



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Hearing Date: March 14, 2019

Record No.: 2018-012687CUA
Project Address: 657-667 Mission Street
Zoning: C-3-O(SD) (Downtown-Office, Special Development) Zoning District
C-3-O (Downtown-Office)
350-S Height and Bulk District
Block/Lot: 3722/067-068
Project Sponsor: Seth Prichard
Gibson, Dunn & Crutcher, LLP
555 Mission Street
San Francisco, CA 94105
Staff Contact: Seema Adina – (415) 575-8722
seema.adina@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project requests to convert 24,895 square-feet (sf) of retail and storage space to general office use at the basement level and a portion of the ground floor. The Project would maintain retail frontage along Mission Street.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 210.2 and 303 to establish approximately 24,895 square feet of office use on the basement and ground floor within the Downtown-Office (C-3-O) and Downtown-Office Special Development (C-3-O(SD)) Zoning Districts and a 350-S Height and Bulk District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** To date, the Department has not received any correspondence regarding the Project.
- **Design Review Comments:** The scope of work does not include any exterior changes to the building. On October 9, 2018, a Minor Permit to Alter was issued for exterior renovations (Case No. 2018-003124PTA).

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1(a)+(e) categorical exemption.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. While the Project establishes general office at the basement and ground floor, the Project would maintain retail along Mission Street and ensure the area along Mission and Minna Streets remain active street frontages. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization with Conditions of Approval

Exhibit B – Plans and Renderings

Exhibit C – Environmental Determination

Exhibit D – Maps and Context Photos

Exhibit E - Project Sponsor Submittal



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: MARCH 14, 2019

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CA 94103-2479

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Record No.: **2018-012687CUA**
Project Address: **657-667 MISSION STREET**
Zoning: C-3-O(SD) (Downtown-Office, Special Development) Zoning District
C-3-O (Downtown-Office) Zoning District
350-S Height and Bulk District
Block/Lot: 3722/067-068
Project Sponsor: 657-667 Mission Property Owner LLC
c/o Align Real Estate LLC
255 California, Suite 525
San Francisco, CA 94111
Property Owner: 657-667 Mission Property Owner LLC
c/o Align Real Estate LLC
One California Street, Suite 400
San Francisco, CA 94111
Staff Contact: Seema Adina – (415) 575-8722
seema.adina@sfgov.org

ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.2 AND 303, TO ESTABLISH APPROXIMATELY 24,895 SQUARE FEET OF OFFICE USE ON THE BASEMENT AND A PORTION OF THE GROUND FLOOR, LOCATED AT 657 AND 667 MISSION STREET, LOTS 067 AND 068 IN ASSESSOR'S BLOCK 3722, WITHIN THE C-3-O (SD) (DOWNTOWN-OFFICE, SPECIAL DEVELOPMENT) AND THE C-3-O (DOWNTOWN-OFFICE) ZONING DISTRICTS AND A 350-S HEIGHT AND BULK DISTRICT.

PREAMBLE

On September 17, 2018, Seth Prichard of Gibson, Dunn & Crutcher, LLP, on behalf of 657-667 Mission Property Owner LLC (hereinafter "Project Sponsor") filed Application No. 2018-012687CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish office use on the basement and ground floor (hereinafter "Project") at 657 and 667 Mission Street, Block 3722 Lots 067 and 068 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-012687CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On March 14, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-012687CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1(a)+(e) 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 Authorization as requested in Application No. 2018-012687CUA, 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 seeks to establish 24,895 square-feet (sf) of office use in the basement and ground floor while maintaining retail frontage along Mission Street. An associated Lot Line Adjustment to merge the subject parcels accompanies the tenant improvement permit currently under review by the Department.
3. **Site Description and Present Use.** The subject property is located on the south side of Mission Street, between New Montgomery and Third Streets, on Lots 067-068 in Assessor's Block 3722. The subject properties are on a through lot with frontage on Minna Street within the Downtown-Office, Special Development and the Downtown-Office Zoning Districts and the 350-S Height and Bulk District. 657 Mission Street is developed with a 6-story building built in 1907 while 667 Mission Street is developed with a 4-story building built in 1909. Both buildings contain retail and office use at the ground floor and office use on upper floors. 657 Mission Street, the McLaughlin Building, and 667 Mission Street, the Grant Building, are both Contributory Buildings within the Article 11 New Montgomery – Mission – 2nd Street Conservation District.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Financial District neighborhood. The property directly abuts the Museum of the African Diaspora and the St. Regis Hotel to the west, and several mixed-use buildings to the east. The Project Site is well-served by transit; both the Montgomery BART and MUNI stations are within walking distance, with several MUNI lines within close proximity on Mission and Market Streets. Other zoning districts in the vicinity of the project site include: C-3-R (Downtown-Retail) to the north and C-3-S (Downtown Support) to the east.
5. **Public Outreach and Comments.** To date, the Department has not received any correspondence regarding the proposed project.

6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Street Frontage Requirements.** Planning Code Section 145.1(a)(2) requires ground floor active use in the C-3-O(SD) and C-3-G Zoning Districts. Active use is defined as any principal, conditional, or accessory use that does not require non-transparent walls facing a public street.

The Project proposes to maintain retail use on Mission Street and office use on Minna Street, both of which are considered active uses.

- B. **Floor Area Ratio.** Planning Code Section 210.2 states that the C-3-O(SD) (Downtown-General, Special Development) must have a Floor Area Ratio (FAR) limit of 6.01 to 1 while the C-3-O (Downtown-Office) Zoning Districts must have a Floor Area Ratio (FAR) limit of 9.0 to 1.

Upon completion of the Lot Line Adjustment, the subject parcel will measure 25,160 square feet with a gross floor area of 127,474 square feet resulting in a Floor Area Ratio of 5.07 to 1. The Project does not propose to add additional massing to the building, thus the Project remains in compliance with the Planning Code limits on FAR for both zoning districts.

- C. **Office Use.** Planning Code Section 210.2 states that a Conditional Use Authorization is required for office use located at or below the ground floor.

The Project proposes to establish office use on the basement and ground floor. While office use is principally permitted on the upper floors of occupancy, a Conditional Use Authorization is required for the roughly 24,895 square feet of office use proposed for the basement and first floor.

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 proposed office use in the basement and ground floor would activate a space that is currently vacant or is being used as storage. The scope of the Project does not include any exterior changes to the building, thus remains in keeping with the existing pattern and character in the neighborhood. Retail use will be maintained along the Mission Street frontage contributing to the existing pattern of ground floor retail along the Mission Street corridor.

- 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;

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 proposed use will not affect the building envelope.

- (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 off-street parking for office use in the C-3-O(SD) and C-3-O Zoning Districts, and the Project is not seeking to add off-street parking. The subject property is well-connected to public transportation and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

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

No noxious or offensive emissions will be associated with the office use of the site.

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

The existing landscaping and open space would be retained. No new parking, loading areas, service areas, or lighting is proposed.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The Project does not fall within a Neighborhood Commercial District.

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 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

DOWNTOWN AREA PLAN

SPACE FOR COMMERCE

Objectives and Policies

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.

Policy 2.2

Encourage location of office development to maintain a compact downtown core and minimize displacement of other uses.

The Project activates a site with retail and office use in an area where office use is generally encouraged, providing regional jobs with ease of access by public transportation and assisting to diversify the neighborhood economy. Reactivating the building with both office and retail space is in keeping with the general land use pattern of the Downtown area.

The Project does not propose a large office use such that it would trigger an office allocation entitlement. Rather, the Project proposes to activate and maintain two historic buildings. In doing so, the Project ensures that the historic buildings are well-maintained and that the area is activated.

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 maintains retail use on Mission Street where retail is generally encouraged and activates the Minna Street façade with office use.

- 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 Site does not possess any existing housing. The Project will not alter the scale, height, and massing of the Building envelopes and would continue to conserve and protect the cultural and economic diversity of the neighborhood.

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

The Project will not demolish any residential unit or displace any residents.

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

The Project Site is served by nearby multiple public transportation options. The Project is located along multiple MUNI bus and metro lines and within walking distance of the Montgomery BART station. The Project does not include any off-street parking.

- 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 Site is currently vacant and would not displace an existing tenant. Industrial use is generally not permitted within the Downtown-Office or Downtown-Office, Special Development Zoning District.

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

The Project does not include any interior or exterior alterations. The building is undergoing tenant improvements consistent with current Building Code standards.

- G. That landmarks and historic buildings be preserved.

The Project does not propose any interior or exterior changes to the landmark buildings. A separate Minor Permit to Alter issued at the Project Site encompasses interior and exterior tenant improvements and satisfy the Secretary of Interior's Standards for altering a historic resource.

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

There are no proposed changes or additions to massing of the building, thus parks and open spaces and access to sunlight will be unaffected.

