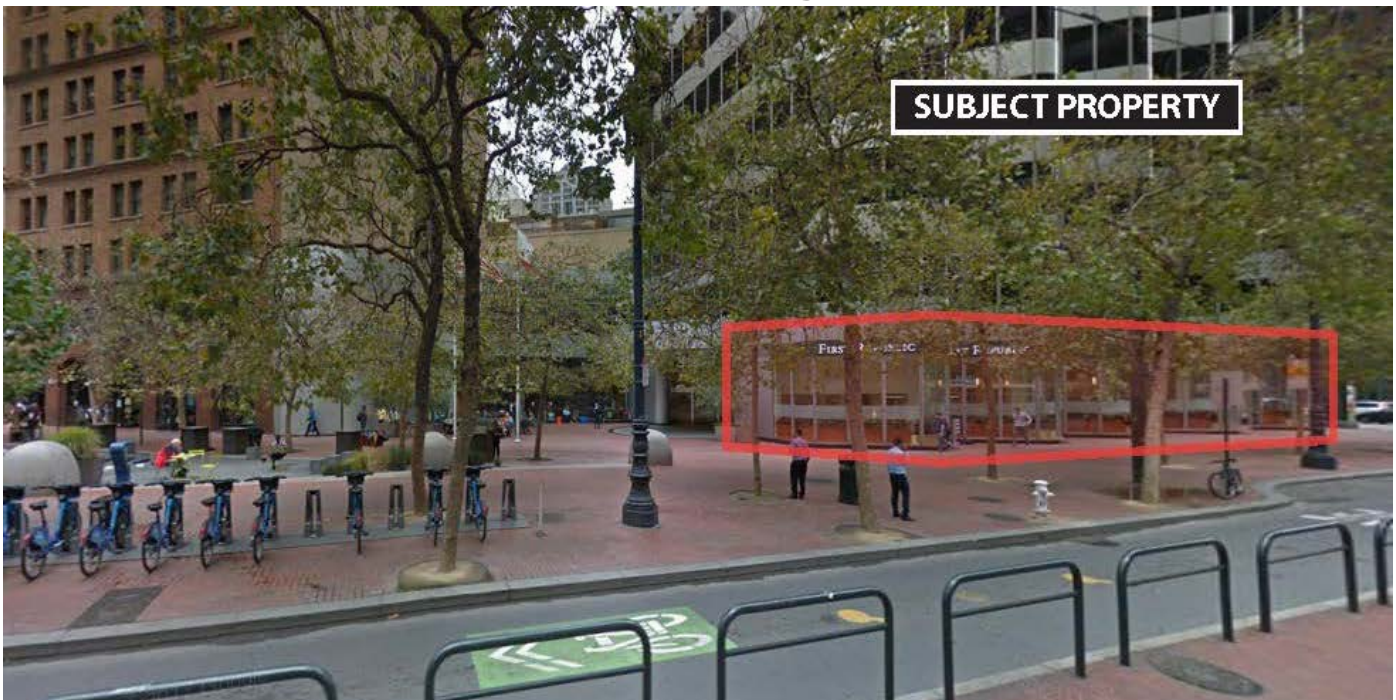
(Identifying the 5 “bays” of subject frontage along Market Street)



(More westerly perspective of same 5 “bays” along Market Street)



(On Market Street, looking down Market)



(Plaza area on Market Street side of building)



From: [Perry, Andrew \(CPC\)](#)
To: "Sue Hestor"
Subject: RE: 1 Front St - OFFICE SPACE addition? Fees?
Date: Monday, July 02, 2018 10:50:00 AM

Hi Ms. Hestor,

The off-site dockets have been retrieved, and are now available at reception for your review. I will certainly forward you a copy of the staff report once it becomes available.

Thank you,

Andrew Perry, Planner
Northeast Team, Current Planning Division
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Direct: 415.575.9017 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Sue Hestor [mailto:hestor@earthlink.net]
Sent: Thursday, June 28, 2018 10:24 AM
To: Perry, Andrew (CPC)
Cc: Sanchez, Scott (CPC)
Subject: Re: 1 Front St - OFFICE SPACE addition? Fees?

