

Executive Summary Conditional Use

HEARING DATE: APRIL 30, 2015

Date: April 23, 2015
Case No.: 2014-000768CUA
Project Address: 4598 Mission Street
Zoning: NCD (Excelsior Outer Mission) District
40-X Height and Bulk District
Block/Lot: 3148/006
Project Sponsor: Mark Loper
Reuben, Junius and Rose LLP
1 Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Todd Kennedy – (415) 5575-9125
todd.kennedy@sfgov.org
Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The applicant proposes to establish a new formula retail use in the existing 1,700 square foot vacant commercial storefront on the ground floor at the corner of Mission Street and Norton Street. The subject use will be a financial services bank use (d.b.a. Umpqua Bank). The project proposes interior tenant improvements, as well as the addition of an exterior ATM and signage.

Umpqua Bank proposes a unique approach to banking by acting also as a community hub for neighbors. The interior spaces are designed to meet the needs of the neighborhood, and typically include conveniences such as bike parking, recharge stations for phones, free Wi-Fi and coffee, and a space for community meetings, classes and events. The company also provides community-based grants and gives employees 40 hours of paid time off each year to volunteer through Connect Volunteer Network.

SITE DESCRIPTION AND PRESENT USE

The project is located on the ground floor of an existing three-story building on a corner lot that occupies the entire block face that faces Norton Street and Mission Street, Block 3148, Lot 006. The property is located within the NCD (Excelsior Outer Mission) Zoning District and the 40-X Height and Bulk District. The subject building contains one ground floor commercial storefront and two upper floors for residential units

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject site is located within the Outer Mission and Excelsior neighborhoods along a commercial corridor of Mission Street. The primary land use pattern in this area is one to three-story buildings

featuring ground-floor neighborhood-serving retail and upper-floor residential uses. The subject site is located across the street from two grocery markets and is on the same block as two retail stores and two restaurants. There are several vacant storefronts in the immediate project vicinity.

The subject site is located within the Excelsior Outer Mission Street Neighborhood Commercial (NCD) Zoning District, which is intended to provide goods and services that are convenient to the surrounding neighborhoods. This is a mixed-use area that combines street-fronting retail businesses on the ground floor while housing development is encouraged to be located on the upper-floors. The range of goods and services offered include specialty retail stores, restaurants, and neighborhood services. This range of goods and services is intended to serve the residents of the area as well as residents from surrounding areas.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	04/10/15	03/30/15	30 days
Posted Notice	20 days	04/10/15	04/01/15	30 days
Mailed Notice	30 days	03/30/15	03/30/15	30 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has received no communication with the public.

ISSUES AND OTHER CONSIDERATIONS

- Within the surrounding NCD Zoning District, there are several similar Formula Retail Financial Uses located nearby. They include the Citibank located on the northeast corner of Mission Street and San Juan Avenue, the Wells Fargo Bank located directly across San Juan Avenue. It is on the southwest corner of San Juan Avenue and Mission Street. The US Bank is located on Mission Street between Norton Street and San Juan Avenue, and the Sterling Bank is located directly across Mission Street and to the southwest of the Brazil Avenue Intersection.
- Based on a survey of the immediately surrounding NCD Zoning District, there are 25 ground floor commercial storefronts in the surrounding NCD Zoning District, approximately 8 of which appear to be formula retail uses that are different from financial uses. Those formula retail uses account for 19 percent of all ground floor commercial uses.

- Based on a survey of the immediately surrounding NCD Zoning District, there are currently 3 vacant ground floor commercial spaces, including the subject space, out of the 25 commercial spaces.
- The existing vacancy rate within the surrounding NCD Zoning District is 4 percent. The vacancy rate would change to 1 percent with the proposed formula retail use.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a new formula retail use within the NCD (Excelsior Outer Mission) District, pursuant to Planning Code Sections 303 and 703.2 and 703.4.

BASIS FOR RECOMMENDATION

- The project will improve the exterior appearance of the subject property by creating a more open and attractive storefront activated by the proposed business.
- The project would provide the kinds of traditional banking services necessary to serve the new residents of the neighborhood in an area underserved by banking options.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The project would increase the amount of Formula Retail to 22% within a 300 foot radius of the proposed site.

RECOMMENDATION:	Approval with Conditions
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Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Formula Retail Uses Map | <input type="checkbox"/> Community Meeting Notice |
| <input type="checkbox"/> Support Letters | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| | <input type="checkbox"/> Residential Pipeline |

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

_____TCK _____

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
☐ Jobs Housing Linkage Program (Sec. 413)
☐ Downtown Park Fee (Sec. 412)

- ☐ First Source Hiring (Admin. Code)
☐ Child Care Requirement (Sec. 414)
☐ Other

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Planning Commission Motion No. XXXXX

HEARING DATE: APRIL 30, 2015

Date: April 13, 2015
Case No.: 2014-000768CUA
Project Address: 4598 MISSION STREET
Zoning: NCD (Excelsior Outer Mission) District
40-X Height and Bulk District
Block/Lot: 3148/006
Project Sponsor: Mark Loper
Reuben, Junius and Rose LLP
1 Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Todd Kennedy – (415) 575-9125
todd.kennedy@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303.1 AND 703.2 AND 703.4 OF THE PLANNING CODE TO ESTABLISH A NEW FORMULA RETAIL FINANCIAL SERVICES USE (D.B.A. UMPQUA BANK) WITHIN AN NCD (EXCELSIOR OUTER MISSION) ZONING DISTRICT, AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 31, 2014, Mark Loper (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 303.1 and 703.2 to allow the establishment of a new formula retail use (d.b.a. Umpqua Bank) within an NCD (Excelsior Outer Mission) Zoning District and a 40-X Height and Bulk District.