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. 2018-012687CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated February 27, 2019, 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 March 14, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

**Draft Motion
March 7, 2019**

**RECORD NO. 2018-012687CUA
657-667 Mission Street**

ADOPTED: March 14, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow 24,895 square feet of office use on the ground floor and basement located at 657-667 Mission Street, Block 3722, Lots 067-068 pursuant to Planning Code Section(s) 210.2 and 303 within the **C-3-O(SD) (Downtown-Office, Special Development)** and **C-3-O (Downtown-Office)** Districts and an 350-S Height and Bulk District; in general conformance with plans, dated **February 27, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-012687CUA** and subject to conditions of approval reviewed and approved by the Commission on **March 14, 2019** under Motion No. **XXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **March 14, 2019** under Motion No. **XXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** 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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

PROVISIONS

7. **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

8. **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

9. **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

10. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact

information change, the Zoning Administrator and registered neighborhood groups 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

EXHIBIT B:

PLANS AND RENDERINGS

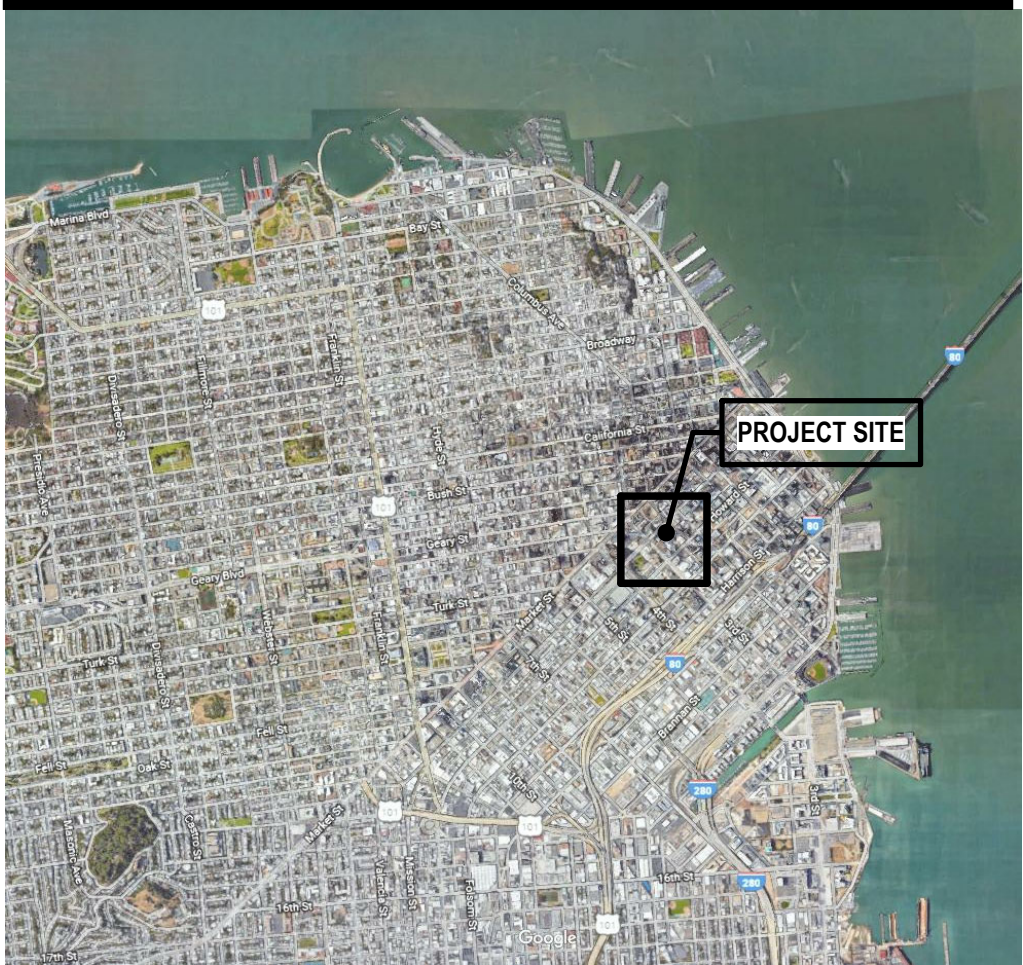
657 / 667 MISSION STREET

AMENDED CONDITIONAL USE APPLICATION

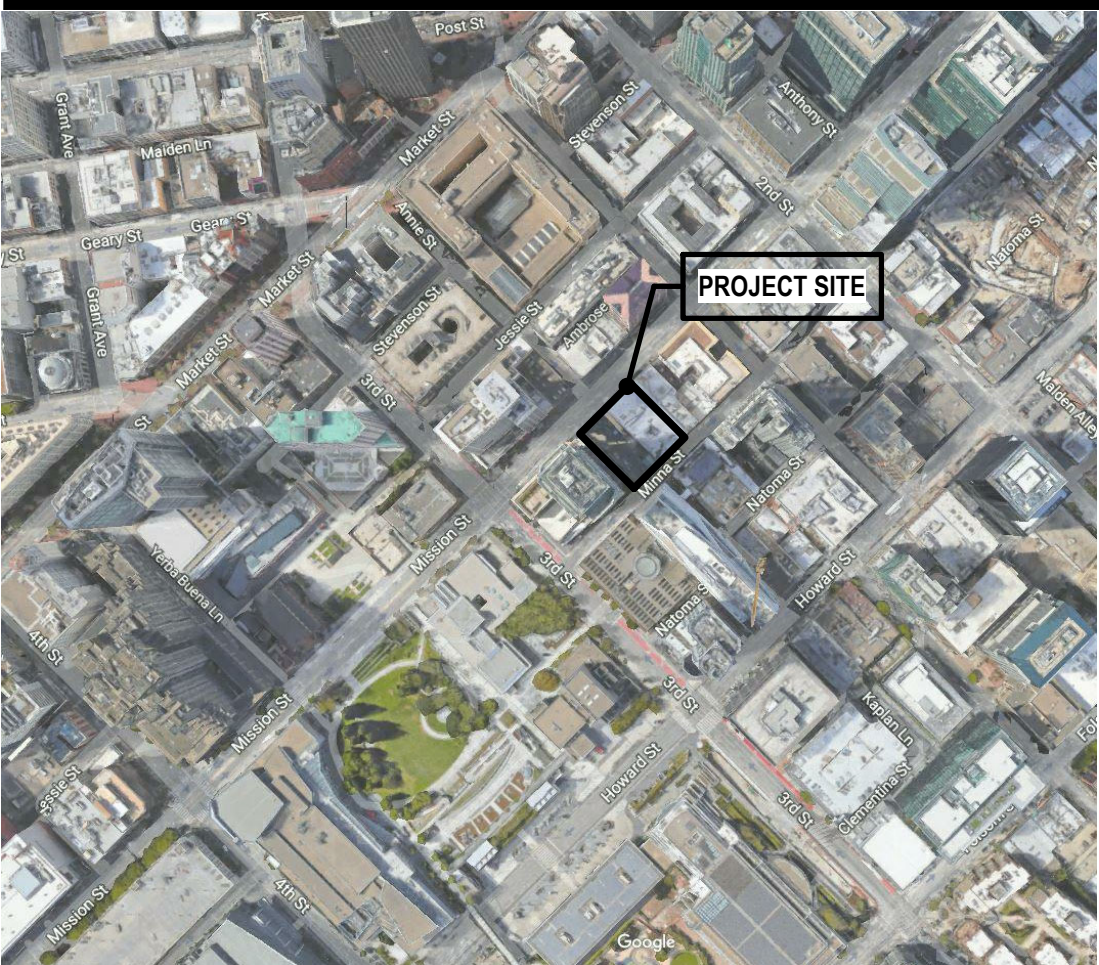
SHEET	SHEET NAME
A0.00	PROJECT INFORMATION
A0.10	PROJECT INFORMATION CONT.
A1.00	SITE PLAN
A2.00	BASEMENT - EXISTING USE PLAN
A2.01	BASEMENT - PROPOSED USE PLAN
A2.10	LEVEL 01 - EXISTING USE PLAN
A2.11	LEVEL 01 - PROPOSED USE PLAN
A2.12	LEVEL 02 - EXISTING SITE PLAN*
A2.13	LEVEL 03 - EXISTING SITE PLAN*
A2.14	LEVEL 04 - EXISTING SITE PLAN*
A2.15	LEVEL 05 - EXISTING STIE PLAN*
A2.16	LEVEL 06 - EXISTING SITE PLAN*
A2.20	BUILDING ELEVATIONS
A3.00	BUILDING PHOTOS

*ONLY BASEMENT AND LEVEL 01 SUBJECT TO THIS CONDITIONAL USE AUTHORIZATION. LEVELS 02-06 ARE NOT SUBJECT TO THIS CONDITIONAL USE AUTHORIZATION. NO CHANGES PROPOSED TO EXISTING FLOOR PLANS FOR LEVELS 02-06, BUT EXISTING PLANS PROVIDED FOR INFORMATIONAL PURPOSES.