Thank you in advance for pulling the project files. I would also like to go thru them before July hearing.

Don't think have ever dealt w/this before. Prop M grandfathered in legal office space before 1986. But the DTP process set up fees that developer has to pay for expanded city services - Prop 13 was huge gift to developer/owner.

>Scott - how does your "office" keep track of sq ft changes that do not go thru Office Allocation process.

Got to get thru Plan Comm today. Will start thinking about this later.

As soon as staff report is available (Tues if copied out, Th if produced at Plan), I would like a copy. Because of the importance of physical plans, I would like to pick up a set of those plans at 1650.

Thanks.

Hestor

Sent from my BlackBerry 10 smartphone.

From: Perry, Andrew (CPC)
Sent: Thursday, June 28, 2018 9:51 AM
To: Sue Hestor
Subject: RE: 1 Front St - OFFICE SPACE addition? Fees?

Hi Ms. Hestor,

Yes, your assumption is correct that this proposed conversion of 5,810 sf to accessory office use would increase the legal square footage of office in the building by that corresponding amount.

I am unsure of the exact square footage of office space on the property existing currently, before the proposed project; I would need to request historical dockets EE74.253 and CU75.006, and/or try to track down the original construction building permit for the building, all of which were considered and/or approved prior to the adoption of the City's Downtown Plan. The subject lot contains both the high-rise tower, as well as the 2-story portion immediately to the west; my understanding is that the entirety of the listed square footage for this property is allocated to office use, less the two-story building portion and the ground floor of the office tower.

The proposed project would be subject to the Downtown Park Fee (Section 412), for that portion that represents a *net addition* of gross floor area of office use only, in other words the square footage of the proposed accessory employee café. The project would not be subject to the Jobs-Housing Linkage Program (Section 413), as it does not represent an increase by 25,000 or more gross square feet of office, nor would the project be subject to the Transportation Sustainability Fee (TSF, Section 411A), as the prior use and proposed use are both considered "non-residential" under Table 411A.5, and there is therefore no difference in the TSF Schedule rates for these two uses. If you have other questions about the applicability of any other specific impact fees, I am happy to discuss why those also would not apply to this project.

Thank you,

Andrew Perry, Planner
Northeast Team, Current Planning Division
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Direct: 415.575.9017 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Sue Hestor [mailto:hestor@earthlink.net]
Sent: Monday, June 25, 2018 7:18 PM
To: Perry, Andrew (CPC); Sanchez, Scott (CPC)
Subject: 1 Front St - OFFICE SPACE addition? Fees?

Am I correct in assuming that 5,810 sq ft accessory office use on ground floor, in addition to other office use in **1 Front St** building, increases the legal sq ft of office use in the 1 Front St building?

Total building is (PIM) 605,459sq ft. How many square feet of office BEFORE this project?

What if any fees (e.g. transit, housing) are imposed on such conversion? (scheduled for 7/12 hearing.)

Since this is **Downtown Plan** area, site a lot more vague than if it was in "new" plan area - for which space changes such as this might have to pay fees set by area Plan.

Please print this email out and place in project file - as well as any answer.

Thank you.

Sue Hestor

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APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: First Republic Bank	
PROPERTY OWNER'S ADDRESS: One Front Street San Francisco, CA	TELEPHONE: (415) 288-7559
	EMAIL: cwan@firstrepublic.com

APPLICANT'S NAME: First Republic Bank Same as Above <input type="checkbox"/>	
APPLICANT'S ADDRESS: c/o Corinna Wan 111 Pine Street San Francisco, CA 94111	TELEPHONE: (415) 288-7559
	EMAIL: cwan@firstrepublic.com