On April 30, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing of a regularly scheduled meeting on Conditional Use Application No. 2014-000768CUA.

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 Authorization requested in Application No. 2014-000768CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the ground floor of an existing three-story building on a corner lot that occupies the entire block face that faces Norton Street and Mission Street, Block 3148, Lot 006. The property is located within the NCD (Excelsior Outer Mission) Zoning District and the 40-X Height and Bulk District. The subject building contains one ground floor commercial storefront and two upper floors for residential units.
3. **Surrounding Properties and Neighborhood.** The subject site is located within the Outer Mission and Excelsior neighborhoods along a commercial corridor of Mission Street. The primary land use pattern in this area is one to three-story buildings featuring ground-floor neighborhood-serving retail and upper-floor residential uses. The subject site is located across the street from two grocery markets and is on the same block as two retail stores and two restaurants. There are several vacant storefronts in the immediate project vicinity.

The subject site is located within the Excelsior Outer Mission Street Neighborhood Commercial (NCD) Zoning District, which is intended to provide goods and services that are convenient to the surrounding neighborhoods. This is a mixed-use area that combines street-fronting retail businesses on the ground floor while housing development is encouraged to be located on the upper-floors. The range of goods and services offered include specialty retail stores, restaurants, and neighborhood services. This range of goods and services is intended to serve the residents of the area as well as residents from surrounding areas.

4. **Project Description.** The applicant proposes to establish a new formula retail use in the existing 1,700 square foot vacant commercial storefront on the ground floor at the corner of Mission Street and Norton Street. The subject use will be a financial services bank use (d.b.a. Umpqua Bank). The project proposes interior tenant improvements, as well as the addition of an exterior ATM and signage.

Umpqua Bank proposes a unique approach to banking by acting also as a community hub for neighbors. The interior spaces are designed to meet the needs of the neighborhood, and typically include conveniences such as bike parking, recharge stations for phones, free Wi-Fi and coffee, and a space for community meetings, classes and events. The company also provides community-based grants and gives employees 40 hours of paid time off each year to volunteer through Connect Volunteer Network.

5. **Public Comment.** To date, the Department has received a notice of support for this proposal from the Excelsior Action Group. Please see attached.
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. **Walk-up Facility.** Planning Code Section 745.26 allows walk-up facilities including Automatic Teller Machines.

The Project proposes an ATM on the Mission Street frontage that is setback 3 feet from the front property line.

- B. **Formula Retail.** Planning Code Section 303.1 defines Formula Retail as a type of retail sales activity or retail sales establishment which, along with eleven or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized façade, a standardized décor and color scheme, a uniform apparel, standardized signage, a trademark or service mark. Planning Code Section 303.1 requires Conditional Use authorization for Formula Retail Uses.

The proposed project is for a Formula Retail Financial Services use (d.b.a. Umpqua Bank).

- C. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage shall be subject to the review and approval of the Planning Department.

The project sponsor has proposed one corner cuff sign, a blade projecting sign on each street frontage, individual letters mounted on the awning above the entrance on the Mission Street façade and surface applied signage facing the Norton Street façade.

- D. **Planning Review.** Currently, there are no active building permit applications on file with the Planning Department. Any alterations/improvements shall be subject to applicable planning requirements.

The project sponsor has proposed both internal and exterior façade improvements.

7. **Planning Code Section 303.1** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

The proposed Umpqua Bank is necessary and for desirable for and compatible with the neighborhood and community. The Umpqua Bank will provide a community-oriented banking experience not offered by any other banks in the excelsior and Outer Mission neighborhoods, including open use of the store for anyone to use for events or business meetings; the hosting of neighborhood gatherings ranging from movie nights to yoga classes; and free coffee and phone chargers. Umpqua will make its store available to community groups after-hour, allowing the entire community to use the space.

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

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

There will be no changes to the existing size or shape of the building. The existing structure will essentially remain unchanged except for interior tenant improvements and new signage on the building's exterior façade. These internal improvements will activate the ground floor at the Property, replacing the current outdated façade with a more contemporary store design that emphasizes active uses and is designed to invite pedestrians into the store.

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

The Project site is within easy walking distance of many potential customers and is well served by public transit. The 49, 14, 14L, and 14X lines all run on Mission Street in front of the Property. There is no parking at the Property for retail use, and no parking will be added by the Project. It is anticipated that the Project will not generate a noticeable increase in traffic volumes and patterns.

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

The Project entails minor interior alterations to an existing building. It will not produce, nor include, any uses that would emit noxious or offensive emissions such as noise, glare, dust and odor, and will provide proper venting for the space in compliance with the San Francisco Building Code standards.

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

The Project will improve the exterior appearance of the Property by creating a more open and attractive storefront activated by the uses inside the Project store, and improving signage. All exterior signage will be consistent with the master plan aesthetic, and will complement the proposed use.

- 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. The project as a whole is consistent with the objectives and policies of the General Plan as detailed below.

- 8. **Planning Code Section 703.4** requires formula retail projects in the Excelsior Outer Mission NCD zoning district to obtain Conditional Use authorization from the Planning Commission. Formula retail use is defined as a type of use that includes 11 or more establishments in the United States that maintain two or more of the following standardized features: array of merchandise, façade, décor, uniform apparel, signage, trademark or servicemark. The Project proposes a Umpqua Bank store which qualifies as a formula retail use.

Section 303(i) requires that, with respect to an application for Conditional Use Authorization for a formula retail use, the Planning Commission shall consider the following:

- a. The existing concentrations of formula retail uses within the existing concentrations of Formula Retail uses within the district and within the vicinity of the proposed project.

There are a variety of formula retail uses along Mission Street from Excelsior Avenue to France Avenue, and a few clustered near Balboa High School along Onondaga Avenue and Alemany Boulevard. Some of these retailers include restaurants and grocery stores, and others include electronics and phone stores such as T-Mobile and Radio Shack. There is an existing concentration of traditional financial and fringe financial services, as well.