VICINITY MAP



LOCATION MAP



PROJECT INFORMATION

BUILDING ADDRESS:	657 & 667 MISSION STREET SAN FRANCISCO, CA
ZONING:	NEW MONTGOMERY - MISSION - SECOND STREET CONSERVATION DISTRICT (BOTH BUILDINGS) 657 MISSION: C-3-0 (SD) 667 MISSION: C-3-0
BLOCK NUMBER:	3722
CURRENT LOT NUMBER(S):	657 MISSION: 068 667 MISSION: 067 (LOT LINE ADJUSTMENT TO BE COMPLETED UNDER 2018-003124LLA)
OCCUPANCY TYPE:	B, A3 (ROOF DECK), S, M (1ST FLOOR)
TYPE OF CONSTRUCTION:	657 MISSION - TYPE IB 667 MISSION - TYPE IIIB
FIRE PROTECTION:	AUTOMATIC SPRINKLER SYSTEM W/ PORTABLE FIRE EXTINGUISHERS
STORIES:	657 MISSION - 6 STORIES (+BASEMENT, OCCUPIABLE ROOF) 667 MISSION - 4 STORIES (+BASEMENT)
SIZE:	151,510 SF
FAR:	657 MISSION: 6.0 TO 1 667 MISSION: 9.0 TO 1
LOT SIZE:	657 MISSION: 14,160 SQFT 667 MISSION: 11,000 SQFT

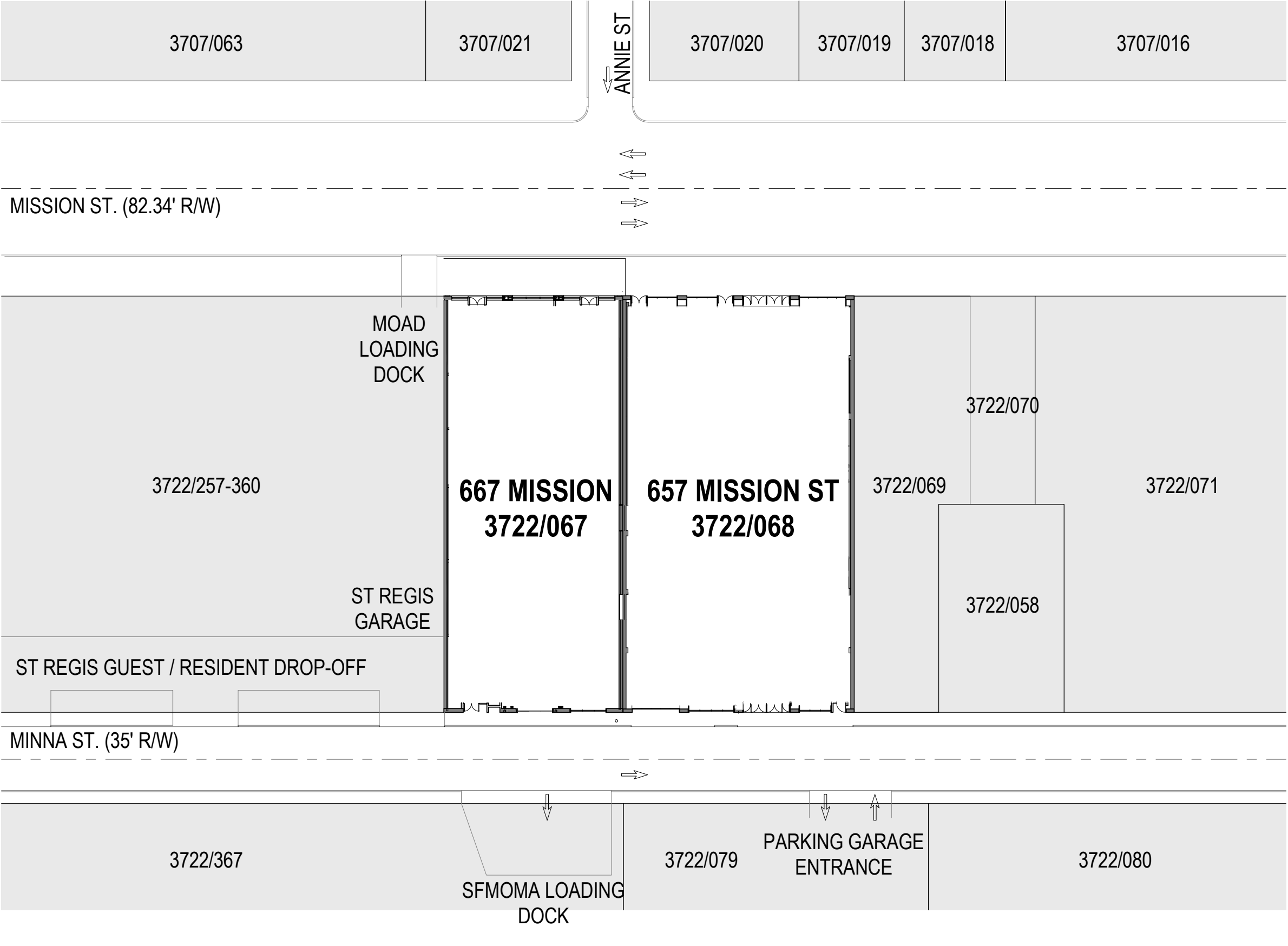
PROJECT DIRECTORY

OWNER:
657/667 MISSION ST PROPERTY OWNER, LLC
255 CALIFORNIA ST, SUITE 525
SAN FRANCISCO, CA 94111
EMAIL: INFO@ALIGNREALESTATE.COM

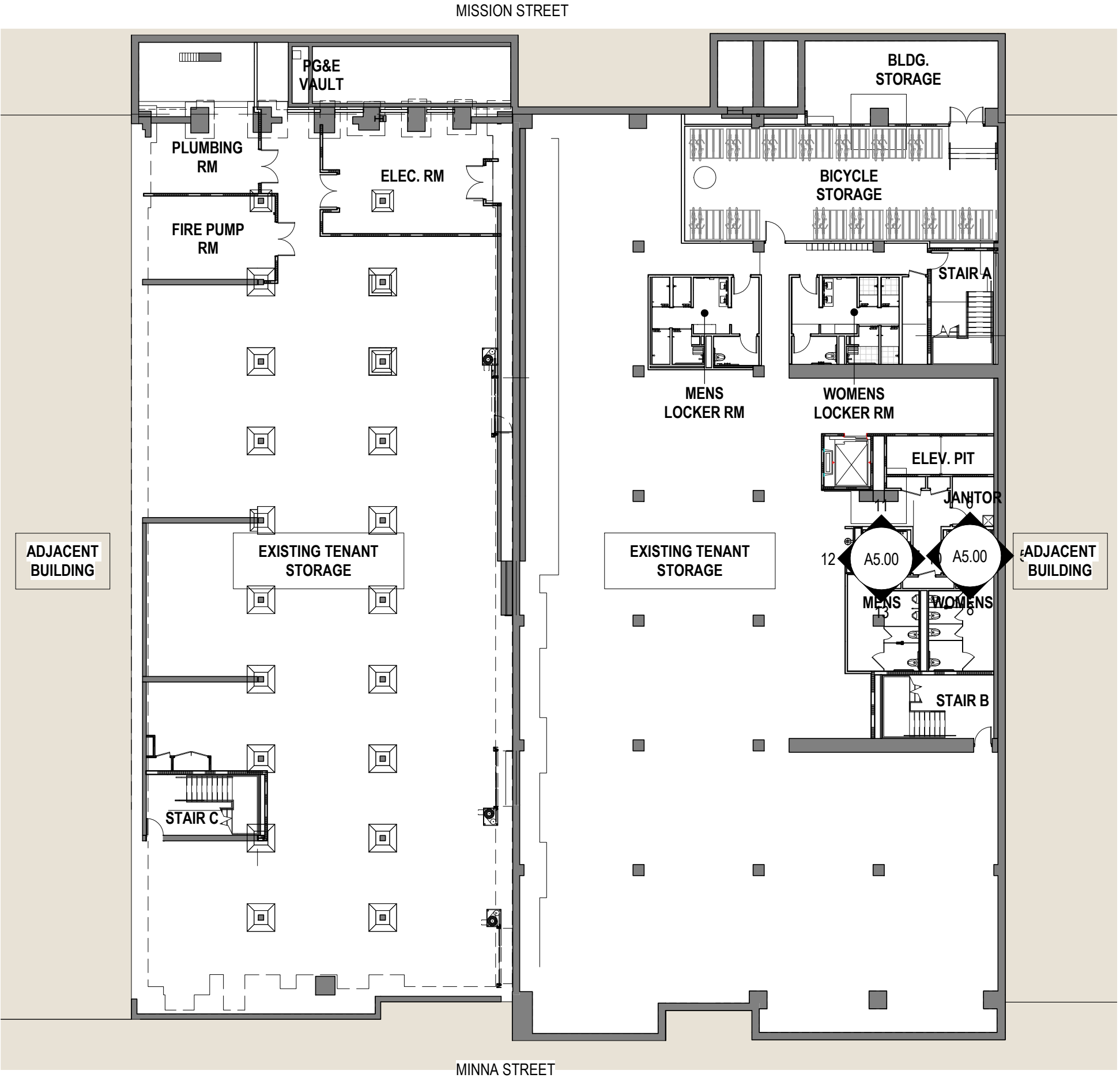
CONTACT: ELIZABETH CROCKETT

ARCHITECT:
GENSLER
45 FREMONT ST, SUITE 1500
SAN FRANCISCO, CA 94105
TEL: (415) 433-3700

CONTACT: DOUG ZUCKER

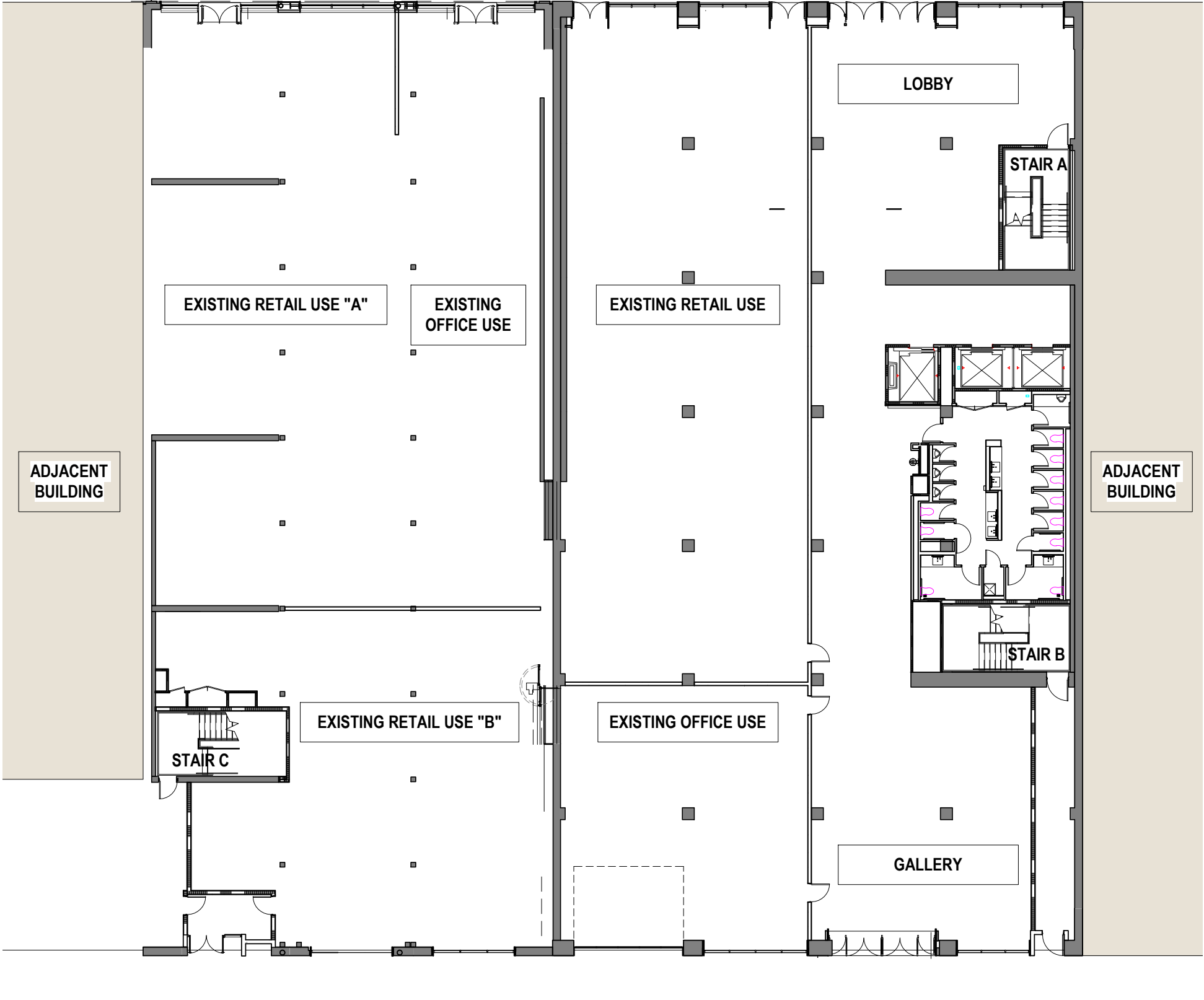


667 MISSION	EXISTING USE	EXISTING G.F.A.
BASEMENT	STORAGE	8,578 SF
657 MISSION	EXISTING USE	EXISTING G.F.A.
BASEMENT	STORAGE	9,286 SF



667 MISSION	PROPOSED USE	PROPOSED G.F.A.
BASEMENT	OFFICE	7,972 SF
657 MISSION	PROPOSED USE	PROPOSED G.F.A.
BASEMENT	OFFICE	8,390 SF





667 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 01	OFFICE	2,446 SF
LEVEL 01	RETAIL "A"	3,953 SF
LEVEL 01	RETAIL "B"	3,040 SF
657 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 01	OFFICE	1,783 SF
LEVEL 01	RETAIL	4,565 SF
LEVEL 01	GALLERY **	4,902 SF
LEVEL 01	LOBBY **	1,600 SF

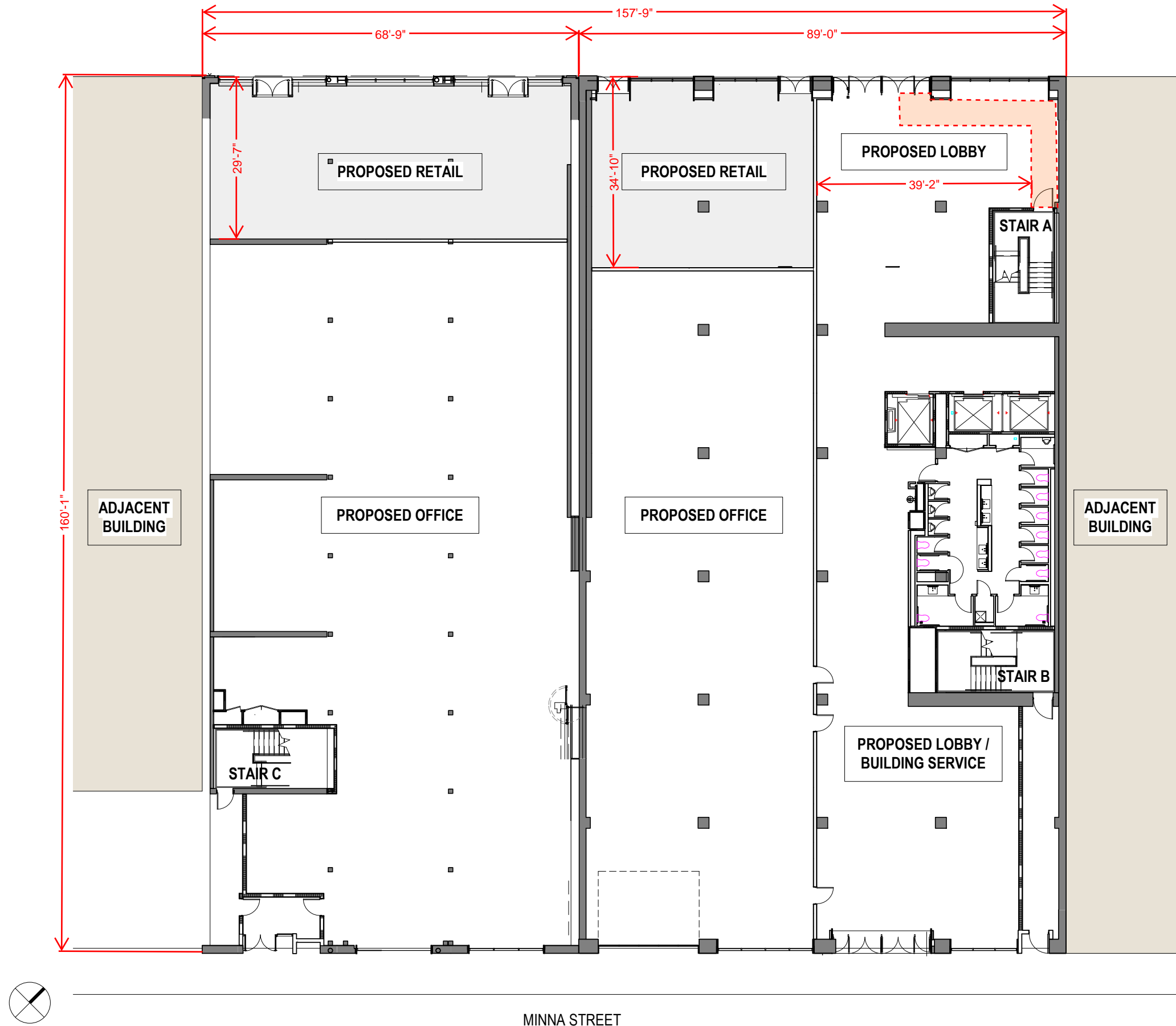
** PERMIT NUMBER 200812158466. LAST USE WAS "GALLERY" SPACE AT 6,502 GFA



MINNA STREET

Active Use Building Lobby Frontage Calculations:
Lobby frontage equals 39'-2" (40'-0" Max). Measured from interior wall to 5 ft. egress from exit stair to street.

667 MISSION	PROPOSED USE	TOTAL AREA	PROPOSED G.F.A.
LEVEL 01	OFFICE	7,699 SF	7,699 SF
LEVEL 01	RETAIL	1,803 SF	
657 MISSION	PROPOSED USE	TOTAL AREA	PROPOSED G.F.A.
LEVEL 01	OFFICE	5,063 SF	5,063 SF
LEVEL 01	RETAIL	1,336SF	
LEVEL 01	LOBBY / BLDG SERVICE	4,592 SF	





ADJACENT
BUILDING

EXISTING OFFICE USE

EXISTING OFFICE USE

ADJACENT
BUILDING

STAIR C

STAIR A

STAIR B

LEVELS 02-06 NOT SUBJECT TO THIS CONDITIONAL
USE AUTHORIZATION. NO CHANGES PROPOSED,
BUT EXISTING FLOOR PLANS PROVIDED FOR
INFORMATIONAL PURPOSES.

667 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 02	OFFICE	10,350 SF
657 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 02	OFFICE	13,460 SF





LEVELS 02-06 NOT SUBJECT TO THIS CONDITIONAL USE AUTHORIZATION. NO CHANGES PROPOSED, BUT EXISTING FLOOR PLANS PROVIDED FOR INFORMATIONAL PURPOSES.

667 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 03	OFFICE	10,350 SF
657 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 03	OFFICE	13,460 SF

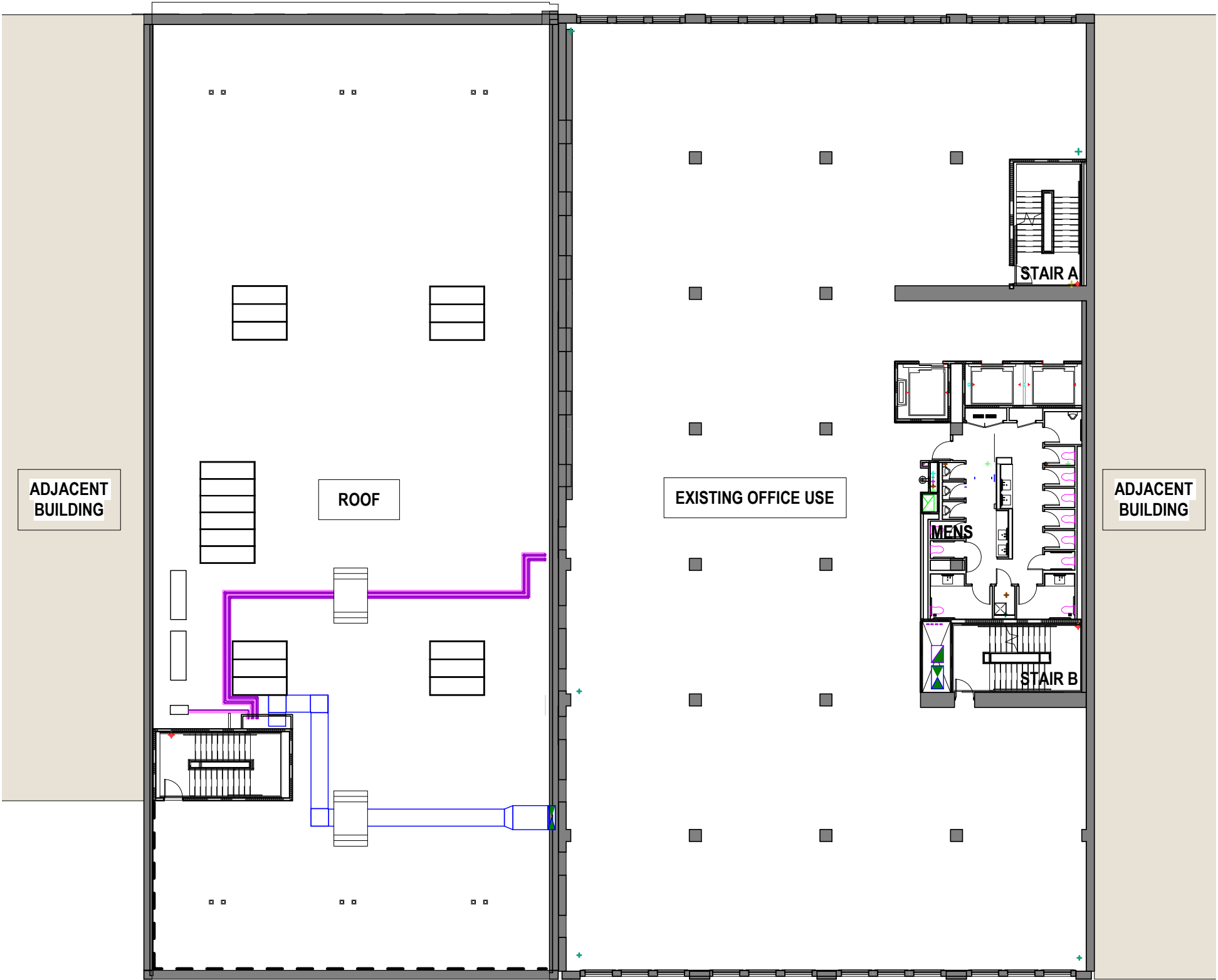




LEVELS 02-06 NOT SUBJECT TO THIS CONDITIONAL USE AUTHORIZATION. NO CHANGES PROPOSED, BUT EXISTING FLOOR PLANS PROVIDED FOR INFORMATIONAL PURPOSES.

667 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 04	OFFICE	10,350 SF
657 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 04	OFFICE	13,460 SF





LEVELS 02-06 NOT SUBJECT TO THIS CONDITIONAL USE AUTHORIZATION. NO CHANGES PROPOSED, BUT EXISTING FLOOR PLANS PROVIDED FOR INFORMATIONAL PURPOSES.

657 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 05	OFFICE	13,460 SF





LEVELS 02-06 NOT SUBJECT TO THIS CONDITIONAL USE AUTHORIZATION. NO CHANGES PROPOSED, BUT EXISTING FLOOR PLANS PROVIDED FOR INFORMATIONAL PURPOSES.

657 MISSION	EXISTING USE	EXISTING G.F.A.
LEVEL 06	OFFICE	13,460 SF



Transparency Calculation for Active Use Mission Street:
Glass lineal footage = 127.72 lf.
Total frontage = 157'-9"
Percentage of glass to frontage = 80%





Figure 1 657 Mission St. Façade



Figure 2 657 Minna St. Façade



Figure 3 667 Mission St. Façade



Figure 5 Minna St. Façade & MOMA Loading Dock



Figure 4 667 Minna St. Façade





MIGNON

Long & Grey

Long & Grey

Long & Grey

COFFEE
ESPRESSO
MANGIA
CAPPUCCINO
LATTE
HAND PUL
TEA
CHAI
GOLDEN
MILK

EXHIBIT C:

ENVIRONMENTAL DETERMINATION



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
657 MISSION ST		3722068
Case No.		Permit No.
2018-012687PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Change of Use to office use on the ground floor and basement levels.		

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"/>	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: (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. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* 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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<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 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.

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.

Comments and Planner Signature (*optional*):

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input checked="" 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 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 checked="" 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 checked="" 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 <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER) </div> </div>
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.	
	Project Approval Action: Commission Hearing If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: Seema Adina 03/05/2019
	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.	

EXHIBIT D:

MAPS AND CONTEXT PHOTOS

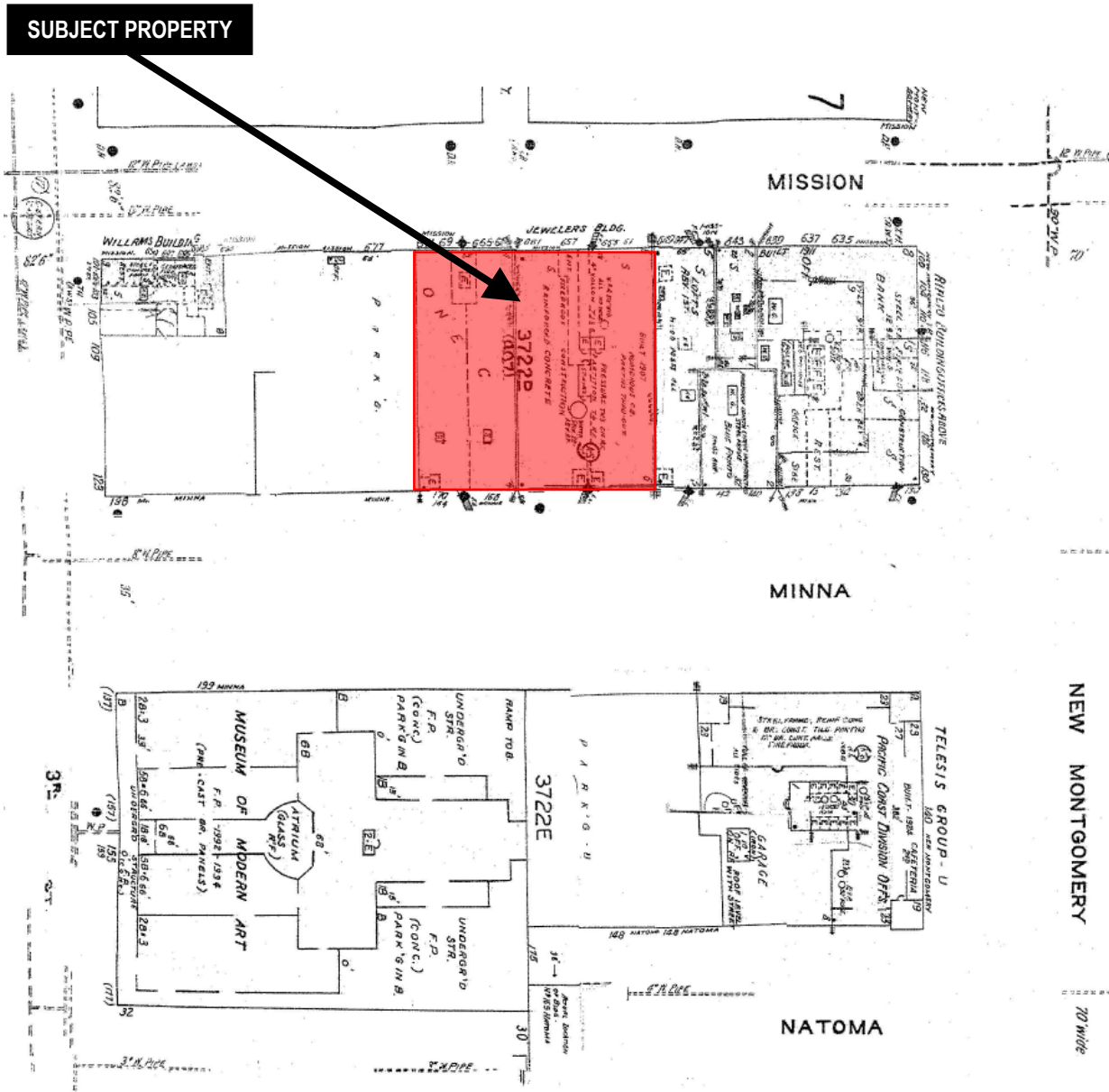
Parcel Map



SUBJECT PROPERTY



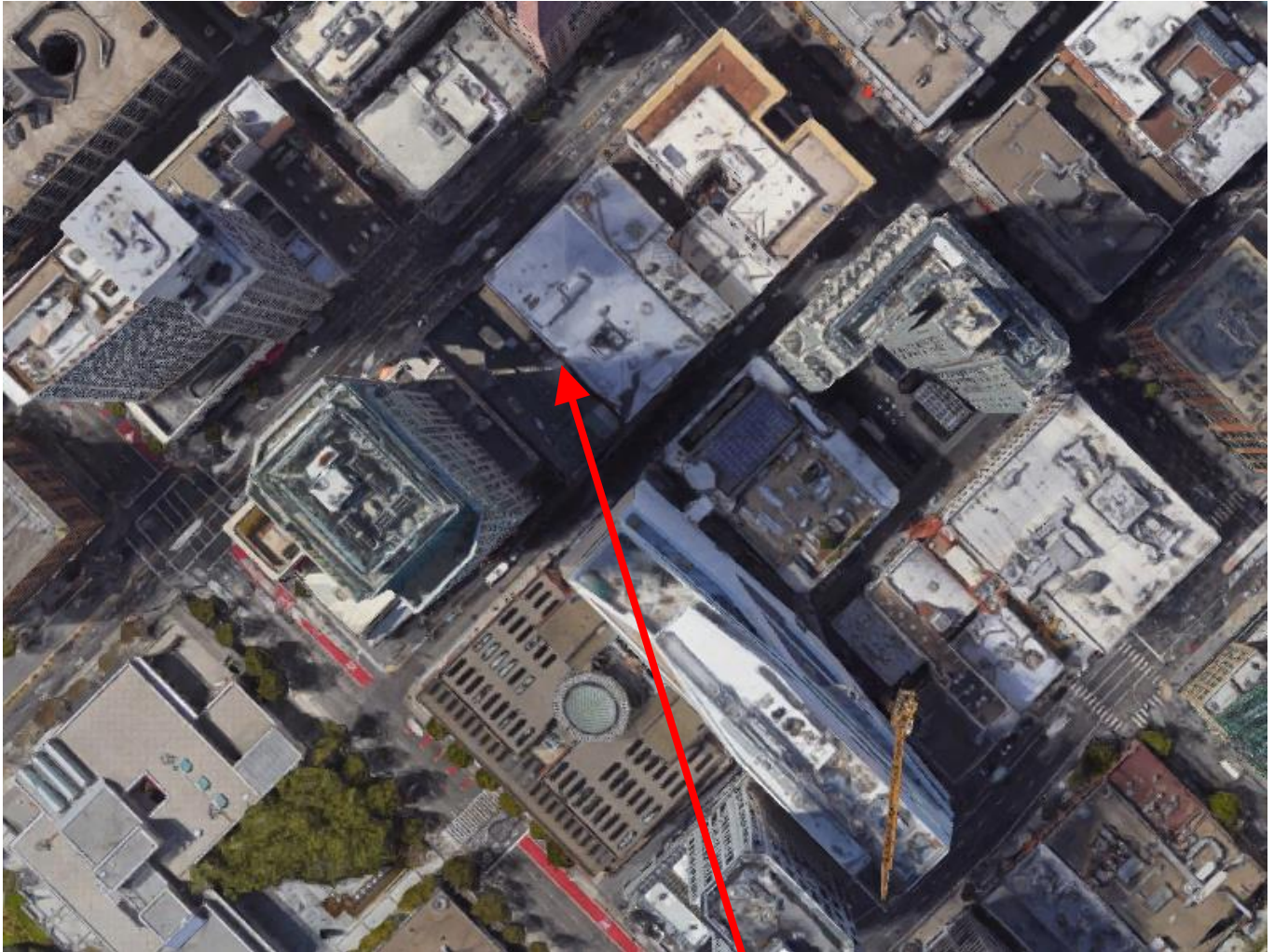
Sanborn Map*



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



Aerial Photo – View 1



SUBJECT PROPERTY



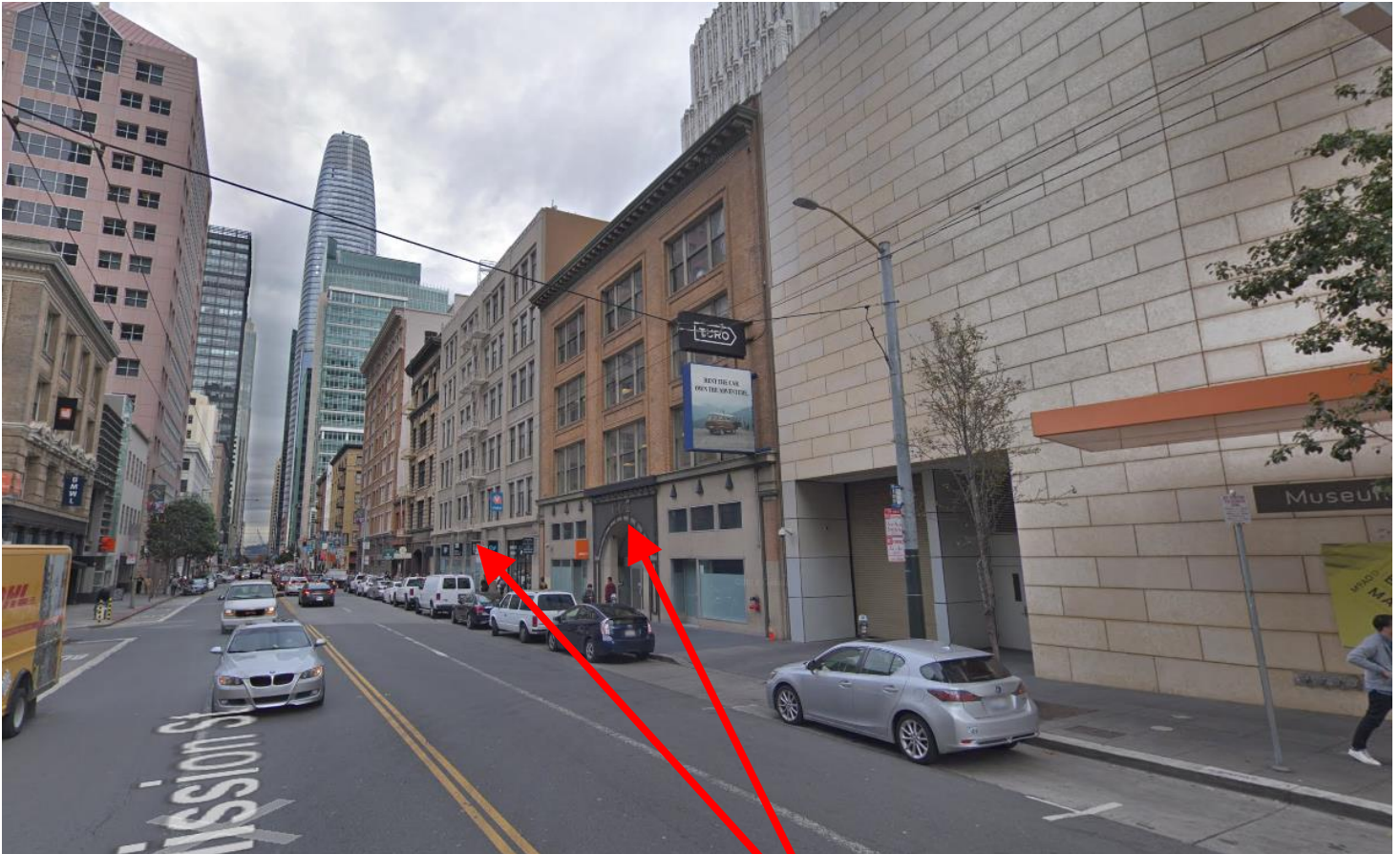
Zoning Map



Conditional Use Authorization
Case Number 2018-012687CUA
Retail to Office Change of Use
657-667 Mission Street

Site Photo

(Mission Street)



SUBJECT PROPERTY

Site Photo

(Mission Street)



SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2018-012687CUA
Retail to Office Change of Use
657-667 Mission Street

Site Photo

(Minna Street)



SUBJECT PROPERTY

EXHIBIT F:

PROJECT SPONSOR SUBMITTAL



CONDITIONAL USE AUTHORIZATION

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

Pursuant to Planning Code Section 303, the Planning Commission shall hear and make determinations regarding Conditional Use Authorization applications.

For questions, call 415.558.6377, email pic@sfgov.org, or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文: 如果您希望獲得使用中文填寫這份申請表的幫助，請致電415.575.9010。請注意，規劃部門需要至少一個工作日來回應。

Tagalog: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9120. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A CONDITIONAL USE AUTHORIZATION?

A Conditional Use refers to a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan. During this public hearing the Planning Commission will “condition” the use by applying operational conditions that may minimize neighborhood concerns as well as other conditions that may be required by the Department and the Planning Code. Conditional Use Authorizations are entitlements that run with the property, not the operator.

WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

For each Zoning District, the Planning Code contains use charts that list types of uses and whether each is permitted as of right (P), conditionally permitted (C), or not permitted (NP or blank). In addition to those particular uses, the Conditional Use Authorization process is utilized for various other applications included but not limited to dwelling unit removal, Planned Unit Developments (PUD's), and for off-street parking in certain Zoning Districts. Please consult a planner at the Planning Information Counter (PIC) for additional information regarding these applications.

Fees

Please refer to the [Planning Department Fee Schedule](#) available at www.sfplanning.org or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at 415.558.6377.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.



CONDITIONAL USE AUTHORIZATION

SUPPLEMENTAL APPLICATION

Property Information

Project Address: 657 / 667 Mission Street, San Francisco, CA 94105 Block/Lot(s): Block 3722, Lots 067 and 068

Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

The Project Sponsor respectfully requests a Conditional Use Authorization for office use at ground floor and basement pursuant to Sections 303 and 210.2 of the Planning Code.

Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).

See Attached

2. That 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:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. 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;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

See Attached

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

See Attached

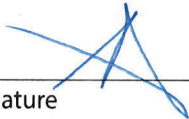
4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

Not Applicable

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) Other information or applications may be required.


Signature

Seth Pritchard
Name (Printed)

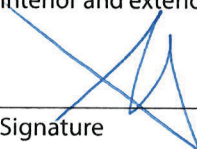
Agent
Relationship to Project
(i.e. Owner, Architect, etc.)

415-393-8287
Phone

spritchard@gibsondunn.com
Email

APPLICANT'S SITE VISIT CONSENT FORM

I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.


Signature

Seth Pritchard
Name (Printed)

1/22/19
Date

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

PROJECT DESCRIPTION

657-667 Mission Property Owner LLC, the Project Sponsor, proposes to convert to office use 24,895 gross square feet on the ground floor and basement levels of the existing buildings at 657 and 667 Mission Street (the “**Project**”), which are located on Assessor’s Block 3722, Lots 067 and 068 (collectively, the “**Property**”).

The Property consists of two buildings, a 4-story commercial building at 667 Mission Street (“**667 Mission**”), and a 6-story commercial building at 657 Mission Street (“**657 Mission**”; and together with 667 Mission, collectively the “**Buildings**”). Both Buildings are located within the New Montgomery-Mission-Second Street Conservation District (the “**Conservation District**”) and are rated as a Category IV Contributory Buildings (“**Category IV**”) under Article 11 of the City of San Francisco’s (the “**City**”) Planning Code (the “**Code**”).

The Project Sponsor proposes to convert the ground floor and basement levels of the Buildings for much needed office space as part of a larger interior remodel and rehabilitation of the Buildings. Because the proposal includes newly instituted ground-floor and basement level office use in the C-3-O and C-3-O(SD) Districts, conditional use authorization is required. The Project which is the subject of this Conditional Use application requires no new construction, demolition, or additions to the Property. The project will maintain retail on the entire Mission Street frontage of both Buildings, excepting only the joint lobby.

The Project is the final component of the Project Sponsor’s larger renovation and rehabilitation of the Buildings. Specifically, the Project Sponsor has submitted a lot line adjustment request for 657 Mission and 667 Mission in order to permit the merger of the interior of the Buildings for the anticipated use by one single tenant. The lot line adjustment was submitted in May of 2018 and is currently being processed by the City. In addition, on December 6, 2018, the Project Sponsor obtained a building permit for voluntary seismic upgrade and architectural improvements to the interior (core and shell permit). On December 6, 2018, Project Sponsor also obtained a Minor Permit to Alter to make minor improvements to the Buildings’ exterior façade, including increased transparency to the ground floor store fronts, and pedestrian scale activation of the street façade. The lot line adjustment, minor permit to alter, core and shell permit and this conditional use authorization will allow for the rehabilitation and revitalization of these underutilized historic Buildings, while at the same time retaining and rehabilitating the Buildings’ historic features and character as Contributory Buildings within the Conservation District.

REQUESTED ACTIONS

Conditional Use Authorization for Ground Floor and Basement Level Office Space

The Project Sponsor respectfully requests a Conditional Use Authorization for office use at the ground floor and basement level pursuant to Sections 303 and 210.2 of the Planning Code.

SECTION 303 FINDINGS: CONDITIONAL USE AUTHORIZATION

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

This Conditional Use authorization for ground floor and basement level office space will provide a development that is necessary and desirable for, and compatible with, the neighborhood and community. Office use, in itself is compatible with the existing mix of uses in the neighborhood, a location with direct access to public transit, convenient service and retail options for office workers, as well as opportunities for small businesses serving these workers. In addition, since the proposed changes will not modify the envelope of the Buildings, the overall size and intensity of use will be essentially unchanged.

The two Buildings are located in the New Montgomery-Mission-Second Street Conservation District. One of the two Buildings was significantly up-zoned in the Transit Center District Plan, but this proposed Project does not seek to maximize the development potential. Instead, the Project focuses on the preservation of the historic resources. Such preservation is made possible by leasing the two Buildings to one tenant, and the requested actions are necessary to meet the program requirements of such a tenant. By leasing to a single tenant, it is possible for the Project Sponsor to rehabilitate and preserve the two Buildings without compromising the architectural integrity of either Building. Permitting office space on the ground floor and basement of the Buildings will allow for relatively minor focused improvements while maintaining the historic character of the Buildings. Without such flexibility, it will be difficult to attract acceptable tenants, leaving the Buildings in danger of deteriorating and becoming blighted.

The modern retail landscape has changed significantly since the adoption of the ground floor Conditional Use requirements for office space. The new retail landscape makes leasing the entirety of the ground floor as a retail commercial space extremely difficult, particularly outside the C-3-R core shopping district. Online shopping has made retail tenanting challenging throughout the City, but particularly in locations where there is no synergy with other retailers through a lack of critical mass. The demand for retail tenant space is on the decline in all areas, but to the extent demand remains, retail tenants require locations where greater cross-shopping opportunities exist, such as in the C-3-R District, in order to draw in more patrons. Retail at this location is too isolated from supportive uses to succeed, as evidenced by the Buildings' historic tenancy track record.

Recently enacted legislation which limits non-retail uses on the lower floors of buildings in the C-3-R District illustrates both the challenges to retail generally as well as the policy considerations at work in focusing opportunities in the C-3-R District and Union Square. Prioritizing retail in the C-3-R as a policy matter further supports ground floor and basement office space at the Property, which is in the C-3-O and C-3-O(SD) district and thus not within the core retail area of the City. By concentrating retail in the C-3-R district as the recent legislation requires, flexibility in leasing outside of the C-3-R is necessary both for the continued vitality of the C-3-R District, and for those districts outside the retail core of the C-3-R.

The Project is located in the Downtown and Transit Center District in a location well-served by regional transit, and in close proximity to the newly developed Transbay Terminal, which will serve as an intermodal rail and bus facility. As a result, this area is in extremely high demand for office space, and the Project will contribute highly desired office space in the neighborhood that most requires it.

The office space itself would supply workers who will create demand for the Buildings' and the district's retail. This addition of ground floor office can be implemented while still maintaining an active use on the entirety of the Mission Street frontage with retail tenants. As a result of this anticipated use by a single tenant, only one lobby is proposed for both Building frontages, significantly reducing the amount of lobby space on the Mission Street frontage from that otherwise permitted under the Code, and thus allowing for further activation of the Mission Street frontage from what would be possible if the Buildings were conventionally redeveloped for separate use. The Project proposes to eliminate one of the two existing lobbies on the Mission Street frontage to provide one consolidated Mission Street lobby. This modification, made possible by the single tenant project, provides the opportunity for additional retail frontage along Mission Street. The Project's proposal will thus enhance the liveliness of the Mission Street pedestrian realm by maintaining two retail spaces on the Buildings' Mission Street frontage.

The proposed ground floor configuration responds to the Buildings' surroundings. The Minna Street frontage of the Buildings is significantly impacted by the large loading dock serving the San Francisco Museum of Modern Art directly across the street from the Buildings. The site is also immediately adjacent to the St. Regis parking garage exit on the North side of Minna Street and close to the SFMOMA garage, located slightly further east on the South side of Minna Alley. Activation of the ground floor with retail uses on this portion of Minna Street could result in an unsafe pedestrian environment given the high volume of large vehicles during the day and a large closed off section during the night. This loading dock has deactivated this portion of the alleyway, making any retail space difficult to sustain. In addition, group and school buses visiting the SFMOMA are directed to the group entry on Minna, bringing additional large vehicles into the narrow alley. Large vehicles during the day and a large closed off section at night make pedestrian transversal less than optimal. Therefore, placing retail space on Mission Street and utilizing the Minna Street frontage of the Buildings for office use will help ensure the long term viability of the proposed retail space.

In total, the Project will facilitate the rehabilitation of the existing Buildings and provide a vehicle to permit the significant reinvestment in the Buildings necessary to update and revitalize the Buildings as Contributory Buildings within the Conservation District.

2. *That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of person residing or working in the vicinity, or injuries to the property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:*

(a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.

The Project which is the subject of this Conditional Use authorization proposes no alteration to size, shape, or structure of the existing Buildings at the Property. Changing the use of the ground floor and basement will result in new office space without adverse effects to the health, safety, convenience, or general welfare of persons in the vicinity attributable to major construction or exterior alterations. The Project will allow for more active maintenance of the Buildings, which will therefore increase the safety, convenience and general welfare of persons in the neighborhood. The Buildings were constructed in 1907 (657 Mission) and 1909 (667 Mission). The proposed conversion of use will allow the Buildings to be preserved as Contributory Buildings while activating the Mission Street frontage with retail uses while maintaining the commercial character of the neighborhood.

(b) 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 proposed Project will not have any substantial negative impacts on accessibility or traffic patterns or the type and volume of traffic. The addition of new office space will result in high quality office use within close proximity of public transit. The Project is situated near the Transbay Terminal and is well served by existing public transportation facilities. For example, the following MUNI routes are within one block of the Property: 5, 5R, 6, 7, 7X, 8, 8AX, 8BX, 9, 9R, 14, 21, 30, 31, 38, 38R, 45, J, K, L, M, N, along with all San Francisco BART lines. The Buildings do not currently have any parking and no off-street parking is required or proposed in connection with the proposed Project. As such, tenants of the Buildings have historically relied on public transit and will continue to do so as a primary source of transit. Thus, the employees in the new office areas will be able to utilize a number of different environmentally friendly transit options, without impacting the neighborhood.

(c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.

The Project will consist of high quality retail and office uses, which will not result in noxious or offensive emissions such as noise, glare, dust, or odor. The Project will not involve any new construction or additions. Any new uses for the retail locations will be properly vented and trash will be disposed of in an appropriate manner.

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

The Project will utilize existing features of the Property, and no changes to the building envelope are proposed. No landscaping, screening, open spaces or parking exist. As noted above, as part of the larger rehabilitation of the Buildings, the Project Sponsor has obtained a building permit to renovate the interior of the Buildings and also a Minor Permit to Alter to make minor improvements to the Building's exterior façade, including increased transparency to the ground

floor store fronts, and pedestrian scale activation of the street façade. The building permit and Minor Permit to Alter are not the subject of this Conditional Use authorization nor part of the Project proposed for approval under this Conditional Use authorization. However, together with the renovations contemplated as part of the above listed permits, the Project is intended to result in a high-quality renovation providing an attractive, safe and comfortable environment.

3. *That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.*

The Project compiles with the applicable sections of the Code. The Project Site will be served by transit and commercial services, allowing office workers and shoppers to commute, shop, and reach amenities by walking, transit, and bicycling. Furthermore, allowing the proposed office use will not adversely affect the General Plan, as it will provide quality well-paying jobs, contribute to economic growth, allow adaptive re-use of Contributory Buildings, increase public safety, prevent blight, and enhance the surrounding neighborhood. Specifically, the Project conforms with multiple goals and policies of the General Plan, as described in further detail below.

Commerce and Industry Element 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.

The Project supports this policy. The rehabilitation of the Buildings and proposed changed use to ground floor and basement office space has no significant adverse environmental effects. At the same time the Project will increase the net amount of high paying jobs to San Francisco while creating sustainable ground floor retail spaces. The Project Sponsor intends to make capital improvement to the Buildings while maintaining their historic quality. The Project will promote economic growth while maintaining the aesthetic environment of San Francisco's downtown economic hub.

Commerce and Industry Element Objective 2

Maintain and Enhance a Sound and Diverse Economic Base and Fiscal Structure for the City.

- Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project supports this Policy. This area of Downtown is currently becoming the dominate downtown commercial hub. The Project will provide ideal space for additional businesses whose employees value transportation options and the cultural amenities available in San Francisco. The Buildings are currently in need of renovation and rehabilitation; the Project Sponsor's

implementation of the Project will effectuate the needed rehabilitation and attract new tenants to the Buildings. The proposed Project will allow for the addition of new office space on the basement and ground floor levels of the Buildings while at the same time maintaining stable long-term retail tenants on the entirety of the Mission Street frontage (excepting only the shared lobby). These additions will attract more individuals and further activate both the Buildings and their surrounding area. The Project would strengthen Downtown's commercial base by attracting new retail and office activity to the Buildings, while at the same time allowing the Buildings to be preserved as Contributory Buildings within the Conservation District.

Transportation Element Objective 2

Use the Existing Transportation Infrastructure as a Means for Guiding Development and Improving the Environment.

- Policy 2.1

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development and coordinate new facilities with public and private development.

The Project supports this Policy. The Project site has exceptional transit access and is ideally situated for the expansion of general office uses. The Project is located within close proximity to Market Street and the Transbay Transit Center. Two blocks from the Property, Market Street consists of transit stations for rapid transit, underground and street-level light rail, bus, and cable car. The Transit Center is designed to be the Bay Area's hub of intermodal public transportation. The Property is thus at a location exceptionally suited for new office uses. Employees at, and visitors to the Property, will be able to easily walk, take public transit, or ride bicycles to and from the Buildings, which will generate a low amount of traffic and transit impacts.

Urban Design Element Objective 2

Conservation of Resources which Provide a Sense of Nature, Continuity with the Past, and Freedom from Overcrowding

- Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The Project supports this Objective. The Project will revitalize the Contributory Buildings and further integrate them into the Conservation District and the larger Downtown neighborhood. Permitting office space on the ground floor and basement of the Buildings will allow for relatively minor focused improvements while maintaining the historic character of the Buildings. Without such flexibility, it will be difficult to attract acceptable tenants, leaving the Buildings in danger of deteriorating and becoming blighted.

The Project will therefore allow for the rehabilitation and revitalization of the Buildings while at the same time allowing for the preservation of these Contributory Buildings in the Conservation District. The Project will make the rehabilitation of the Buildings economically feasible.

Transit Center District Plan Land Use Element Objective 1.1

Maintain Downtown San Francisco as the Region's Premier Location for Transit-Oriented Job Growth Within the Bay Area

The Project supports this Objective. The Project is located near ample transportation options. The Project will revitalize existing underutilized historic Buildings by increasing office space and bringing well-paid workers into the area. This will strengthen the outer portion of the Transit Center District by ensuring high quality retail and office space.

The two historic Buildings were constructed in 1907 and 1909 and are in need of rehabilitation. Allowing office space on the ground floor and basement levels of the Buildings will increase the marketability of the Buildings and ensure that the Buildings maintain stable long term tenancies, while at the same time allowing the Buildings to be preserved as Contributory Buildings within the Conservation District. Therefore, this conditional use authorization for ground floor and basement office will provide the Project Sponsor with the needed resources to complete that rehabilitation, including needed voluntary seismic upgrades. Revitalization of these Buildings through implementation of the Project will serve to reinforce the area's role within the City as the major job center by increasing the number of well-paying jobs located in the area. Such added jobs will be created within walking distance of substantial goods and services available for employees of any office tenant. The Project will thus contribute to making the Transit Center District Plan the hub of San Francisco's downtown employment area while at the same time preserving the historic nature of the Buildings.

Transit Center District Plan Land Use Element Objective 1.2

Reinforce the Role of Downtown Within the City as Its Major Job Center by Protecting and Enhancing the Central District's Remaining Capacity, Principally for Employment Growth

As discussed above, the retail landscape has changed. Allowing a portion of the ground floor and basement to be used as office space will ensure the flexibility needed to maintain long-term stable tenants throughout the Buildings, while at the same time preserving the Buildings historic aspects as Contributory Buildings within the Conservation District. The Project will not result in substantial construction and will protect and enhance the viability of the Buildings' current historical façade.

Furthermore, as noted above, the portion of the Minna alleyway fronting the Buildings is used primarily as a supplemental service area for the San Francisco Museum of Modern Art. Directly across from the Buildings is SFMOMA's loading dock, immediately adjacent to the Buildings is the St. Regis parking garage, and nearby is the SFMOMA parking garage. As a result, including a retail frontage on Minna Street would be neither attractive nor enjoyable for the individuals using the space. This will cause instability for such retail tenants and cause increased blight affecting

the remaining Minna Street alleyway. The institution of office use on this part of the alley is better suited than retail because it's more pedestrian friendly than the existing vehicular uses surrounding the Buildings, but at the same time more protective of public safety than the institution of retail uses given the high volume of large vehicles during the day and a large closed off section during the night.

Downtown Plan Object 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.

The Project Supports this Objective. The Project would bring additional jobs into an area that is well-served by public transit in the central Downtown location. The Project proposes no alteration to size, shape, or structure of the existing Buildings at the Property. Therefore, the public benefits will result without any negative effects that would otherwise result from construction and will enhance the preservation of historic resources. The Project will contribute 24,895 square feet of new office space. The Project would improve the existing character of the neighborhood by activating the entirety of the Mission Street frontage with retail and lobby space.

Downtown Plan 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 activates to grow as long as undesirable consequences of such growth can be controlled.

The Project would add office space to a location that is well-served by existing and future transit, and is within walking distance of substantial goods and services available for employees of office tenants. The new office use at the Property is expected to draw tenants with employees that do not rely on private vehicle trips, including many employees who are able to walk from nearby neighborhoods or use the ample public transit available in the vicinity.

- Policy 2.2

Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The Project will maintain and improve San Francisco's position as a prime location for financial, administrative, corporate and professional services and assist in concentrating such uses in the downtown core. The Project would help avoid displacement of other uses by locating office uses in the downtown core and therefore minimizing displacement of other uses in outlying areas of the city.