CONTACT FOR PROJECT INFORMATION: Dan Gershwin Same as Above <input type="checkbox"/>	
ADDRESS: Coblentz Patch Duffy & Bass LLP One Montgomery Street, Suite 3000 San Francisco, CA 94104	TELEPHONE: (415) 772-5714
	EMAIL: dgershwin@coblentzlaw.com

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Corinna Wan Same as Above <input type="checkbox"/>	
ADDRESS: First Republic Bank 111 Pine Street San Francisco, CA 94111	TELEPHONE: (415) 288-7559
	EMAIL: cwan@firstrepublic.com

2. Location and Classification

STREET ADDRESS OF PROJECT: One Front Street	ZIP CODE: 94111
CROSS STREETS: Market Street	

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0266 / 009		27,411	C-3-O	275-E

3. Project Description

(Please check all that apply) <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE:	
		Financial Service, Bank Branch (previous use before vacancy)	
		PROPOSED USE:	
		Employee Cafe/Office (currently in operation)	
		BUILDING APPLICATION PERMIT NO.:	DATE FILED:
		2016-0428-5955	4/28/2016

4. Project Summary Table

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

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	0	0	0	0
Hotel Rooms	0	0	0	0
Parking Spaces	0	0	0	0
Loading Spaces	0	0	0	0
Number of Buildings	1	1	0	1
Height of Building(s)	approx. 538'	approx. 538'	0	approx. 538'
Number of Stories	38	38	0	38
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	0	0	0	0
Retail	approx. 5,810 sf*	0	approx. -5,810 sf*	0
Office	0	0	approx. 5,810 sf*	approx. 5,810 sf*
Industrial/PDR <small>Production, Distribution, & Repair</small>	0	0	0	0
Parking	0	0	0	0
Other (Specify Use)	0	0	0	0
TOTAL GSF	approx. 5,810 sf	0	0	approx. 5,810 sf

Please describe any additional project features that are not included in this table:

(Attach a separate sheet if more space is needed)

*The Planning Department has advised that it now considers the Employee Cafe use to be an Office use, which as a Non-Retail Sales and Service use would require Conditional Use Authorization on the ground floor in the C-3-O District. First Republic disagrees with this interpretation and believes that the Employee Cafe is a Retail, Limited Restaurant use. To ensure that there is no disruption to the Employee Cafe use, First Republic is seeking Conditional Use Authorization at the request of the Planning Department.

Note that the table above focuses only on the area of the Employee Cafe, and does not provide Gross Square Footage information for other portions of the One Front Street building. The Categorical Exemption for the Employee Cafe (Exhibit D) estimates the project's square footage at 3,800 square feet. This accidentally excluded approximately 2,010 square feet of Employee Cafe uses reflected in the building permit plan sets; this error has been corrected in the table above.

See Exhibit A: Project Description for additional details.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

See Exhibit C.

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

See Exhibit C.

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

See Exhibit C.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

See Exhibit C.

CASE NUMBER:
For Staff Use only

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

See Exhibit C.

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

See Exhibit C.

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

See Exhibit C.

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

See Exhibit C.

Estimated Construction Costs

TYPE OF APPLICATION: Conditional Use Authorization	
OCCUPANCY CLASSIFICATION:	
BUILDING TYPE: N/A (existing building)	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
N/A (no new construction)	
ESTIMATED CONSTRUCTION COST: No new construction. Interior tenant improvements total \$961,000.	
ESTIMATE PREPARED BY: Swinerton Builders	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

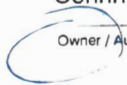
Signature: _____

Date: _____

Print name, and indicate whether owner or authorized agent.

Corinna Wan

Owner / Authorized Agent (circle one)



CORINNA WAN

SENIOR VP, PROJECT ADMIN. SERVICES

MAY 29 2018

Conditional Use Authorization application updated 5/29/2018.