- b. The availability of other similar retail uses within the district and within the vicinity of the proposed project.

There are approximately six (6) existing banks along Mission Street in the Excelsior/Outer Mission neighborhood, all of which are formula retailers. The presence of another formula retailer in this neighborhood will not detrimentally affect any non-formula retail bankers in the neighborhood, as there are none. Furthermore, Umpqua offers a different banking experience than the existing traditional banks—with banking services available but certainly not required in order for members of the community to enter the store and enjoy its amenities, and with space dedicated to neighborhood and community groups. This holistic approach to banking

differentiates Umpqua—and the Project store—from more traditional financial services formula retailers.

- c. The compatibility of the proposed formula retail use within the existing architectural and aesthetic character of the district.

The Umpqua store will be compatible with and contribute to the architectural and aesthetic character of the Excelsior district's main retail corridor. As detailed on the plans attached as Exhibit B, Umpqua will renovate the existing storefront along both Mission Street and Brazil Avenue. In particular, the renovation will activate the building's Brazil Avenue storefront by increasing the size of each of the three windows, providing transparency on the pedestrian level. The building's storefront entrance will be renovated as well, and treated with a pattern of wood beams meant to contrast with the existing building color and enlivening the pedestrian realm. The reoriented front façade will include code-compliant and modest signage.

- d. The existing retail vacancy rates within the district and within the vicinity of the proposed project.

It is difficult to determine retail vacancy rates in the area, as most of the buildings do not contain signage indicating retail spaces or vacancies.

- e. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district and within the vicinity of the proposed project.

Most of the Excelsior commercial district along Mission Street features neighborhood-serving restaurants, markets, and shops. There are relatively few citywide-serving retail uses in the neighborhood, and the infrastructure does not exist to support a large citywide-serving retailer. Like the other retailers along Mission Street, Umpqua's stores are meant to serve members of the communities in which they are located. The Project would add a modestly-sized Umpqua store in a vacant but prominent location along Mission Street, activating a portion of the pedestrian realm and providing a much-needed fresh take on banking to the neighborhood.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

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

The proposed development will provide a desirable service to the neighborhood and will provide employment opportunities to community residents. The proposed commercial activity will add a bank to an area that is underserved by financial services. No undesirable consequences that cannot be mitigated are anticipated by the proposed financial services use.

OBJECTIVE 2:

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

Policy 2.1:

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

The project will replace a vacant storefront with a commercial activity that is consistent with the character and uses of the surrounding NC Zoning District.

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.

The Project will provide additional employment opportunities for local residents at varying skill levels.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

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

No neighborhood-serving retail uses will be displaced by the Project, which will move into a currently-vacant commercial unit, and the Project will provide employment opportunities for San Francisco residents. The Project store will add to the diversity of existing retail uses in the neighborhood.

- 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, which is a retail use in an existing mixed-use building with residential uses on its top two floors, will 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 affordable housing.

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

The Project is a neighborhood-serving retail bank, and not a major generator of commuter traffic.

- 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 proposes no office use. The Project will contribute to a diverse economic base by adding a unique banking experience in a neighborhood commercial district in which there are a number of vacancies. Umpqua will provide job opportunities for San Franciscans. The tenant improvement work will create new temporary construction jobs, and the store itself will create a number of part-time and full-time positions.

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

The Project will conform to the structural and seismic requirements of the San Francisco Building Code, and thus meet this requirement.

- G. That landmarks and historic buildings be preserved.

The Project will not adversely alter any landmark building, contributory building, or architecturally significant building on the Project site or in the vicinity.

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

The Project does not involve any expansion of the existing building and will therefore have no effect on parks or open space, or their access to sunlight and views.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-000768CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 24, 2014, 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 No. 19143. 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 February 5, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 30, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the establishment of a new formula retail use (d.b.a. Umpqua Bank) located at 4598 Mission Street, Lot 006 in Assessor's Block 3148 pursuant to Planning Code Section(s) 303.1 and 703.2 within the Excelsior Outer Mission Neighborhood Commercial (NCD) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated October 24, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2014-000768CUA and subject to conditions of approval reviewed and approved by the Commission on April 30, 2015 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 April 30, 2015 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

MONITORING - AFTER ENTITLEMENT

6. **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

7. **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

8. **Garbage, Recycling, and Composting Receptacles.** 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 Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>

9. **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>

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 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

