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Executive Summary
Conditional Use Authorization

HEARING DATE: MAY 28, 2020

Record No.:	2019-020527CUA
Project Address:	**2675 GEARY BOULEVARD**
Zoning:	NC-3 (Moderate Scale Neighborhood Commercial) Zoning District 40-X and 80-D Height and Bulk District City Center Special Sign District
Block/Lots:	1094/001
Project Sponsor:	Sabrina Eshaghi Reuben, Junius & Rose, LLP 1 Bush Street, Suite 600 San Francisco, CA 94104
Property Owner:	2675 Geary Boulevard LLP 411 Theodore Fremd Avenue, Suite 300 Rye, NY 10580
Staff Contact:	Christopher May – (415) 575-9087 christopher.may@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The project involves interior tenant improvements totaling approximately 1,290 square feet within the recently constructed, vacant retail space fronting the east side of Masonic Avenue to facilitate a Formula Retail use (d.b.a. AT&T Mobility).

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303, 303.1 and 712 to permit a Formula Retail use (d.b.a. AT&T Mobility) within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Department has not received any public comment in response to this project.
- **Formula Retail Use.** The proposed Retail Sales and Service use (d.b.a. AT&T Mobility) is considered a Formula Retail use, as there are approximately 5,600 locations worldwide. Of the 22 commercial ground floor storefronts within 300 feet of the project site, 7 of which are Formula Retail, amounting to a concentration of approximately 32 percent (as measured by number of storefronts subject to the Formula Retail controls) or approximately 22 percent (as measured in linear feet of the total frontage). These include one Personal Service use, two Limited Restaurant

uses, and four Retail uses. As measured in linear feet of the total frontage, this concentration is approximately 22 percent. With the addition of the proposed new Formula Retail use, the concentration of Formula Retail uses within the vicinity would increase by approximately 4 percent from 32 percent to 36 percent (as measured by number of storefronts subject to the Formula Retail controls) or by 1 percent from 22 percent to 23 percent (as measured in linear feet of the total frontage).

- **Citywide Retail Uses and Daily Needs-Serving Retail Uses.** The existing mix of daily needs serving uses (generally considered to include Limited Restaurants; Other Retail, Sales and Services; Personal Services; Limited Financial Services; and Specific Trade Shops) versus Citywide retail uses (generally considered to include all other uses) is one with predominantly Citywide-serving retail uses within the district with 52 percent versus 33 percent for daily needs-serving uses (the remaining 15 percent represents vacant storefronts). The proposed formula retail use is considered to be a Citywide-serving use which will complement the mix of goods and services currently available within this portion of the Moderate-Scale Neighborhood Commercial (NC-3) District.
- **Performance-Based Design Guidelines.** As a Formula Retail use, the project has been reviewed for compliance with the Performance-Based Design Guidelines. The Department has determined that the proposed signage plan meets the Performance-Based Design Guidelines.

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

The Department finds that, on balance, the project is consistent with the policies of the General Plan, including the goals and objectives of the Commerce and Industry Element, as it will add a communication and entertainment retail store in a location that is historically and currently occupied by a number of formula retailers. The Project will add desirable goods and services to the neighborhood and will provide new resident employment opportunities for people in the community. The Project will affirmatively support these policies by creating numerous new jobs across various skill levels in the retail sector. The Project will not displace any existing commercial tenants, as AT&T Mobility will be the first occupant in the recently constructed retail space.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization with Conditions of Approval
Exhibit B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – Project Sponsor Brief
Exhibit G – Formula Retail Affidavit
Exhibit H – Formula Retail Data

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303, 303.1 AND 712 TO PERMIT A FORMULA RETAIL USE (D.B.A. AT&T MOBILITY) WITHIN AN NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, THE CITY CENTER SPECIAL SIGN DISTRICT AND THE 40-X AND 80-D HEIGHT AND BULK DISTRICTS, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 31, 2019, Sabrina Eshaghi (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 303.1 and 712 to permit a Formula Retail use (d.b.a. AT&T Mobility) within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District, the City Center Special Sign District and a 40-X and 80-D Height and Bulk Districts at 2675 Geary Boulevard, Block 1094, Lot 001 (hereinafter "Project Site").

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

On May 28, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-020527CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-020527CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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. 2019-020527CUA, 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 involves interior tenant improvements totaling approximately 1,290 square feet within the recently constructed retail space fronting the east side of Masonic Avenue in Parking Lot 'A' to facilitate a Formula Retail use (d.b.a. AT&T Mobility). The proposed retail use will offer displays of the wireless products sold and convenient in-person consumer guidance for neighborhood residents and visitors from across the City. Customers will be able to purchase wireless devices and accessories as well as internet, phone, and cable packages. Staff will also be available to help with wireless plan setup, device activations, upgrades, trade-ins, device troubleshooting, and billing inquiries.

   Aside from permitted business signage, there will be no alterations to the exterior of the existing building.

   AT&T Mobility, which is headquartered in Brookhaven, GA, has been in operation since 2000, when it was originally known as Cingular Wireless. It is now a wholly owned subsidiary of AT&T Inc. and is the largest wireless telecommunications provider in the United States. According to the project sponsor, there are more than 5,600 locations worldwide, including seven AT&T Mobility locations in San Francisco.

   The project sponsor has indicated that this AT&T Mobility location will employ a total of approximately five full-time employees and two part-time employees and is expected to operate from 10 a.m. to 8 p.m. Monday through Saturday, and from 11 a.m. to 6 p.m. on Sundays.

3. **Site Description and Present Use.** The subject property occupies an entire block bound by Geary Boulevard to the north, Masonic Avenue to the west, O'Farrell Street to the south and Lyon Street to the east, Block 1094, Lot 001, and is approximately 288,297 square feet, or 6.6 acres, in size. The property is located within the Western Addition neighborhood, an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District, the City Center Special Sign District and the 40-X and 80-D Height and Bulk Districts. The site slopes downward from the Masonic Avenue frontage to corner of Geary Boulevard and Lyon Street, and is developed with a four-story retail building constructed in 1951 located on the northwest portion of the site surrounded by five terraced surface

parking areas across the remainder of the site. The City Center is currently undergoing an expansion, approved via a Planned Unit Development by the Commission in June 2017 (Case No. 2015-007917CUA). The expansion includes horizontal additions totaling approximately 7,530 square feet to the existing two-story "crow's nest" retail building on the northwest corner of the site, a new one-story retail building totaling approximately 3,608 square feet on the northeast corner of Masonic Avenue and O'Farrell Street in parking lot 'A', and a new two-story retail building totaling approximately 22,072 square feet in parking lot 'F'. The site is occupied by a number of retail uses, many of which are considered Formula Retail uses, including Target, ULTA Beauty, Sleep Number, Panera Bread, Chipotle, Subway, European Wax Center, and GNC.

There is one curb cut providing vehicular access to the site on each of the Masonic Avenue and Geary Boulevard frontages and five curb cuts providing access on the O'Farrell Street frontage. Half of the Geary Boulevard and the entire Lyon Street frontages are occupied by retaining walls which maintain an elevated grade for surface parking lots 'E' and 'F'. The project site, as a whole, is served by six existing off-street loading spaces for its tenants, and provides 634 off-street parking spaces and 98 bicycle spaces for shoppers and employees.

4. **Surrounding Properties and Neighborhood.** The project site is located on the southeast corner of Geary Boulevard and Masonic Avenue in the Western Addition neighborhood where it abuts the Inner Richmond and Presidio Heights neighborhoods to the west. The immediate area contains a mix of apartment buildings, and commercial and public utility buildings on large lots with varied heights. Directly across Masonic Avenue and to the west of the subject lot is a three-story building containing commercial uses on the ground floor with two floors of residential uses above. Directly across Geary Boulevard and to the north of the subject lot is a two-story building which occupies the entire block and is owned by the SFMTA for vehicle storage and office uses. Across the intersection, on the northwest corner of Geary Boulevard and Masonic Avenue is a vacant one-story commercial building, formerly d.b.a. The Lucky Penny, which is proposed to be demolished and redeveloped with an eight-story mixed use building. Directly to the south of the subject property, across O'Farrell Street, are two religious institutions – the one-story Epiphany Center and the three-story Mt. St. Joseph-St. Elizabeth Church building containing religious institutional uses and transitional housing for women and children, as well as the Raoul Wallenburg Traditional High School. Further to the east are several multi-family buildings which have their rear yards abutting O'Farrell Street. Across Lyon Street and to the east is the Kaiser Permanente San Francisco Medical Center, which occupies the entire block. The central portion of Geary Boulevard, which abuts the north side of the subject property, includes two lanes of vehicular traffic in both directions tunneled beneath Masonic Avenue. The outer portions of Geary Boulevard include one lane of vehicular traffic and curbside parking, and are located at grade and form two separate intersections with Masonic Avenue.

5. **Public Outreach and Comments.** The Department has not received any public comment in response to the project.

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

A. **Formula Retail Use.** A Formula Retail Use is defined under Planning Code Section 303.1 as a type of retail sales or service activity or retail sales or service establishment that has eleven or more other retail sales establishments in operation, or with local land use or permit entitlements already approved, located anywhere in the world. In addition to the eleven establishments either in operation or with local land use or permit entitlements approved for operation, the business maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark.

Formula Retail Uses within the NC-3 Zoning District require Conditional Use Authorization under Planning Code Section 712. Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any conditional use pursuant to Formula Retail Uses.

The project proposes the establishment of a Formula Retail Use (d.b.a. AT&T Mobility) in approximately 1,290 square feet of recently constructed vacant commercial space. The additional required findings are listed below under Subsection 8.

B. **Uses.** Retail Sales and Service uses are principally permitted in the NC-3 Zoning District under Planning Code Section 712.

The project proposes a principally permitted Retail Sales and Service use.

C. **Hours of Operation.** Planning Code Section 712 does not limit the hours of operation for commercial uses in the NC-3 Zoning District.

The project sponsor has indicated that the project is expected to operate from 10 a.m. to 8 p.m. Monday through Saturday, and from 11 a.m. to 6 p.m. on Sundays.

D. **Signage.** Planning Code Section 608.16 of the Planning Code outlines the requirements for signage within the City Center Special Sign District.

In accordance with the provisions of the City Center Special Sign District, the project includes a total of:

- *one (1) AT&T wall sign, up to 119 square feet in area, above the pedestrian entry to the business from the Masonic Avenue sidewalk;*
- *one (1) double-sided freestanding sign near the intersection of Masonic Avenue and O'Farrell Street identifying the name of the shopping center and its tenants, including AT&T Mobility, up to a height of 35 feet with a total area of 260 square feet per face and a copy area of 140 square feet per face; and*
- *one (1) AT&T wall sign, up to 80 square feet, at the intersection of Geary Boulevard and Lyon Street.*

The signs have been reviewed by the Planning Department for consistency with the Planning Commission's Performance-Based Design Guidelines (Commission Guide for Formula Retail).

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 Project is desirable for and is compatible with the surrounding neighborhood because it will continue the historic use of the City Center as a location for formula retailers. In addition, there are a number of formula retail uses along the Geary Boulevard commercial corridor, the Laurel Heights Shopping Center, and the Japantown Shopping Center.

   The proposed retail space area is on Masonic Avenue at O'Farrell Street, a busy car intersection which fronts a residential area and is not heavily served by foot traffic. This raises challenges for neighborhood businesses that do not have the same degree of brand loyalty as AT&T Mobility. Filling this retail space with a well-known company will contribute to the long-term stability and viability of the shopping center. AT&T Mobility is unique in that it offers customers a one-stop shop for all entertainment and communication needs including internet, cell phone, and cable services. The store will also provide in-person customer service for existing customers regarding their devices and services. This wide array of goods and services is not provided elsewhere in the shopping center or in the immediate vicinity. The proposed Project will serve the needs of local residents as well as the City at large and bring more employment opportunities and consumers to the neighborhood—enhancing other businesses in and around the City Center.

   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;

      City Center has operated as a retail shopping center for approximately 50 years. The Project will have no effect on the height and bulk of the existing building. The AT&T Mobility store will move into the recently constructed vacant 1,290 square-foot retail space fronting Masonic Avenue. The Project does not propose any expansion to the existing structure and would 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 subject property is well-served by public transit, existing on-site parking and bicycle spaces. A number of MUNI lines run directly in front of the site or nearby, including the 38-Geary, 33-Masonic, 1-California, 2-Clement, 4-Sutter, and 31-Balboa. The property has 634 parking spaces, 6 off-street freight loading spaces, and approximately 98 bicycle parking spaces.

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

The Project involves interior tenant improvement work for a new retailer in an existing commercial unit within the City Center. It will not include any uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

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

The Project involves adding an AT&T Mobility store to an existing retail space that was approved by the Planning Commission in June, 2017. The Project will not include any changes to the subject property's existing landscaping screening, open space, parking and loading areas, or lighting and will comply with all applicable rules and regulations relating to signage.

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 in Subsection 9. The project involves tenant improvements to an existing vacant retail space with few exterior modifications, and the project will adhere to all applicable development standards and design guidelines under the Planning Code, with no variances or exceptions being sought.

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

The proposed project is consistent with the stated purpose of the Moderate-Scale Neighborhood Commercial District in that the intended uses will provide a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, while additionally providing convenience goods and services to the surrounding neighborhoods.

8. **Formula Retail Uses.** Planning Code Section 303.1 provides additional criteria for the Planning Commission when considering Conditional Use Authorization requests, including:

A. The existing concentrations of formula retail uses within the district.

The project site is located within the Moderate-Scale Neighborhood Commercial (NC-3) Zoning District which, in most cases, is characterized by a wide variety of ground floor retail uses, often with residential units above. The City Center, however, is a 1950s-era shopping mall with no residential uses and is

characterized by several formula retail establishments including Target, ULTA Beauty, Sleep Number, Panera Bread, Chipotle, Subway, European Wax Center, and GNC. There are also a number of formula retail uses along the Geary Boulevard commercial corridor including Trader Joe's, Big O Tires, Supercuts, Mancini's Sleepworld, Mel's Diner, and H&R Block. Accordingly, a new formula retail use on the subject property will not significantly change the character of the neighborhood.

As of the date of submittal of the project application materials, there are approximately 22 commercial ground floor storefronts within 300 feet of the project site, 7 of which are Formula Retail, amounting to a concentration of approximately 32 percent (as measured by number of storefronts subject to the Formula Retail controls) or approximately 22 percent (as measured in linear feet of the total frontage). These include one Personal Service use, two Limited Restaurant uses, and four Retail uses. As measured in linear feet of the total frontage, this concentration is approximately 22 percent. With the addition of the proposed new Formula Retail use, the concentration of Formula Retail uses within the vicinity would increase by approximately 4 percent from 32 percent to 36 percent (as measured by number of storefronts subject to the Formula Retail controls) or by 1 percent from 22 percent to 23 percent (as measured in linear feet of the total frontage). Accordingly, there is no excessive concentration of Formula Retail uses in the district and vicinity of the project, and the addition of one Formula Retail use will not lead to an excessive contribution.

B. The availability of other similar retail uses within the district.

While there are TV, internet, and cell phone service providers in the vicinity, a use that provides all three of these services, is not found elsewhere within 300 feet of the subject property. As such, the proposed AT&T Mobility store will be a unique offering in this area that will provide all of these goods and services under one roof.

C. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district.

The Project is not proposing any substantial changes to the exterior of the building aside from minor tenant improvements. Therefore, the Project will not result in new changes to the architectural and aesthetic character of the district.

D. The existing retail vacancy within the district.

According to the project sponsor, the vacancy rate within 300 feet of the project site is approximately 15 percent (based on the number of storefronts), and 19 percent (based on the total lot frontage). The project will help maintain a vibrant commercial presence by filling a currently vacant retail space previously occupied by another formula retail use.

E. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district.

The existing mix of daily needs serving uses (generally considered to include Limited Restaurants; Other Retail, Sales and Services; Personal Services; Limited Financial Services; and Specific Trade Shops)

versus Citywide retail uses (generally considered to include all other uses) is one with predominantly Citywide-serving retail uses within the district with 52 percent versus 33 percent for daily needs-serving uses (the remaining 15 percent represents vacant storefronts). The proposed formula retail use is considered to be a Citywide-serving use which will complement the mix of goods and services currently available within this portion of the Moderate-Scale Neighborhood Commercial (NC-3) District.

F. Additional data and analysis set forth in the Performance-Based Design Guidelines adopted by the Planning Commission.

The proposed use is consistent with the existing character of the district, which is composed of a variety of retail outlets, including formula retailers who specialize in a variety of goods and services. The proposed signage is consistent with the Performance-Based Design Guidelines and the provisions set forth in the City Center Special Sign District. The entrances to the building are readily identifiable and inviting to passersby. Accordingly, the project is consistent with the Guidelines.

G. For Formula Retail uses of 20,000 square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7, 8 of this Code, the contents of an economic impact study prepared pursuant to Section 303(i) of the Planning Code.

The proposed Formula Retail use is less than 20,000 square feet in size; therefore, an economic impact study is not required.

9. **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 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

Policy 1.3
Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

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.

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

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

OBJECTIVE 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.

Policy 6.4:
Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

On balance, the project is consistent with the policies of the General Plan, including the goals and objectives of the Commerce and Industry Element, as it will add a communication and entertainment retail store in a location that is historically and currently occupied by a number of formula retailers. The Project will add desirable goods and services to the neighborhood and will provide new resident employment opportunities for people in the community. The Project will affirmatively support these policies by creating numerous new jobs across various skill levels in the retail sector. This AT&T Mobility location will employ approximately five full-time employees and two part-time employees. The Project will not displace any existing commercial tenants, as AT&T Mobility will be the first occupant in the recently constructed retail space, and it will help achieve more diversity in the types of goods and services available at City Center and 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 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 City Center has historically been occupied by formula retailers. No neighborhood-serving retail uses will be displaced by the proposed AT&T Mobility store, as it will occupy an existing vacant space. Instead, the Project would be adding a retail use that will create additional employment opportunities for the community.

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 will not adversely affect the existing neighborhood character because it is not proposing any new construction nor is any housing proposed to be removed by the Project.

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

The Project will not remove existing affordable housing.

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

The Property is well-served by public transit, existing on-site parking, and bicycle spaces. A number of MUNI bus lines run directly in front of the site or nearby, including the 38-Geary, 33-Masonic, 1-California, 2-Clement, 4-Sutter, and 31-Balboa. The Property has 634 parking spaces, 6 off-street freight loading spaces, and approximately 98 bicycle parking spaces for shoppers and employees.

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 does not propose a new office and will not displace any service or industry establishment.

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

The Project will meet or exceed all current structural and seismic requirements under the San Francisco Building Code.

G. That landmarks and historic buildings be preserved.

The Property does not contain any landmark or historic buildings.

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 previously approved 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 Authorization Application No. 2019-020527CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 10, 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 May 28, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 28, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Formula Retail use (d.b.a. AT&T Mobility) at 2675 Geary Boulevard, Block 1094, Lot 001, pursuant to Planning Code Sections 303, 303.1 and 712 within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District, the City Center Special Sign District and a 40-X and 80-D Height and Bulk Districts; in general conformance with plans, dated October 10, 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2019-020527CUA and subject to conditions of approval reviewed and approved by the Commission on May 28, 2020 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 May 28, 2020 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. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage

program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

7. **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 415-575-9087, www.sf-planning.org

8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

9. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

11. **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

Exhibit B:

Plans and Renderings

studioneleven

City Center
AT&T
10.10.2019

PROJECT ADDRESS

2675 Geary Bl vd.
San Fransisco, CA 94118

SCOPE OF WORK

New AT&T formula retail store located in one of the tennant spaces in Lot A.

PROJECT TEAM

Project Owner
City Center Partner LLC
2675 Geary Blvd. LP;
c/o Acadia Realty Trust
411 Theodore Fremd Avenue, Suite 300
Rye, NY 10580

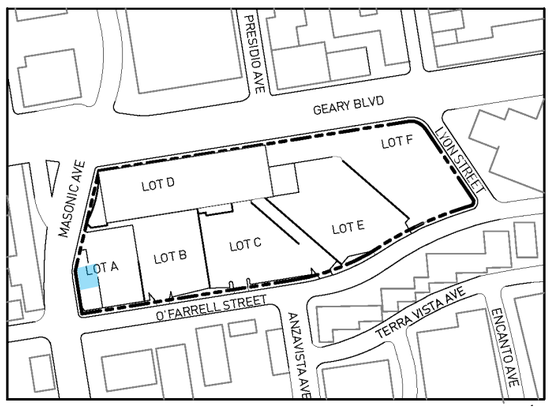
Project Contact
Reuben, Junius & Rose, LLP
Attn: Mark Loper
One Bush Street, Suite 600
San Francisco, Ca 94104
Phone: (415) 567-9000
Fax: (415) 399-9480
Email: Mloper@Reubenlaw.com

Tenant
AT&T
Attn: Anjanette L. Crear
5001 Executive Pkwy
San Ramon, CA 94583
Phone: 510-645-7674
Email: ac5149@att.com

CONTENTS

2 Site Plan
3 Site Context Photos
6 Context Plans/Views
12 Floor Plans
14 Elevations
17 Sections
18 Signage

PLOT PLAN



PROJECT SUMMARY

Block And Lot Number

BLOCK 1094 LOT 001

Zoning District

NC-3 (Neighborhood, Commercial, Moderate Scale)

Height and Bulk

Generally, 40-X and 80-D

Building Height

80' MAX with height averaging.
Refer to building height diagram.

Masonic Retail Building Permit Application Number

2017-0802-3634

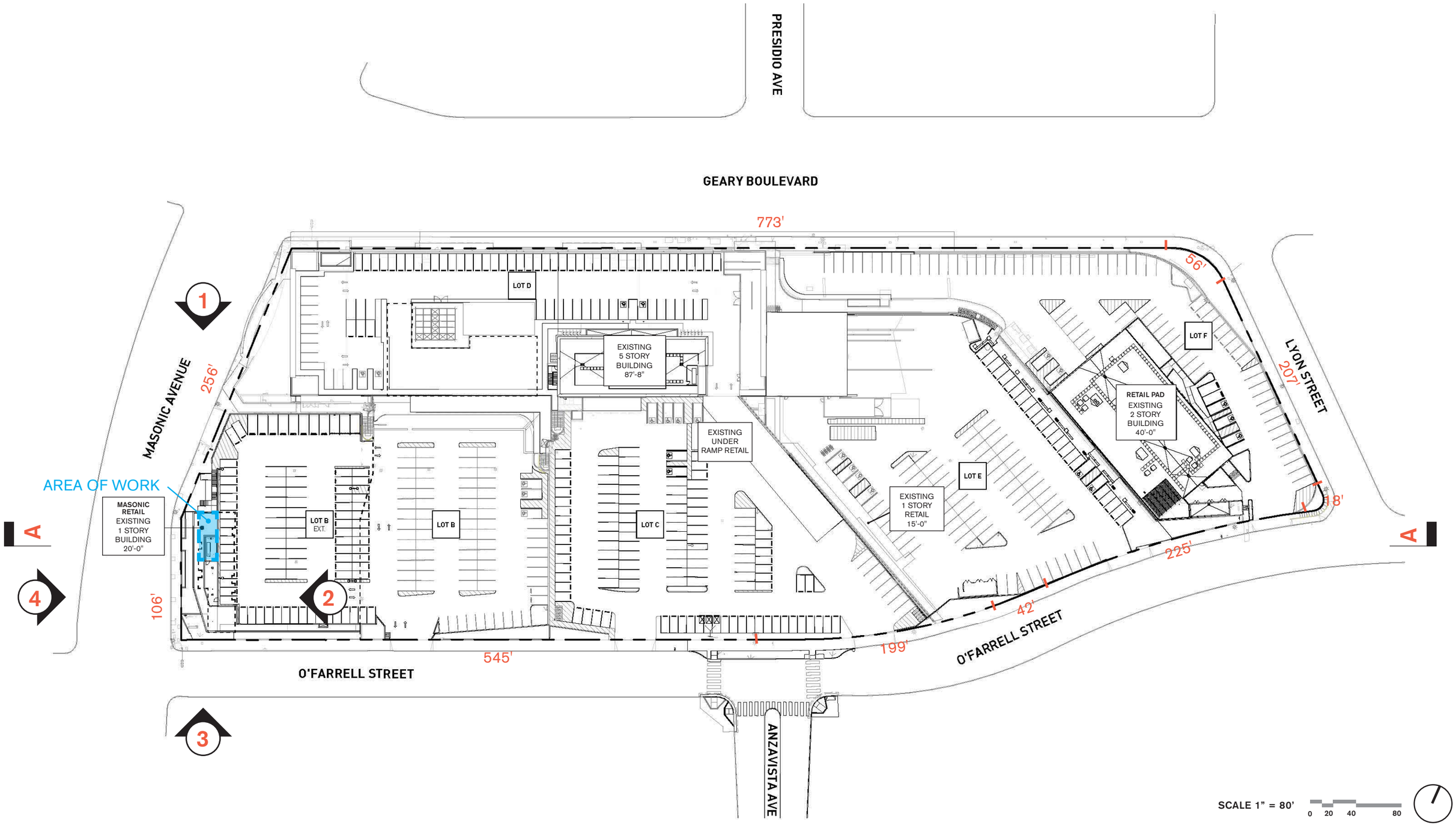
Existing Square Footage

Retail 1,290 SF

Proposed Square Footage

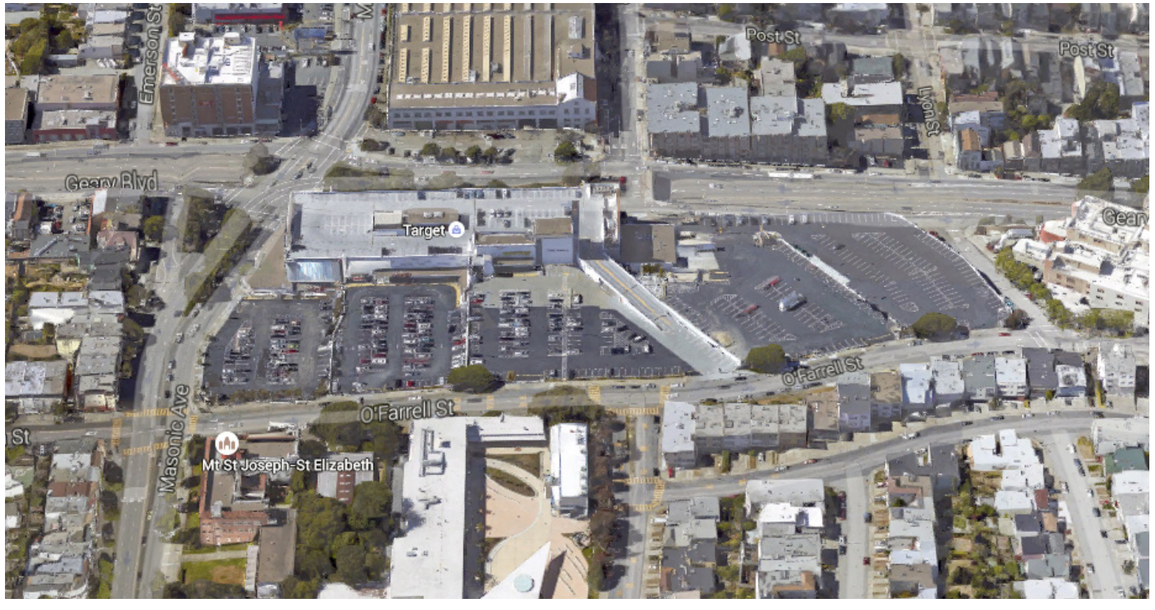
Retail 1,290 SF

Site Plan


PRESIDIO AVE
GEARY BOULEVARD
773'
56'
LOT D
EXISTING
5 STORY
BUILDING
87'-8"
LOT F
RETAIL PAD
EXISTING
2 STORY
BUILDING
40'-0"
LYON STREET
207'
MASONIC AVENUE
256'
EXISTING
UNDER
RAMP RETAIL
LOT E
EXISTING
1 STORY
RETAIL
15'-0"
18'
AREA OF WORK
MASONIC
RETAIL
EXISTING
1 STORY
BUILDING
20'-0"
LOT B
EXT.
LOT B
LOT C
A
A
225'
106'
42'
199'
545'
O'FARRELL STREET
O'FARRELL STREET
ANZAVISTA AVE
1
2
3
4
SCALE 1" = 80'
0 20 40 80

Site Context Photos Historical Photos

HISTORIC LOT A



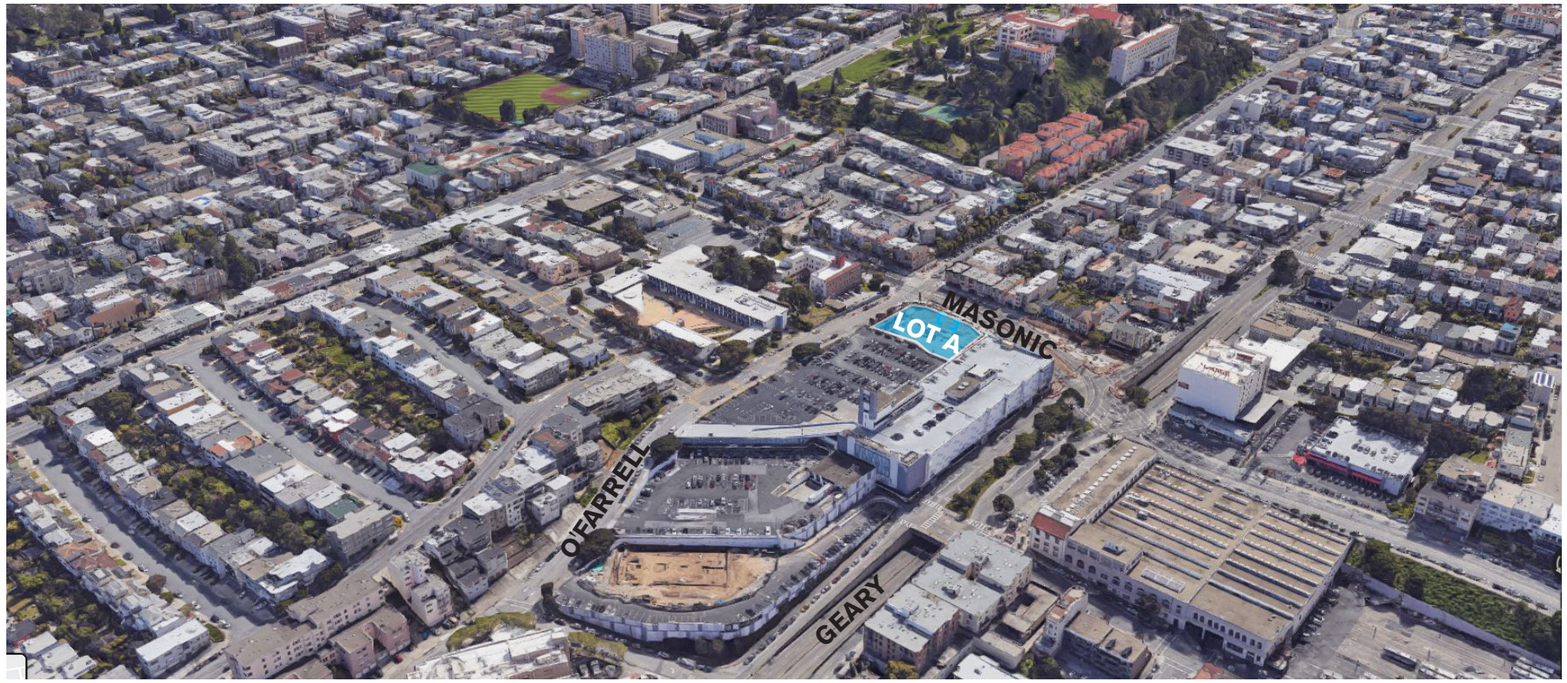
AERIAL LOOKING TOWARD GEARY BLVD.

HISTORIC LOT A

AERIAL LOOKING TOWARD O'FARRELL STREET

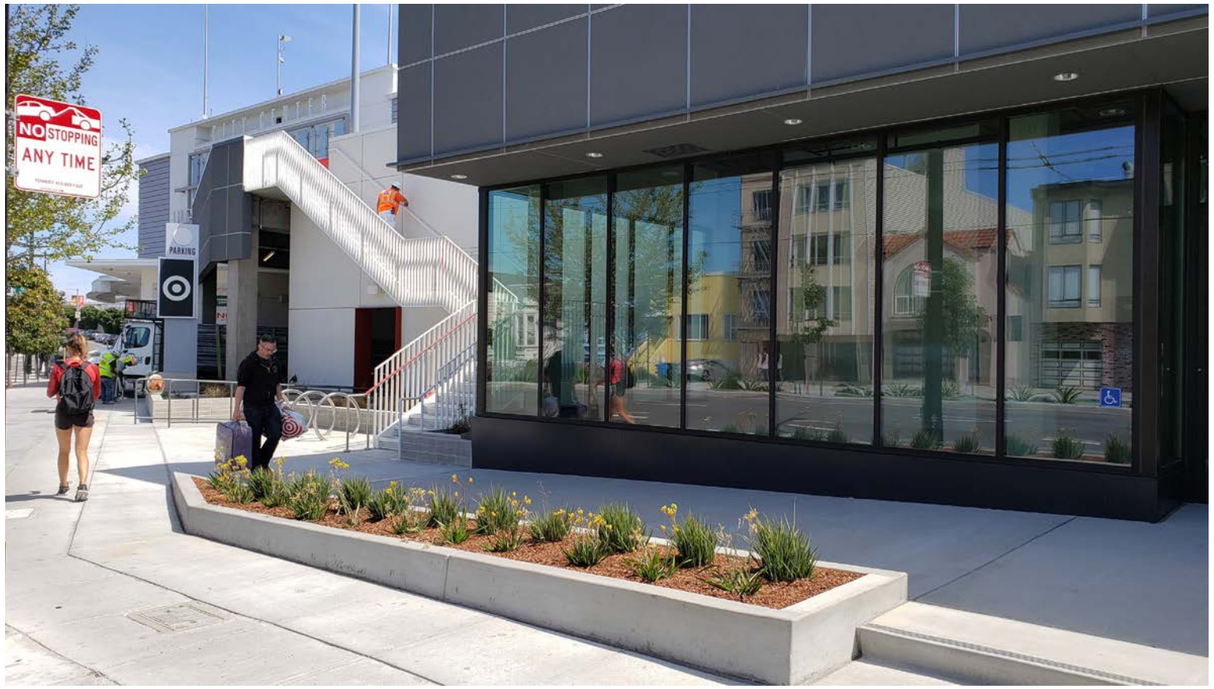
Site Context Photos Exisiting Conditions

NORTH WEST AERIAL

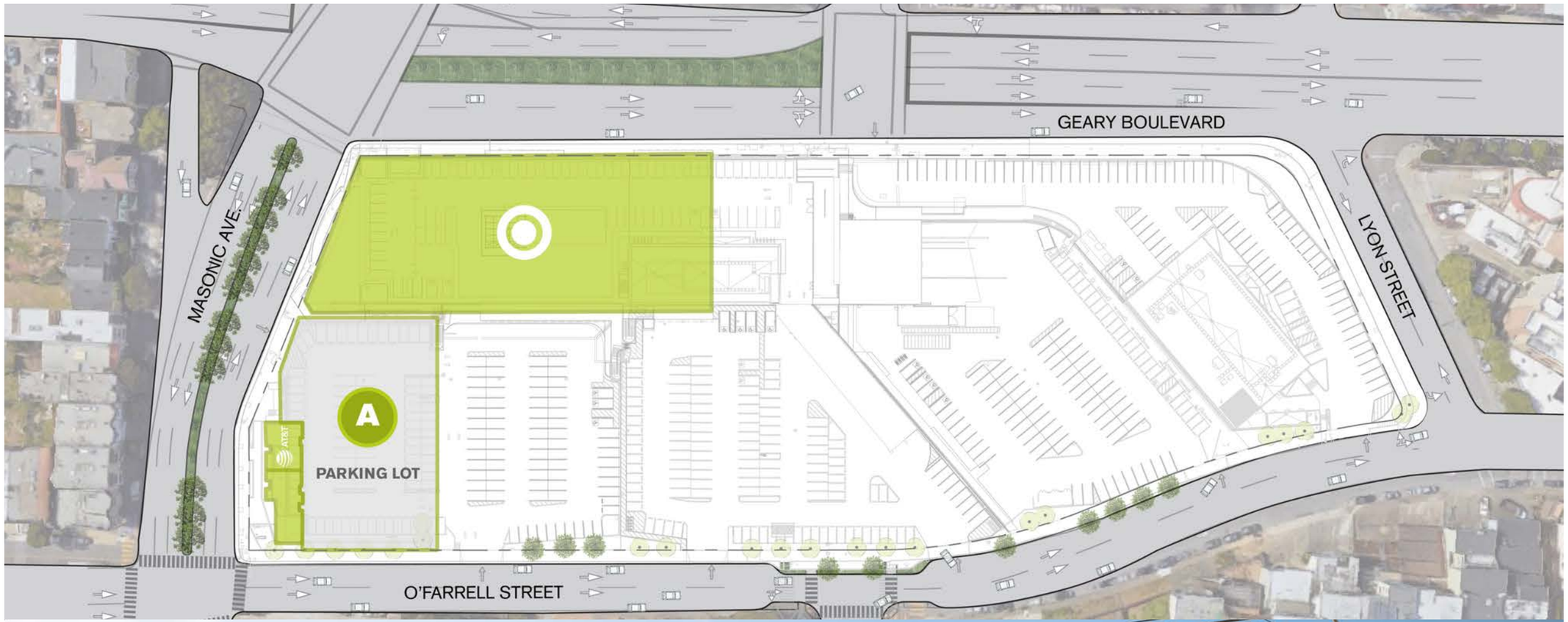


NORTH EAST AERIAL

Site Context Photos Lot A Retail from Masonic



Context Plans/Views Lot A

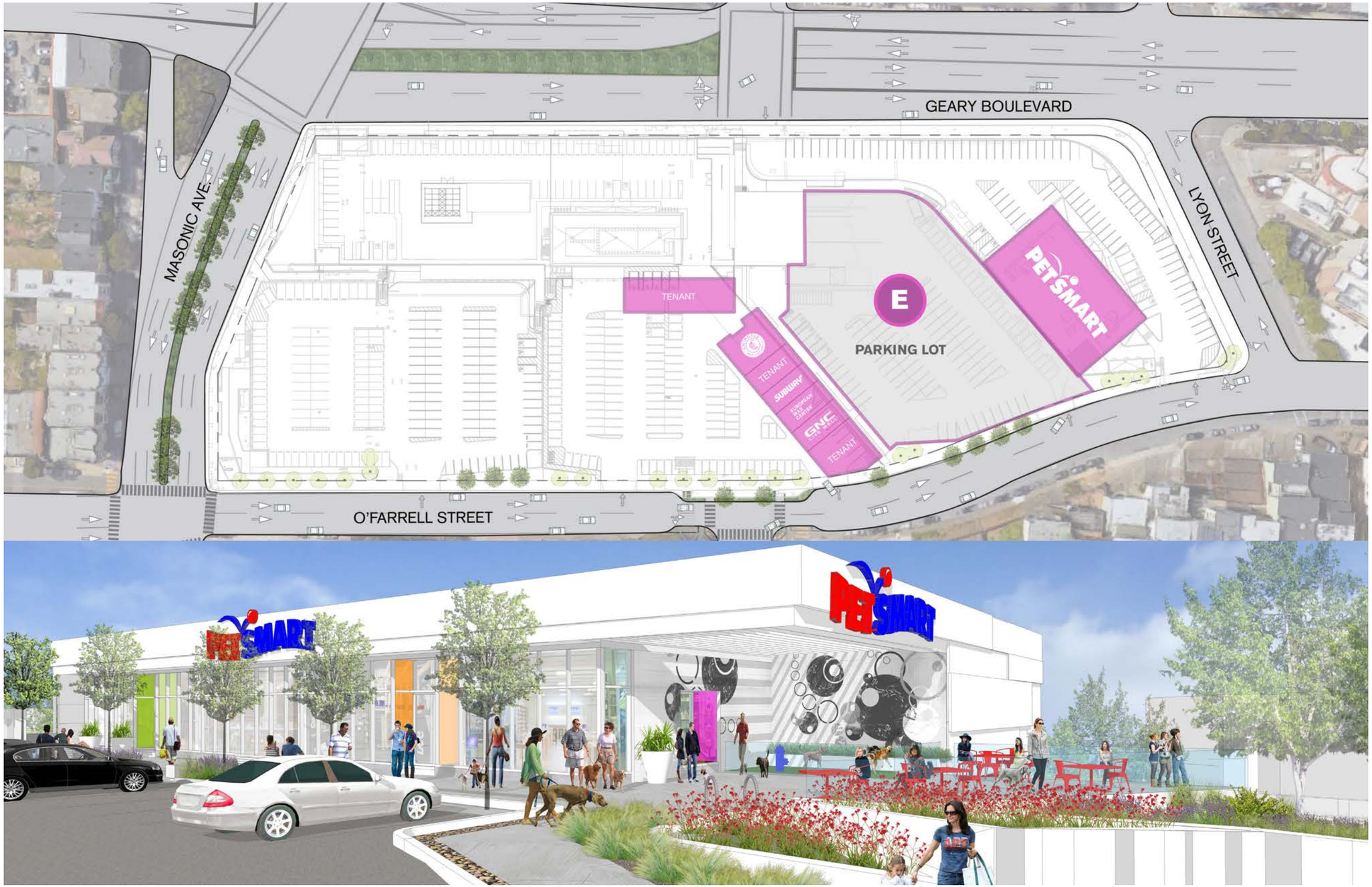


Context Plans/Views Lot B

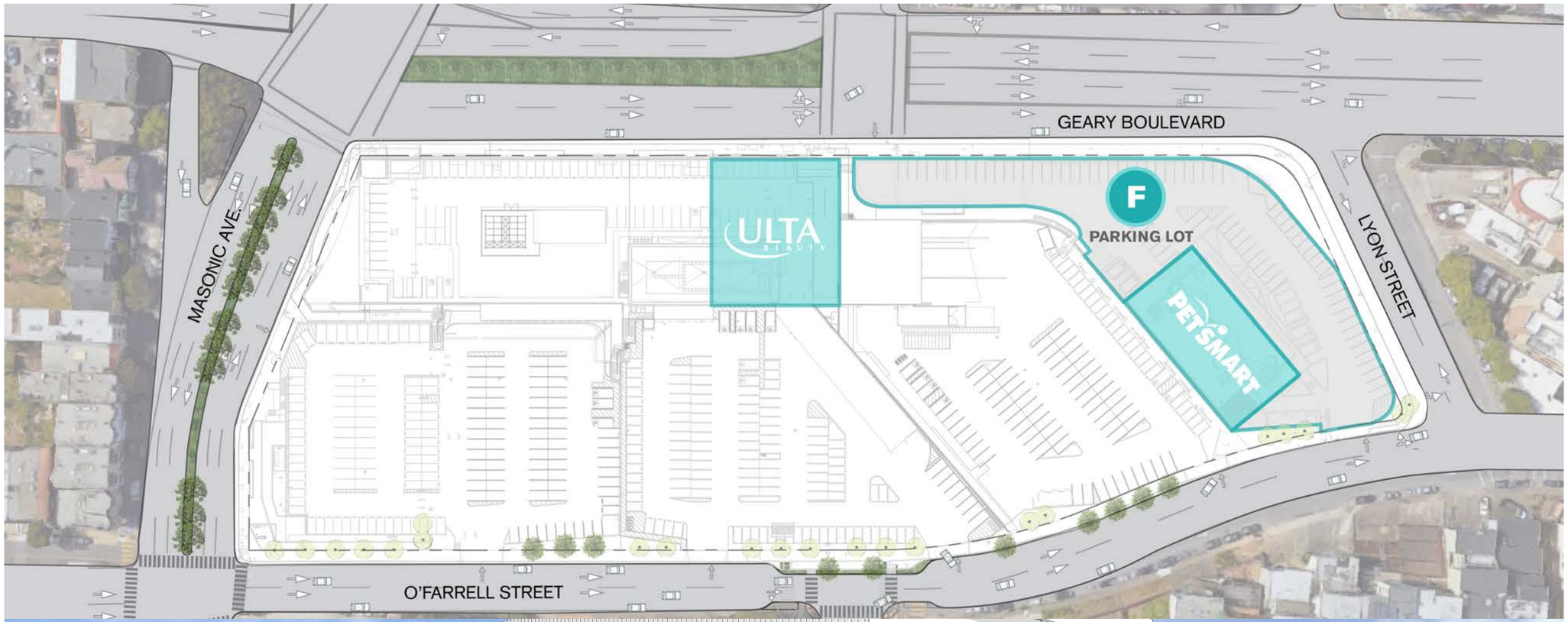
Context Plans/Views Lot C

Context Plans/Views Lot D

Context Plans/Views Lot E



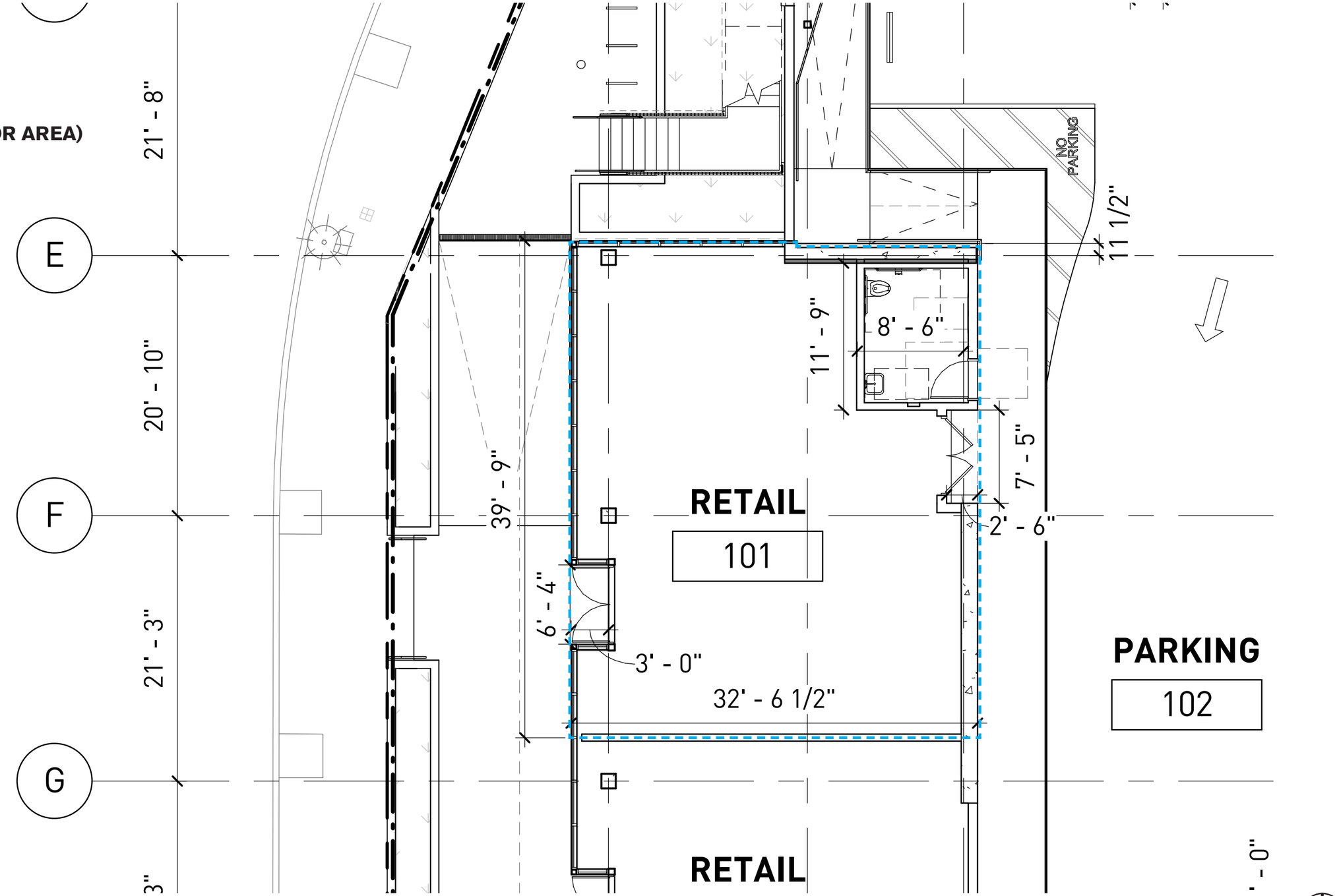
Context Plans/Views Lot F



Floor Plan Existing

SF TOTALS (GROSS FLOOR AREA)

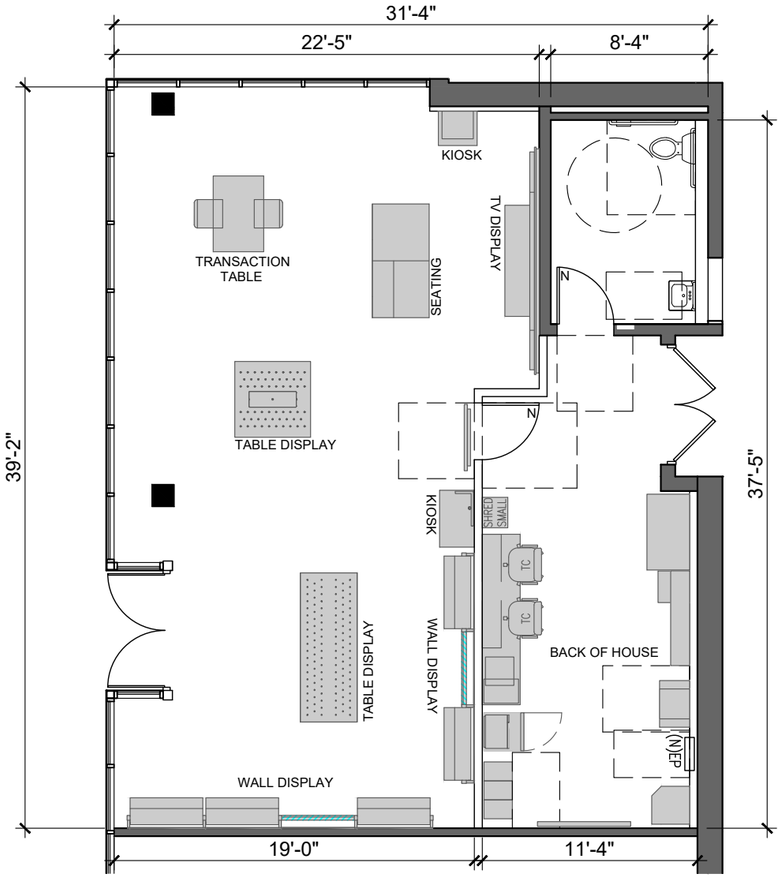
TOTAL 1,290 SF



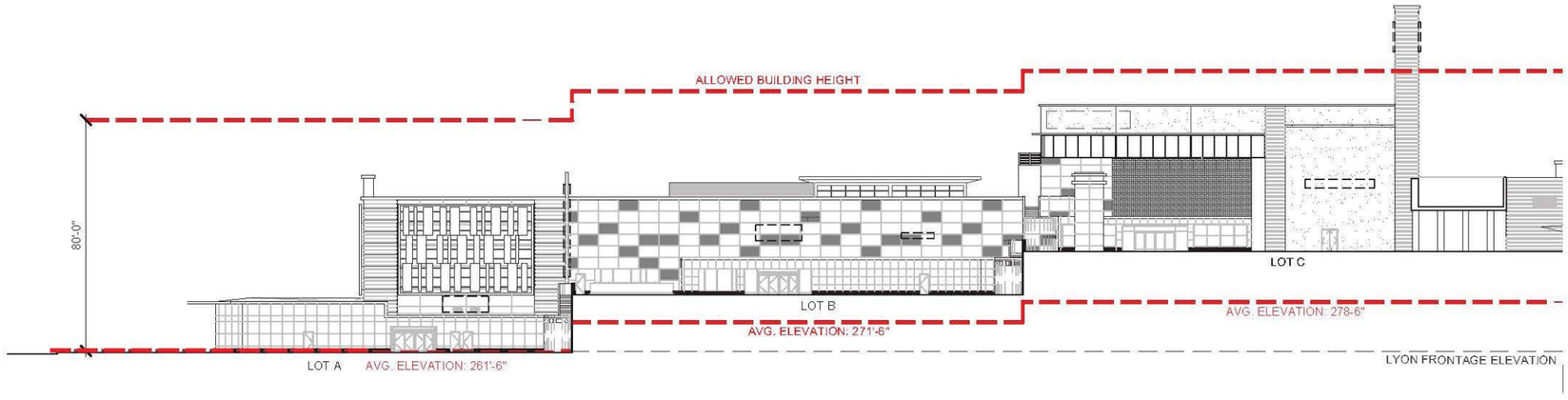
SCALE 1/8" = 1'-0"

0 2 4 8 16

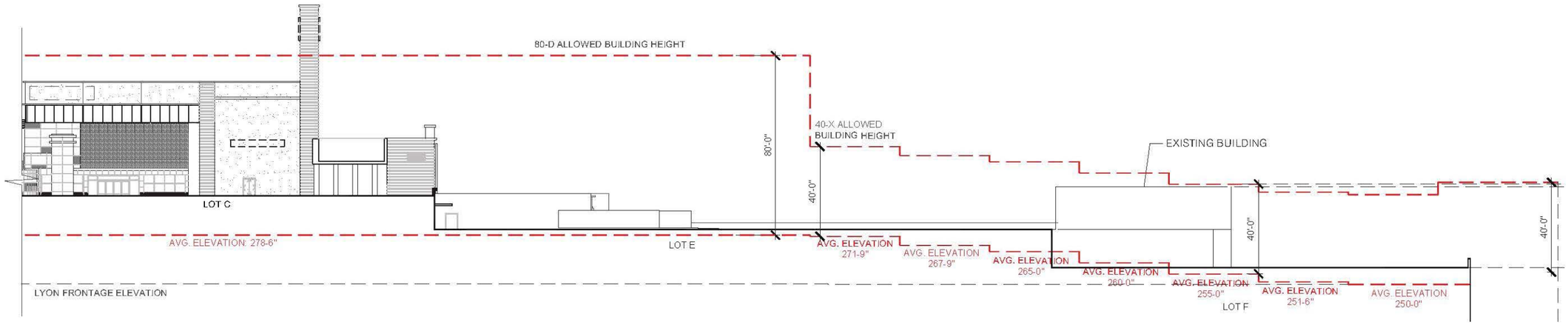
Floor Plan Proposed



Elevation Height Limit Diagram



BUILDING HEIGHT DIAGRAM - MASONIC AVENUE

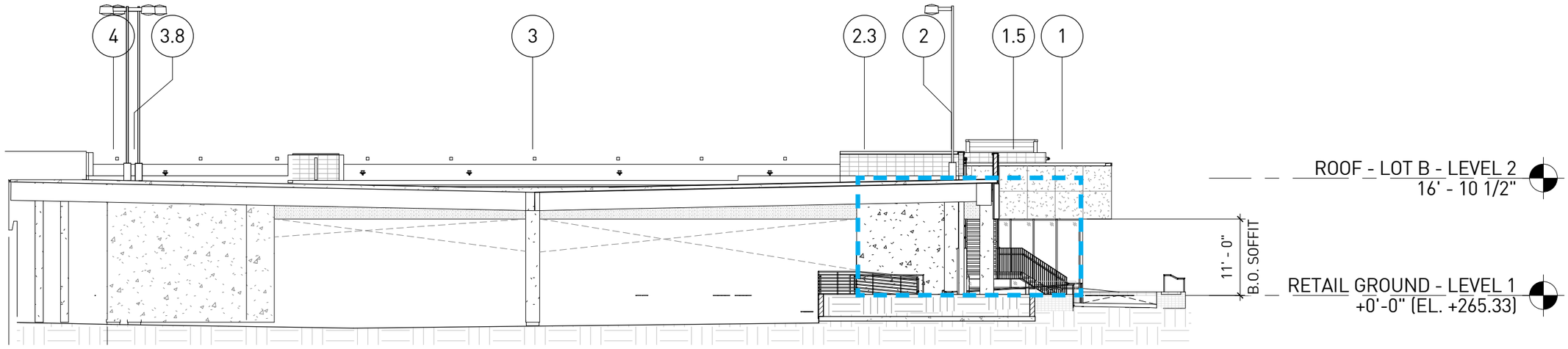


BUILDING HEIGHT DIAGRAM - LYON AVENUE

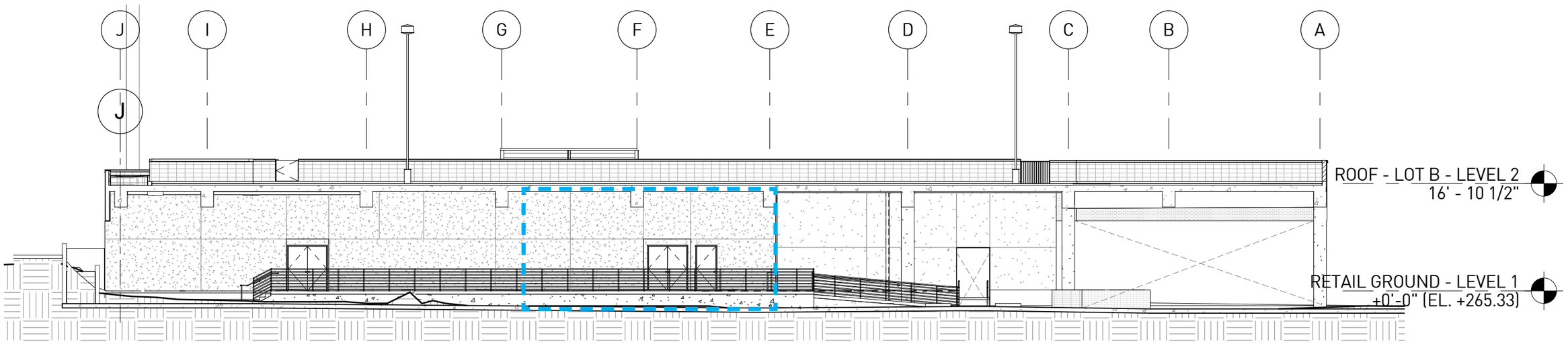
SCALE 1" = 50'

0 10 25 50

Elevation North & East



NORTH ELEVATION

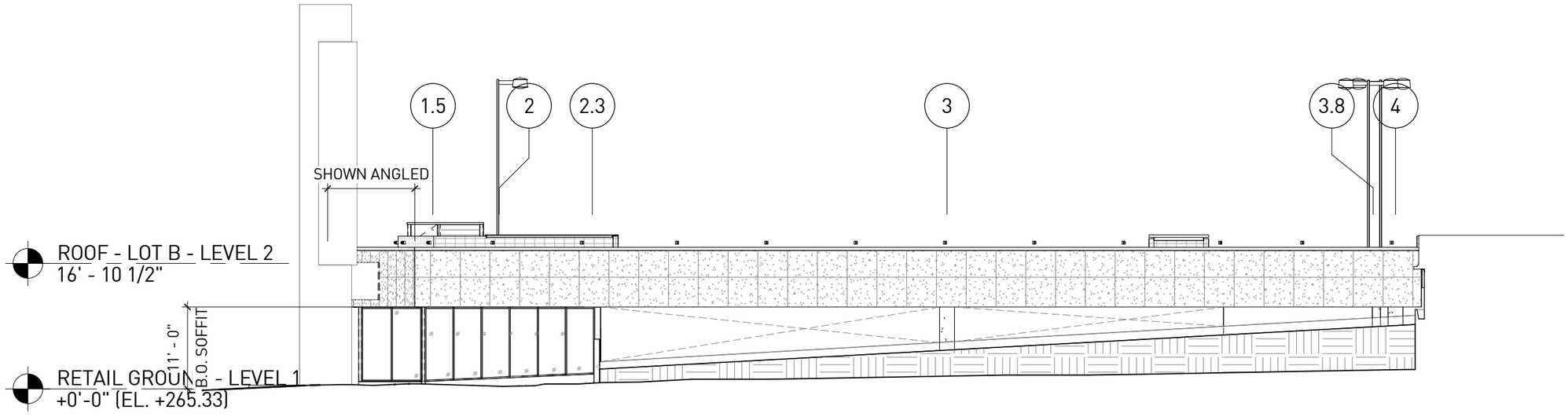


EAST ELEVATION

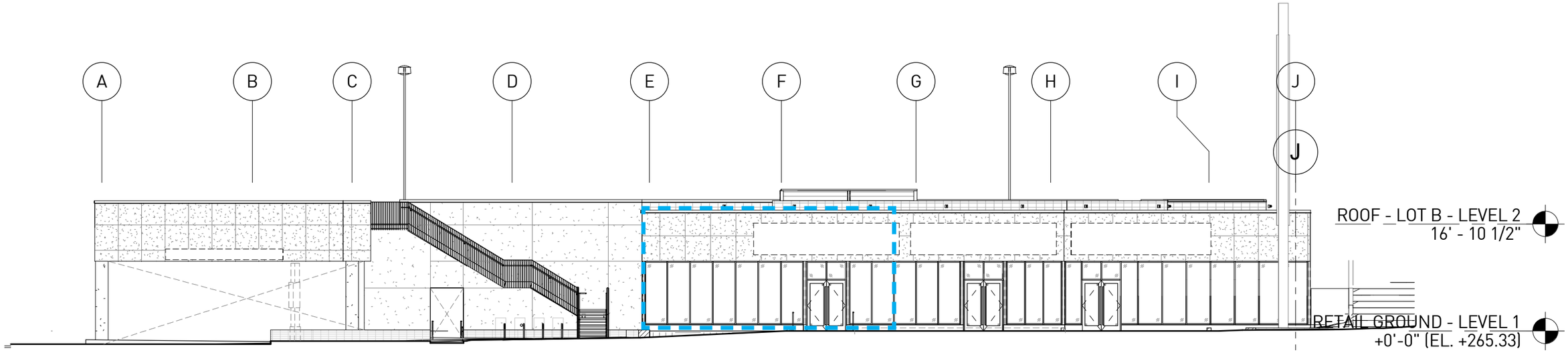
SCALE 1/16" = 1'-0"

0 4 8 16

Elevation South & West



SOUTH ELEVATION

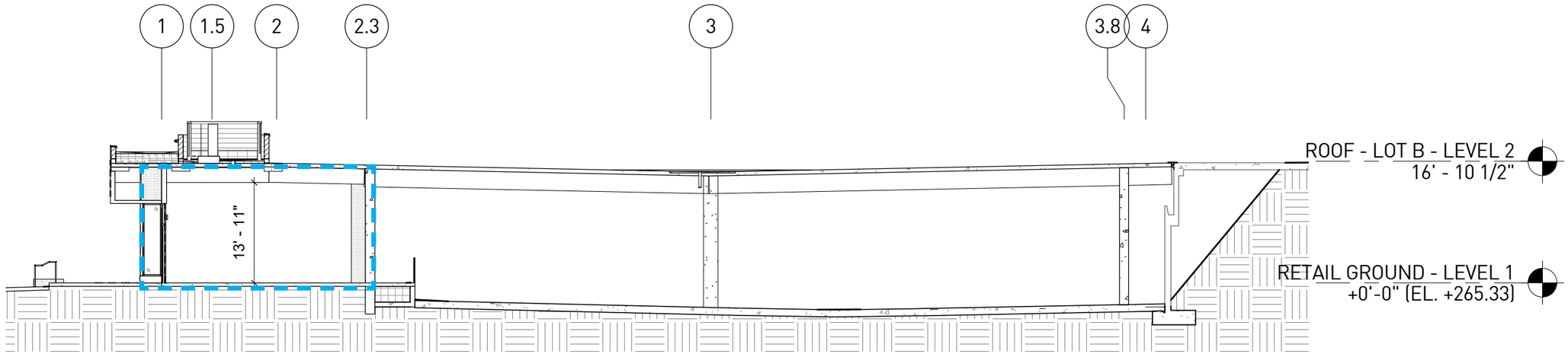


WEST ELEVATION

SCALE 1/16" = 1'-0"

0 4 8 16

Section A

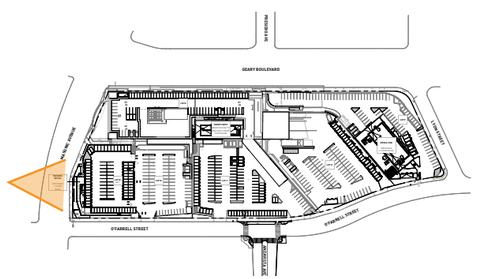


BUILDING SECTION

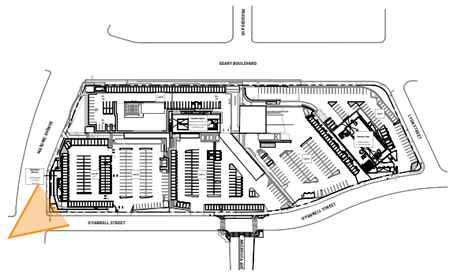
SCALE 1/16" = 1'-0"

0 4 8 16

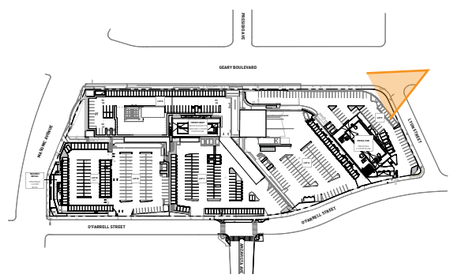
Illustrative Tenant Signage Street View on Masonic



Illustrative Tenant Signage Corner of Masonic and O'Farrell



Illustrative Tenant Signage Corner of Geary and Lyon



Project Summary Square Footage & Parking

TENANT/SHOPPING CENTER GROSS SQUARE FOOTAGE

	Suite Number	Approx. Existing GSF	Approx. Proposed GSF	Approx. Expansion GSF
City Target	200	119,000		0
Vacant	300	55,311		0
ULTA Beauty	100	10,194		0
Sleep Number	B100	3,390		0
Panera Bread	E106	4,000		0
Chipotle	E105	2,100		0
Starbucks	E104	1,374		0
Subway	E103	1,060	NO CHANGE	0
European Wax Center	E102	1,277		0
GNC	E101	1,264		0
Vacant	E100	1,987		0
Crows Nest	400	13,470		0
Petsmart	TBD	22,072		0
Retail Shed	TBD	1,190		0
AT&T	101	1,290		
Masonic Retail Tenant	TBD	2,326		0
TOTAL		**241,305**	**241,305**	**0**
FAR		**0.84 to 1**	**0.84 to 1**	
ALLOWED FAR		**3.6 to 1**	**3.6 to 1**	

PARKING

Lot	Primary Accessible Tenants (1)	Car Parking Spaces		Accessible Parking Spaces			Class 1 Bike Parking Spaces			Class 2 Bike Parking Spaces		
		Existing	Proposed	Existing	Proposed	Required	Existing	Proposed	Required	Existing	Proposed	Required
Parking Lot A	City Target (N) Masonic Retail	59		5			0			14		0
Parking Lot B	City Target Sleep Number	171		3			8			0		0
Parking Lot C	Vacant Retail Shed	117		5			10			10		0
Parking Lot D	City Target Overflow Crow's Nest	107		4			6			14		0
Parking Lot E	City Target Panera Bread Chipotle Starbucks Subway European Wax Center GNC	93	NO CHANGE	6	NO CHANGE		0	NO CHANGE		8	NO CHANGE	0
Parking Lot F	ULTA Beauty / Retail Pad	87		6			8			20		2
TOTAL		**634**	**634**	**29**	**29**	**14**	**32**	**32**	**27**	**66**	**66**	**36**
PARKING RATIO		**2.6 per 1000 SF**										

LOADING ANALYSIS

Use	Loading Requirement		Existing Loading	Required Loading - Existing GSF	Proposed Loading	Required Loading - Proposed GSF
Retail stores, wholesaling,	**SF**	**Loading**	**6**	**5**	**NO CHANGE**	**5**
manufacturing, live/work units in	0-10,000 SF	0				
newly constructed structures, and all	10,001-60,000 SF	1				
other uses primarily engaged in the	60,001-100,000 SF	2				
handling of goods.	Over 100,000 SF	3 + 1 for every 80,000 SF				

NOTES
(1) - All parking is non-exclusive and available to all tenants.

ESTIMATED OCCUPIED SQUARE FOOTAGE* AND PARKING ANALYSIS

Use	Parking Requirement	Approx. Existing Occupied SF	Existing Parking Required	Approx. Proposed Occupied SF	Proposed Parking Requirement
Retail	1 : 500 (First 20,000 SF)	20,000	40		
	1 : 250 (SF over 20,000 SF)	162,919	652	NO CHANGE	NO CHANGE
Service/Repair	1 : 1,000	2,874	3		
Restaurant	1 : 200	5,240	26		
TOTAL		**191,032**	**721**	**191,032**	**721**

*Occupied square footage calculated by deducting approximate back of house loss factor from gross square footage

Exhibit C:

Environmental Determination

SAN FRANCISCO
PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
2675 GEARY BLVD		1094001
Case No.		**Permit No.**
2019-020527PRJ		
■ **Addition/ Alteration**	☐ **Demolition (requires HRE for Category B Building)**	☐ **New Construction**

Project description for Planning Department approval.

Conditional Use Authorization request to permit New Cingular Wireless PCS, LLC dba AT&T Mobility to open a new formula retail store at the City Center in a newly constructed space along Masonic Avenue. The proposed AT&T retail store at City Center will consist of a 1,290 square foot space with displays of the products sold and convenient in-person consumer guidance.

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).

■	**Class 1 - Existing Facilities.** Interior and exterior alterations; additions under 10,000 sq. ft.
☐	**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.
☐	**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**
☐	**Class ____**

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

☐	**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)*
☐	**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? **Note that a categorical exemption shall not be issued for a project located on the Cortese List** *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).*
☐	**Transportation:** Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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?
☐	**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? If yes, archeo review is requried (*refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)*
☐	**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*). If yes, Environmental Planning must issue the exemption.
☐	**Slope = or > 25%:** Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.**
☐	**Seismic: Landslide Zone:** Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.**
☐	**Seismic: Liquefaction Zone:** Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.**
Comments and Planner Signature (*optional*):	Christopher May

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE

TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: *(refer to Property Information Map)*	
☐	**Category A:** Known Historical Resource. **GO TO STEP 5.**
☐	**Category B:** Potential Historical Resource (over 45 years of age). **GO TO STEP 4.**
■	**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.	
■	1. **Change of use and new construction.** Tenant improvements not included.
☐	2. **Regular maintenance or repair** to correct or repair deterioration, decay, or damage to building.
☐	3. **Window replacement** that meets the Department's *Window Replacement Standards*. Does not include storefront window alterations.
☐	4. **Garage work.** A new opening that meets the *Guidelines for Adding Garages and Curb Cuts*, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
☐	5. **Deck, terrace construction, or fences** not visible from any immediately adjacent public right-of-way.
☐	6. **Mechanical equipment installation** that is not visible from any immediately adjacent public right-of-way.
☐	7. **Dormer installation** that meets the requirements for exemption from public notification under *Zoning Administrator Bulletin No. 3: Dormer Windows*.
☐	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.	
☐	Project is not listed. **GO TO STEP 5.**
☐	Project **does not conform** to the scopes of work. **GO TO STEP 5**.
☐	Project involves **four or more** work descriptions. **GO TO STEP 5.**
■	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.	
☐	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.
☐	2. **Interior alterations to publicly accessible spaces**.
☐	3. **Window replacement** of original/historic windows that are not "in-kind" but are consistent with existing historic character.
☐	4. **Façade/storefront alterations** that do not remove, alter, or obscure character-defining features.
☐	5. **Raising the building** in a manner that does not remove, alter, or obscure character-defining features.
☐	6. **Restoration** based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

☐	7. **Addition(s)**, including mechanical equipment that are minimally visible from a public right-of-way and meet the *Secretary of the Interior's Standards for Rehabilitation*.
☐	8. **Other work consistent** with the *Secretary of the Interior Standards for the Treatment of Historic Properties* (*specify or add comments*):
☐	9. **Other work** that would not materially impair a historic district (specify or add comments): *(Requires approval by Senior Preservation Planner/Preservation Coordinator)*
☐	10. **Reclassification of property status**. *(Requires approval by Senior Preservation Planner/Preservation* ☐ Reclassify to Category A — ☐ Reclassify to Category C a. Per HRER or PTR dated *(attach HRER or PTR)* b. Other *(specify)*:
	Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.
☐	**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:	Christopher May

STEP 6: CATEGORICAL EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

■	**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: Planning Commission Hearing	**Signature:** Christopher May 04/28/2020
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31of 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 approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

☐	The proposed modification would not result in any of the above changes.

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:	**Date:**

Exhibit D:

Land Use Data

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Land Use Information

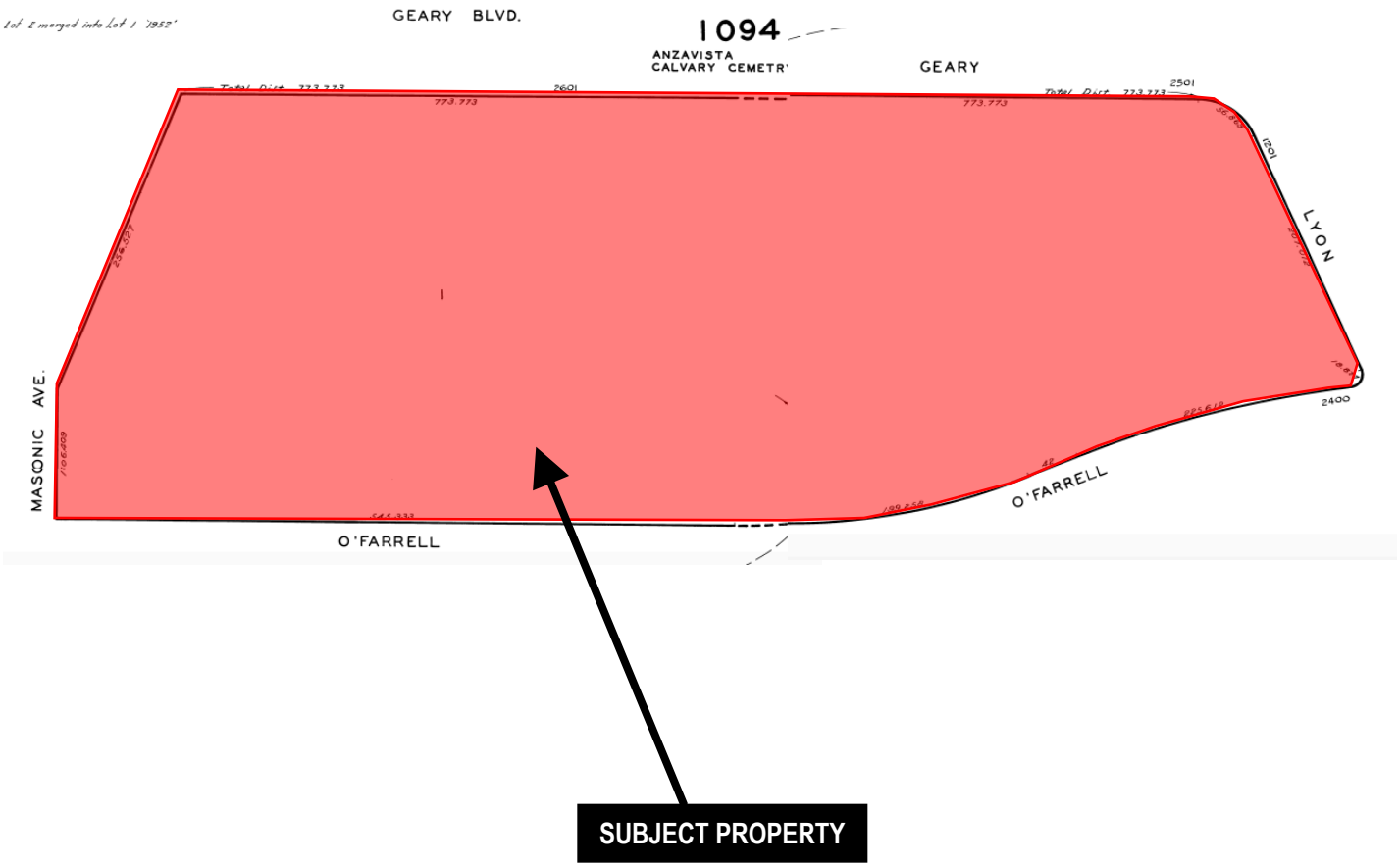
PROJECT ADDRESS: 2675 GEARY BOULEVARD
RECORD NO.: 2019-020527CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	223,617	223,617	0
Residential GSF	0	0	0
Retail/Commercial GSF	1,290 (store) 241,305 (site)	1,290 (store) 241,305 (site)	0
Office GSF	0	0	0
Industrial/PDR GSF *Production, Distribution, & Repair*	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	0
Public Open Space	0	0	0
Other: _____	0	0	0
TOTAL GSF	464,922	464,922	0
	EXISTING	NET NEW	**TOTALS**
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	2	0	2
Parking Spaces	634	0	634
Loading Spaces	6	0	6
Bicycle Spaces	98	0	98
Car Share Spaces	0	0	0
Other: _____	0	0	0

Exhibit E:

Maps and Context Photos

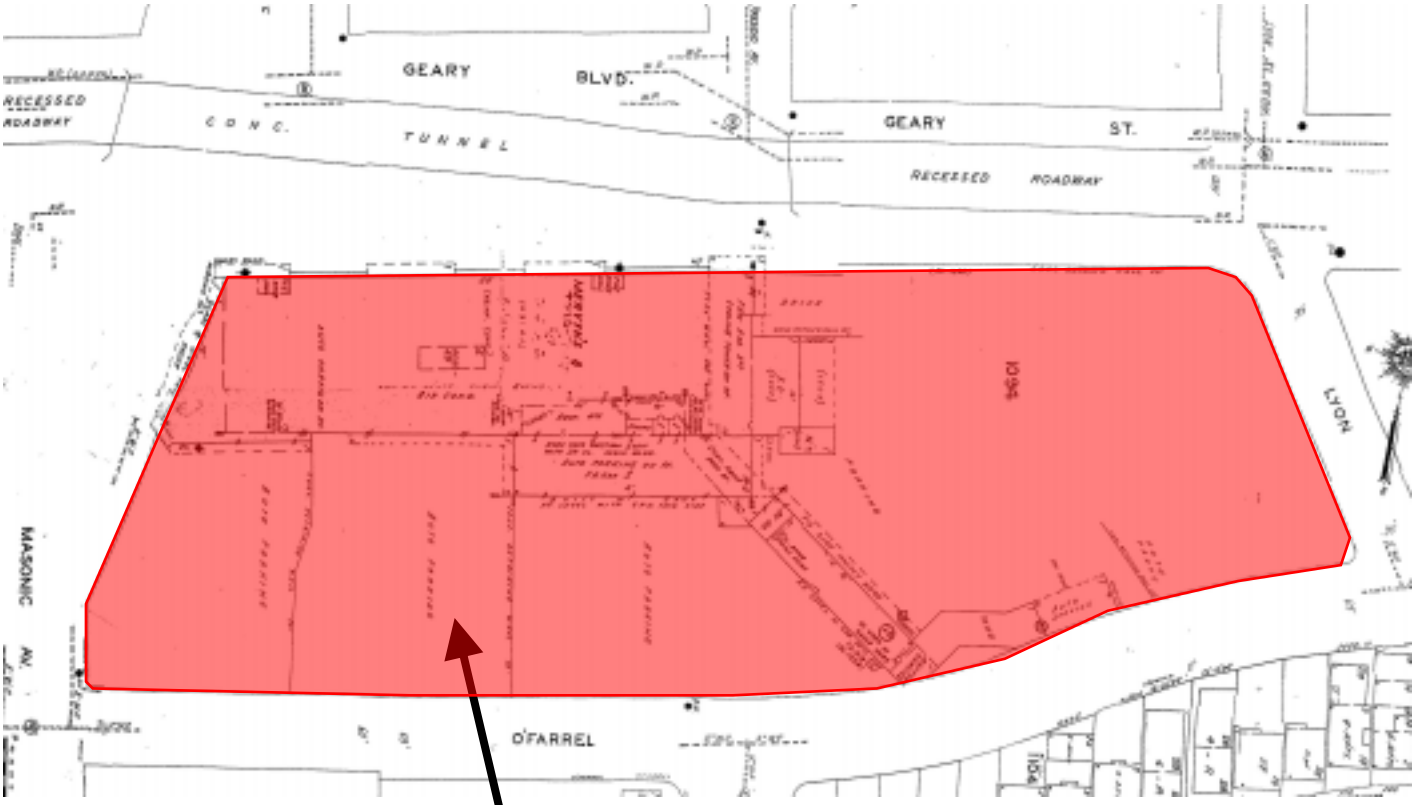
Parcel Map



Conditional Use Hearing
Case Number 2019-020527CUA
AT&T Mobility
2675 Geary Blvd

SAN FRANCISCO
PLANNING DEPARTMENT

Sanborn Map*



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

Conditional Use Hearing
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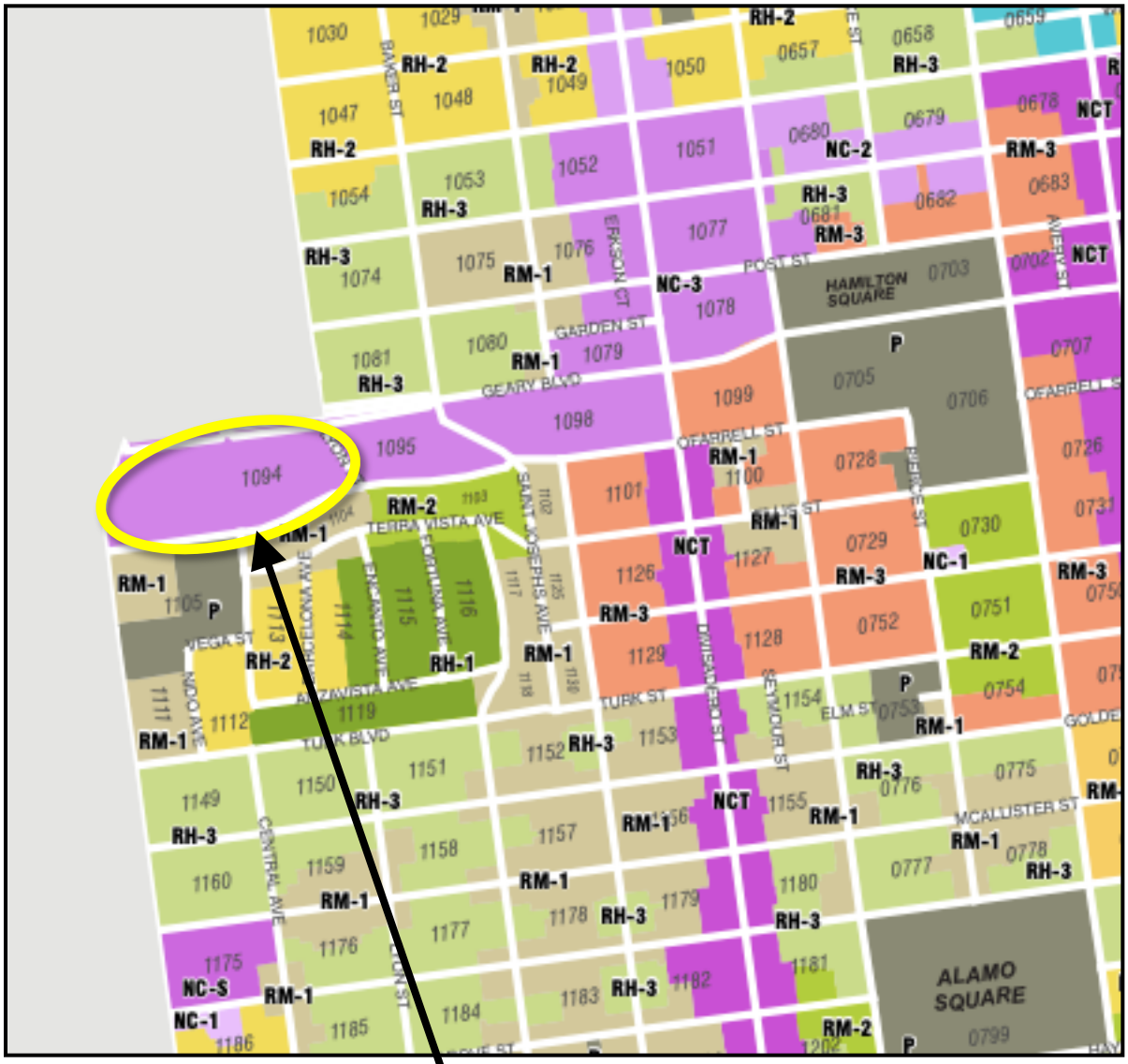
AT&T Mobility
2675 Geary Blvd

SAN FRANCISCO
PLANNING DEPARTMENT

Zoning Map



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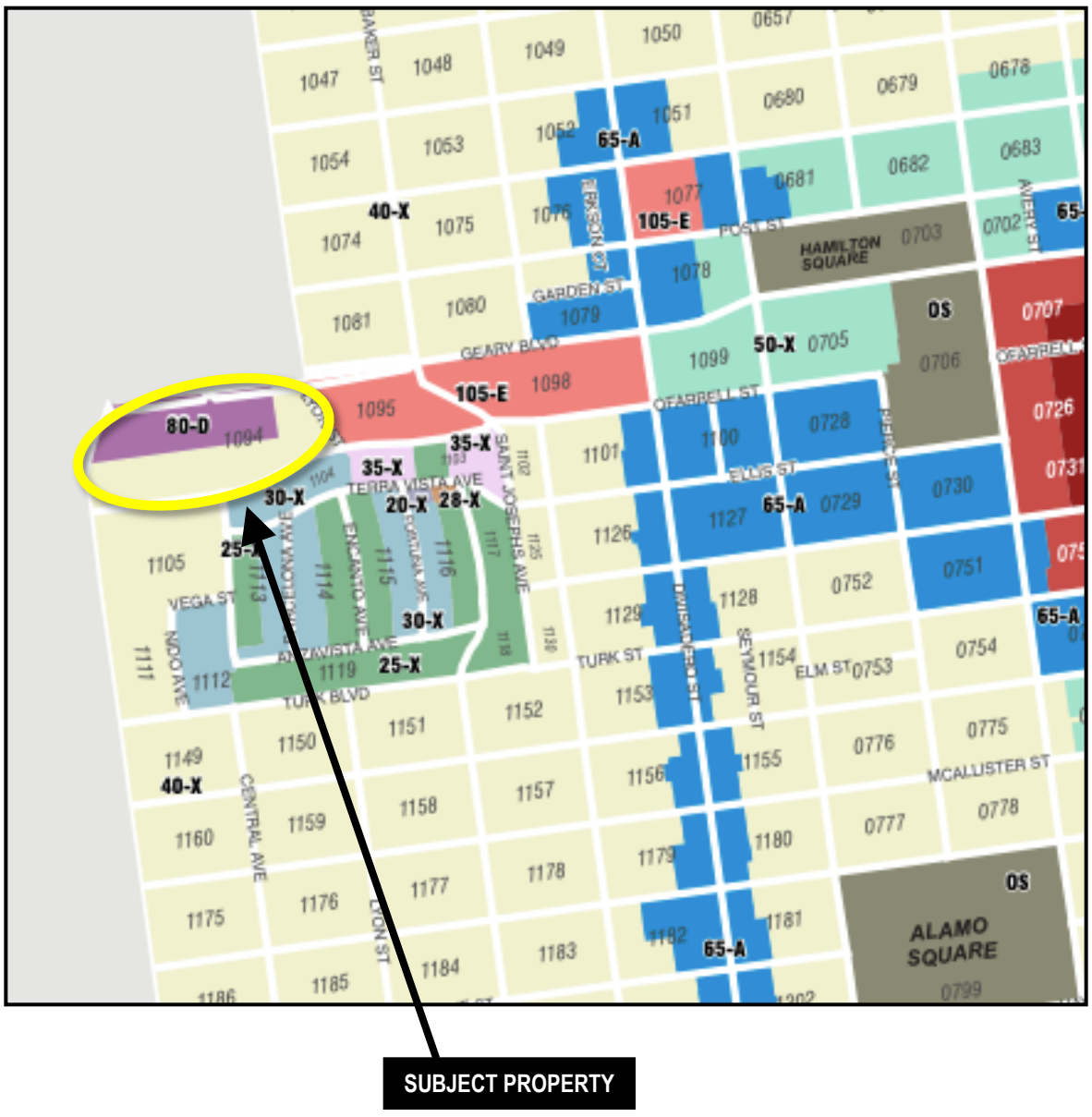
Height & Bulk Map



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2019-020527CUA
AT&T Mobility
2675 Geary Blvd

SAN FRANCISCO
PLANNING DEPARTMENT

Aerial Photo

(facing north)

Conditional Use Hearing
Case Number 2019-020527CUA
AT&T Mobility
2675 Geary Blvd

SAN FRANCISCO
PLANNING DEPARTMENT

Aerial Photo

(facing south)

Conditional Use Hearing
Case Number 2019-020527CUA
AT&T Mobility
2675 Geary Blvd

SAN FRANCISCO
PLANNING DEPARTMENT

Site Photo

(facing east)

Conditional Use Hearing
Case Number 2019-020527CUA
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2675 Geary Blvd

SAN FRANCISCO
PLANNING DEPARTMENT

Exhibit F:

Project Sponsor Brief

Conditional Use Hearing
Case Number 2019-020527CUA
AT&T Mobility
2675 Geary Blvd

REUBEN, JUNIUS & ROSE, LLP

Sabrina Eshaghi
seshaghi@reubenlaw.com

May 15, 2020

Delivered Via E-mail (christopher.may@sfgov.org)

President Joel Koppel
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103
Attn: Chris May, Senior Planner

Re: 2675 Geary Boulevard - City Center AT&T
Planning Department File No. 2019-020527CUA
Our File No.: 8855.26

Dear President Koppel and Commissioners:

This office represents AT&T Mobility, which is proposing to open a retail store at the City Center shopping plaza at 2675 Geary Boulevard (the "Project"). The store will occupy a 1,290 square foot newly constructed space fronting Masonic Avenue. The Project requires Conditional Use approval for a formula retail use.

A. Project Benefits

The Project will be beneficial for the site and the neighborhood. It will add a new AT&T retail store in an existing mall that has historically been occupied by national retailers. The benefits of the Project include:

- **Range of goods and services.** The store will offer a "one-stop" shopping experience in which nearby residents, neighbors, and tourists can purchase wireless devices and accessories as well as internet, phone, and cable packages. Staff will also be available to help with wireless plan setup, device activations, upgrades, trade-ins, device troubleshooting, and billing inquiries.

- **Consistent with City Center's historic tenant occupancy**. City Center has operated as a shopping mall for over 50 years with a history of large formula retail tenants including Sears, Mervyns, Toys-R-Us, Best Buy, Office Depot, and Target, as well as a host of smaller spaces occupied by other national retailers. City Center spans one entire city block that is largely auto-oriented. As such, this area is appropriate for formula retail uses that have a high degree of brand loyalty. Filling this retail space with a well-known company

like AT&T will contribute to the long-term stability and viability of the shopping center and continue the historic use of the City Center as a location for formula retailers.

- **Activation of the Masonic frontage**. Aside from an entrance to the Target near the corner of Geary and Masonic, the Masonic frontage of the City Center currently consists of blank walls, a parking lot driveway, and two vacant storefronts near the corner of O'Farrell and Masonic. The addition of an AT&T retail store in one of the vacant spaces will help bring life to the Masonic frontage.

- **Neighborhood outreach**. AT&T conducted a pre-application meeting on October 7, 2019. The attendees were happy to hear that this vacant space was being filled and one attendee mentioned that it would be beneficial to have an AT&T store so conveniently located in the neighborhood.

- **New jobs in San Francisco.** The Project will create new jobs across various skill levels in the retail sector. The AT&T retail store is anticipated to provide a total of seven new employment opportunities—five full-time and two part-time positions.

B. The Project Meets All Relevant Conditional Use Criteria

The Project meets the requirements necessary to grant a Conditional Use for a formula retailer at the Property. The addition of an AT&T store to this existing retail space is desirable because it will provide the neighborhood with a convenient retail location for internet, cell phone, and cable needs. This stretch of Masonic is largely surrounded by residential uses and fronts on six lanes of traffic, so it is more auto-oriented than typical neighborhood commercial streets and is not heavily served by foot traffic. For that reason, the space is well-suited for AT&T, a business with significant brand loyalty that will attract customers to the site. The Project is compatible with the neighborhood because it will continue the historic use of the City Center by formula retailers.

C. Conclusion

AT&T proposes a retail store in an appropriate location where formula retail uses have historically been and continue to be prevalent. The Project will activate the Masonic Avenue frontage, provide new jobs for a range of skill levels, and help maintain the stability and viability of the City Center. For these reasons, we respectfully request you approve this Project.

Sincerely,

REUBEN, JUNIUS & ROSE, LLP

Sabrina Eshaghi

Exhibit G:

Formula Retail Affidavit

San Francisco Planning

1650 MISSION STREET, #400
SAN FRANCISCO, CA 94103
WWW.SFPLANNING.ORG

AFFIDAVIT FOR FORMULA RETAIL ESTABLISHMENTS

APPLICATION PACKET

Pursuant to Planning Code Section 303.1, certain retail uses must have additional review to determine if they qualify as a Formula Retail Use. The first pages consist of instructions and important information which should be read carefully before the affidavit form is completed.

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 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A FORMULA RETAIL USE?

A Formula Retail Use is a type of retail sales activity or retail sales establishment which has 11 other retail sales establishments located globally. In addition, the business maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark.

WHAT TYPES OF BUSINESSES ARE REGULATED AS FORMULA RETAIL USES?

Businesses subject to the formula retail establishment controls include the following 'Retail Sales Activity' or 'Retail Sales Establishment' as defined in Article 1 and Article 8 of the Code:

- Amusement Game Arcade (§§102, 890.4)
- Bar (§§102, 890.22)
- Cannabis Retail (§§102, 890.125)
- Drive-up Facility (§§102, 890.30)
- Eating and Drinking Use (§§102, 890.34)
- General Grocery (§102)
- Gym (§102)
- Jewelry Store (§§102, 890.51)
- Limited-Restaurant (§102)
- Liquor Store (§102)
- Massage Establishment (§§102, 890.60)

- Movie Theater (§§102, 890.64)
- Non-Auto Vehicle Sales or Rental (§§102, 890.69)
- Pharmacy (§102)
- Restaurant (§102)
- Retail Sales and Service, General (§102)
- Sales and Service, Other Retail (§§102, 890.102)
- Sales and Service, Retail (§§102, 890.104)
- Service, Financial (§102)
- Service, Fringe Financial (§§102, 890.113)
- Service, Instructional (§102)
- Service, Limited Financial (§102)
- Service, Personal (§§102, 890.116)
- Specialty Grocery (§102)
- Tobacco Paraphernalia Establishment (§§102, 890.123)
- Tourist Oriented Gift Store (§§102, 890.39)

This affidavit for Formula Retail must accompany any Building Permit Application for any Alterations, New Construction, Commercial Tenant Improvements, Change of Use or Signage which relates to the establishment of that use.

IS A CONDITIONAL USE AUTHORIZATION OR NEIGHBORHOOD NOTIFICATION NECESSARY?

If a use does qualify as a Formula Retail establishment, then additional controls may apply depending on the zoning district where the proposed business will be located. Please consult the Public Information Center (PIC) for guidance on whether Conditional Use Authorization or Neighborhood Notification is required.

HOW IS FORMULA RETAIL STATUS DETERMINED?

If the number of worldwide locations is 12 or more, including the proposed location, and if the number of total standardized features of this business is two (2) or more, then the proposed use is a Formula Retail.

Applicants are responsible for providing accurate information about proposed uses. The Planning Department will determine whether an application or permit is for a Formula Retail use. Any permit that has been approved is subject to revocation if it is determined to have been for a Formula Retail use at the time of approval.

ARE PROPOSED LOCATIONS INCLUDED IN MY TOTAL QUANTITY OF RETAIL LOCATIONS?

Yes. Any worldwide location that has been given a land use permit or entitlement counts towards the total number of locations, even if it is not yet operable. If you are unsure about the status of a proposed location, inform Planning Department staff so that the location can be appropriately analyzed.

WHAT ARE STANDARDIZED FEATURES?

Formula Retail uses are identified by having certain standardized features in common throughout their locations. They are defined in Planning Code Section 303(i)(1). The below list is a summary:

(A) Standardized array of merchandise: Half or more of the products in stock are branded alike.
(B) Trademark: A word, phrase, symbol or design that identifies products as being offered by them and no others.
(C) Servicemark: A word, phrase, symbol or design that identifies a service as being offered by them and no others.
(D) Décor: The style of interior furnishings, (i.e. furniture, wall coverings or permanent fixtures).
(E) Color Scheme: A selection of colors used throughout the decor and/or used on the facade.
(F) Façade: The face or front of a building (including awnings) looking onto a street or an open space.
(G) Uniform Apparel: Standardized items of clothing (i.e. aprons, pants, shirts, smocks, dresses, hats, and pins (other than name tags) including the colors of clothing.
(H) Signage: A sign which directs attention to a business conducted on the premises. (§602.3).

PLANNING APPLICATION RECORD NUMBER

San Francisco Planning

AFFIDAVIT FOR FORMULA RETAIL ESTABLISHMENTS

1. Location and Classification

Project Address: 2675 Geary Boulevard

Block/Lot(s): 1094/001

2. Proposed Use Description

Proposed Use (Use Category Per Article 7 or 8):

Retail Sales and Services

Proposed Business Name:

AT&T Mobility

Description of Business, Including Products and/or Services:

Provides customers with wireless devices and accessories as well as internet, phone, and cable packages.

Building Permit Application No. (if applicable):

N/A

Conditional Use Case No. (if applicable):

N/A

3. Quantity of Retail Locations

3.A	List the number of existing locations this business has worldwide. Please include any property for which a lease has been executed.	5600
3.B	List the number of existing locations in San Francisco.	7

If the number entered on Line 3.A above is 11 or more, then the proposed use may be a Formula Retail Use. Continue to section 4 below.
If the number entered on Line 3.A above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

4. Standardized Features

	FEATURES	YES	NO
A	Array of Merchandise	☑	☐
B	Trademark	☑	☐
C	Servicemark	☑	☐
D	Décor	☑	☐
E	Color Scheme	☑	☐
F	Façade	☑	☐
G	Uniform Apparel	☑	☐
H	Signage	☑	☐
	TOTAL	8	0

Enter the total number of Yes/No answers above.

If the total **YES** responses is **two (2) or more,** then the proposed use is a Formula Retail Use.

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.

d) I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.

e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature

Sabrina Eshaghi

Name (Printed)

10/29/19

Date

Authorized Agent

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

(415) 567-9000

Phone

seshaghi@reubenlaw.com

Email

PLANNING DEPARTMENT USE ONLY

PLANNING CODE SECTION(S) APPLICABLE:

HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?

- ☐ Principally Permitted
- ☐ Principally Permitted, Neighborhood Notice Required (Section 311)
- ☐ Not Permitted
- ☐ Conditional Use Authorization Required (Please list Case Number below)

CASE NO.	MOTION NO.	EFFECTIVE DATE	NSR RECORDED?
			☐ Yes ☐ No

COMMENTS:

VERIFIED BY:

Signature: _____ Date: _____

Printed Name: _____ Phone: _____

Exhibit H:

Formula Retail Data

Conditional Use Hearing
Case Number 2019-020527CUA
AT&T Mobility
2675 Geary Blvd

Count	Block/Lot	Business Name	Business Address	Use	Lot Frontage Ft	Business Frontage Ft	FR Y/N	Vacant	Additional Store Previous Listed Lot?
1	1070/003	Office	2700 Geary Blvd	Office	207	207	N	N	N
2	1071/003	Vacant (Former Lucky Penny)	2670 Geary Blvd	Vacant	215	215	N	Y	N
3	1071/004	Public Storage	2690 Geary Blvd	Storage	275	60	N	N	N
4	1071/004	Tofino Wine	2696 Geary Blvd	Retail	275	60	N	N	Y
5	1082/007	Tony's Cable Car	2500 Geary Blvd	Food, Counter Order	125	60	N	N	N
6	1082/026	Office	2560 Geary Blvd	Office	68	68	N	N	N
7	1092/001	Mo'z Café	5 Masonic Ave	Food, Table Order	135	76	N	N	N
8	1092/001	Precision Optix	15 Masonic Ave	Retail	135	20	N	N	Y
9	1092/002	Office	21 Masonic Ave	Office	40	15	N	N	N
10	1092/031	RO Café	2739 Geary Blvd	Food, Counter Order	25	25	N	Y	N
11	1092/032	Great Cuts	2733 Geary Blvd	Personal Care, Hair	25	25	N	N	N
12	1092/036	Will's Auto Body	2715 Geary Blvd	Mechanic	75	45	N	N	N
13	1092/036	Wally's Upholstery	2707 Geary Blvd	Service	75	30	N	N	Y
14	1094/001	Ulta	2675 Geary Blvd #100	Retail	2415	75	Y	N	N
15	1094/001	Chipotle (Not visible from street)	2675 Geary Blvd	Food, Counter Order	2415	45	Y	N	Y
16	1094/001	Subway (Not visible from street)	2675 Geary Blvd E103	Food, Counter Order	2415	20	Y	N	Y
17	1094/001	European Wax Center (Not visible from street)	2675 Geary Blvd E102	Personal Service	2415	15	Y	N	Y
18	1094/001	GNC (Not visible from street)	2675 Geary Blvd	Retail	2415	25	Y	N	Y
19	1094/001	Sleep Number (Not visible from street)	2675 Geary Blvd B100	Retail	2415	35	Y	N	Y
20	1094/001	Target (Inset from street)	2675 Geary Blvd	Retail	2415	590	Y	N	Y
21	1094/001	Vacant (Street Facing)		Vacant	2415	152	N	Y	Y
22	1094/001	Vacant (Inset from street)		Vacant	2415	283	N	Y	Y

Total Lot Frontage (Buildings w/ Commercial Frontag	3605
Total Formula Retail Buisness Frontage	805
% Formula Retail Business Frontage	22.33%
Total Non-Formula Retail Business Frontage	1341
% Non-Formula Retail Business Frontage	37.20%
Total Retail Business Frontage	2146
% Retail Business Frontage	59.53%
Total Vacant Lot Frontage	675
% Vacant to Total Lot Frontage	18.72%