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input type="checkbox"/>
300-foot radius map, if applicable	<input type="checkbox"/>
Address labels (original), if applicable	<input type="checkbox"/>
Address labels (copy of the above), if applicable	<input type="checkbox"/>
Site Plan	<input type="checkbox"/>
Floor Plan	<input type="checkbox"/>
Elevations	<input type="checkbox"/>
Section 303 Requirements	<input type="checkbox"/>
Prop. M Findings	<input type="checkbox"/>
Historic photographs (if possible), and current photographs	<input type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Original Application signed by owner or agent	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Conditional Use Authorization Application
First Republic Employee Café
One Front Street
May 29, 2018

Exhibit A: Project Description

First Republic seeks Conditional Use Authorization for its existing Employee Café, which operates on the Market Street ground floor of the One Front Street office building. The building permit for the Employee Café tenant improvements was approved by the Planning Department on May 3, 2016, with a Categorical Exemption issued for CEQA compliance. Construction was completed in January 2017, final health inspections by the Department of Public Health were completed shortly thereafter, and operations commenced on January 27, 2017.

After the Employee Café opened, the Planning Department determined that Conditional Use Authorization is required because the Employee Café is not open to the public, and therefore not a Retail use. The Planning Department has advised that it considers the Employee Café to be an Office use, which as a type of Non-Retail Sales and Service use requires Conditional Use Authorization on the ground floor in the C-3-O District, including a modification to the ground floor active commercial uses requirement in Planning Code section 145.4. Although First Republic disagrees with this interpretation of the Planning Code, and believes that the Employee Café is a Retail, Limited Restaurant use, First Republic is willing to proceed with Conditional Use Authorization to ensure that there is no disruption to the Employee Café use.

The Employee Café sells meals to First Republic's employees from the One Front Street office building as well as employees from other nearby offices and branches, and employees' guests. In fact, First Republic's corporate headquarters is in an adjacent office building, at 111 Pine Street. The Employee Café provides a gathering place for all First Republic employees and is an important component of employee recruiting and retention. Fewer than half of the customers served on a typical day at the Employee Café are employees based at One Front Street, which allows the Employee Café to contribute to the vibrancy of Market Street and Front Street by attracting pedestrian trips from First Republic employees at nearby office buildings. The Market Street entrance will be available for use by employees with bank identification during peak lunch hours. The Employee Café employs 21 full-time employees.

Exhibit B: Planning Code Section 303 Criteria

Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing CU authorization applications. The project is, on balance, consistent with the following criteria:

(1) 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 Employee Café provides a dining option for First Republic employees from both the One Front Street building and other locations across the City, as well as employees visiting from locations across the country, in a setting that functions in an essentially identical manner to a Limited Restaurant Retail use. The Employee Café replaced a vacant commercial space that was previously an under-utilized branch of another bank. By attracting First Republic employees from across the City, the Employee Café attracts additional pedestrian traffic to Market Street and Front Street, contributing to the vibrancy of both streets. The Employee Café provides employment opportunities to San Francisco residents, and contributes to First Republic's ability to attract and retain employees for its corporate positions. Other retail uses will continue to operate on the ground floor of the building, such as the Preferred Banking Office immediately next to the Employee Café at the corner of Market and Front Streets, the Front Street Café in the building lobby, and the Philz Coffee to the northwest of the Employee Café. The Employee Café is compatible with the existing character of the neighborhood.

(2) Such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

i. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the size and arrangement of the building on the site are adequate for the Employee Café use. There will be no physical expansion of the existing building or Employee Café space.

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 and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of the Planning Code;

Conditional Use Authorization Application
First Republic Employee Café
One Front Street
May 29, 2018

Employee Café customers and employees will continue to walk to and from the Employee Café, resulting in no change in traffic patterns. The site is well-served by public transit, including multiple MUNI lines and the Embarcadero BART station. Off-street loading and deliveries will continue to be provided through spaces in the parking garage at the One Front Street building, accessed via the Battery Street entrance to the parking garage.

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

The Employee Café complies, and will continue to comply, with all applicable regulations governing noise, glare, dust, and odor. The Employee Café is operating under a valid Health Permit from the Department of Public Health.