Parcel Map

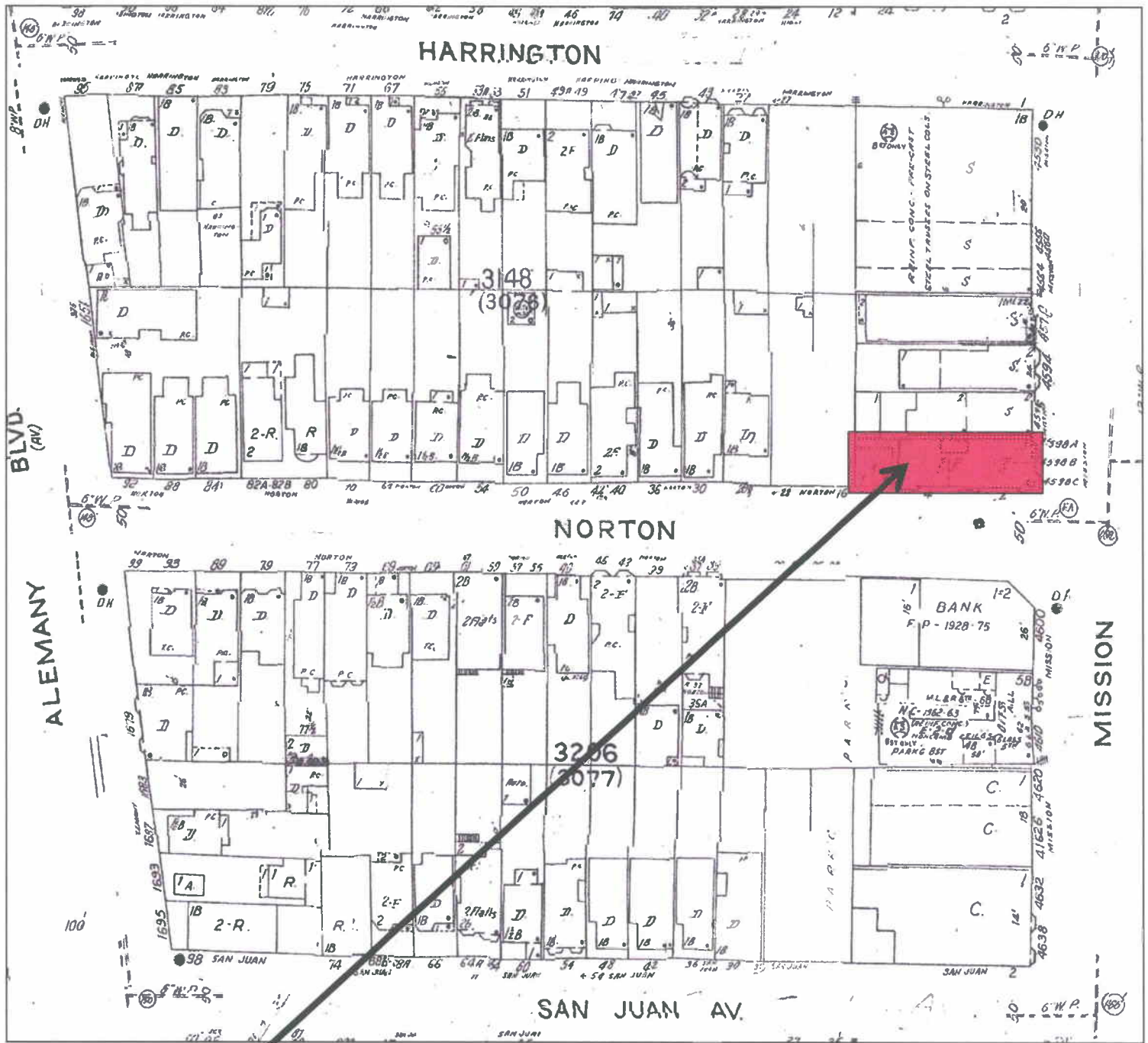


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014-000768CUA
4598 Mission Street
3148/006

Sanborn Map*



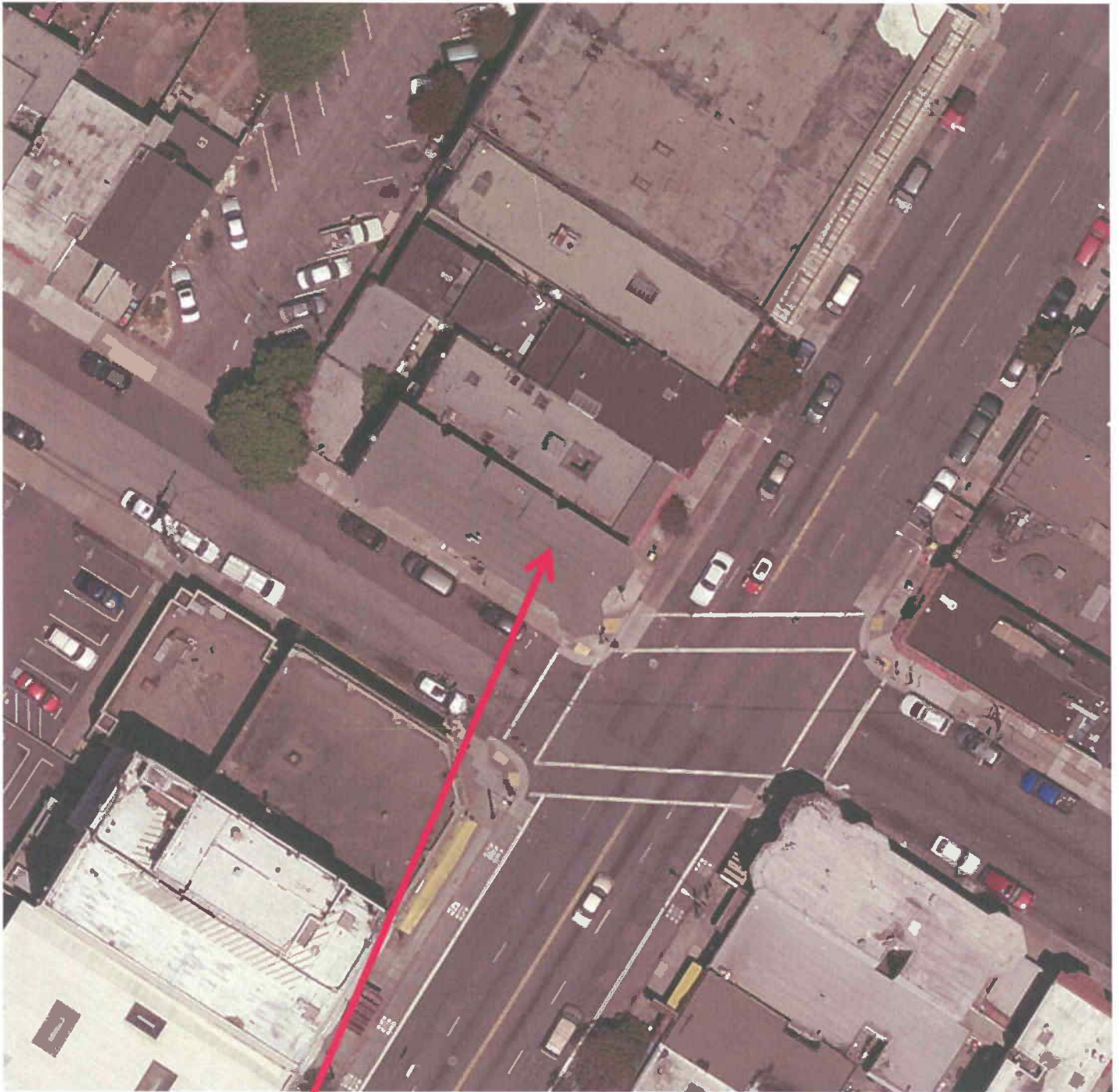
SUBJECT PROPERTY

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



Conditional Use Hearing
Case Number: 2014-000768CUA
4598 Mission Street
3148/006

Aerial Photo

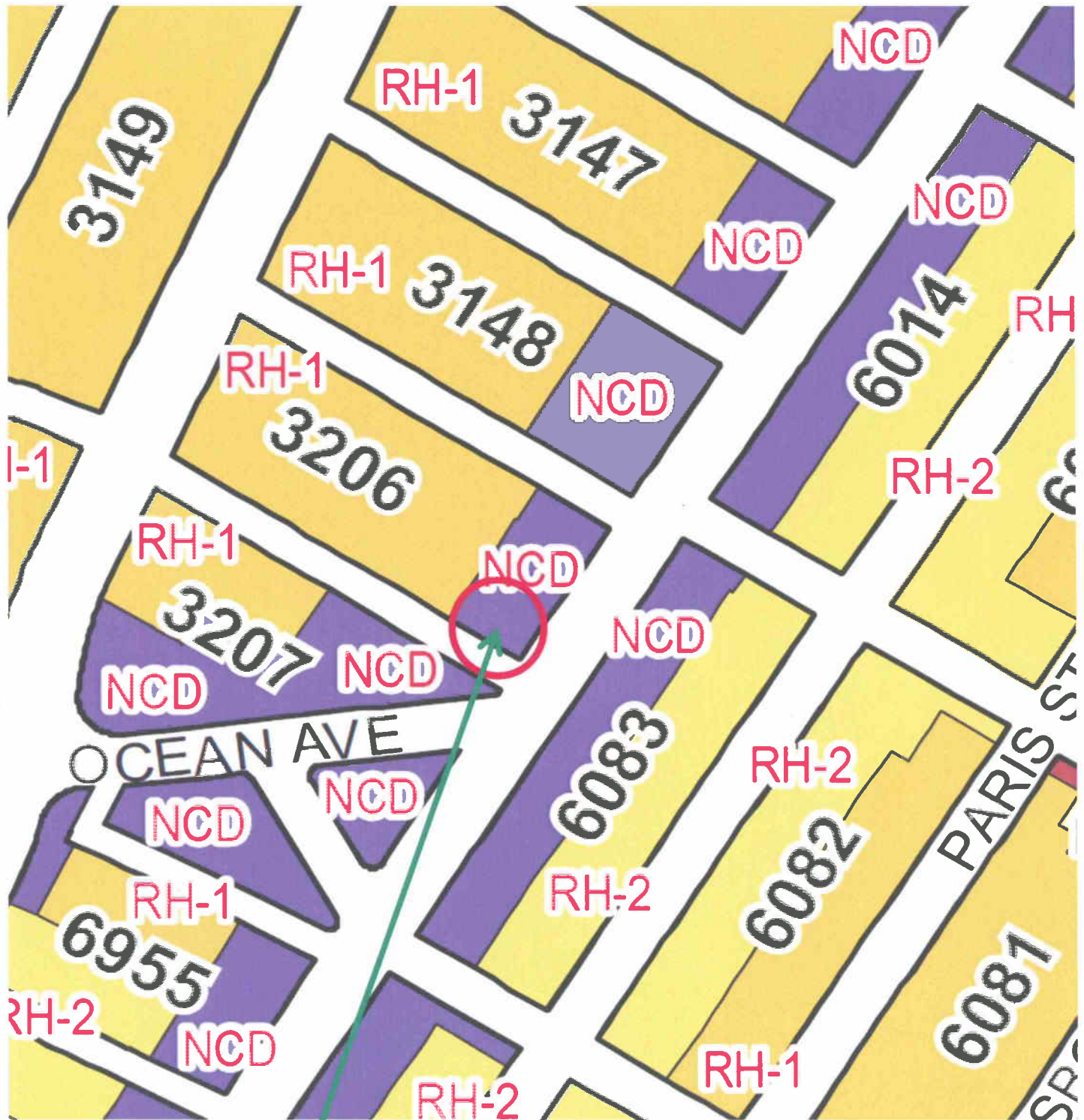


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014-000768CUA
4598 Mission Street
3148/006

Zoning Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014-000768CUA
4598 Mission Street
3148/006

Formula Retail Uses in the NCD Zoning District 300 feet from 4598 Mission Street



EXHIBIT B

REUBEN, JUNIUS & ROSE, LLP

April 13, 2015

By Messenger

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

**Re: 4598 Mission Street – Umpqua Bank Conditional Use Authorization
Planning Case No. 2014-000768PRJ
Our File No.: 8048.03**

Dear President Fong and Commissioners:

This office represents Umpqua Bank (“Umpqua”), which has applied to take over and renovate an existing vacant retail space at 4598 Mission Street (the “Project”), located on the border of the Excelsior and Outer Mission neighborhoods. The Project has widespread neighborhood support. It will add a unique community-oriented banking option in a vacant retail space located at a prominent corner along this neighborhood’s commercial corridor. The Project requires conditional use approval to open. We look forward to presenting to you on April 30, 2015.

A. Benefits of the Project

The benefits of the Project include the following:

1. **The Project store will create a unique banking alternative for Excelsior and Outer Mission residents.** Umpqua offers a unique customer-oriented approach to banking, delivering the products and services of a large bank with an emphasis on neighborhood involvement and customer engagement usually only found in small banks. Unlike traditional formula retail banks, Umpqua offers its stores to the community as a location where neighbors and community groups can gather and hold events. Umpqua prides itself on an open and inviting store design, as well as unexpected amenities such as free wifi and coffee, recharge stations for phones, and a “President’s Phone” that connects directly to Umpqua CEO Ray Davis’ office.
2. **The Project has widespread community support.** The Umpqua team has conducted extensive outreach to interested community members, including presentations to Excelsior Action Committee, the Excelsior District Improvement Association, and the

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
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Outer Mission Merchants, and a community meeting. Over 1,000 supporter cards have been signed by San Francisco residents, including 261 from Excelsior and Outer Mission residents. In fact, Umpqua worked with Supervisor Avalos's office to identify the proposed location on Mission Street.

3. **The Project will improve the neighborhood and occupy a vacant retail space.** The new Umpqua store will move into a long-vacant ground-floor retail space located at the corner of Mission Street and Norton Street, in the heart of the Excelsior/Outer Mission commercial district. No existing tenant was required to leave in order for Umpqua to move in; instead, the overwhelming response from community stakeholders and leaders has been to ask how soon until the Umpqua store can open. The store will activate and enliven this prominent street corner with a thoughtful and modern design.
4. **The Project will create jobs.** The Project is expected to create five new jobs.

B. A Unique Banking Alternative for the Excelsior and Outer Mission

The Project will add a unique alternative to the existing banking options along Mission Street in this part of San Francisco. The Project provides a much-needed community oriented banking option for the neighborhood, filling in a vacant retail space with a company focused on becoming an active part of the neighborhood fabric. Although there are a number of existing banks in the vicinity of the Project—all of which are formula retailers—Umpqua offers a different banking experience than they do. The new Umpqua store will provide the kinds of traditional banking services necessary for neighborhood residents, as well as a unique community hub where these residents can gather to hold events or just stop in to make use of the store's many unexpected amenities.

Umpqua's unique community-oriented approach to banking is demonstrated by its commitment to giving back. In addition to community-based grants, Umpqua provides every associate with up to 40 hours of paid time off each year to volunteer. It has become one of the benefits Umpqua's employees value most: average participation is more than 80%, nearly three times the national average. It is Umpqua's hope that associates in the 4598 Mission store will give back to the Excelsior and Outer Mission communities they work in.

C. Improving the Neighborhood's Vitality

As noted above, 4598 Mission Street is located centrally along the commercial corridor of Mission Street south of Interstate 280, bisecting the Outer Mission and Excelsior neighborhoods. It is across the street from two grocery markets, and on the same block as a

discount shoe store, a dollar store, and a number of Mexican restaurants. A check cashing store (classified as a “fringe financial service” in the Planning Code) is located across Mission Street from the Property. There are a number of vacant storefronts in the immediate Project vicinity, including 4598 Mission Street itself.

The Umpqua store will also contribute to the aesthetic character of the district. As detailed on the plans attached as **Exhibit A**, Umpqua will renovate the existing storefront along both Mission Street and Norton Street, activating a vacant and uninviting space. In particular, the renovation will include increasing the size of each of the three windows along Norton Street, providing transparency and interest on the pedestrian level as neighborhood residents walk up Norton towards Mission. The building’s storefront entrance will be renovated as well, and treated with a pattern of wood beams meant to contrast with the existing building color and enliven the pedestrian realm. The front façade will be reoriented on the true corner of the lot, with direct access from both Norton and Mission.

D. Neighborhood Engagement and Outreach

Umpqua has been working with neighborhood stakeholders and community leaders on the Project since summer 2014. In fact, Umpqua worked with the office of Supervisor Avalos—in whose district the Property is located—to identify the best location for an Umpqua store in the neighborhood. The Project sponsor team has made presentations to the Excelsior Action Committee, the Excelsior District Improvement Association, and the Outer Mission Merchants, and expects to receive endorsements from all three groups. These support letters will be sent to the Planning Department before the Project’s hearing date, and we will have copies to present at the hearing. Umpqua has also collected 1,049 supporter cards signed by San Francisco residents, 261 of which are from residents who live near the Project site.

E. Conclusion

A new Umpqua store is necessary and desirable for the Excelsior and Outer Mission neighborhoods. The Project will replace a vacant ground-floor retail space with an open and inviting community-oriented bank, providing residents with an opportunity to experience a new approach to banking. Umpqua has worked with the District Supervisor on the Project’s location, and has the support of community stakeholders and leaders, as well as neighborhood residents. We respectfully request you approve the Project.

President Rodney Fong and Commissioners
April 13, 2015
Page 4

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP


Mark Loper

Enclosures

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Exhibit A



4598 Mission Street
San Francisco, California

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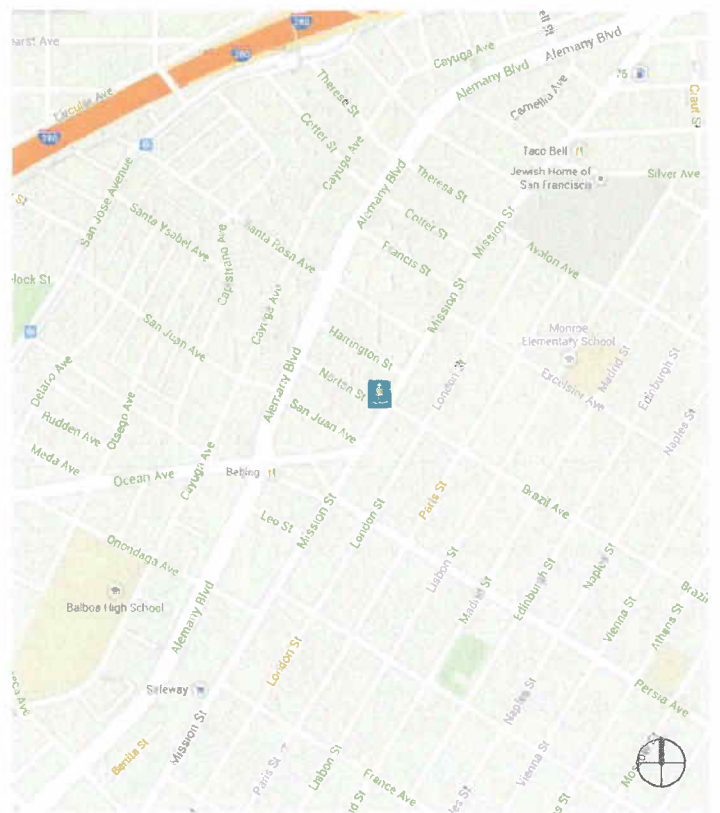
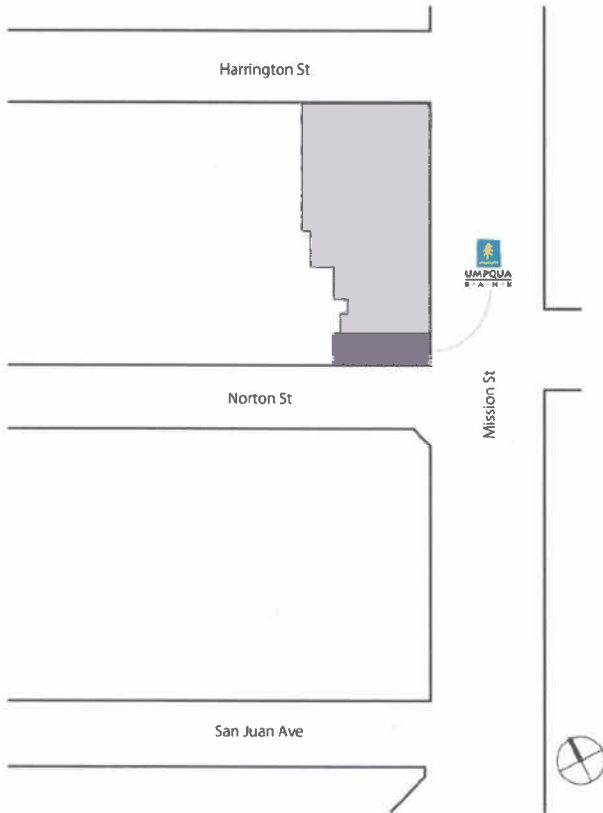
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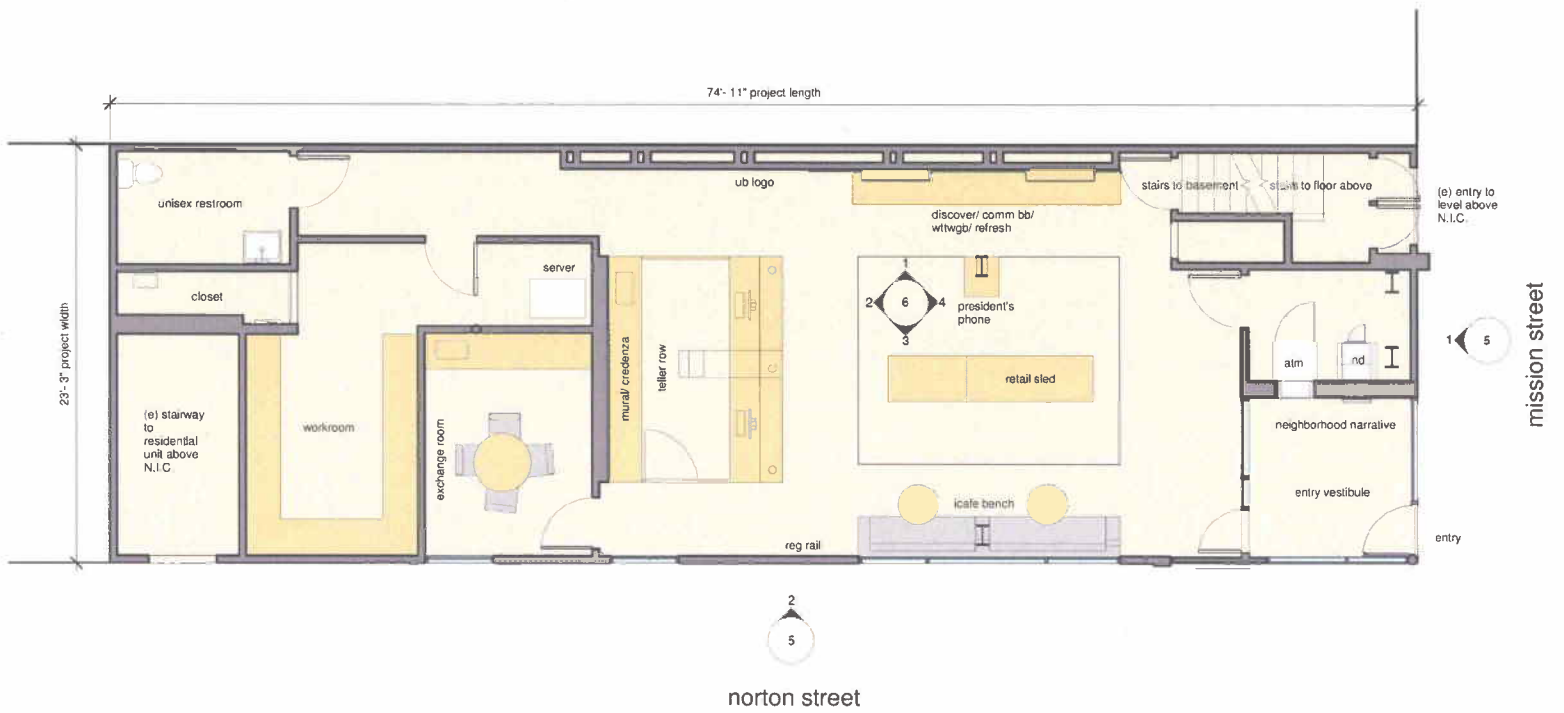


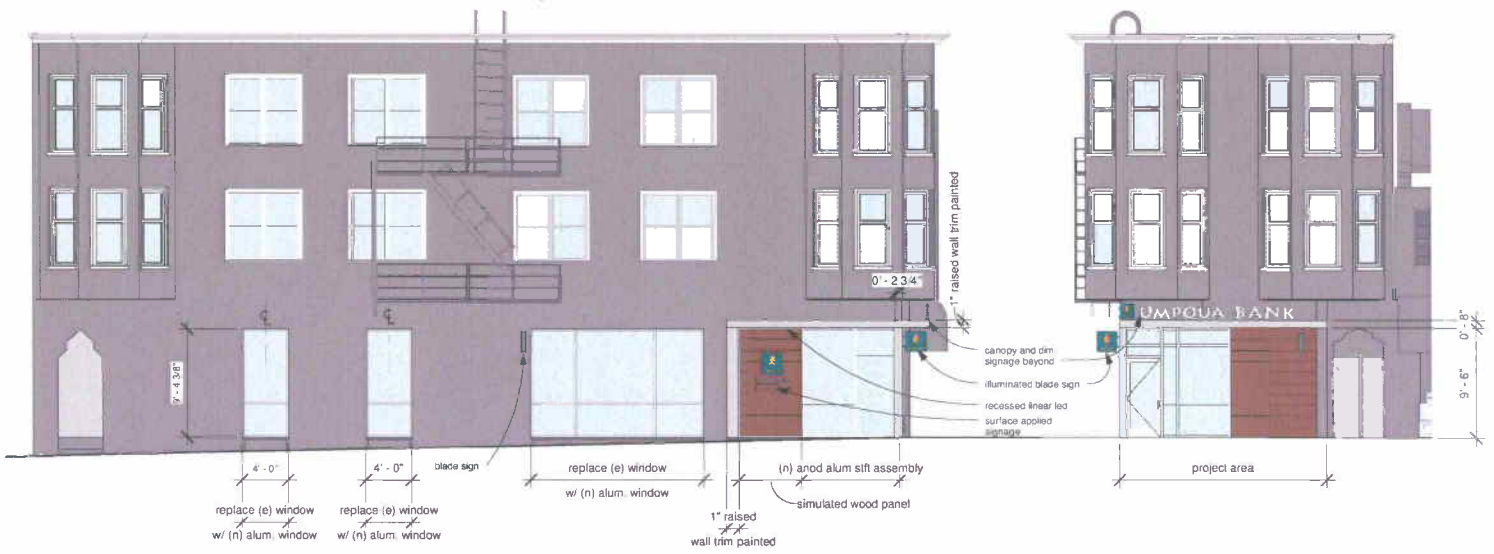
Southwest Facade



Corner of Norton St and Mission St

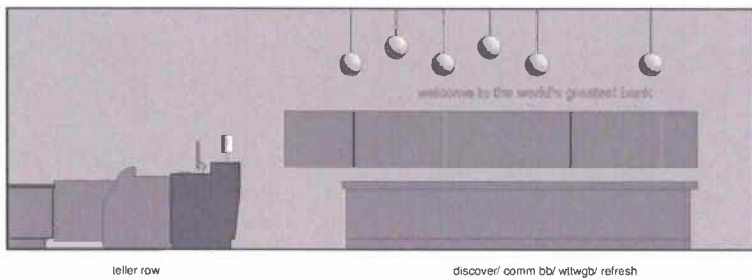




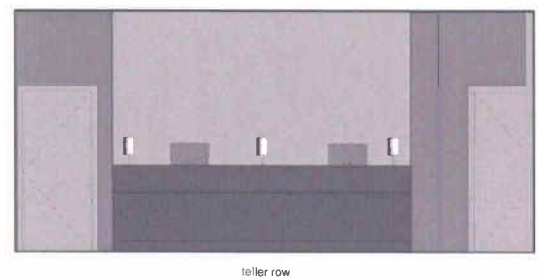


② Exterior Elevation - Norton St
1/8" = 1'-0"

① Exterior Elevation - Mission St
1/8" = 1'-0"



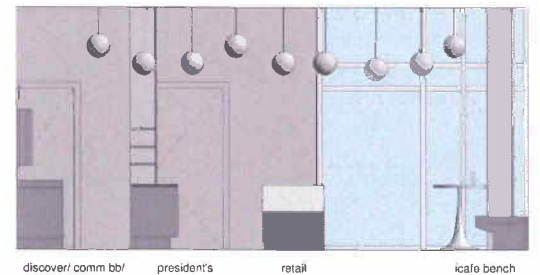
1 Interior Elevation - North
1/4" = 1'-0"



2 Interior Elevation - West
1/4" = 1'-0"



3 Interior Elevation - South
1/4" = 1'-0"



4 Interior Elevation - East
1/4" = 1'-0"