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

No new landscaping, screening, open spaces, parking and loading areas, service areas, exterior lighting, or signs are proposed or appropriate.

(3) Such use or feature as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The proposed project will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan. Existing retail uses will continue on the ground floor of the One Front Street building. The proposed Employee Café use is conditionally permitted on the ground floor in the C-3-O district under Planning Code Section 210.2, Table 210.2. Planning Code Section 145.4(e) permits modifications to the ground floor active commercial uses requirement in Planning Code Section 145.4 through the Conditional Use process. Such modification is appropriate given that the Employee Café use, although not technically a retail use under the Planning Department's interpretation of the Planning Code, functions similarly to a Retail, Limited Restaurant use, an active commercial use under Planning Code Section 145.4.

The proposed project is, on balance, consistent with the following Objectives and Policies of the General Plan, among others:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2: MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Conditional Use Authorization Application
First Republic Employee Café
One Front Street
May 29, 2018

POLICY 2.1: Seek to retain existing commercial and industrial activity and to attract new such activity to 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.

OBJECTIVE 3: PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

POLICY 3.1: Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

OBJECTIVE 4: IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

POLICY 4.1: Maintain and enhance a favorable business climate in the city.

POLICY 4.2: Promote and attract those economic activities with potential benefit to the City.

(4) Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

The Employee Café is consistent with the stated purposes of the C-3-O District as described in Planning Code Section 210.2. The C-3-O District is designed to play a leading national role in finance and corporate headquarters, and to serve as an employment center for the region consisting primarily of high-quality office development. The Employee Café helps to allow First Republic, a San Francisco-based financial institution, to remain in and thrive within the C-3-O District. The C-3-O District calls for support of office development by some related retail and service uses within the area; the Employee Café, although not technically a retail use under the Planning Department's interpretation of the Planning Code, supports C-3-O District office development.

(5) The use or feature satisfies any criteria specific to the use or feature in Subsections (g), et seq. of Planning Code Section 303.

Not applicable.

Exhibit C: Compliance with Priority General Plan Policies

The project is, on balance, consistent with the City's eight Priority Planning Policies for the reasons set forth below.

(1) 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 Employee Café replaced a vacant storefront that previously contained a bank branch. The Employee Café employs 21 full-time employees, significantly more than were employed at the bank branch previously located at the site of the Employee Café.

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

The existing character of the neighborhood will be preserved, as the Employee Café provides development consistent with the character of existing large-scale office development.

(3) That the City's supply of affordable housing be preserved and enhanced.

The project will not adversely affect the City's supply of affordable housing.

(4) That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Employee Café will not impede MUNI transit service or overburden San Francisco's streets or neighborhood parking. The Employee Café replaced a vacant storefront and the vast majority of employees and customers will arrive by foot or by public transit.

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

The Employee Café provides enhanced opportunities for service industry employment within the C-3-O District, and does not displace any industrial or service sector establishments.

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

Conditional Use Authorization Application
First Republic Employee Café
One Front Street
May 29, 2018

The existing interior tenant improvements meet all applicable Building and Fire Code requirements.

(7) That landmarks and historic buildings be preserved.

The Employee Café has no effect on any designated landmarks or designated historic buildings.

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

The Employee Café has no effect on any parks or open space.



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
1 Front St		0266/009	
Case No.	Permit No.	DBI Stamp Date on Plans	
	201604285955	04/28/2016	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
approx. 3800 sf employee cafeteria on ground floor serving bank use on 6 floors of same bldg.; transparency requirements would be adhered with			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
<u>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: right;">_____</p> <p><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </p> <p>a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>: _____</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> <p>_____</p>	
<p>Preservation Planner Signature:</p> <p>_____</p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Heidi Kline</p> <hr/> <p>Project Approval Action:</p> <p>Building Permit Issuance*</p> <p><small>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</small></p>	<p>Stamp:</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>CATEGORICALLY EXEMPT from Environmental Review 9:45 am, May 03, 2016 SFPLANNING</p> </div>
	<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>	

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp: