



EXECUTIVE SUMMARY

DOWNTOWN PROJECT AUTHORIZATION/CONDITIONAL USE/ OFFICE ALLOCATION

HEARING DATE: July 22, 2021

Record No.: 2020-005897PRJ
Project Address: 233 Geary Street
Zoning: C-3-R (Downtown-Retail) Zoning District
80-130-F Height and Bulk District
Block/Lot: 0314/018-020
Project Sponsor: Tuija Catalano
Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Jonathan Vimr - 628-652-7319
Jonathan.Vimr@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project entails conversion of the subject property, historically known as the I. Magnin building, from a predominantly retail with office use to a mix of retail, expanded office, and residential uses. More specifically, the Project would retain retail uses at the basement through third levels, locate general office uses on level four through seven as well as the rooftop penthouse, and convert levels eight through ten to a total of 21 dwelling units consisting of three 1-bedroom units, fifteen 2-bedroom units, and three 3-bedroom units. The project would provide 68,562 square feet of retail space, 81,551 square feet of office use, and 49,258 square feet of residential. No expansion to the building's envelope or a change in its height is proposed, and the property's Gross Floor Area would be reduced from 205,734 to 199,371 square feet.

On July 7, 2021, the Project obtained a Major Permit to Alter from the Historic Preservation Commission (HPC Motion No. 0440) for the proposed building alterations.

Required Commission Action

In order for the Project to proceed, the Commission must grant **Downtown Project Authorization**, pursuant to Planning Code Section 309, including an exception to Planning Code Section 134 (Rear Yard).

The Commission must also grant **Conditional Use Authorization**, pursuant to Planning Code Sections 210.2 and 303, to allow office uses exceeding 5,000 gross square feet on the fourth, fifth and sixth floors of the existing building (office use is principally permitted at the seventh floor and up), and an **Office Allocation**, pursuant to Planning Code Sections 320-325, to allow the establishment of up to 49,999 square feet of new office use.

Issues and Other Considerations

- **Upper Story Office Uses.** The Planning Code states that the purpose of the C-3-R District is to serve as, "...a regional center for comparison shopper retailing and direct consumer services." Retail and service uses are principally permitted at all levels, while office uses are generally only principally permitted if they are small and serve the general public (such as a travel agency). The intent of these regulations is to create a vibrant and diverse regional shopping district in the vicinity of Union Square. The proposed office use would span floors fourth through seven (and the eleventh level penthouse), with retail being retained at the basement up to the third floor. As such the new office use is not anticipated to affect the pedestrian realm and would create employment opportunities and provide additional consumers to the Union Square shopping district.
- **Office Allocation.** The Project requires an allocation of office space available for office projects between 25,000 and 49,999 square feet ("Small Cap"). As of December 10, 2020, 728,338 square feet of office space is available for allocation within the Small Cap during this Approval Period. With the allocation of up to 49,999 square feet of net new office space to the Project, 678,339 square feet would be available for allocation. The proposal therefore represents an allocation of approximately 6.9% percent of the Small Cap office space currently available. Should the project propose to add any additional office space within a ten-year timeframe it would require an Office Development Authorization under the Large Cap program.
- **Downtown Project Authorization/Rear Yard Exception.** Downtown Project Authorization is required as the project proposes a significant change to the existing building, as well as requiring a single exception pursuant to Planning Code Section 309. The Project seeks to provide 21 dwelling units at the upper three levels of the building, which occupies the entirety of the parcel. A rear yard of 25% of the lot depth is required beginning at the first level of residential uses, which would necessitate removal of a substantial portion of the building to satisfy the requirement. Doing so would be contrary to historic preservation considerations, and while the project does not meet the minimum rear yard requirement, it satisfies open space and exposure requirements and provides sufficient light and air for the residential units. In addition, a rear yard would not relate to any existing pattern of mid-block open space or rear yards in the dense, downtown area of San Francisco. The Historic Preservation Commission approved a Major Permit to Alter to allow the proposed building alterations on July 7, 2021.
- **Public Comment & Outreach.**
 - **Support/Opposition:** At the date of publication, the Department has received two letters in support of the project from a nearby property owner and the Union Square Business Improvement District. Four additional letters are included in the Project Sponsor's brief (Exhibit F). No correspondence in opposition to the project has been received in the lead up to this hearing.

- **Outreach:** As detailed in their brief the Project Sponsor has conducted outreach with various organizations, including San Francisco Heritage, the Art Deco Society of California, the San Francisco Housing Action Coalition, the Union Square Business Improvement District, and multiple owners of nearby properties/businesses.
- **Design Review Comments:** The subject property is designated pursuant to Article 11 as a Category V (Unrated) property within the Kearny-Market-Mason-Sutter Conservation District; the Department also identified it as individually eligible for listing in the California Register of Historical Resources under Criteria one through three. As such, the proposed design was reviewed by preservation staff and obtained a Major Permit to Alter from the Historic Preservation Commission on July 7, 2021 with a vote of 7-0 (HPC Motion No. 0440).

Environmental Review

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Downtown Area Plan and the Objectives and Policies of the General Plan. Although the Project results in some loss of retail space, there are ample opportunities for tenants to occupy the large number of vacant ground-floor spaces within Union Square and throughout the city. Retail would be retained at the basement through third floors, with the proposed office and residential uses occupying floors four through ten (and the eleventh level penthouse), which are no longer viable for retail, particularly so in the wake of the COVID-19 pandemic. Workers in the office space as well as those living above would support the retail functions of the district by shopping for convenience needs and attending restaurants. In addition, leasing of the office space and purchase of the dwelling units will provide a revenue stream to preserve and rehabilitate the existing building, which was originally constructed in 1948 and is located within the Kearny-Market-Mason-Sutter Conservation District. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Downtown Project Authorization with Conditions of Approval
Draft Motion – Conditional Use Authorization with Conditions of Approval
Draft Motion – Office Allocation 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 – Inclusionary Affordable Housing Affidavit
Exhibit H – Anti-Discriminatory Housing Affidavit
Exhibit I – First Source Hiring Affidavit



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: July 22, 2021

Record No.: 2020-005897DNX
Project Address: 233 GEARY STREET
Zoning: C-3-R (Downtown-Retail) Zoning District
80-130-F Height and Bulk District
Block/Lot: 0314/018-020
Project Sponsor: Tuija Catalano
1 Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: 233 Geary Street Property Owner, LLC
2600 El Camino Real, Suite 410
Palo Alto, CA 94306
Staff Contact: Jonathan Vimr – (628) 652-7319
Jonathan.Vimr@sfgov.org

ADOPTING FINDINGS TO APPROVE A DOWNTOWN PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.2 AND 309, TO ALLOW A PROJECT WITHIN THE C-3-R ZONING DISTRICT WITH AN EXCEPTION TO REAR YARD REQUIREMENTS (SECTION 134). THE PROJECT WOULD CONVERT AN EXISTING TEN STORY (WITH ELEVENTH LEVEL ROOFTOP PENTHOUS) BUILDING FROM A COMINATION OF RETAIL AND OFFICE TO A MIX OF RETAIL (68,562 SQUARE FEET), OFFICE (81,551 SQUARE FEET), AND 21 DWELLING UNITS (49,258 SQUARE FEET). THE PROJECT PROVIDES 31 CLASS 1 BICYCLE PARKING SPACES, AND 4 CLASS 2 BICYCLE PARKING SPACES, FOR THE PROPERTY LOCATED AT 233 GEARY STREET, LOTS 018-020 IN ASSESSOR'S BLOCK 0314, WITHIN THE C-3-R (DOWNTOWN-RETAIL) ZONING DISTRICT AND THE 80-130-F HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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PREAMBLE

On June 16, 2020, Tuija Catalano of Reuben, Junius & Rose, LLP (hereinafter “Project Sponsor”) filed Application No. 2020-005897DNX (hereinafter “Application”) with the San Francisco Planning Department (hereinafter “Department”) for Downtown Project Authorization to convert and existing commercial building to a mix of retail, office, and 21 dwelling units, with a requested exception to Rear Yard requirements, at 233 Geary Street, Block 0314, Lots 018-020 (hereinafter “Project Site”).

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 categorical exemption.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-005897DNX is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 22, 2021, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization Application No. 2020-005897DNX.

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 approves the Downtown Project Authorization as requested in Application No. 2020-005897DNX 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 would convert an existing commercial (retail and office) building to a mix of retail, office, and 21 dwelling units alongside interior and exterior alterations. In total, the proposed project would provide 68,562 square feet of retail, 81,551 square feet of office use, and 49,258 square feet occupied by the residential use on the top three floors. No expansion to the building's envelope or a change in its height is proposed, and the property's Gross Floor Area would be reduced from 205,734 square feet to 199,371.
3. **Site Description and Present Use.** 233 Geary Street is located on the southwest corner of Geary and Stockton Streets, just across from the southeastern edge of Union Square. It is developed with the historic I. Magnin building, a Category V (Unrated) structure located within the Kearny-Market-Mason-Sutter Conservation District, which the Planning Department also identified as individually eligible for inclusion in the California Register of Historical Resources under criteria one, two, and three. The subject building is ten stories in height with a rooftop penthouse and is clad with white, Vermont marble panel cladding. Completed in 1948 from a design by master architect Timothy Pflueger, it was developed as a flagship location for retailer I. Magnin. It is square in plan with a flat roof, regular fenestration, and a prominent parapet. Most recently occupied by Macy's, the existing uses entail retail at the basement through eight floors, with office occupying floors nine and ten as well as the rooftop penthouse (level 11).
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the C-3-R Zoning District in the Downtown Area Plan. Directly across from the southeastern corner of Union Square, 233 Geary Street is in the heart of the downtown retail core. The property is flanked by Macy's stores, with hotels and mixed-use buildings of various scales within the immediate vicinity. Most all buildings in the area have ground floor and lower level retails uses, contributing to a rich pedestrian experience. The property is additionally centered in the Kearny-Market-Mason-Sutter Conservation District, which serves as the core of San Francisco's retail market and is composed of a rich collection of early 20th century commercial buildings utilizing compatible detailing, color, materials, massing and scale. Other zoning districts in the vicinity of the project site include: P (Public), C-3-O (Downtown Office), and C-3-O(SD) (Downtown Office, Special Development).
5. **Public Outreach and Comments.** At the date of publication, The Department has received two letters in support of the project, one from a nearby property owner and one from the Union Square Business Improvement District. An additional four letters gathered by the Project Sponsor are included in their brief (Exhibit F). No letters expressing opposition to the overall project have been received in the lead up to this hearing.
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. **Use.** Planning Code Section 210.2 states that a Conditional Use Authorization is required for Non-

Retail Sales and Service uses larger than 5,000 square feet on floors four through six.

The Project would establish office uses exceeding 5,000 square feet on floor fourth through six (as well as seven and eleven) of the existing building. As no office is proposed for the third floor, findings associated with the Conditional Use Authorization are limited to those required by Planning Code Section 303. Conformance with these findings is discussed in Motion No. XXXXX for Conditional Use Authorization Application No. 2020-005897CUA.

- B. Office Allocation.** Planning Code Sections 320 through 325 stipulate that the Commission must grant specific approval for certain office developments, including the adoption of specified findings. In addition, these Sections set a limit of 950,000 square feet of office space that may be approved annually.

Pursuant to Section 320, a project which results in more than 25,000 square feet of additional office space is considered an “office development,” by definition. Therefore, the Commission will separately consider specific authorization for office allocation for the project. Conformance with the specified findings of Section 321(b)(3) is discussed in Motion No. XXXXX for Application No. 2020-005897OFA.

- C. Rear Yard.** Planning Code Section 134 requires that any building containing residential units must provide a 25% rear yard setback starting at the first level where the residential units are located. Exceptions to this requirement can be granted by the Planning Commission pursuant to Section 309(a)(1).

An exception to Rear Yard requirements is requested pursuant to Section 309(a)(1). Findings associated with the Downtown Project Authorization are discussed in Section 7 below.

- D. Open Space.** Planning Code Section 135 requires that residential units be provided with either 36 square feet of private open space per dwelling unit, or 48 square feet of common open space, or some combination of each.

The Project proposes a total of 21 residential units that would require a minimum of 1,008 square feet of common open space. The project would satisfy open space requirements via 1,500 square feet of common open space and 1,398 square feet of private open space at the 8th floor courtyard.

- E. Exposure.** Planning Code Section 140 requires that residential units have at least one room where the required windows face directly onto a public street or alley at least 20’ in width, a side yard at least 25’ in width, a Code complying rear yard, or an open area that is at least 25’ in every horizontal dimension for the floor on which the unit is located, increasing in each horizontal dimension by 5’ for each additional floor.

The Project proposes a total of 21 residential units, with 7 units on each of the three residential floors (building levels 8 through 10). Five of the units on each of these floors face directly onto Geary or Stockton Street and therefore comply with Section 140. The other two units on each floor satisfy exposure as they face onto an inner courtyard meeting the 25’ dimensional requirements with 5’ increases for subsequent floors.

- F. **Transportation Demand Management (TDM) Plan.** Planning Code Section 169 requires certain project to submit and finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit.

For projects involving a change of use, Section 169 requires the submittal of a TDM Plan if the change would result in at least 25,000 square feet of any use other than Residential. The proposed Project would establish up to 49,999 square feet of office uses in a space that was previously approved for retail uses. Therefore, conditions of approval have been added requiring a TDM plan at the time of the submittal of the first building or site permit (note that a preliminary TDM plan has already been submitted and is on file).

- G. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee (“Fee”). This Fee is made payable to the Department of Building Inspection (“DBI”) for use by the Mayor’s Office of Housing and Community Development for the purpose of increasing affordable housing citywide. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Project Application.

The Project Sponsor has submitted an ‘Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,’ to satisfy the requirements of the Inclusionary Affordable Housing Program through payment of the Fee, in an amount to be established by the Mayor’s Office of Housing and Community Development. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Project Application. A complete Project Application was submitted on June 16, 2021; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the Affordable Housing Fee is at a rate equivalent to an off-site requirement of 20%.

7. **Downtown Project Authorization Exceptions.** Planning Code Section 309 allows exceptions for Large Projects in the Downtown Districts:

- A. **Rear Yard.** Exception to the Rear Yard requirements provided in Planning Code Section 134.

The Project seeks to provide 21 dwelling units at the upper three floors of the building, which occupies the entirety of its parcel and has never housed residential uses before. A substantial portion of the building would need to be removed to satisfy the 25% rear yard requirements triggered by this provision of residential uses, which would be contrary to historic preservation considerations and would not relate to any existing pattern of mid-block open space or rear yards in this dense, downtown area of San Francisco. With the Project meeting open space and exposure requirements for the residential use, an exception to Section 134 is therefore warranted.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

COMMERCE AND INDUSTRY ELEMENT

Land Use

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

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

DOWNTOWN AREA PLAN

Land Use

Objectives and Policies

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.2

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

OBJECTIVE 3

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

Policy 3.3

Preserve retail service businesses in upper floor offices in the retail district.

Policy 3.5

Meet the convenience needs of daytime downtown workers.

OBJECTIVE 12

CONSERVE RESOURCES THAT PROVIDE CONTINUITY WITH SAN FRANCISCO'S PAST

Policy 12.1

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

The Project provides 21 new dwelling units in a largely commercial area that has no limits on residential density, but has seen little new housing in recent decades. Though below market rate units would not be provided on site, the Project will pay the required Affordable Housing Fee, which will assist in meeting the City's affordable housing goals. It would also retain retail uses from the basement levels up to the third floor while adding office space to a location that is well-served by existing and future public transit options, and is within walking distance to a diversity of goods and services available for employees of the office tenants. The new office use at the Property will likely draw tenants whose employees do not rely on private vehicles, and many employees and residents of the building will be able to walk to the Property from SoMa, Downtown, and Tenderloin neighborhoods. The Project's location and proximity to public transit encourage growth while limiting potential impacts on traffic. Finally, it will adaptively reuse a vertically oriented former department store that is no longer suited for retail uses at the upper levels. The mixed-use conversion of the building will result in improved maintenance and preservation in accordance with the Historic Preservation Commission's findings and Conditions of Approval in Motion No. 0440.

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

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

The project site's existing retail uses will be retained. The existing tenants are signed to long term leases and will remain on site.

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

The project site does not possess any existing housing. The Project would provide 21 new dwelling units, thus resulting in an overall increase in the neighborhood housing stock.

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

The Project does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by paying the required Affordable Housing Fee.

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

The Project Site is well served by nearby public transportation options. The Project is located along multiple Muni bus lines (the 27, 38, and 38-R), and is within easy walking distance of the Powell Street

BART Station as well as the numerous bus, streetcar, and underground Muni lines that run along/below Market Street.

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

The Project would not result in any removal of industrial or service sectors, with existing office and retail space being converted to a mix of retail, office, and residential uses.

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

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject property is a historic building, which will be preserved and adaptively reused in accordance with the Historic Preservation Commission's granting of a Major Permit to Alter and its associated Conditions of Approval (Motion No. 0440).

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

The Project would result in no new shadows being cast on parks or open space, as confirmed by completed shadow analysis.

- 10. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

- 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 Downtown Project 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 Downtown Project Authorization Application No. 2020-005897DNX** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated July 22, 2021 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 Downtown Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. Any appeal shall be made to the Board of Appeals, unless an associated entitlement is appealed to the Board of Supervisors, in which case the appeal of this Motion shall also be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, San Francisco, CA 94103, or the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 22, 2021

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: July 22, 2021

EXHIBIT A

Authorization

This authorization is for a Downtown Project Authorization to convert an existing commercial (retail and office) building to a mix of retail, office, and 21 dwelling units alongside interior and exterior alterations. In total, the proposed project would provide 68,562 square feet of retail, 81,551 square feet of office use, and 49,258 square feet occupied by the residential use on the top three floors. No expansion to the building's envelope or a change in its height is proposed, and the property's Gross Floor Area would be reduced from 205,734 square feet to 199,371; in general conformance with plans, dated July 22, 2021 and stamped "EXHIBIT B" included in the docket for Record No. 2020-005897DNX and subject to conditions of approval reviewed and approved by the Commission on July 22, 2021 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 22, 2021 under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463,

www.sfplanning.org

- 6. Additional Project Authorization.** The Project Sponsor must obtain a Conditional Use Authorization under Sections 210.2 and 303 for Non-Retail Sales and Service uses exceeding 5,000 square feet on floor four through six. The findings and conditions of Conditional Use Authorization Motion No. XXXXX for Application No. 2020-005897CUA are incorporated by reference as though fully set forth herein. The Project Sponsor must also obtain an Office Allocation pursuant to Planning Code Sections 320-325 to authorize up to 49,999 square feet of new office space. The findings and conditions of Office Allocation Motion No. XXXXX for Application No. 2020-005897OFA are incorporated by reference as though fully set forth herein. If any of these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Design – Compliance at Plan Stage

- 7. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.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 415-558-6378, www.sfplanning.org

- 9. Signage.** Prior to issuance of the architectural addendum, 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 complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Parking and Traffic

- 10. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

- 11. Bicycle Parking** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 35 bicycle parking spaces (10 Class 1 spaces and 3 Class 2 spaces for the office portion of the Project and 21 Class 1 spaces and a single Class 2 space for the residential portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 12. Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 13. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

- 14. Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 15. First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415.581.2335, www.onestopSF.org

- 16. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

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

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 18. Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413. Note that while this Fee technically applies, the cost per square foot for a change of use from retail to office is \$0.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 19. Child-Care Requirements for Office and Hotel Development.** In lieu of providing an on-site child-care facility, the Project has elected to meet this requirement by providing an in-lieu fee, as applicable, pursuant to Planning Code Section 414.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 20. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319,

www.sfplanning.org

- 21. Union Square Park, Recreation, and Open Space Fee.** The Project is subject to the Union Square Park, Recreation, and Open Space Fee, as applicable, pursuant to Planning Code Section 435.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 22. Inclusionary Affordable Housing Program.** Pursuant to Planning Code Section 415, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%). The Project Sponsor shall pay the applicable Affordable Housing Fee at the time such Fee is required to be paid.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

Monitoring - After Entitlement

- 23. 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 628.652.7463, www.sfplanning.org

- 24. 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 628.652.7463, www.sfplanning.org

Operation

- 25. 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, 628.271.2000, www.sfpublicworks.org

- 26. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: JULY 22, 2021

Record No.: 2020-005897CUA
Project Address: 233 GEARY STREET
Zoning: C-3-R (Downtown-Retail) Zoning District
80-130-F Height and Bulk District
Block/Lot: 0314/018-020
Project Sponsor: Tuija Catalano
1 Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: 233 Geary Street Property Owner, LLC
2600 El Camino Real, Suite 410
Palo Alto, CA 94306
Staff Contact: Jonathan Vimr – (628) 652-7319
Jonathan.Vimr@sfgov.org

ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.2 AND 303 TO ALLOW OFFICE USES GREATER THAN 5,000 SQUARE FEET ON FLOORS FOUR THROUGH SIX OF THE EXISTING BUILDING LOCATED AT 233 GEARY STREET, LOTS 018-020 IN ASSESSOR'S BLOCK 0314, WITHIN THE C-3-R ZONING DISTRICT AND THE 80-130-F HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On June 16, 2020, Tuija Catalano of Reuben, Junius & Rose, LLP (hereinafter “Project Sponsor”) filed Application No. 2020-005897CUA (hereinafter “Application”) with the San Francisco Planning Department (hereinafter “Department”) for a Conditional Use Authorization to establish office uses exceeding 5,000 square feet on floors four through six (hereinafter “Project ”) of the existing building located at 233 Geary Street, Block 0314, Lots 018-020 (hereinafter “Project Site”).

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 categorical exemption.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-005897CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 22, 2021, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-005897CUA.

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. 2020-005897CUA 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.** Approval of this motion would authorize office uses exceeding 5,000 square feet on the fourth, fifth, and sixth floors. The overall Project would convert an existing commercial (retail and office) building to a mix of retail, office, and 21 dwelling units alongside interior and exterior alterations. In total, the proposed project would provide 68,562 square feet of retail, 81,551 square feet of office use, and 49,258 square feet occupied by the residential use on the top three floors.
3. **Site Description and Present Use.** 233 Geary Street is located on the southwest corner of Geary and Stockton Streets, just across from the southeastern edge of Union Square. It is developed with the historic I. Magnin building, a Category V (Unrated) structure located within the Kearny-Market-Mason-Sutter Conservation District, which the Planning Department also identified as individually eligible for inclusion in the California Register of Historical Resources under criteria one, two, and three. The subject building is ten stories in height with a rooftop penthouse and is clad with white, Vermont marble panel cladding. Completed in 1948 from a design by master architect Timothy Pflueger, it was developed as a flagship location for retailer I. Magnin. It is square in plan with a flat roof, regular fenestration, and a prominent parapet. Most recently occupied by Macy's, the existing uses entail retail at the basement through eight floors, with office occupying floors nine and ten as well as the rooftop penthouse (level 11).
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the C-3-R Zoning District in the Downtown Area Plan. Directly across from the southeastern corner of Union Square, 233 Geary Street is in the heart of the downtown retail core. The property is flanked by Macy's stores, with hotels and mixed-use buildings of various scales within the immediate vicinity. Most all buildings in the area have ground floor and lower level retails uses, contributing to a rich pedestrian experience. The property is additionally centered in the Kearny-Market-Mason-Sutter Conservation District, which serves as the core of San Francisco's retail market and is composed of a rich collection of early 20th century commercial buildings utilizing compatible detailing, color, materials, massing and scale. Other zoning districts in the vicinity of the project site include: P (Public), C-3-O (Downtown Office), and C-3-O(SD) (Downtown Office, Special Development).
5. **Public Outreach and Comments.** At the date of publication, The Department has received two letters in support of the project, one from a nearby property owner and one from the Union Square Business Improvement District. An additional four letters gathered by the Project Sponsor are included in their brief (Exhibit F). No letters expressing opposition to the overall project have been received in the lead up to this hearing.
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. **Use.** Planning Code Section 210.2 states that a Conditional Use Authorization is required for Non-Retail Sales and Service uses larger than 5,000 square feet on floors four through six.

The Project would establish office uses exceeding 5,000 square feet on floor fourth through six (as well as seven) of the existing building. Given that no office is proposed for the third floor, findings associated with the Conditional Use Authorization are limited to those required by Planning Code Section 303. Conformance with these findings is discussed in Section 7 below.

- B. Office Allocation.** Planning Code Sections 320 through 325 stipulate that the Commission must grant specific approval for certain office developments, including the adoption of specified findings. In addition, these Sections set a limit of 950,000 square feet of office space that may be approved annually.

Pursuant to Section 320, a project which results in more than 25,000 square feet of additional office space is considered an “office development,” by definition. Therefore, the Commission will separately consider specific authorization for office allocation for the project. Conformance with the specified findings of Section 321(b)(3) is discussed in Motion No. XXXXX for Application No. 2020-005897OFA.

- 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 Site is located within the Downtown core, an area characterized by an intense mix of a wide variety of uses. Many buildings in the vicinity contain office uses on upper stories over ground-floor retail, particularly within the Financial District to the east of the Project Site. The additional office use proposed by the Project would not undermine the core retail functions of the C-3-R District. Because the office uses begin at the fourth floor the Project would not affect the retail shopping experience at the pedestrian level, with retail being retained at the basement through third floor. Given the challenges retail is facing due to the rise of online shopping as well as the effects of the COVID-19 pandemic, retail at upper levels of vertically oriented buildings is becoming ever less viable, and the new dwelling units and office uses proposed for these upper levels would bring additional people to the area to shop and utilize the retail uses that do remain present on lower levels throughout the area.

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

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

The height and bulk of the existing building as defined in the Planning Code will remain the same and will not alter the existing appearance or character of the project vicinity. Exterior changes confined to alterations of the existing exterior itself rather than any expansion of its envelope.

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

The Planning Code does not require any new parking or loading for the proposed Project. The Project is located within the Downtown core, which is the nexus of city-wide and regional transit services. Abundant transportation options are available within walking distance of the Project Site, including numerous Muni bus lines, bus lines from other regional transit providers (such as AC Transit and Golden Gate Transit), and Muni Metro and BART service. Given the abundant transit service in the area, the proposed use should not generate significant amounts of private vehicular trips.

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

The proposed Project would convert an existing building's use from retail and office to a mix of retail, expanded office, and residential uses and would not alter the existing relationship of the building to its surroundings. The proposed uses will not generate noise, glare, dust, or odors.

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

The proposed Project will include the provision of new open space for the residential units as well as office tenants at the rooftop levels, with signage and lighting oriented around the pedestrian level retail tenants.

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

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

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

As stated in Section 210.2, the purpose of the C-3-R District is to serve as, "...a regional center for comparison shopper retailing and direct consumer services." This Section further states that, "Within the District, continuity of retail and consumer service uses is emphasized, with encouragement of pedestrian interest and amenities..." Retail and service uses are principally permitted at all levels, while office uses are generally only principally permitted if they are small and serve the general public (such as a travel agency). The intent of these regulations is to create a vibrant and diverse regional shopping district in the vicinity of Union Square. The proposed office use would span floors fourth through seven (and the eleventh level penthouse), with retail being retained at the basement up to the third floor. As such the new office use is not anticipated to affect the pedestrian realm and would create employment opportunities and provide additional consumers to the Union Square shopping district.

8. **General Plan Compliance.** The Project is, on balance, consistent with the Objectives and Policies of the Downtown Area Plan and General Plan for the reasons set forth in the findings of Downtown Project Authorization Motion No. XXXXX, which are incorporated by reference as though fully set forth herein.
9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies for the reasons set forth in the findings of Downtown Project Authorization Motion No. XXXXX, which are incorporated by reference as though fully set forth herein.
10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2020-005897CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated July 22, 2021 and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 22, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: July 22, 2021

EXHIBIT A

Authorization

This authorization is for a Conditional Use Authorization to allow office uses exceeding 5,000 square feet on floors four through six of the subject property located at 233 Geary Street, Block 0314, Lots 018-020 pursuant to Planning Code Sections 210.2 and 303 within the C-3-R District and the 80-130-F Height and Bulk District; in general conformance with plans, dated July 22, 2021, and stamped “EXHIBIT B” included in the docket for Record No. 2020-005897CUA and subject to conditions of approval reviewed and approved by the Commission on July 22, 2021 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 22, 2021 under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463,

www.sfplanning.org

- 6. Additional Project Authorization.** The Project Sponsor must obtain an Office Allocation pursuant to Planning Code Sections 320-325 to authorize up to 49,999 square feet of new office space. The findings and conditions of Office Allocation Motion No. XXXXX for Application No. 2020-005897OFA are incorporated by reference as though fully set forth herein. The Project Sponsor must also obtain a Downtown Project Authorization under Section 309 with an exception to Rear Yard requirements established in Section 134. The Findings and conditions of Downtown Project Authorization Motion No. XXXXX for Application No. 2020-005897DNX are incorporated by reference as though fully set forth herein. If any of these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Parking and Traffic

- 7. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

- 8. Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 35 bicycle parking spaces (10 Class 1 spaces and 3 Class 2 spaces for the office portion of the Project and 21 Class 1 spaces and a single Class 2 space for the residential portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463,

www.sfplanning.org

- 9. Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 10. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

- 11. Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 12. First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415.581.2335, www.onestopSF.org

- 13. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

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

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- 15. Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to

Planning Code Section 413. Note that while this Fee technically applies, the cost per square foot for a change of use from retail to office is \$0.

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- 16. Child-Care Requirements for Office and Hotel Development.** In lieu of providing an on-site child-care facility, the Project has elected to meet this requirement by providing an in-lieu fee, as applicable, pursuant to Planning Code Section 414.

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- 18. Union Square Park, Recreation, and Open Space Fee.** The Project is subject to the Union Square Park, Recreation, and Open Space Fee, as applicable, pursuant to Planning Code Section 435.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

- 19. Inclusionary Affordable Housing Program.** Pursuant to Planning Code Section 415, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%). The Project Sponsor shall pay the applicable Affordable Housing Fee at the time such Fee is required to be paid.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

Monitoring - After Entitlement

- 20. 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 628.652.7463, www.sfplanning.org

- 21. 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.

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PLANNING COMMISSION DRAFT MOTION

HEARING DATE: July 22, 2021

Record No.: 2020-005897OFA
Project Address: 233 GEARY STREET
Zoning: C-3-R (Downtown-Retail) Zoning District
80-130-F Height and Bulk District
Block/Lot: 0314/018-020
Project Sponsor: Tuija Catalano
1 Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: 233 Geary Street Property Owner, LLC
2600 El Camino Real, Suite 410
Palo Alto, CA 94306
Staff Contact: Jonathan Vimr – (628) 652-7319
Jonathan.Vimr@sfgov.org

ADOPTING FINDINGS TO APPROVE AN OFFICE ALLOCATION PURSUANT TO PLANNING CODE SECTIONS 320 THROUGH 325 TO ALLOW UP TO 49,999 SQUARE FEET OF OFFICE USES ON THE FOURTH, FIFTH, SIXTH, SEVENTH, AND ELEVENTH LEVELS OF THE EXISTING BUILDING, LOCATED AT 233 GEARY STREET, LOTS 018-020 IN ASSESSOR'S BLOCK 0314, WITHIN THE C-3-R ZONING DISTRICT AND THE 80-130-F HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On June 16, 2020, Tuija Catalano of Reuben, Junius & Rose, LLP (hereinafter “Project Sponsor”) filed Application No. 2020-005897OFA (hereinafter “Application”) with the San Francisco Planning Department (hereinafter “Department”) for an Office Allocation to establish up to 49,999 square feet of office use on the fourth, fifth, sixth, seventh, and eleventh levels of the existing building (hereinafter “Project”) located at 233 Geary Street, Block 0314, Lots 018-020 (hereinafter “Project Site”).

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 categorical exemption.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-005897OFA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 22, 2021, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Office Allocation Application No. 2020-005897OFA.

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 approves the Office Allocation as requested in Application No. 2020-005897OFA 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.** Approval of this motion would authorize the establishment of up to 49,999 square feet of general office uses at levels four, five, six, seven, and eleven of the existing building (this is in addition to utilization of the building's existing office floor area). The overall project would convert an existing commercial (retail and office) building to a mix of retail, office, and 21 dwelling units alongside interior and exterior alterations. In total, the proposed project would provide 68,562 square feet of retail, 81,551 square feet of office use, and 49,258 square feet occupied by the residential use on the top three floors.
- 3. Site Description and Present Use.** 233 Geary Street is located on the southwest corner of Geary and Stockton Streets, just across from the southeastern edge of Union Square. It is developed with the historic I. Magnin building, a Category V (Unrated) structure located within the Kearny-Market-Mason-Sutter Conservation District, which the Planning Department also identified as individually eligible for inclusion in the California Register of Historical Resources under criteria one, two, and three. The subject building is ten stories in height with a rooftop penthouse and is clad with white, Vermont marble panel cladding. Completed in 1948 from a design by master architect Timothy Pflueger, it was developed as a flagship location for retailer I. Magnin. It is square in plan with a flat roof, regular fenestration, and a prominent parapet. Most recently occupied by Macy's, the existing uses entail retail at the basement through eight floors, with office occupying floors nine and ten as well as the rooftop penthouse (level 11).
- 4. Surrounding Properties and Neighborhood.** The Project Site is located within the C-3-R Zoning District in the Downtown Area Plan. Directly across from the southeastern corner of Union Square, 233 Geary Street is in the heart of the downtown retail core. The property is flanked by Macy's stores, with hotels and mixed-use buildings of various scales within the immediate vicinity. Most all buildings in the area have ground floor and lower level retails uses, contributing to a rich pedestrian experience. The property is additionally centered in the Kearny-Market-Mason-Sutter Conservation District, which serves as the core of San Francisco's retail market and is composed of a rich collection of early 20th century commercial buildings utilizing compatible detailing, color, materials, massing and scale. Other zoning districts in the vicinity of the project site include: P (Public), C-3-O (Downtown Office), and C-3-O(SD) (Downtown Office, Special Development).
- 5. Public Outreach and Comments.** At the date of publication, The Department has received two letters in support of the project, one from a nearby property owner and one from the Union Square Business Improvement District. An additional four letters gathered by the Project Sponsor are included in their brief (Exhibit F). No letters expressing opposition to the overall project have been received in the lead up to this hearing.
- 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. **Use.** Planning Code Section 210.2 states that a Conditional Use Authorization is required for Non-Retail Sales and Service uses larger than 5,000 square feet on floors four through six.

The Project would establish office uses exceeding 5,000 square feet on floor fourth through six (as well as seven and eleven) of the existing building. As no office is proposed for the third floor, findings associated with the Conditional Use Authorization are limited to those required by Planning Code Section 303. Conformance with these findings is discussed in Motion No. XXXXX for Conditional Use Authorization Application No. 2020-005897CUA.

- 7. Office Allocation Criteria.** Planning Code Sections 320 through 325 specify that the Commission must grant specific approval for certain office developments. In addition, these Sections set a limit of 950,000 square feet of office space that may be approved annually. Planning Code Section 321 establishes the following criteria for the Planning Commission to consider when reviewing applications for an Office Allocation:

- A. Apportionment of office space over the course of the approval period in order to maintain a balance between economic growth, on the one hand, and housing, transportation and public services, on the other.

As of December 10, 2020 there exists 728,338 square feet of office space available for allocation within the Small Cap during this Approval Period. With the allocation of up to 49,999 square feet of net new office space to the Project, 678,339 square feet would be available for allocation. The proposal therefore represents an allocation of approximately 6.9% percent of the Small Cap office space currently available. Should the project propose to add any additional office space within a ten-year timeframe it would require an Office Development Authorization under the Large Cap program.

Rather than constructing new employment space, the Project would convert existing retail space to office uses. Therefore, the impacts to housing, transportation, and public services would be less than if the Project entailed construction of new office space. The Project would continue the pattern of focusing citywide and regional job growth into an intense, urban context in an area supported by abundant existing and planned transit services, as well as retail and service amenities. In addition, conditions of approval have been added which would generate fee revenue to support critical downtown services and infrastructure, including payment of Downtown Park, Child Care, and Union Square Park Fees. The Project would create both new construction jobs and permanent new jobs, and would comply with the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) to maximize employment opportunities for local residents.

- B. The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location.

The Project Site is located within the Downtown core, an area characterized by an intense mix of a wide variety of uses. Many buildings in the vicinity contain office uses on upper stories over ground-floor retail, particularly within the Financial District to the east of the Project Site. The office use proposed by the Project would not undermine the core retail functions of the C-3-R District. Because the office uses are located on floors four through seven (and eleven), the Project would not affect the retail shopping experience at the pedestrian level. In addition, the Project is located within the nexus of citywide and

regional transit services. The addition of office space should not unduly burden transportation services for the area. The Project involves exterior alterations that are compatible with the building and surrounding environment and were approved by the Historic Preservation Commission pursuant to Motion No. 0440. On balance, the Project is compatible with, and appropriate for the surround context of uses and urban form.

- C. Whether the proposed project includes development of New Affordable Housing Units.

The project does not include the development of any on-site affordable housing units, though it would pay the required Affordable Housing Fee that will contribute to the development of such units at other locations in the city.

- D. The extent to which the project incorporates Community Improvements that exceed the requirements of zoning and City ordinances applicable to the project

The Project entails the conversion of existing retail space to office and residential uses and does not trigger Planning Code requirements for such community improvements. Exterior changes are proposed, which are compatible with the historic building and surrounding environment and have been approved by the Historic Preservation Commission (Motion No. 0440).

- 8. General Plan Compliance.** The Project is, on balance, consistent with the Objectives and Policies of the Downtown Area Plan and the General Plan for the reasons set forth in the findings of Downtown Project Authorization Motion No. XXXXX, which are incorporated by reference as though fully set forth herein
- 9. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies for the reasons set forth in the findings of Downtown Project Authorization Motion No. XXXXX, which are incorporated by reference as though fully set forth herein.
- 10.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11.** The Commission hereby finds that approval of the Office Allocation 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 Office Allocation Application No. 2020-005897OFA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated July 22, 2021 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 Office Allocation to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. Any appeal shall be made to the Board of Appeals, unless an associated entitlement is appealed to the Board of Supervisors, in which case the appeal of this Motion shall also be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, San Francisco, CA 94103, or the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 22, 2021

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: July 22, 2021

EXHIBIT A

Authorization

This authorization is for an Office Allocation to allow up to 49,999 square feet of office uses at the fourth, fifth, sixth, seventh, and eleventh levels of the subject property (this is in addition to utilization of the building's existing office floor area) located at 233 Geary Street, Block 0314, Lots 018-020 pursuant to Planning Code Section(s) 320-325 within the C-3-R District and the 80-130-F Height and Bulk District; in general conformance with plans, dated July 22, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2020-005897OFA and subject to conditions of approval reviewed and approved by the Commission on July 22, 2021 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 22, 2021 under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463,

www.sfplanning.org

- 6. Additional Project Authorization.** The Project Sponsor must obtain a Conditional Use Authorization under Sections 210.2 and 303 for Non-Retail Sales and Service uses exceeding 5,000 square feet on floor four through six. The findings and conditions of Conditional Use Authorization Motion No. XXXXX for Application No. 2020-005897CUA are incorporated by reference as though fully set forth herein. The Project Sponsor must also obtain a Downtown Project Authorization under Section 309 with an exception to Rear Yard requirements established in Section 134. The Findings and conditions of Downtown Project Authorization Motion No. XXXXX for Application No. 2020-005897DNX are incorporated by reference as though fully set forth herein. If any of these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 7. Development Timeline - Office.** Pursuant to Planning Code Section 321(d) (2), construction of the office development project shall commence within 18 months of the effective date of this Motion. Failure to begin work within that period or to carry out the development diligently thereafter to completion, shall be grounds to revoke approval of the office development under this office development authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Parking and Traffic

- 8. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

- 9. Bicycle Parking** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 35 bicycle parking spaces (10 Class 1 spaces and 3 Class 2 spaces for the office portion of the Project and 21 Class 1 spaces and a single Class 2 space for the residential portion of the Project). SFMTA has final authority

on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 10. Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 11. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

- 12. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

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EXHIBIT B

233 GEARY STREET

SAN FRANCISCO, CA 94102

July 22, 2021

PLANNING COMMISSION REVIEW
ARCHITECTURAL DRAWINGS

Sand Hill Property Company

HANDEL ARCHITECTS LLP

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Appendix A - Existing Floor Plans

PROJECT DESCRIPTION & DEVELOPMENT TEAM

The development’s aspiration is to preserve what makes the architecture iconic and to enhance and modernize what is not, while providing for retail viability and adding vibrancy to Union Square with a new mix of uses for future generations. The design goals for this comprehensive adaptive re-use entail the following:

- Advancing the Building’s Evolution while Balancing History;
- Restoring the Stand-Alone Building;
- Improving Street Activation and Building Aesthetics;
- Re-envisioning the Roofscape;
- Improving Sustainability.

The transformation and repositioning of the mid-20th century iconic, single-use luxury department store, commonly known as the “I. Magnin Building,” into a 21st century world-class, mixed-use development with 11 floors and two basements, is organized as follows:

- Sub-Basement: Mechanical, Service;
- Lower Level to Level 3: Retail;
- Levels 4 to 7: Office;
- Levels 8 to 10: Residential;
- Level 11: Office, Roof Terrace
- Level 12: Roof Terrace, Mechanical

Initially built in 1905, the Beaux Arts style “Butler Building” supported medical offices and commercial uses. Heavily remodeled in 1946, the building transformed into a single use department store. In 1996, the building became absorbed within the multi-building Macy’s city block complex. Continuing forward, the design includes new retail at the base levels while introducing new uses—residential and office—contributing to a 24/7, pedestrian-friendly environment in Union Square. At the base, increased storefront transparency enhances visibility and street activation. Pedestrian activation is furthered with the new office/retail and residential entries at the south end of Stockton Street. Moving up the building, distinctive yet subtle window modifications differentiate the variety of uses. Office levels 5 through 7 windows increase in height. Residential levels 8 and 9 windows, while smaller, increase in height nominally and have operable windows to offer ventilation. Level 10 is expressed as a unique residential level with taller windows.

As downtown buildings become taller with vantage points across the City, the building’s current roofscape, dominated by mechanical equipment, has become a visible corner of Union Square. The proposed design transforms the rooftop into an architecturally coordinated expression encapsulating outdoor terraces as well as concealed mechanical functions.

Adaptive reuse inherently conserves heritage, land, and resources. Mixed-use developments reduce traffic. To further achieve sustainability goals, new systems employing green, energy, and carbon efficient strategies will be engaged.

Owner

233 Geary Street Property Owner, LLC
2600 El Camino Real, Suite 410
Palo Alto, CA 94306
(650) 344-1500
www.shpco.com

Preservation Consultant

Page & Turnbull, Inc.
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San Francisco, CA 94108
(415) 362-5154
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Land Use Attorney

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Architect

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San Francisco, CA 94103
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www.handelarchitects.com

Structural Engineer

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San Francisco, CA 94104
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Mechanical Engineer

ME Engineers
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Geotechnical Engineer

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Vertical Transportation Consultant

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Shadow Analysis Consultant

Fastcast
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Mill Valley, CA 94941
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www.app.fastcastcity.com

Wind Analysis Consultant

RWDI
600 Southgate Drive
Guelph, ON N1G 4P6 Canada
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www.rwdi.com

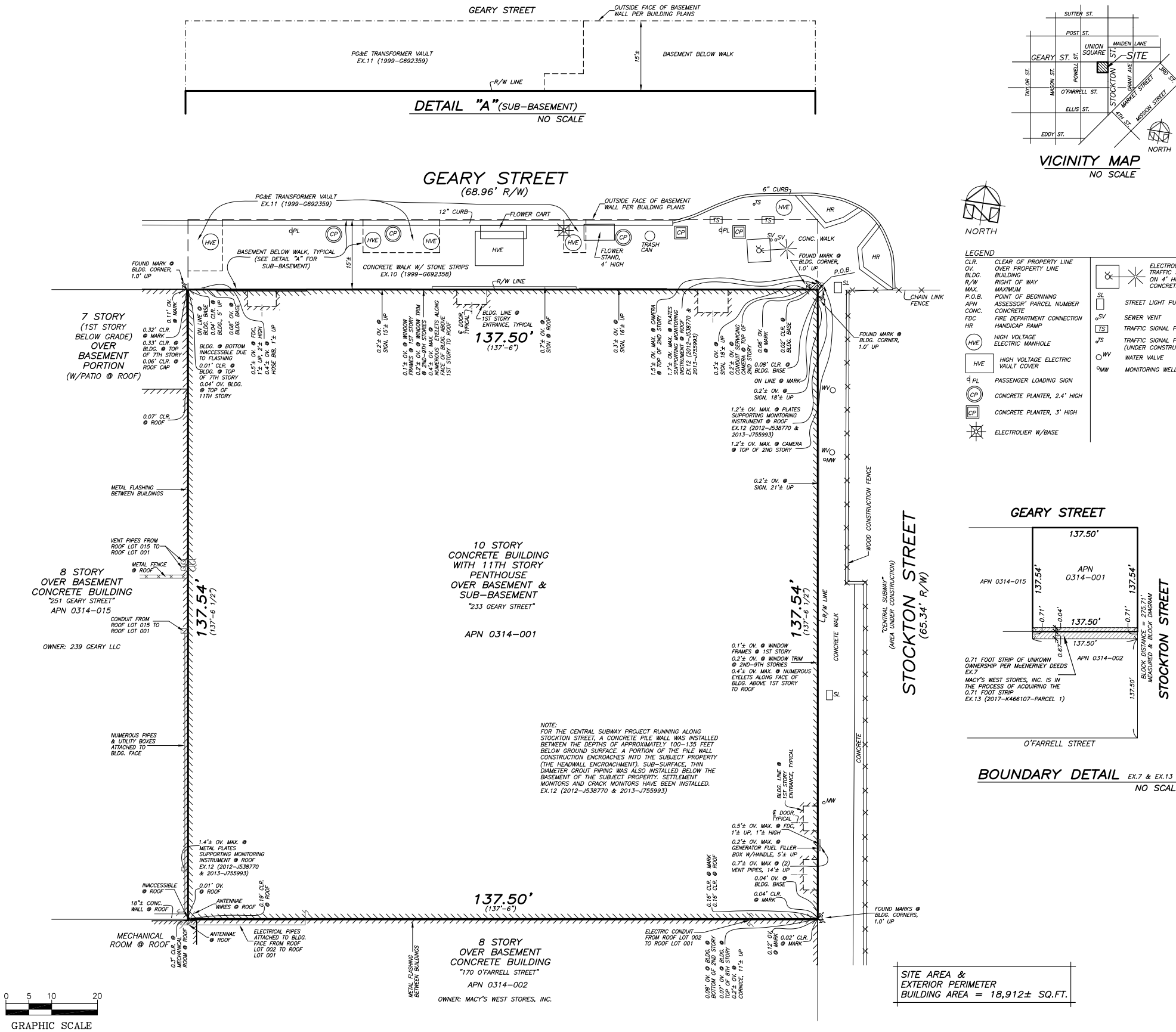
EXISTING ZONING SUMMARY

For zoning compliance and specific exceptions to below provisions of the planning code see supplemental Downtown Large Project Authorization (DNX) Section 309 application form.

Item	Section/Source	Info/Code Requirement
Parcel Info	Assesor's Record	Block 0314/018, 0314/019
Lot Area	Assesor's Record	18,906 sf
Zoning District	Zoning Map, Sec. 105	C-3-R Downtown-Retail
Height & Bulk District	Height & Bulk District Map, Arcticle 2.5	80-130-F
Height Limit	Height & Bulk District Map, Arcticle 2.6	130'
Bulk Controls	Sec. 270	Height Above Which Maximum Dimensions Apply: 80' Maximum Plan Length: 110' Maximum Diagonal Length: 140' Maximum Tower Floor Area: N/A Minimum Tower Seperation: N/A
Dwelling Unit Density	Sec 210.2	No Density Limit
Basic Floor Area Ratio	Sec 210.2	6 to 1
Maximum Allowable FAR w/TDR	Sec 123(c)(2)	9 to 1
Usable Residential Open Space (per dwelling unit)	Sec. 135, Table 135A, Sec 210.2	36 square feet if private, 48 square feet if common
Privately Owned Public Open Space	Sec. 138, Table 1358, Sec 210.2	1:100 (1 square feet of opens space per 100 square feet of non-residential Gross Floor Area) - applicable only to new construction or increase in Gross Floor Area of 20% or more.
Rear Yard / Lot Coverage Requirement	Sec. 130, Sec. 134, Sec. 210.2	25% of the total depth lot depth, but in no case less than 15' for lowest story containing a dwelling unit and each succedding story. Exceptions are permitted by Sec. 309
Off-street Parking	Sec. 151.1, Sec. 210.2	None required. For Dwelling Units in C-3 Districts: P up to 1 per dwelling unit, C .75 per dwelling unit
Off-street Loading Spaces	Sec. 151.2	Retail Sales: 10,001 - 30,000sf, 1 space required Residential: 0 - 100,000sf, 0 required
Bicycle Parking	Sec. 155.2, Table 155.2	Residential: (1) Class 1 space for every dwelling unit. (1) Class 2 space for every 20 dwelling units. Retail Sales: One Class 1 space for every 7,500sf of Occupied Floor Area. (10) Class 2 spaces plus one Class 2 space for every 10,000sf of Occupied Floor Area above 50,000sf. Office: One Class 1 space for every 5,000sf of Occupied Floor Area. Minimum two spaces for any Office Use greater than 5,000 sf of Occupied Floor Area, and one Class 2 space for each additional 50,000 occupied square feet.



SITE SURVEY



LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF GEARY STREET AND THE WESTERLY LINE OF STOCKTON STREET; THENCE WESTERLY ALONG SAID LINE OF GEARY STREET 137 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE SOUTHERLY 137 FEET AND 6-1/2 INCHES; THENCE AT A RIGHT ANGLE EASTERLY 137 FEET AND 6 INCHES TO THE WESTERLY LINE OF STOCKTON STREET; THENCE AT A RIGHT ANGLE NORTHERLY ALONG SAID LINE OF STOCKTON STREET 137 FEET AND 6-1/2 INCHES TO THE POINT OF BEGINNING.
BEING A PORTION OF 50 VARA BLOCK NO. 143

SURVEY REFERENCE

CHICAGO TITLE COMPANY PRELIMINARY REPORT NO. FWPN-T018000019-CD
DATED DECEMBER 6, 2017
THE FOLLOWING ARE EXCEPTIONS TO TITLE WITHIN THE ABOVE REFERENCED PRELIMINARY REPORT:

7. ANY RIGHT, TITLE OR INTEREST OF PERSONS, KNOWN OR UNKNOWN, WHO CLAIM OR MAY CLAIM ADVERSELY TO THE VESTED OWNERS HEREIN BY REASON OF THE RECORD TITLE TO SAID LAND NOT HAVING BEEN ESTABLISHED AND QUIETED UNDER THE PROVISIONS OF THE "DESTROYED LAND RECORDS RELIEF ACT OF 1906, AS AMENDED", COMMONLY KNOWN AS THE "McENERNEY ACT", PLOTTED HEREON
8. "LEGALLY REQUIRED NOTICE OF PRESERVATION DESIGNATION" RECORDED OCTOBER 18, 1985, REEL 0944, IMAGE 1474, OFFICIAL RECORDS, NOT PLOTTABLE
10. "DECLARATION OF USE" - MINOR SIDEWALK ENCROACHMENT PERMIT TO RECONSTRUCT THE SIDEWALK AND TOPPING SLAB WITH NON-STANDARD SCORING AND A MAXIMUM CROSS-SLOPE OF 4.2% TO PROVIDE ADA ACCESSIBILITY RECORDED NOVEMBER 15, 1999, DOCUMENT NO. 1999-0692358, OFFICIAL RECORDS, PLOTTED HEREON
11. "DECLARATION OF USE" - SIDEWALK VAULT ENCROACHMENT PERMIT TO OCCUPY AND MAINTAIN 1 TRANSFORMER VAULT WITHIN THE PUBLIC RIGHT-OF-WAY FRONTING THE SUBJECT PROPERTY RECORDED NOVEMBER 15, 1999, DOCUMENT NO. 1999-0692359, OFFICIAL RECORDS, PLOTTED HEREON
12. "LICENSE AGREEMENT FOR ACCESS AND INSTALLATION OF SUBSURFACE PILE WALL AND EXTERIOR SETTLEMENT MONITORS" RECORDED NOVEMBER 6, 2012, DOCUMENT NO. 2012-J538770, OFFICIAL RECORDS AND FIRST AMENDMENT RECORDED SEPTEMBER 13, 2013, DOCUMENT NO. 2013-J755993, OFFICIAL RECORDS, NOT PLOTTABLE
13. PLAINTIFF'S NOTICE OF PENDING ACTION UNDER DESTROYED LAND RECORDS, RELIEF LAW RECORDED JUNE 20, 2017, DOCUMENT NO. 2017-K466107, OFFICIAL RECORDS, PLOTTED HEREON

BASIS OF SURVEY

1. CITY OF SAN FRANCISCO MONUMENT MAP NO. 6 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
2. BLOCK DIAGRAM OF 50 VARA BLOCK 143 DATED JANUARY 4, 1909 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

GENERAL NOTES

1. DETAILS NEAR PROPERTY LINES MAY NOT BE TO SCALE.
2. ALL PROPERTY LINE ANGLES ARE 90 DEGREES UNLESS NOTED OTHERWISE.
3. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

BUILDING HEIGHT

THE MEASURED HEIGHT FROM THE TOP OF CURB AT THE MIDDLE OF THE LOT ALONG GEARY STREET TO THE 10TH STORY ROOF IS 141 FEET PLUS OR MINUS.

FLOOD NOTE

THE SUBJECT PROPERTY HAS NOT BEEN IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS A SPECIAL FLOOD HAZARD AREA. THERE IS NO FLOOD INSURANCE RATE MAP FOR SAN FRANCISCO.

ZONING (PER SAN FRANCISCO PROPERTY INFORMATION MAP)

C-3-R - DOWNTOWN RETAIL DISTRICT
HEIGHT AND BULK DISTRICT: 80-130F

NOTE: THE CLIENT HAS NOT PROVIDED A ZONING REPORT. THE SURVEYOR TAKES NO RESPONSIBILITY FOR THE ACCURACY OF THE ABOVE ZONING INFORMATION.

SURVEYOR'S CERTIFICATE

TO MACY'S CORPORATE SERVICES, INC. AND CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DEED REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 7(c), 7(d)(1), 7(c), 8, 9, 11 (OBSERVED EVIDENCE ONLY), 13 AND 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 13, 2018.

DATE: MARCH 13, 2017

Ben B. Ron
BENJAMIN B. RON
PROFESSIONAL LAND SURVEYOR NO. 5015



ALTA/NSPS LAND TITLE SURVEY

OF A PORTION OF ASSESSOR'S BLOCK NO. 0314

FOR

MACY'S CORPORATE SERVICES, INC.

SAN FRANCISCO

CALIFORNIA

SCALE: 1" = 10'

DATE: 3/13/18

SHEET: 1

OF: 2

JOB NO. S-9539

MARTIN M. RON ASSOCIATES

LAND SURVEYORS

859 HARRISON STREET, SUITE 200

SAN FRANCISCO, CA 94107

(415) 643-4500

SURV: MV

DES.

DRW: JP

CHK: BR

REV ND

PROJECT DATA

Proposed Project Summary

LEVEL	GROSS BUILDING AREA, SF ¹					TOTAL GROSS BUILDABLE AREA ¹	EXEMPTED SF, PER PLANNING CODE SECTION 102 FLOOR AREA, GROSS DEFINITION, ITEMS (b) (1), (3), (4), (8), (11)						GROSS FLOOR AREA (PER SECTION 102)	GFA PER USE (PER SECTION 102)				ROOF AREAS			UNIT TYPE				TOTAL UNITS
	RESIDENTIAL	OFFICE	ACCESSORY OFFICE	RETAIL	COMMON		(b)(1) BASEMENTS	(b)(3) PENTHOUSE	(b)(4) MECH/ SHAFTS	(b)(8) BIKES	(b)(11) RESIDENTIAL ELEVATORS	EXEMPTED SUBTOTAL		RESIDENTIAL	OFFICE	ACCESSORY OFFICE	RETAIL	UNCOVERED AREA	USABLE OPEN SPACE	SOLAR READY AREA	1 BEDROOM	2 BEDROOM	2+ BEDROOM	3 BEDROOM	
PH ROOF						0						0	0												0
MECH PH					1,345	1,345		1,345				1,345	0												0
ROOF					2,655	2,655		2,655				2,655	0												0
LEVEL 11	181	5,653			1,865	7,699			352		181	533	7,166	0			0	1,345		1,270					0
LEVEL 10	15,313	200			479	15,992			479			479	15,513	15,313	200		0	1,305		1,240					0
LEVEL 9	15,313	200			479	15,992			479			479	15,513	15,313	200		0	5,437	4,744	650					0
LEVEL 8	15,313	200			479	15,992			479			479	15,513	15,313	200		0	7,901	5,309						0
LEVEL 7	181	18,022			756	18,959			756		181	937	18,022	0	18,022		0								0
LEVEL 6	181	18,022			756	18,959			756		181	937	18,022	0	18,022		0								0
LEVEL 5	181	18,022			756	18,959			756		181	937	18,022	0	18,022		0								0
LEVEL 4	181	18,022			756	18,959			756		181	937	18,022	0	18,022		0								0
LEVEL 3	181	279		12,094	5,883	18,437			352		181	533	17,904	0	438		17,466								0
LEVEL 2	181	279		17,672	352	18,484			352		181	533	17,951	0	279		17,672								0
LEVEL 1	1,412	1,873		15,150	524	18,959			524			524	18,435	1,412	1,873		15,150								0
LEVEL B1	205	227		18,327	924	19,683	953		418		205	1,576	18,107	0	227		17,880								0
LEVEL B2	878	469			17,521	18,868			15,433	2,151	103	17,687	1,181	394	393		394								0
TOTAL	49,701	81,468	0	63,243	35,530	229,942	953	4,000	21,892	2,151	1,575	30,571	199,371	49,258	81,551	0	68,562	18,886	12,951	3,160	3	12	3	3	21

- NOTES:
1. EXTERIOR BALCONIES, TERRACES, AND ROOF DECKS ARE EXCLUDED
 2. OFFICE AREA CALCULATED BY PRO-RATING COMMON AREA ON LEVEL 3 BACK INTO OFFICE GFA

Existing Project Summary

LEVEL	GROSS BUILDING AREA, SF ¹					TOTAL GROSS BUILDABLE AREA ¹	EXEMPTED SF, PER PLANNING CODE SECTION 102 FLOOR AREA, GROSS DEFINITION, ITEMS (b) (1), (3), (4), (8), (11)						GROSS FLOOR AREA (PER SECTION 102)	GFA PER USE (PER SECTION 102)				ROOF AREAS			UNIT TYPE				TOTAL UNITS
	RESIDENTIAL	OFFICE	ACCESSORY OFFICE	RETAIL	COMMON		(b)(1) BASEMENTS	(b)(3) PENTHOUSE	(b)(4) MECH/ SHAFTS	(b)(8) BIKES	(b)(11) RESIDENTIAL ELEVATORS	EXEMPTED SUBTOTAL		RESIDENTIAL	OFFICE	ACCESSORY OFFICE	RETAIL	UNCOVERED AREA	USABLE OPEN SPACE	SOLAR READY AREA	1 BEDROOM	2 BEDROOM	2+ BEDROOM	3 BEDROOM	
PH ROOF						0						0	0												0
MECH PH					1,345	1,345		1,345				1,345	0												0
ROOF					3,732	3,732		3,732				3,732	0												0
LEVEL 11		4,552	3,644		195	8,391			195			195	8,196												0
LEVEL 10		9,000	9,959			18,959			361			361	18,598												0
LEVEL 9		9,000	9,959			18,959			456			456	18,503												0
LEVEL 8		9,000	9,960			18,960			519			519	18,441												0
LEVEL 7				18,959		18,959			476			476	18,483				18,959								0
LEVEL 6				18,959		18,959			366			366	18,593				18,959								0
LEVEL 5				18,957		18,957			384			384	18,573				18,957								0
LEVEL 4				18,955		18,955			863			863	18,092				18,955								0
LEVEL 3				18,959		18,959			1,095			1,095	17,864				18,959								0
LEVEL 2				14,674		14,674			1,361			1,361	13,313				14,674								0
LEVEL 1				18,959		18,959			424			424	18,535				18,959								0
LEVEL B1				19,683		19,683			1,140			1,140	18,543				19,683								0
LEVEL B2					18,868	18,868	18,868					18,868	0												0
TOTAL	0	31,552	33,522	148,105	24,140	237,319	18,868	5,077	7,640	0	0	31,585	205,734	0	31,552	33,522	148,105	18,866	0	0	0	0	0	0	0

- NOTES:
1. EXTERIOR BALCONIES, TERRACES, AND ROOF DECKS ARE EXCLUDED

PROJECT SITE CONTEXT



STREET VIEWS OF EXISTING BUILDING



View 1: From Stockton looking south



View 2: From Geary



View 3: From Stockton looking north



View 4: From Union Square looking south



View 5: Along Geary



View 6: Along Geary



View 6: From Market & Geary

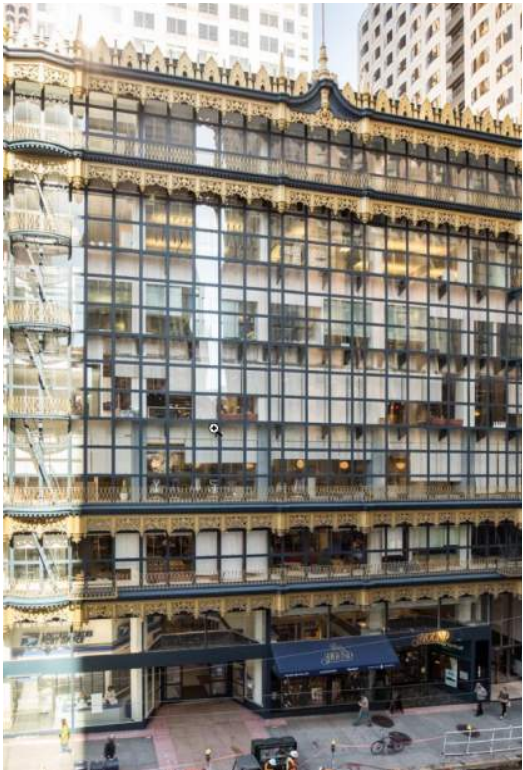
ORIGINAL ARCHITECTURAL CHARACTER OF THE KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT

Historic Character

San Francisco’s Kearny-Market-Mason-Sutter Conservation District has a varied architectural history with many examples of “tripartite” design consisting of three strongly expressed divisions including a 2-3 story base, a cap of 1-2 stories often expressed with projecting eaves or ornate cornices, and a shaft consisting of floors between the cap and base.



St. Francis Hotel



Hallidie Building



48 Stockton Street



150 Powell Street



278 Post Street



From Union Square looking east

ARCHITECTURAL EVOLUTION OF THE KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT

Architectural Evolution

Since the mid-20th century, additional contemporary architectural styles have been added to the Kearny-Market-Mason-Sutter Conservation District vocabulary, bringing building diversity and increasing the character of the district, such as the Neiman Marcus department store by Philip Johnson, the Apple Store at 300 Post Street, and the Macy's building just adjacent to the project site.



300 Post Street



350 Post Street



150 Stockton Street



251 Geary Street



384 Post Street



100 Stockton Street

RETAIL TRANSFORMATIONS & ADAPTIVE REUSE IN THE KEARNY-MARKET-MASON-SUTTER DISTRICT

Adaptive Reuse

Recent changes in economic conditions and the current state of retail, office and residential real estate have prompted further evolution of the Kearny-Market-Mason-Sutter Conservation District area. While much of the street level retail character has been preserved, large, multi-floor retail tenants like Macy's and Barney's, who have historically been able to occupy entire buildings, have become a scarcity, having either drastically reducing their footprints or leaving the area altogether.

This has prompted many examples of recent Union Square buildings who have repositioned their uses. Two recent examples are; 100 Stockton Street, a conversion of the former Macy's Men's Store into office use over three floors of retail; and the new construction at 300 Grant Avenue, which demolished an underutilized three story retail building to construct a new office building over three floors of retail.



100 Stockton Street



100 Stockton Street - As proposed and currently under construction



300 Grant Avenue



300 Grant Avenue - As proposed and currently under construction

ADAPTIVE REUSE EVOLUTION



Circa 1905, the Beaux Arts style mixed-use “Butler Building” supported medical offices and commercial retail uses.



Circa 1996, the building became absorbed within the multi-building Macy’s city block complex, with multiple retail tenant spaces at the ground floor.

Circa 1946, the heavily remodelled building transformed into the single-use, I. Magnin department store, with new exterior facades.

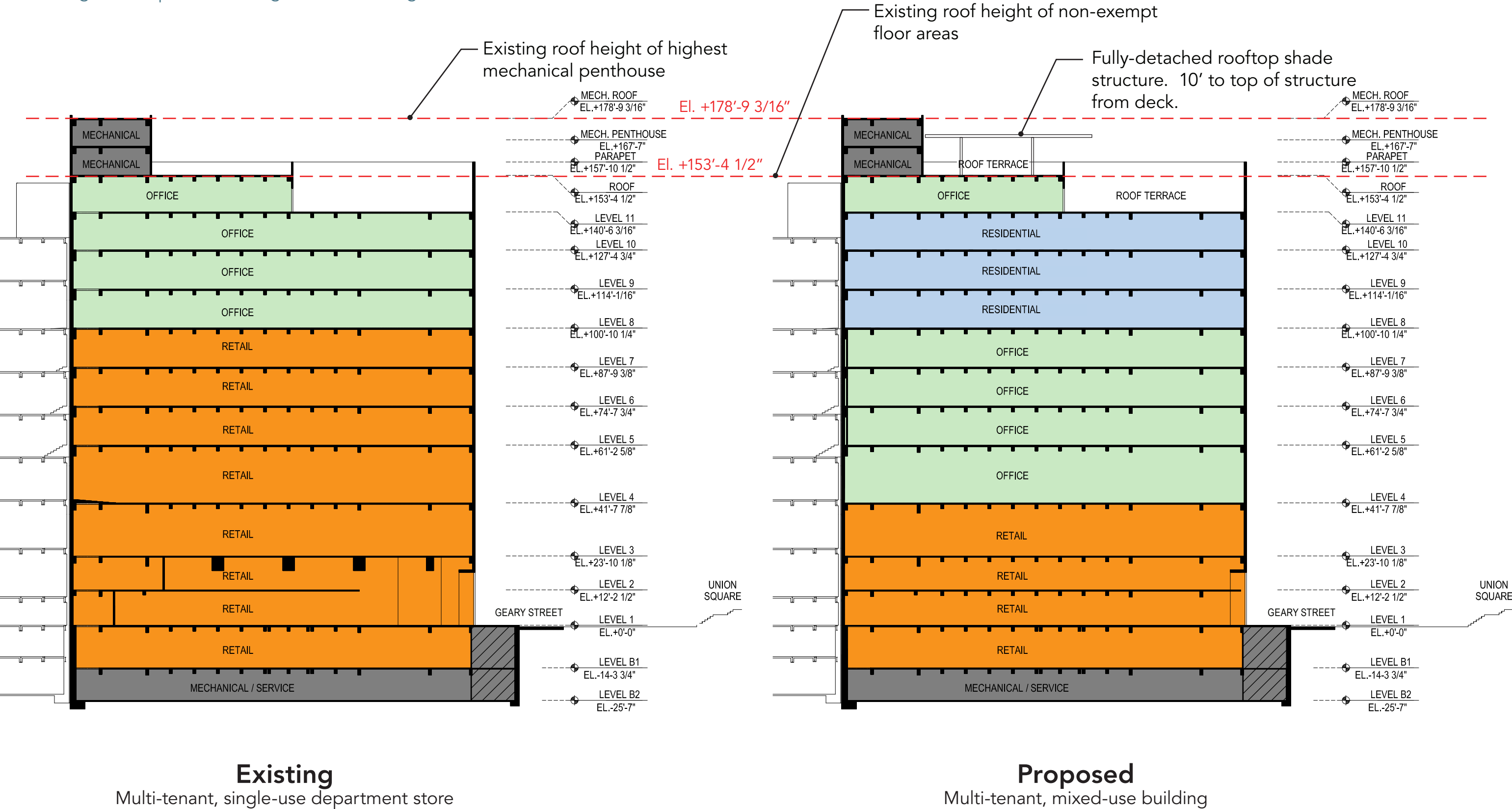


Proposed Future, Sand Hill Property Company proposes a mixed-use development incorporating retail, office and residential uses.



LAND USE & BUILDING HEIGHT DIAGRAM

Existing and Proposed Building Section Looking West

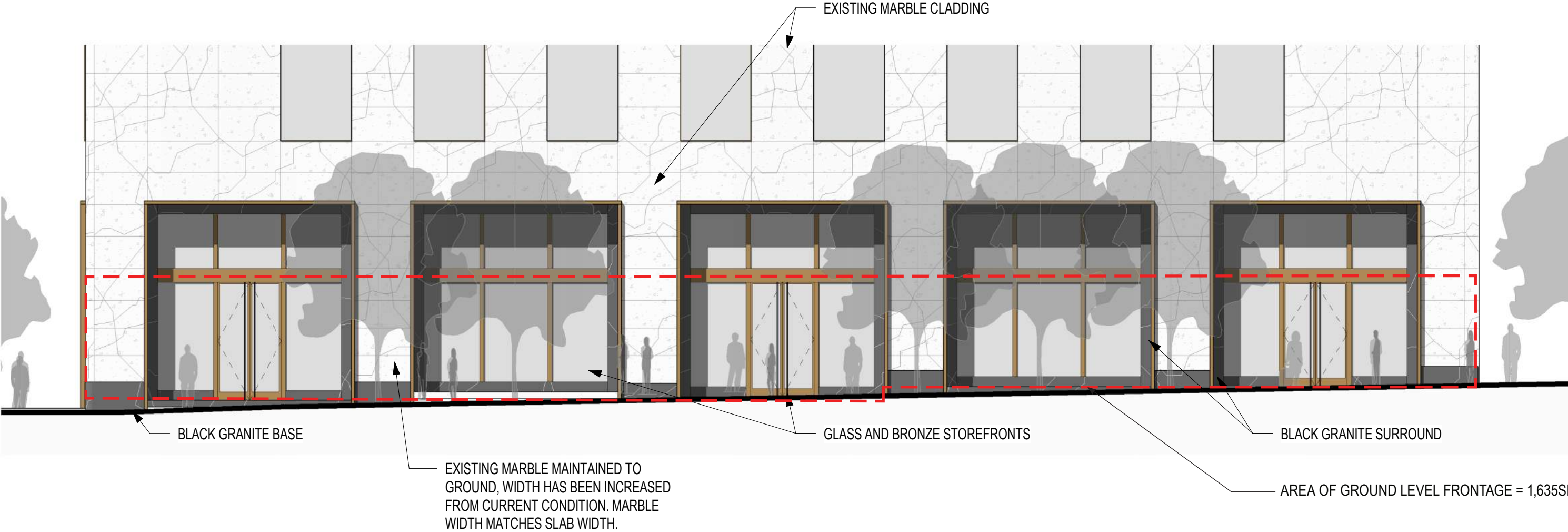


NORTH ELEVATION - GEARY STREET
Existing and Proposed



NORTH ELEVATION - ENLARGED

Per Planning Code Sec. 145.1(c)(6) proposed street frontage design meets the minimum required 60% (1,000sf glazing/1,635sf frontage) transparency at the ground level and allows visibility to building interior.



PROPOSED GEARY STREET STOREFRONT FACADE

View from Union Square and Central Subway Station Exit



STOREFRONT MULLION COLOR REFERENCE

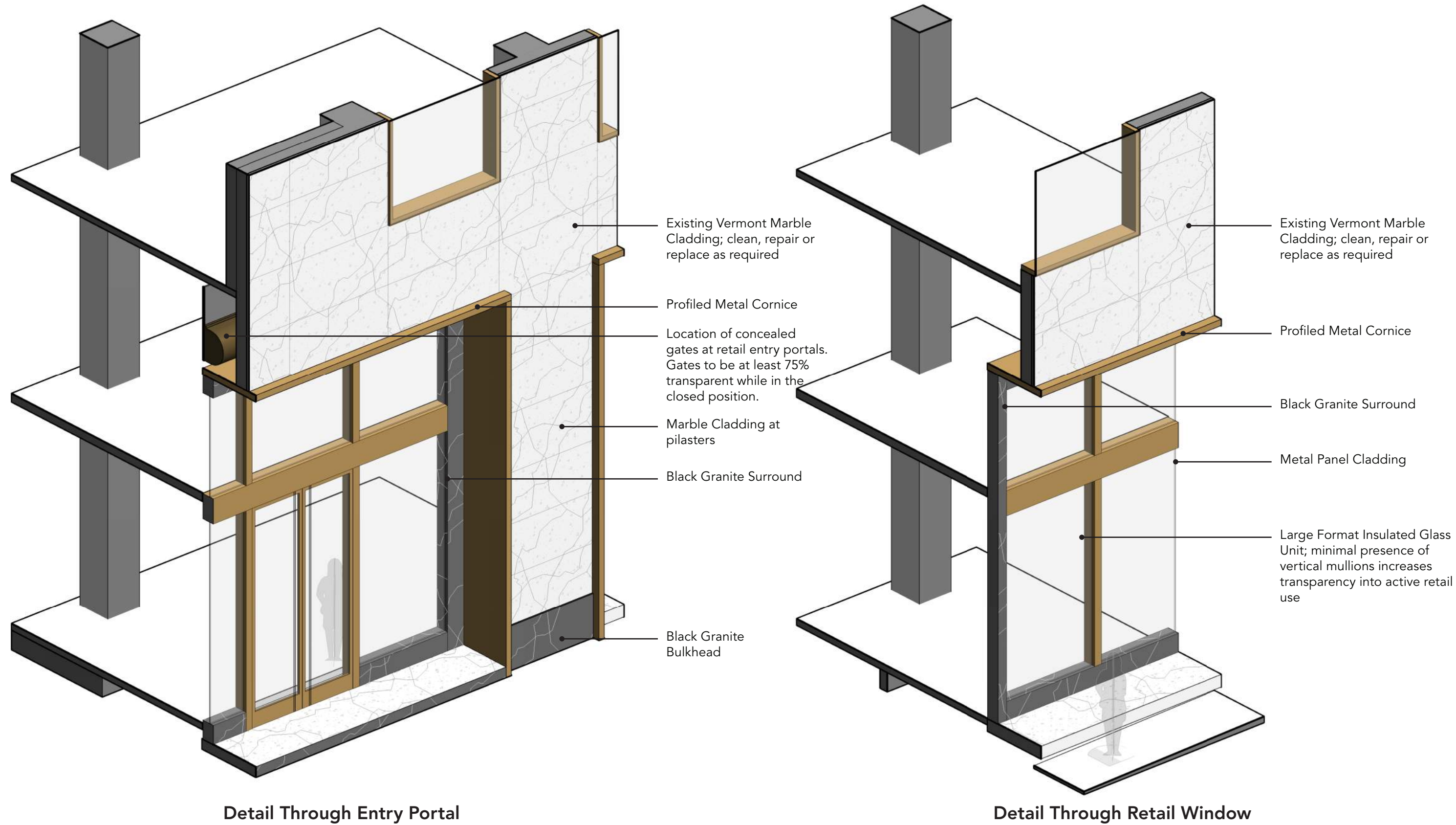


Proposed project seeks to re-introduce this distinctive use of bronze/brass colored metal trim at storefronts, in keeping with Pflueger's original design intent to reflect the glamour and luxury of the I. Magnin brand.

Historic photographs from the 1970's show evidence of previous existence of brass colored metal trims and accents at storefront entries, in keeping with I. Magnin branding and signage



RETAIL STOREFRONT DETAIL



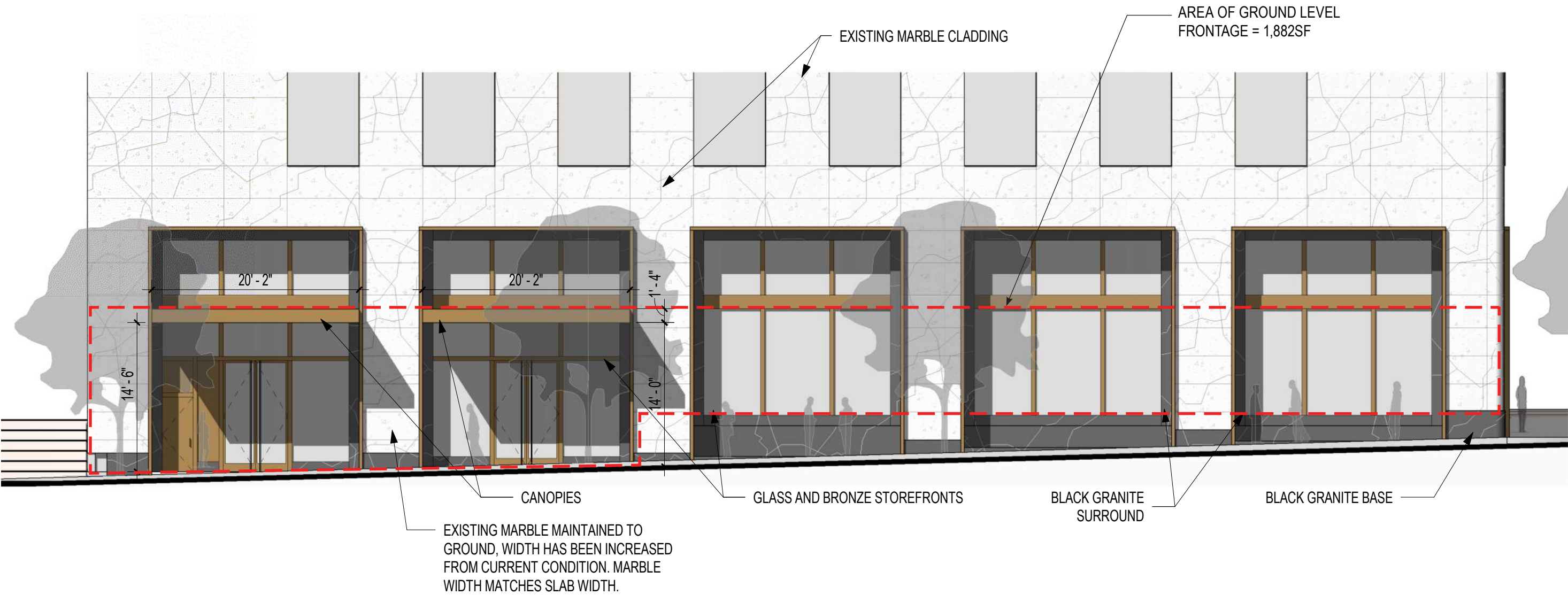
EAST ELEVATION - STOCKTON STREET

Existing and Proposed



EAST ELEVATION - ENLARGED

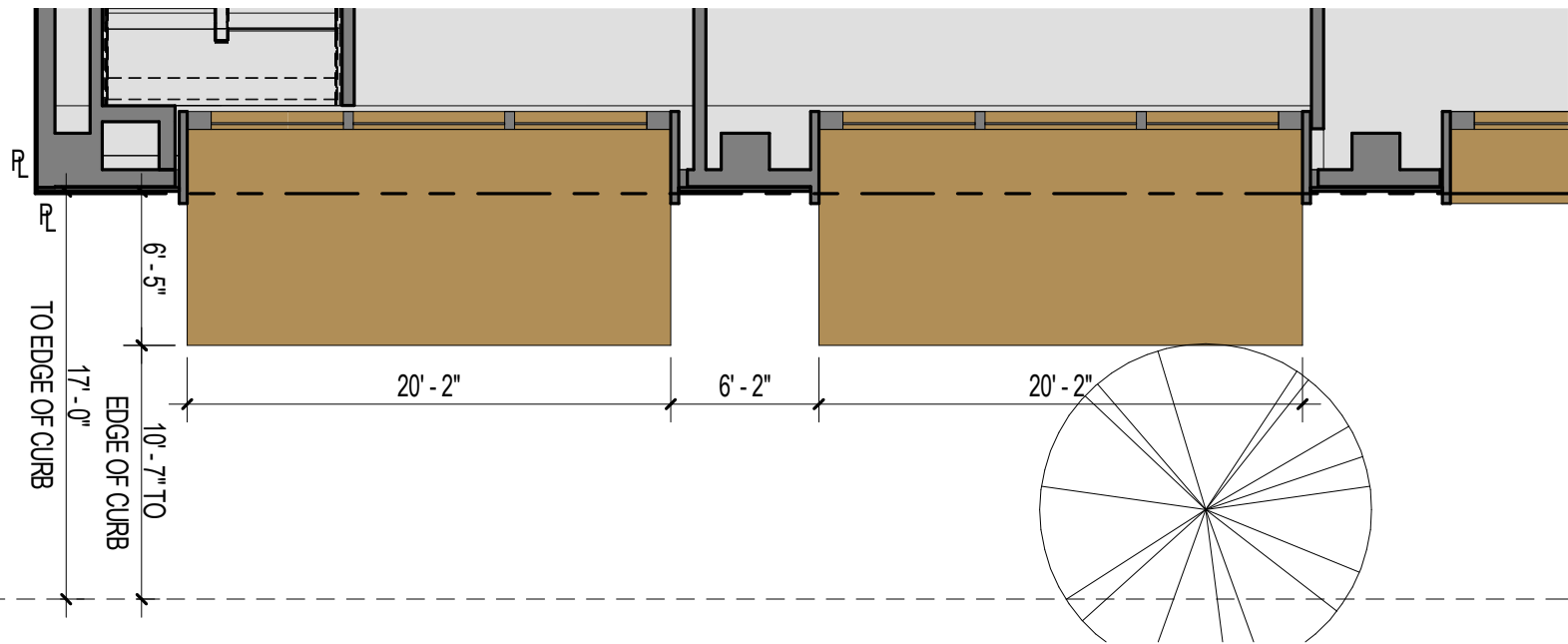
Per Planning Code Sec. 145.1(c)(6) proposed street frontage design meets the minimum required 60% (1,148sf glazing/1,882sf frontage) transparency at the ground level and allows visibility to building interior.



ENTRY CANOPY - ENLARGED DETAIL



STOCKTON ST. ELEVATION

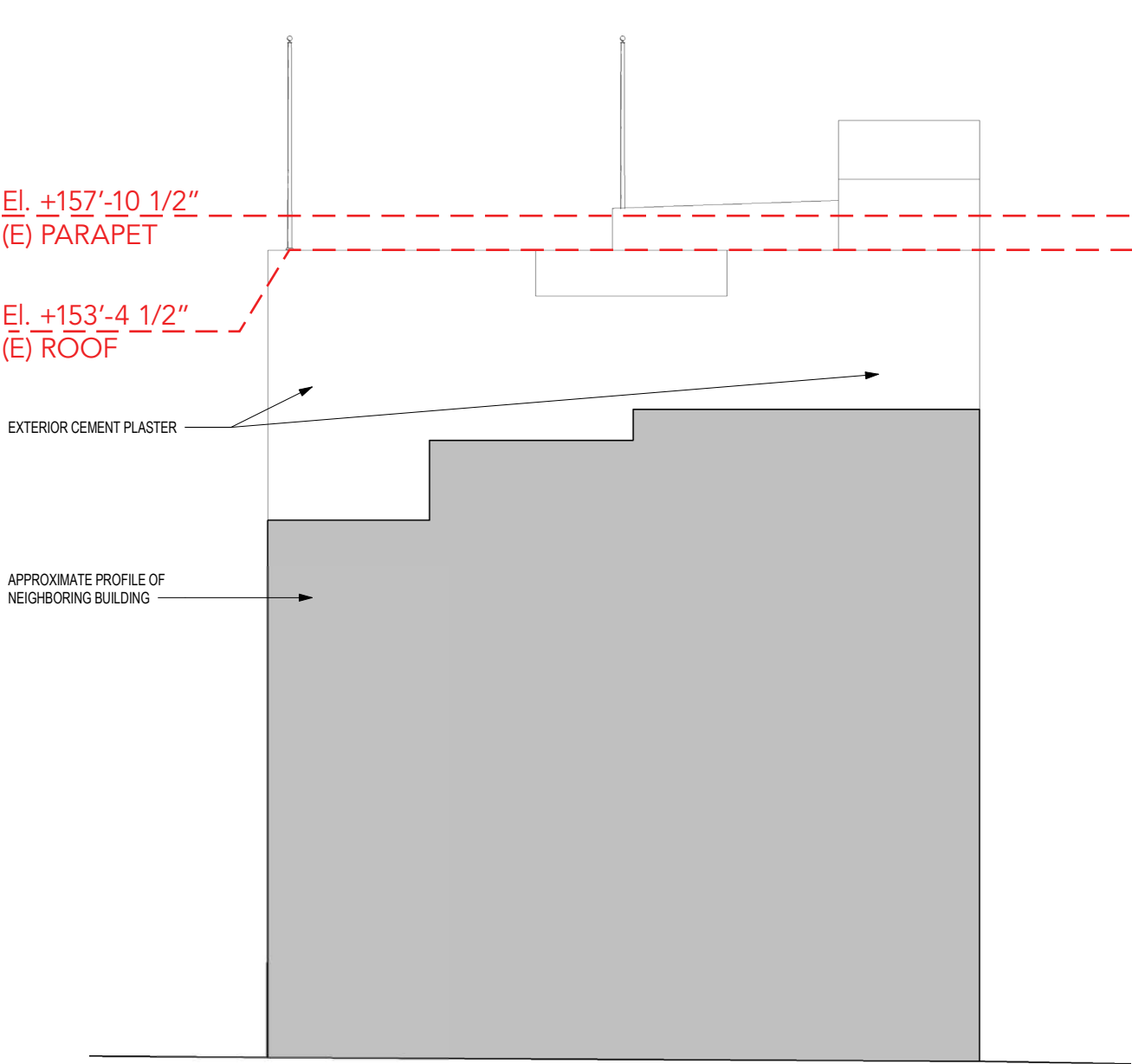


REFLECTED CEILING PLAN

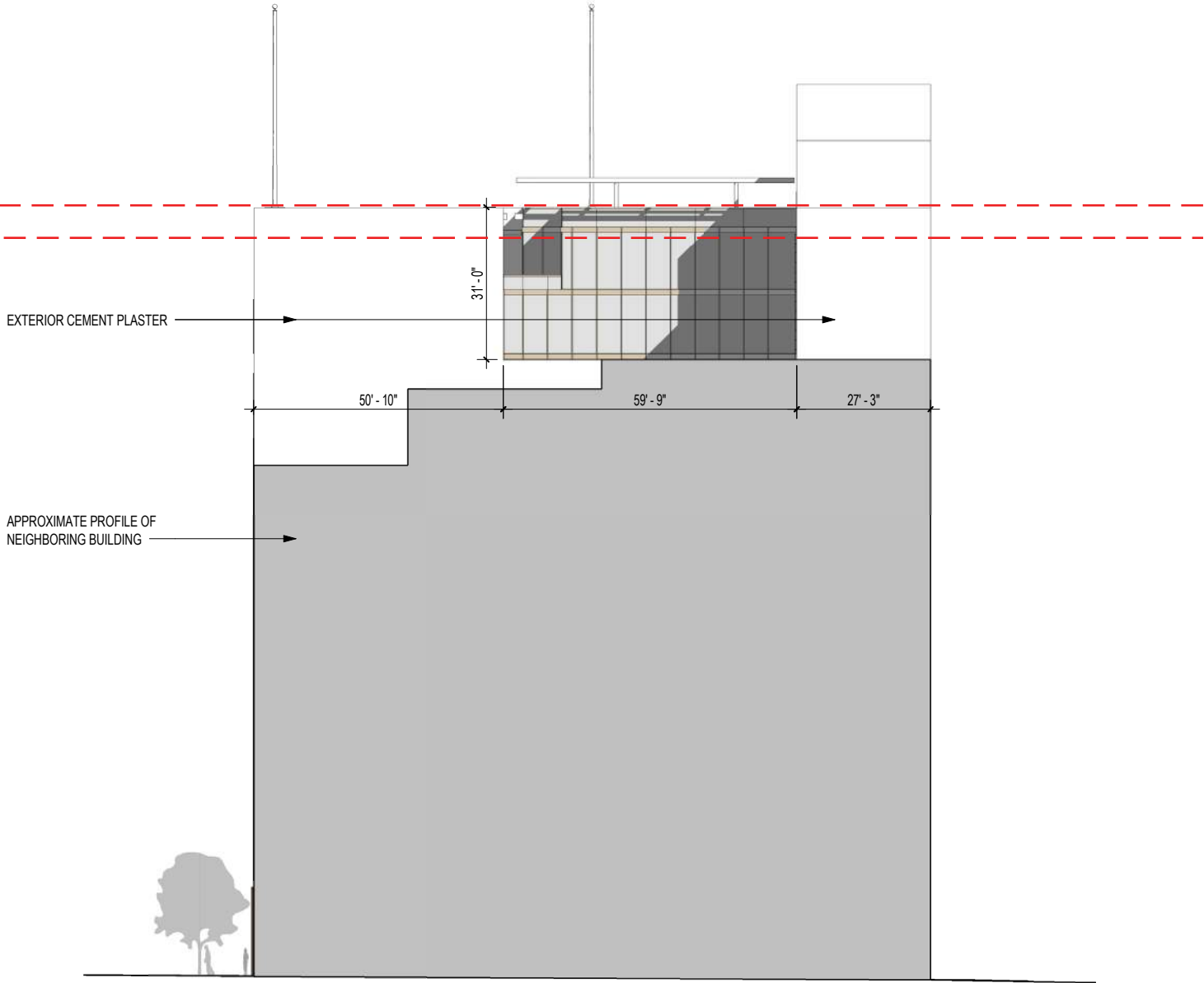
ENTRY MARQUEES MEET PROVISIONS OF SF BUILDING CODE SECTION 136.1(B):

- MARQUEE PROJECTS LESS THAN 2/3RDS DISTANCE FROM PL TO CURB
- MARQUEE DOES NOT EXCEED 25 FT IN LENGTH
- BOTTOM OF MARQUEE IS MORE THAN 10 FT ABOVE GRADE, AND TOP OF MARQUEE IS LESS THAN 16 FT ABOVE GRADE

WEST ELEVATION - FACING POWELL ST
Existing and Proposed



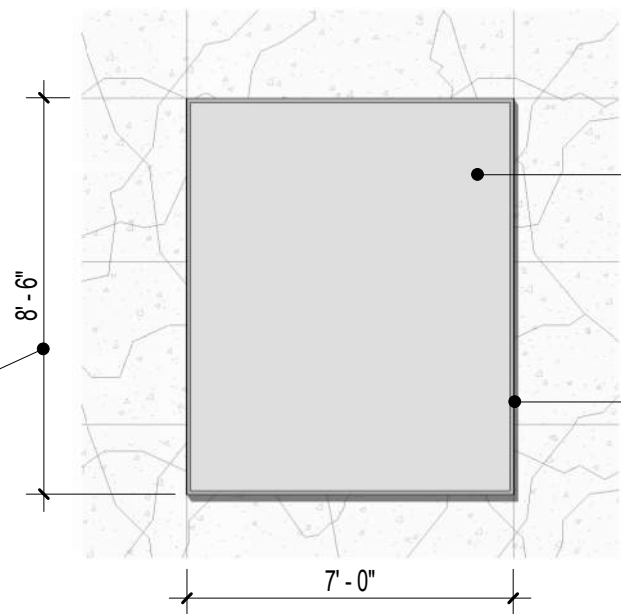
Existing



Proposed

WINDOW TYPES

Increase in window height from 7'-0" x 7'-0" to 7'-0" x 8'-6", provides more natural daylight to interior and decreases lighting loads

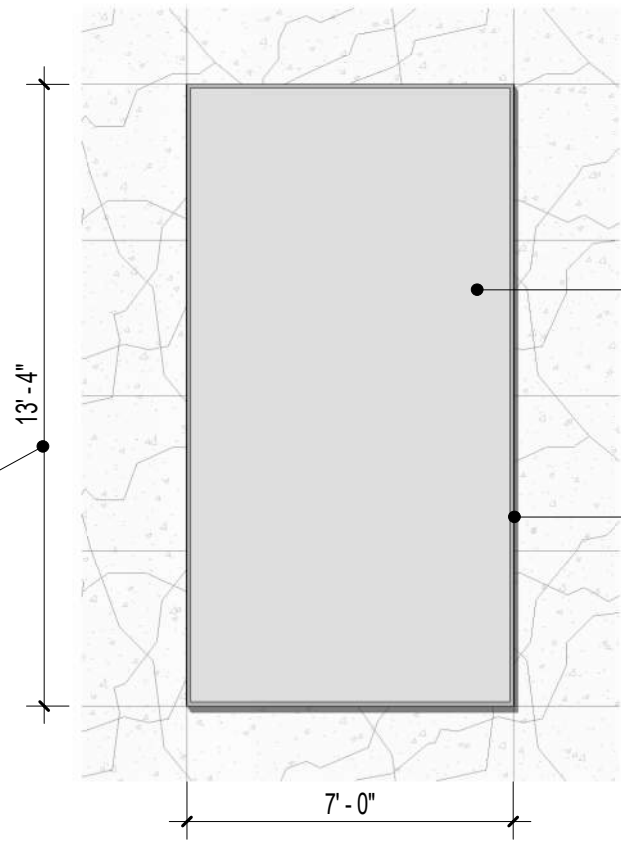


New high-performance windows with insulated glazing unit to increase energy efficiency, window tint will match in kind color & reflectivity of existing windows

Visible width, color, material and finish of exterior trim to match existing condition

Level 05-07
Office

Original window height

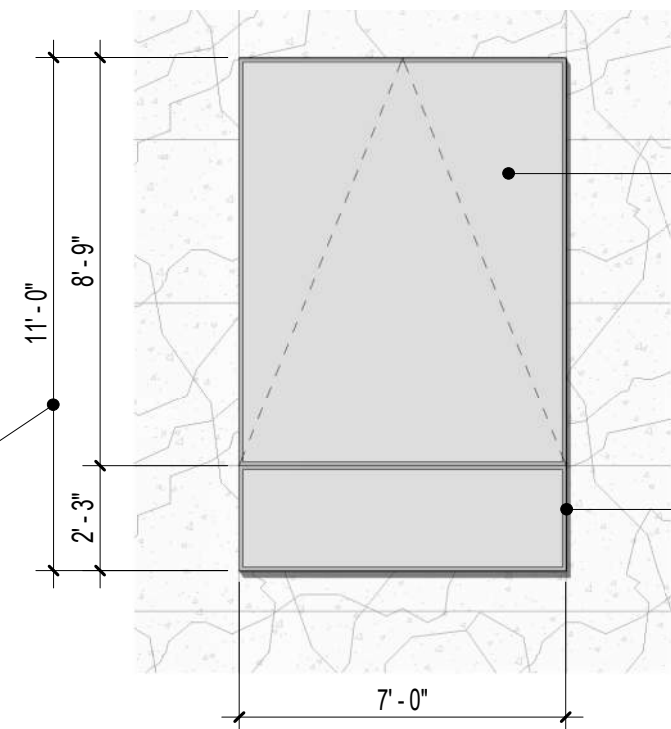


New high-performance windows with insulated glazing unit to increase energy efficiency, window tint will match in kind color & reflectivity of existing windows

Visible width, color, material and finish of exterior trim to match existing condition

Level 03 Retail
& Level 04 Office

Increase in window height from 7'-0" x 7'-0" to 7'-0" x 9'-3", provides more natural daylight to interior and decreases lighting loads

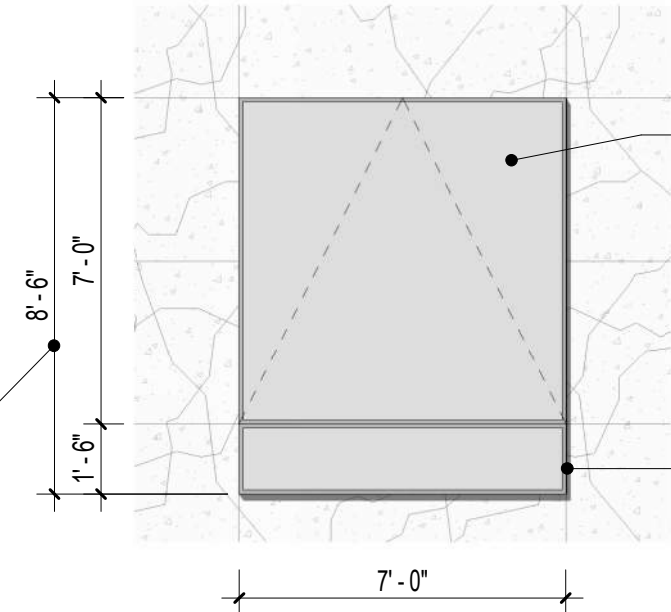


New high-performance windows with insulated glazing unit to increase energy efficiency, window tint will match in kind color & reflectivity of existing windows

Visible width, color, material and finish of exterior trim to match existing condition

Level 10
Residential

Increase in window height from 7'-0" x 7'-0" to 7'-0" x 8'-6", provides more natural daylight to interior and decreases lighting loads

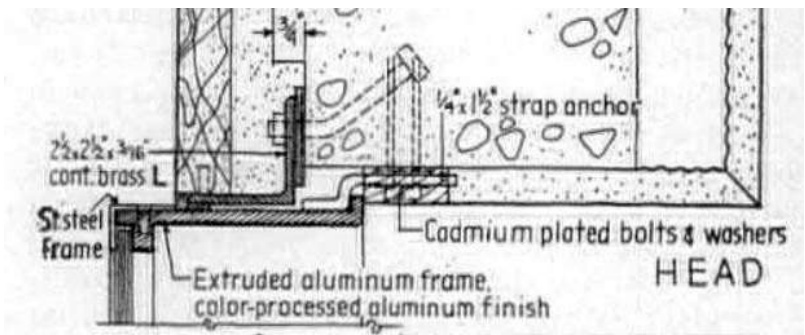


New high-performance windows with insulated glazing unit to increase energy efficiency, window tint will match in kind color & reflectivity of existing windows

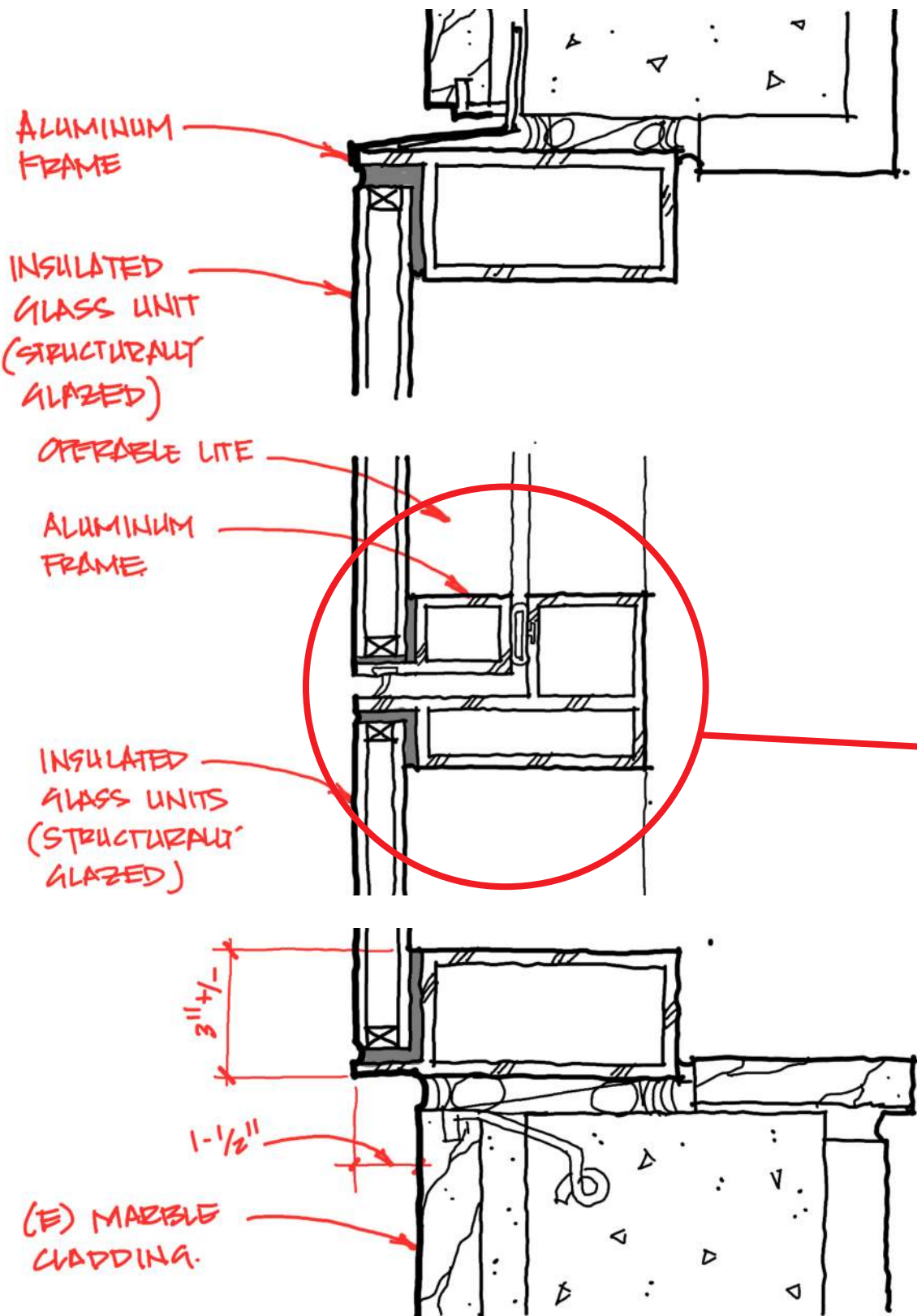
Visible width, color, material and finish of exterior trim to match existing condition

Level 08 & 09
Residential

WINDOW DETAILS
NOT TO SCALE



Existing Head & Sill Detail



Proposed Head & Sill Detail
(Jamb Similar)



Reference Image of how
structurally glazed Horizontal

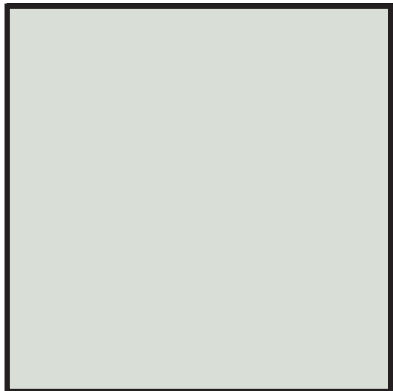
MATERIALS BOARD

NOT TO SCALE



STONE - WHITE VERMONT MARBLE

TO MATCH HISTORIC STONE
COLOR: IMPERIAL DANBY



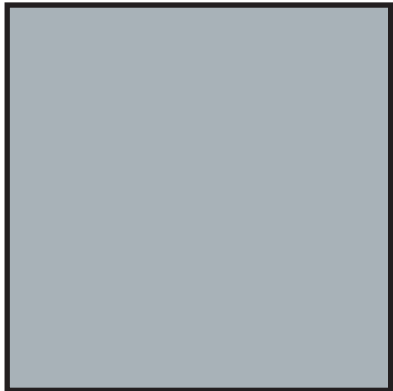
GLASS - RETAIL

COLOR: LOW IRON, ULTRA CLEAR
MFR: GUARDIAN OR SIMILAR



STONE - BLACK GRANITE

TO MATCH HISTORIC STONE
COLOR: ANDES BLACK



GLASS - OFFICE & RESIDENTIAL

COLOR: SUPERNEUTRAL 68 ON CLEAR GLASS
MFR: GUARDIAN OR SIMILAR



METAL - MULLIONS & PANELS

COLOR: BRONZE, MEDIUM STATUARY



EXISTING ROOFSCAPE

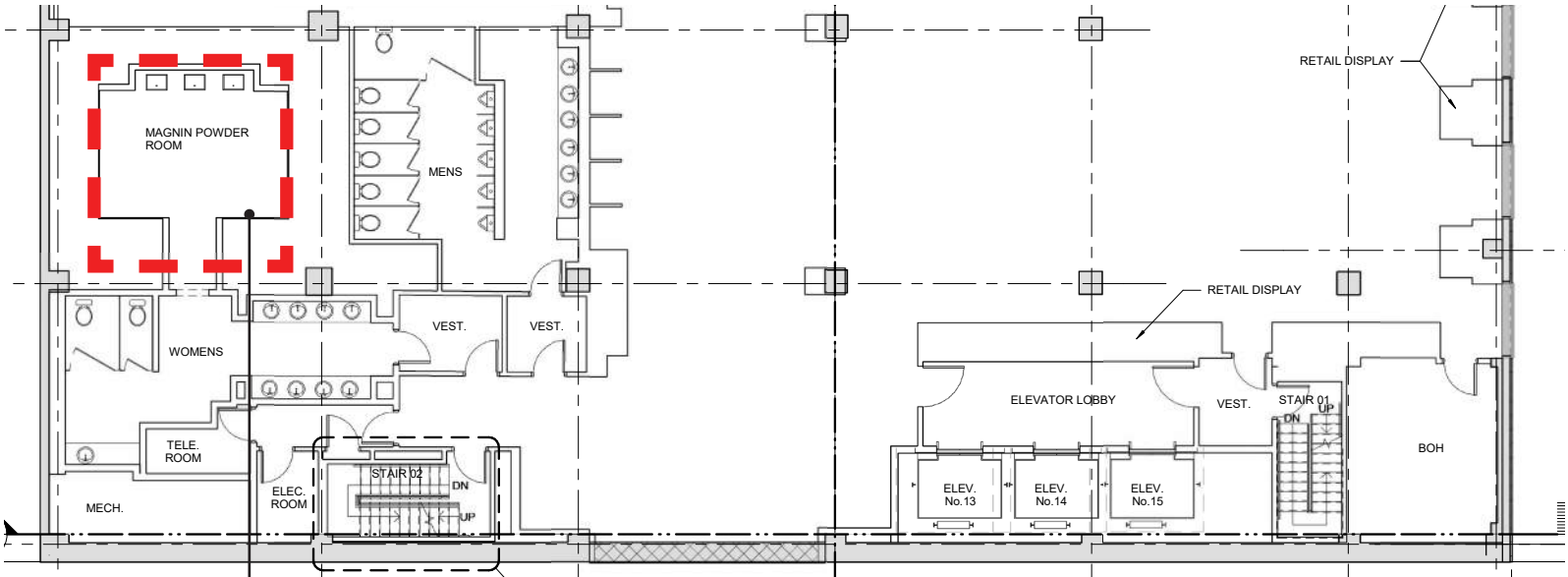


PROPOSED ROOFSCAPE

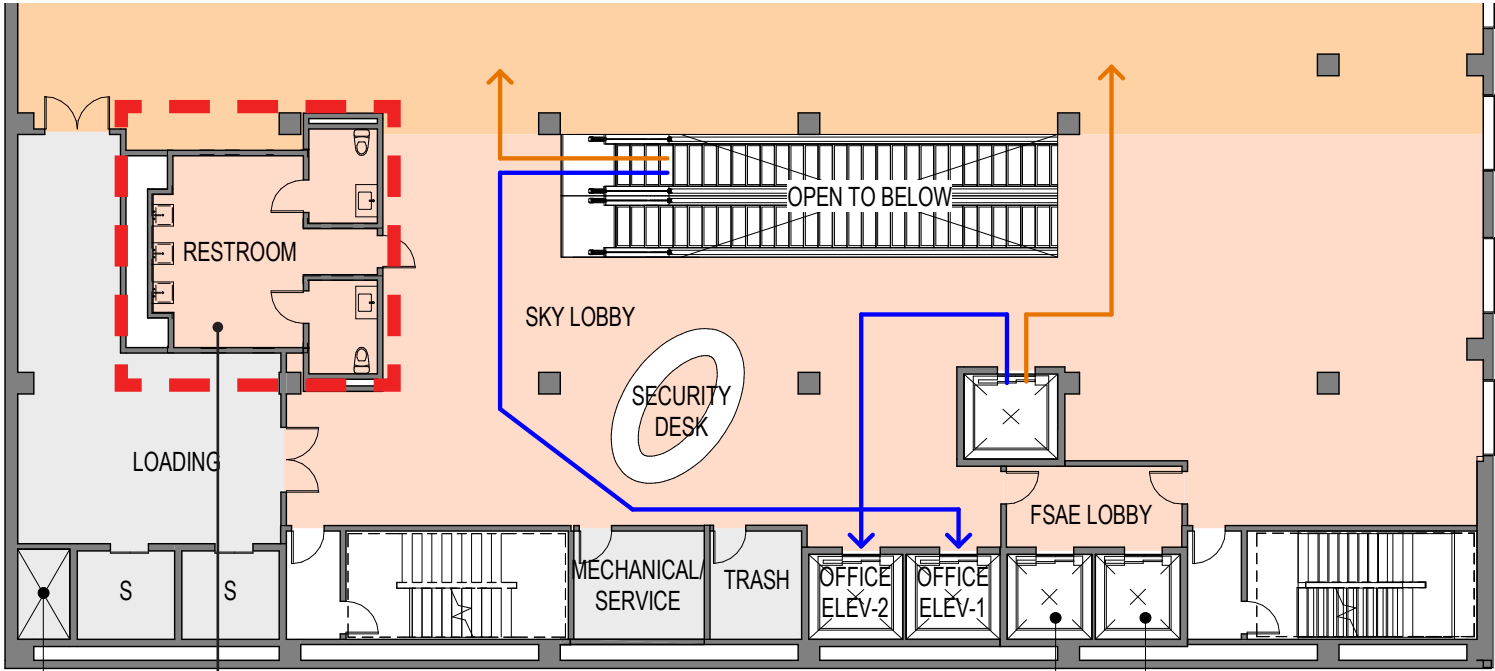


Historic I. Magnin Powder Room

Proposed Relocation/Reconstruction from L06 to L03



Existing Location
Historic washroom currently located on proposed Level 06 office floor



Proposed Location
Historic washroom to be relocated from 6th floor office, to 3rd floor retail/ lobby to allow for better public accessibility and opportunity for interpretive display. Washroom dimensions shall match existing condition. See p.37 for full plan.

*Square footages provided on plans are gross estimates only.

PROPOSED VIEW FROM UNION SQUARE PLAZA



Existing Condition

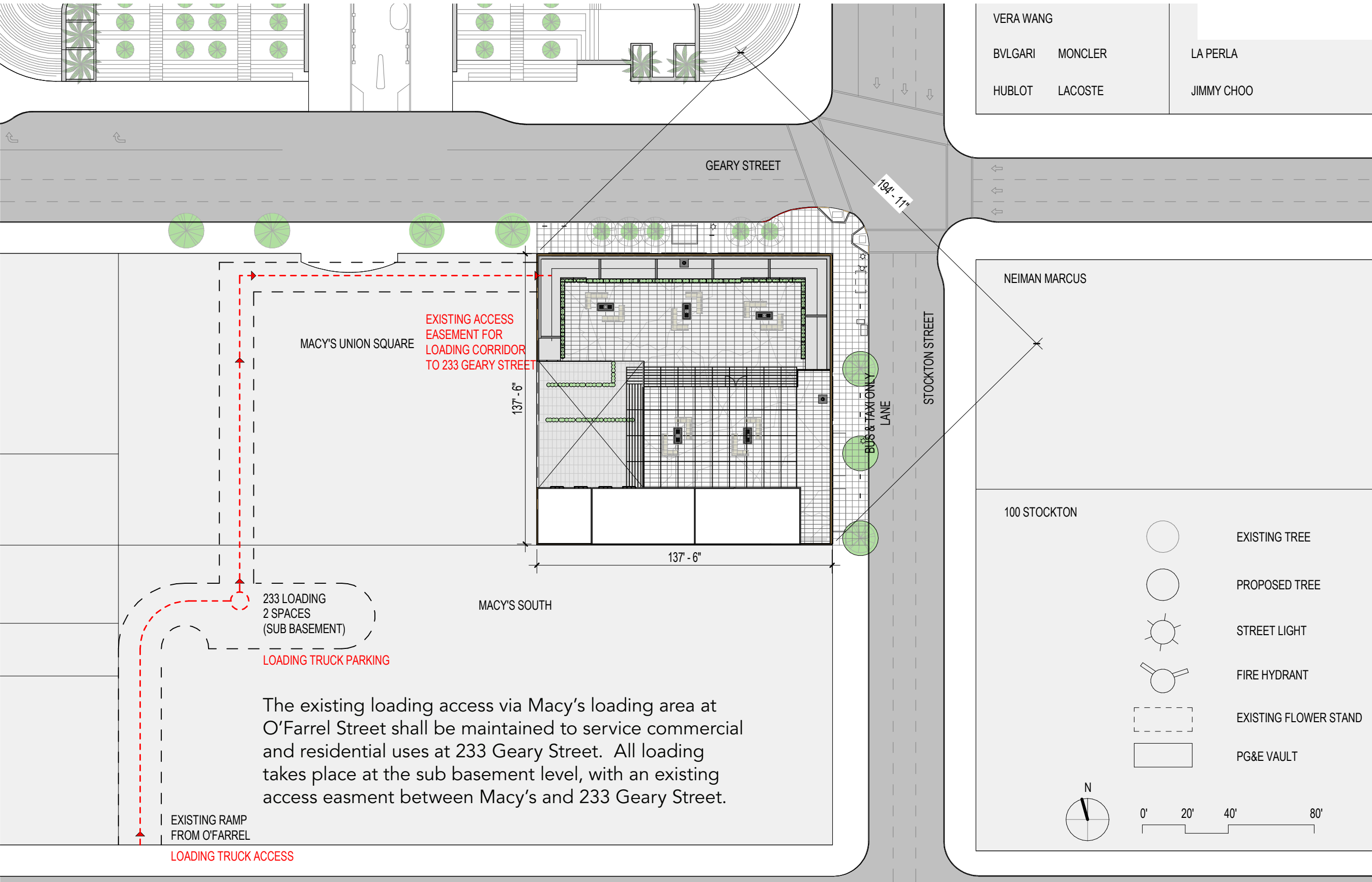


Project Application Proposal

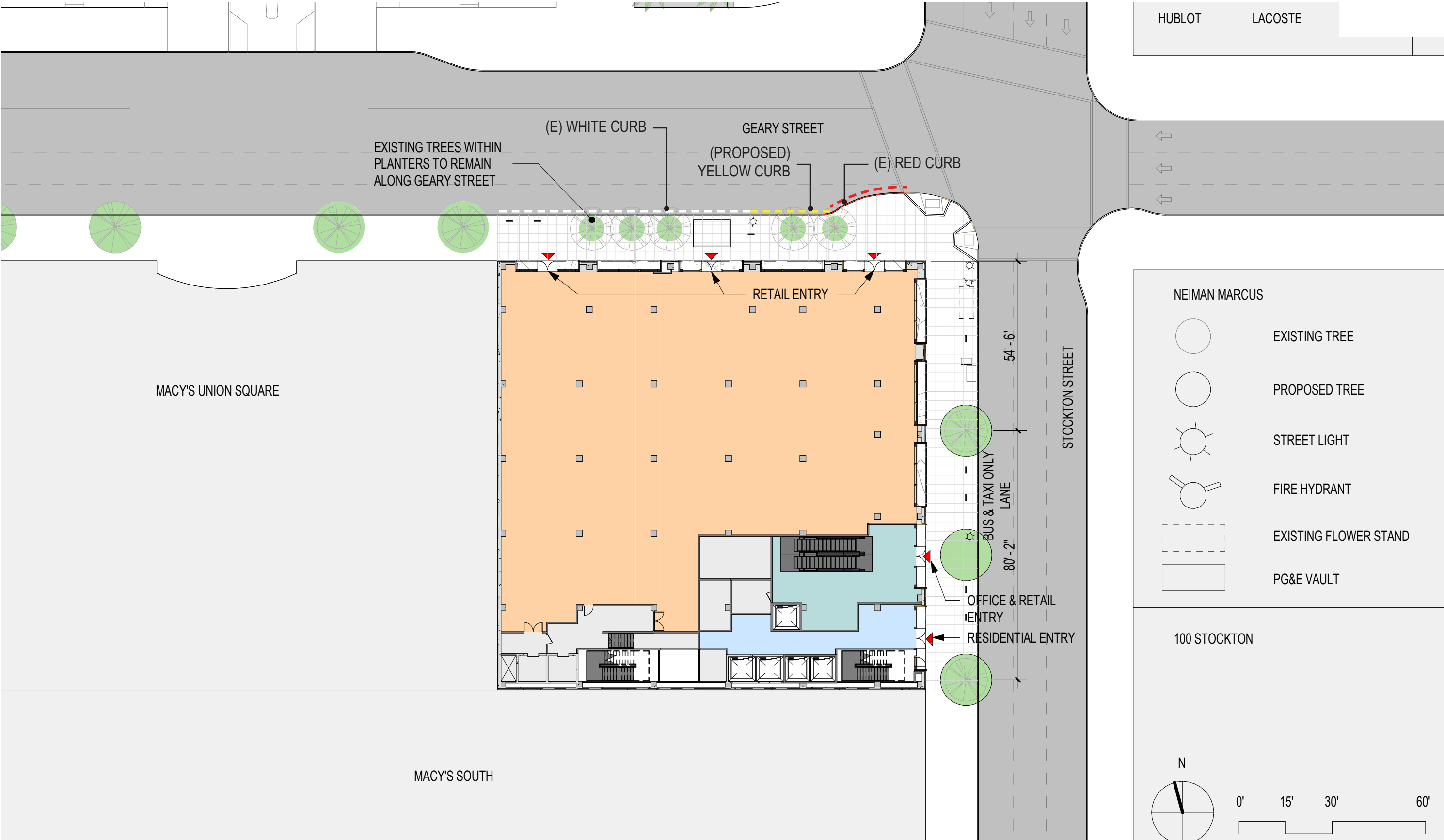
PROPOSED VIEW FROM UNION SQUARE PLAZA



PROPOSED ROOF SITE PLAN & LOADING ACCESS

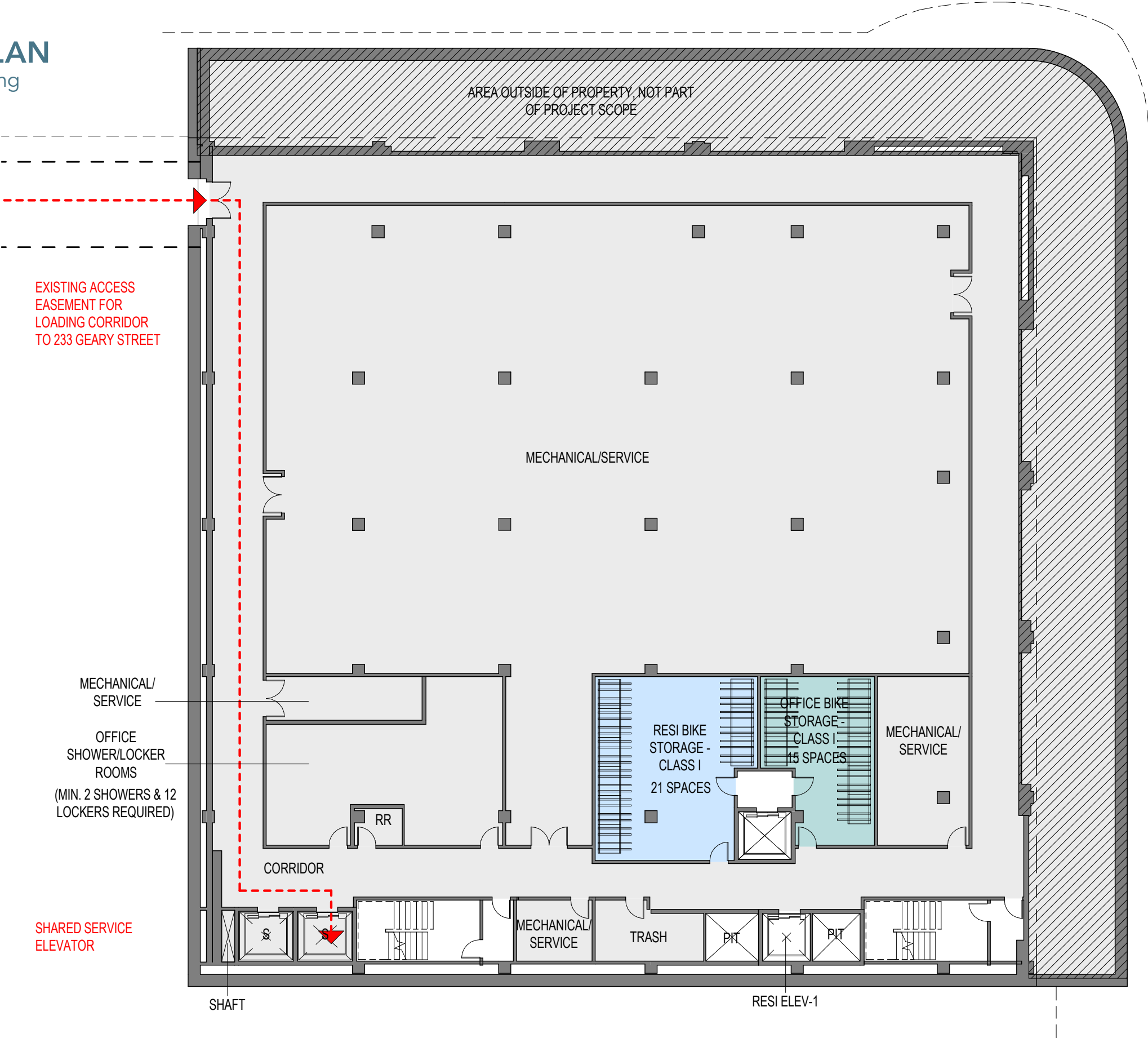


PROPOSED GROUND FLOOR SITE PLAN



LEVEL B2 PLAN

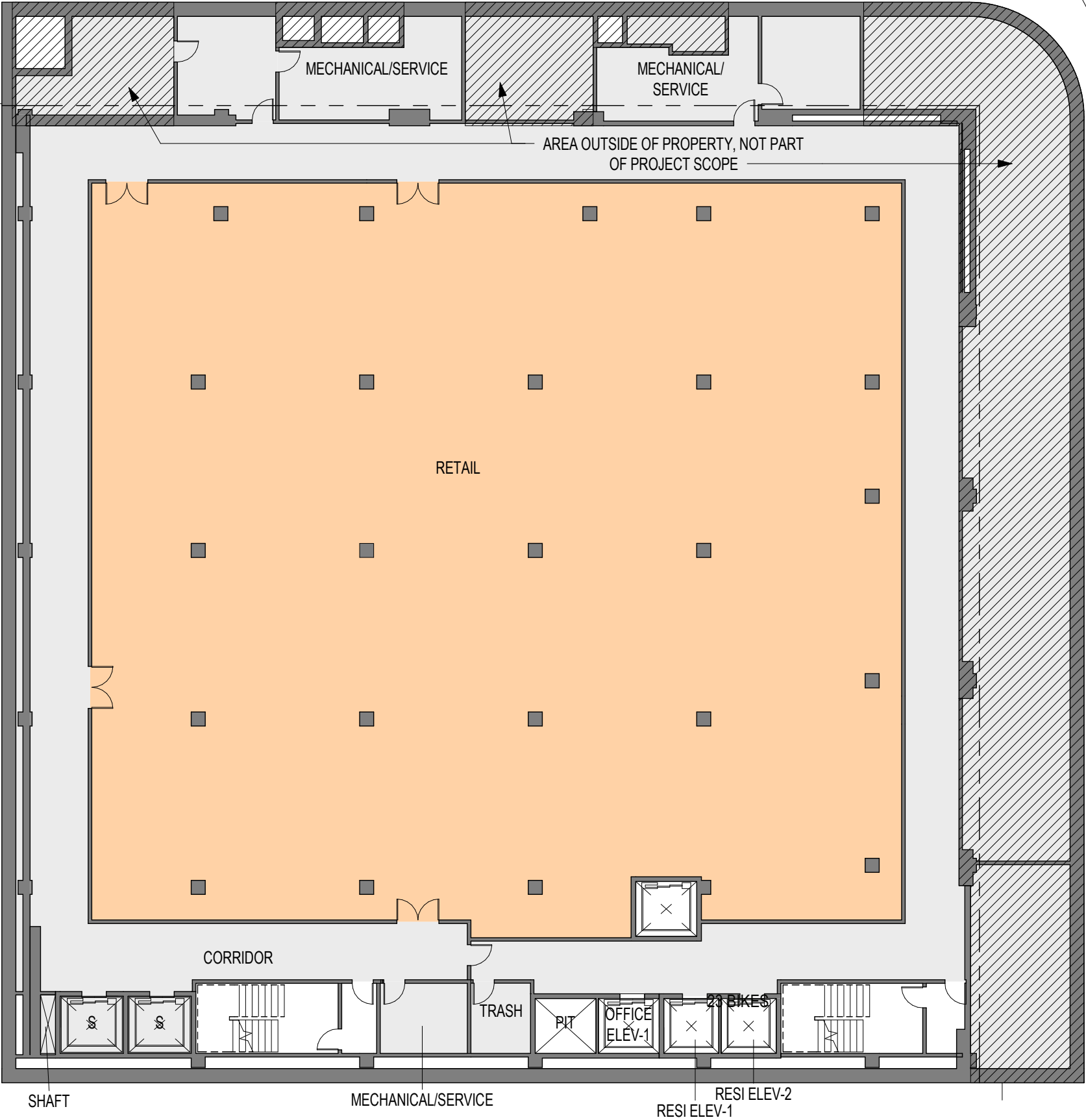
Mechanical, Loading



*Square footages provided on plans are gross estimates only.

LEVEL B1 PLAN

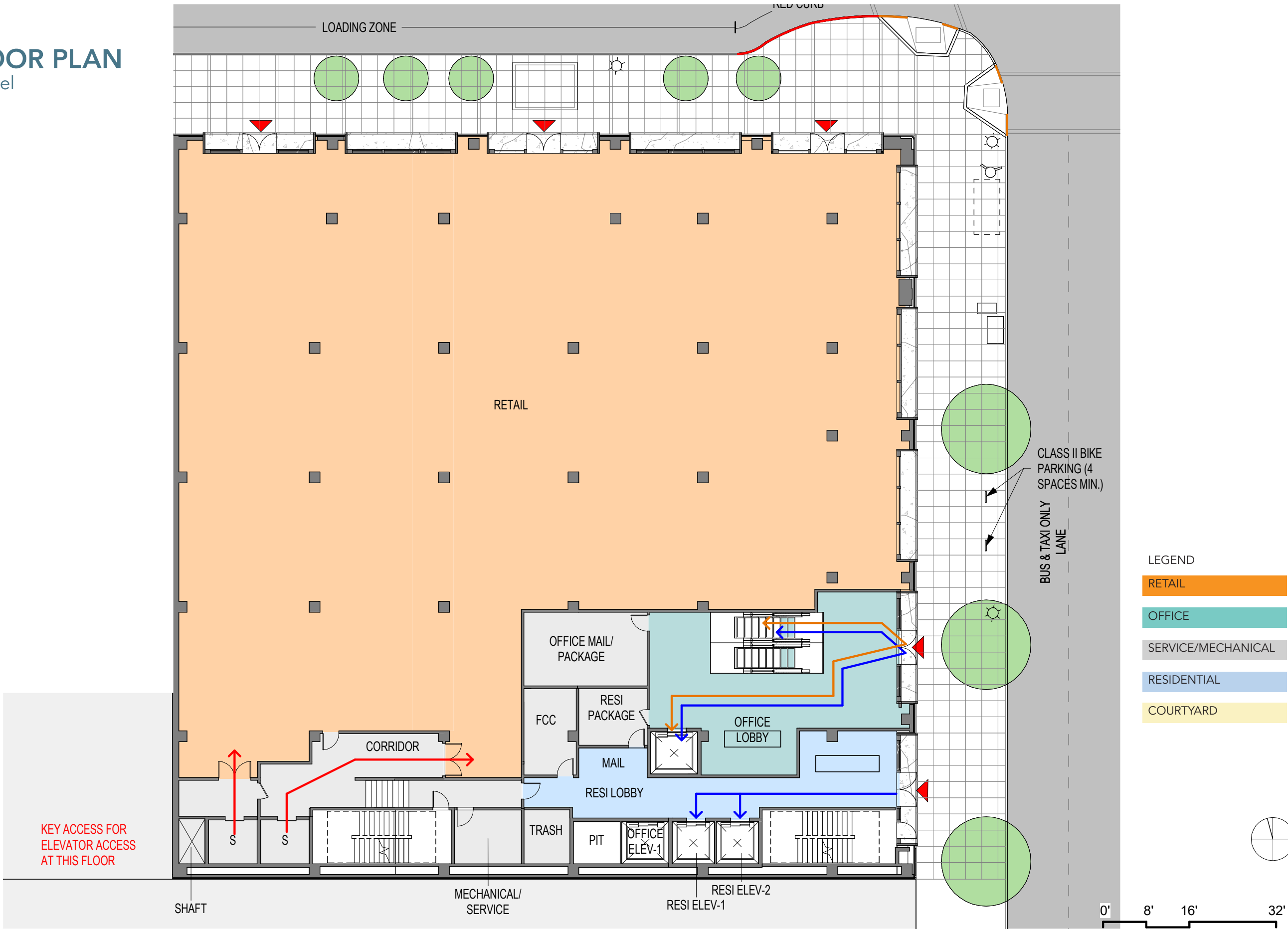
Retail Level, Bike Storage & Lockers



*Square footages provided on plans are gross estimates only.

LEVEL 1 FLOOR PLAN

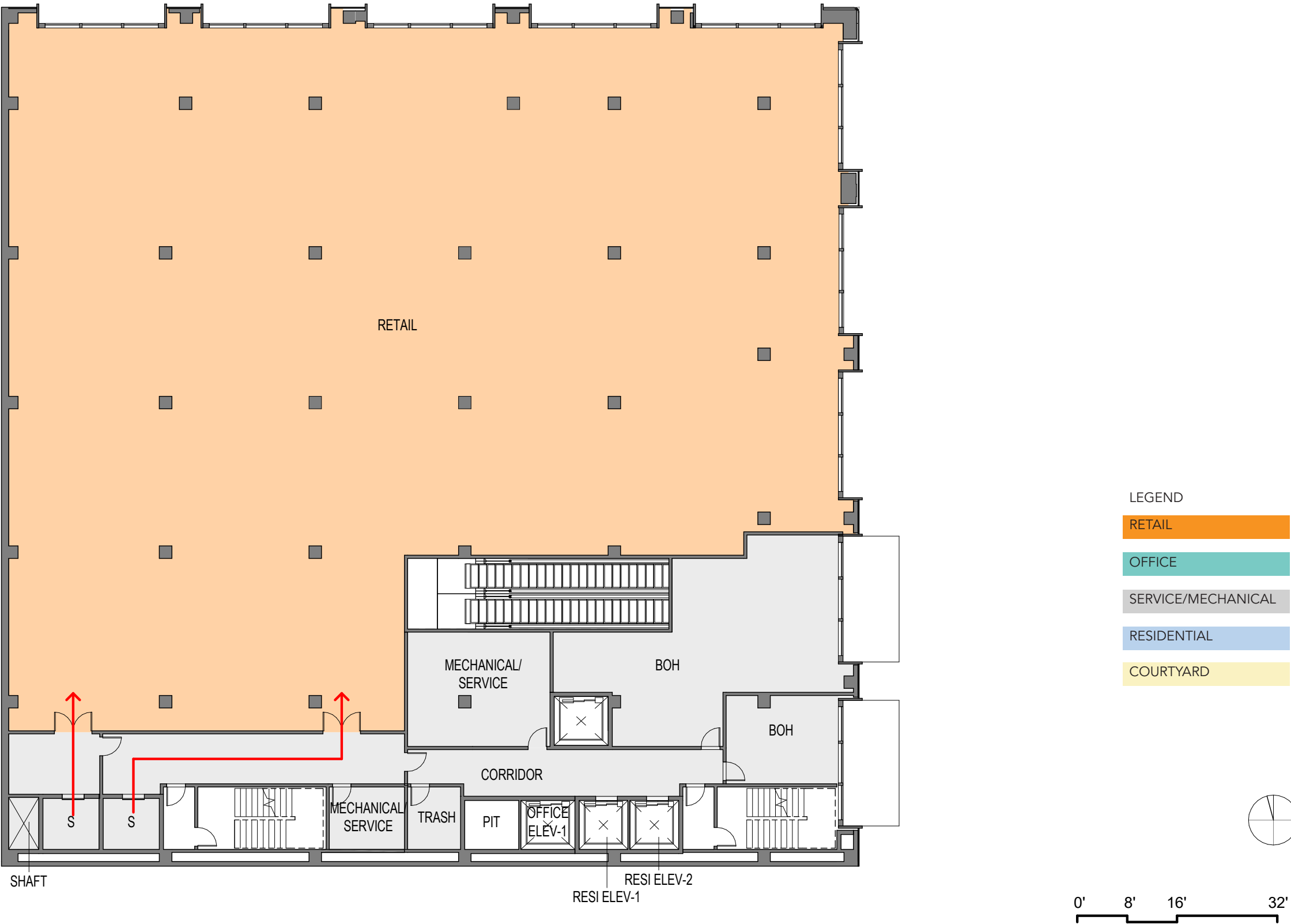
Retail & Lobby Level



*Square footages provided on plans are gross estimates only.

LEVEL 2 FLOOR PLAN

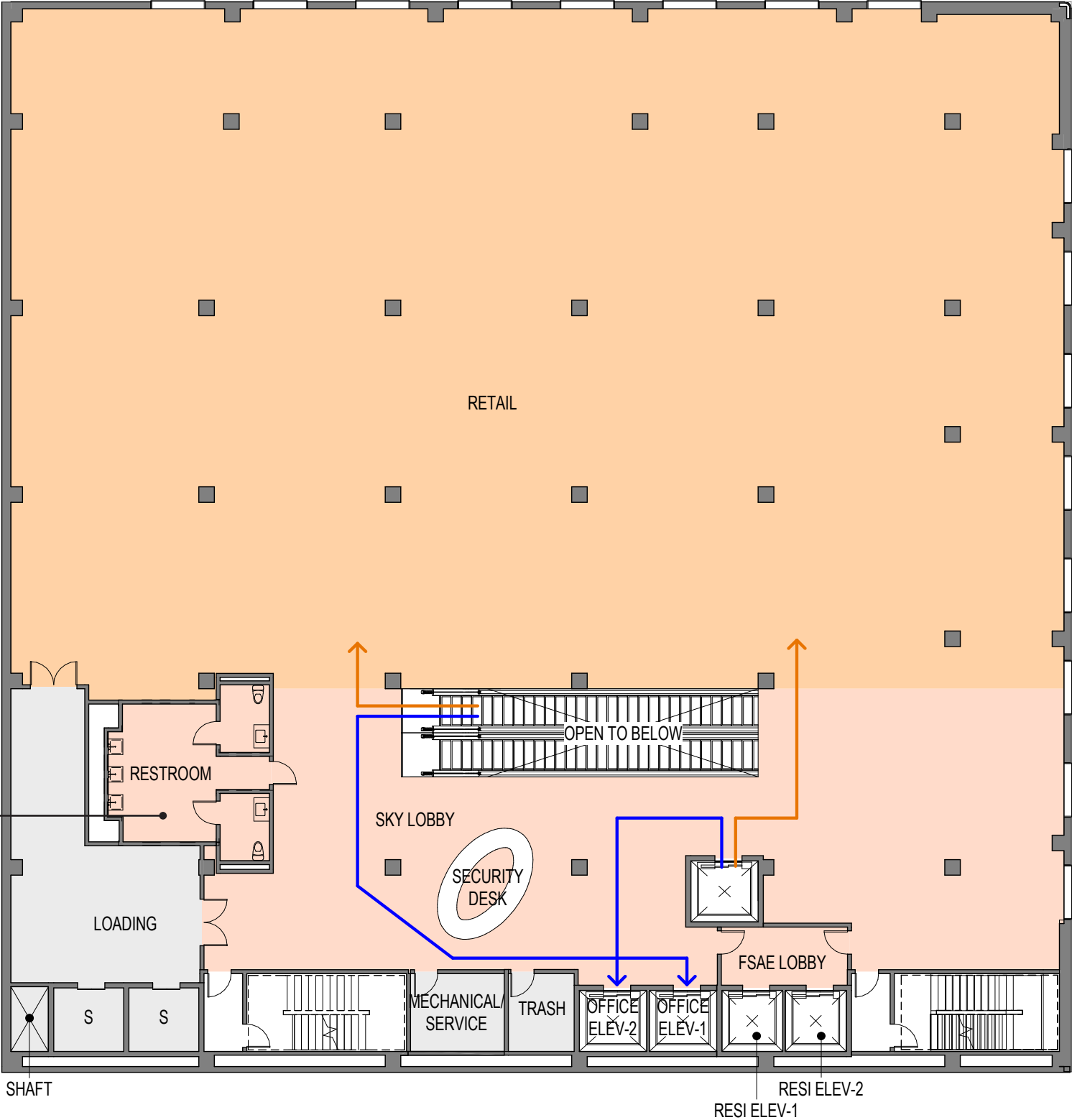
Retail



*Square footages provided on plans are gross estimates only.

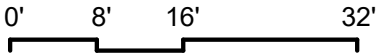
LEVEL 3 FLOOR PLAN
Retail

Historic washroom to be relocated from 6th floor office, to 3rd floor retail/lobby to allow for better public accessibility. Washroom dimensions shall match existing condition.



LEGEND

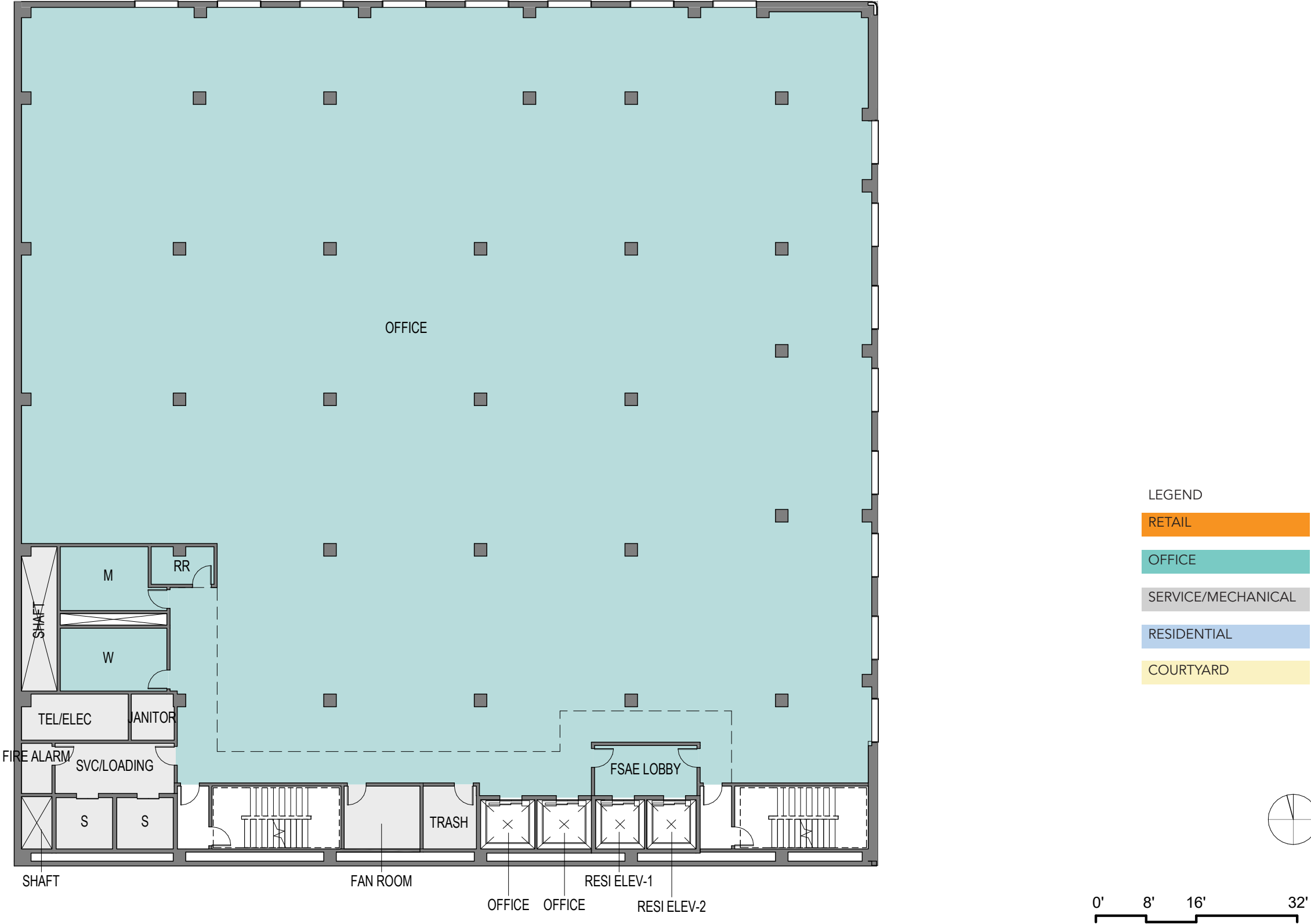
- RETAIL
- OFFICE
- SERVICE/MECHANICAL
- RESIDENTIAL
- COURTYARD



*Square footages provided on plans are gross estimates only.

LEVEL 4-7 FLOOR PLAN

Office



*Square footages provided on plans are gross estimates only.

Residential



LEVEL 9 & 10 FLOOR PLAN

Residential



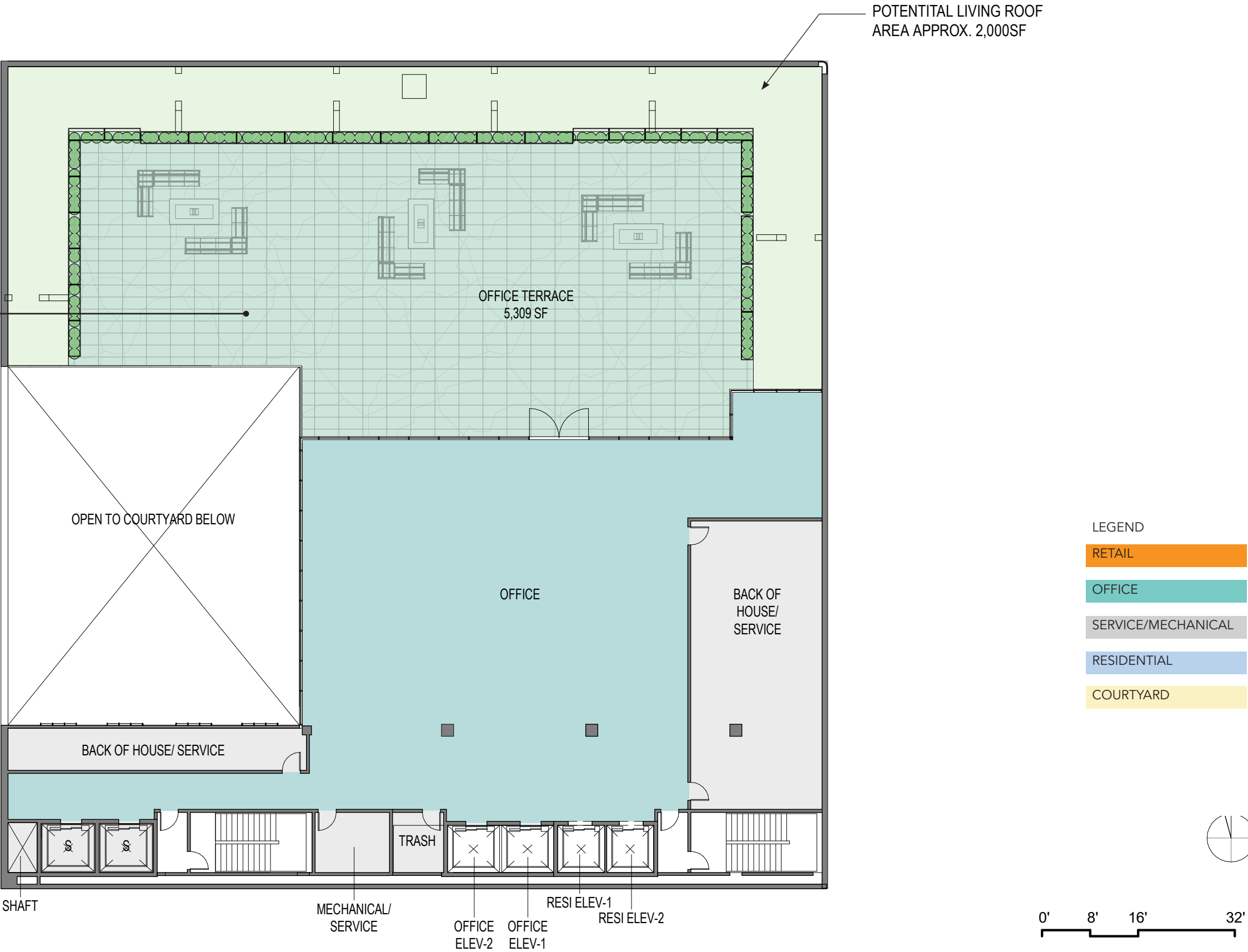
*Square footages provided on plans are gross estimates only.

LEVEL 11 FLOOR PLAN

Office & Office Terrace

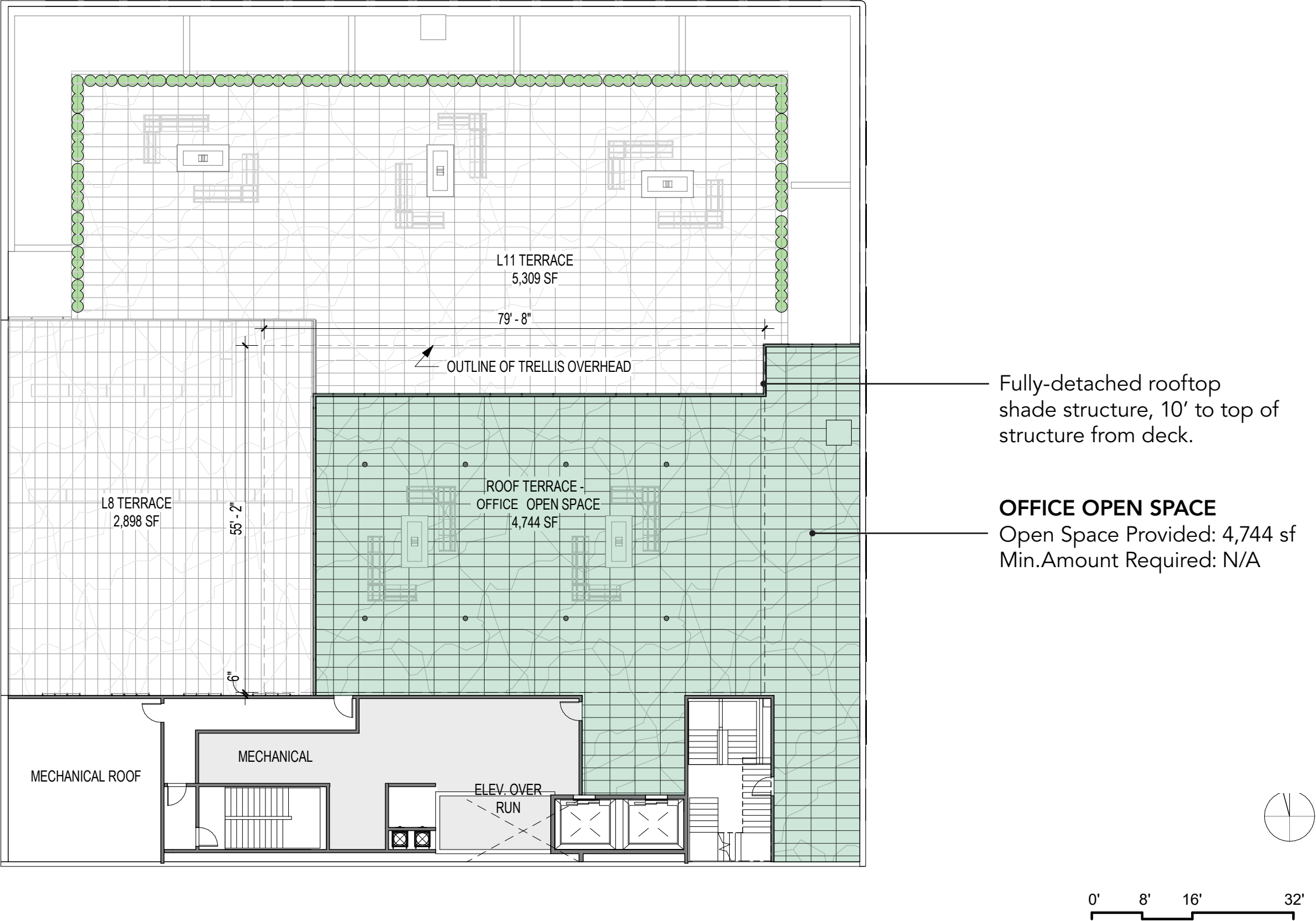
OFFICE OPEN SPACE

Open Space Provided: 5,309 sf
Min.Amount Required: N/A



*Square footages provided on plans are gross estimates only.

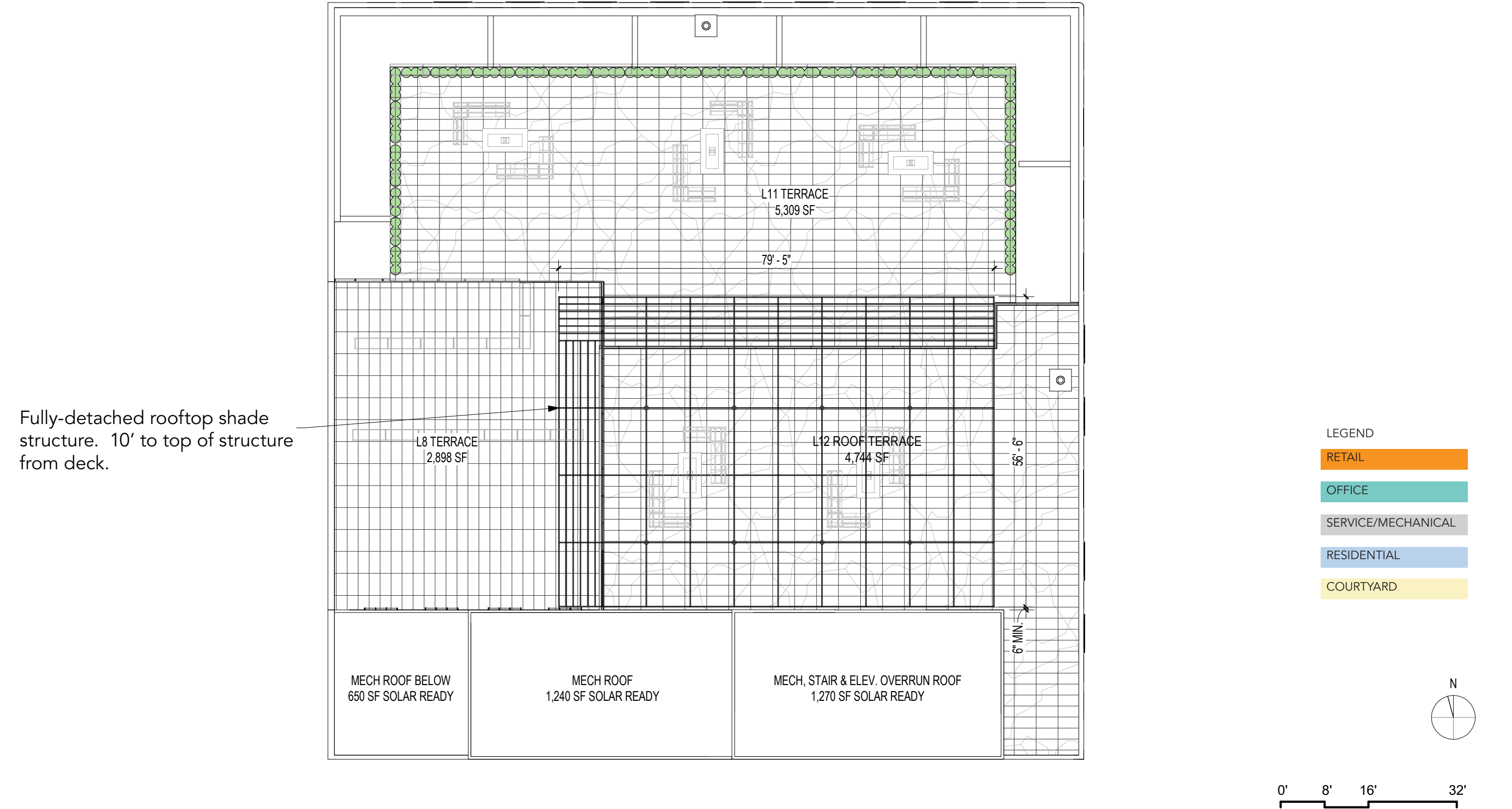
ROOF PLAN / LEVEL 12 ROOF TERRACE
Outdoor Roof Terrace



*Square footages provided on plans are gross estimates only.

PH ROOF PLAN

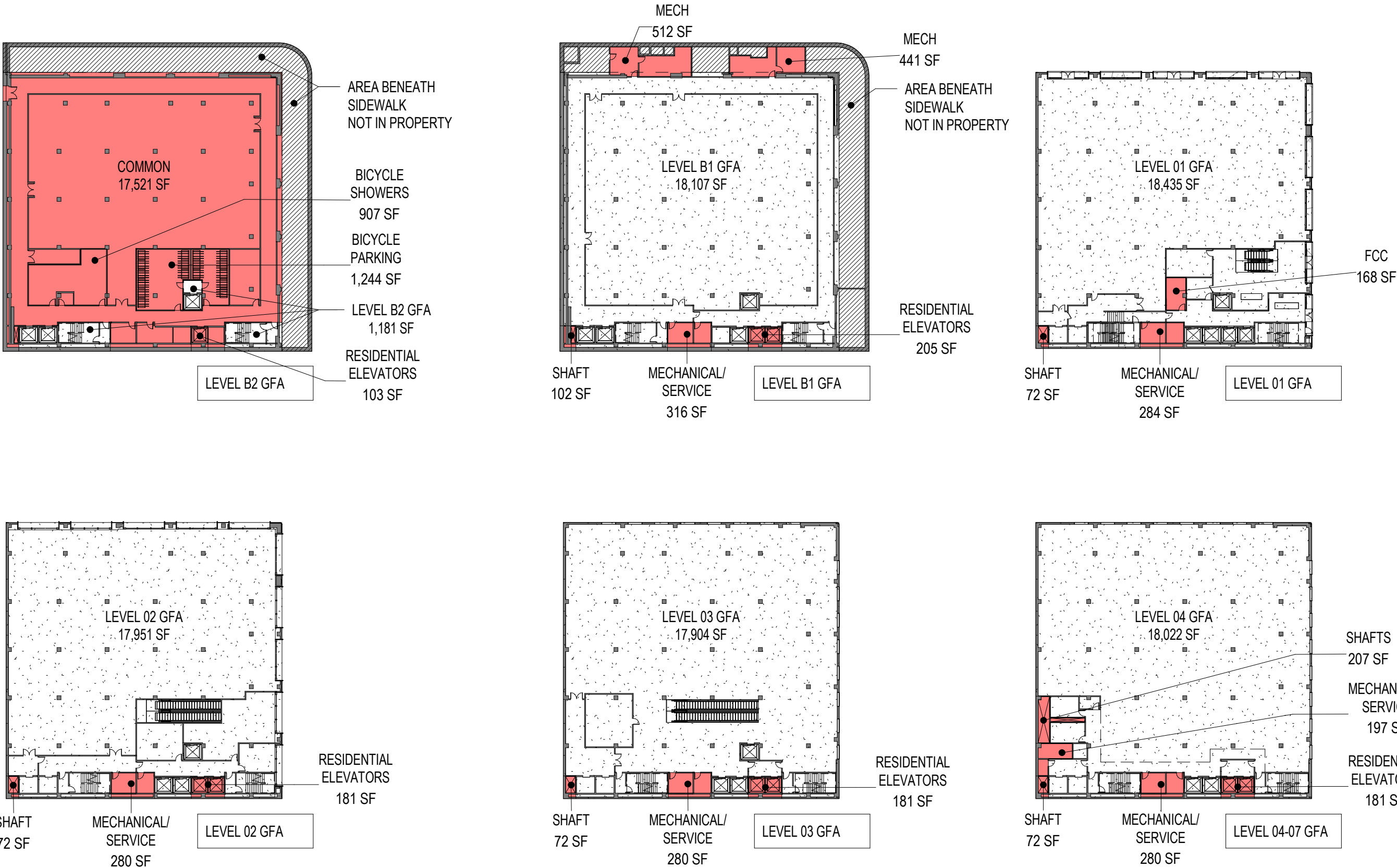
Mechanical Penthouse Roof



*Square footages provided on plans are gross estimates only.

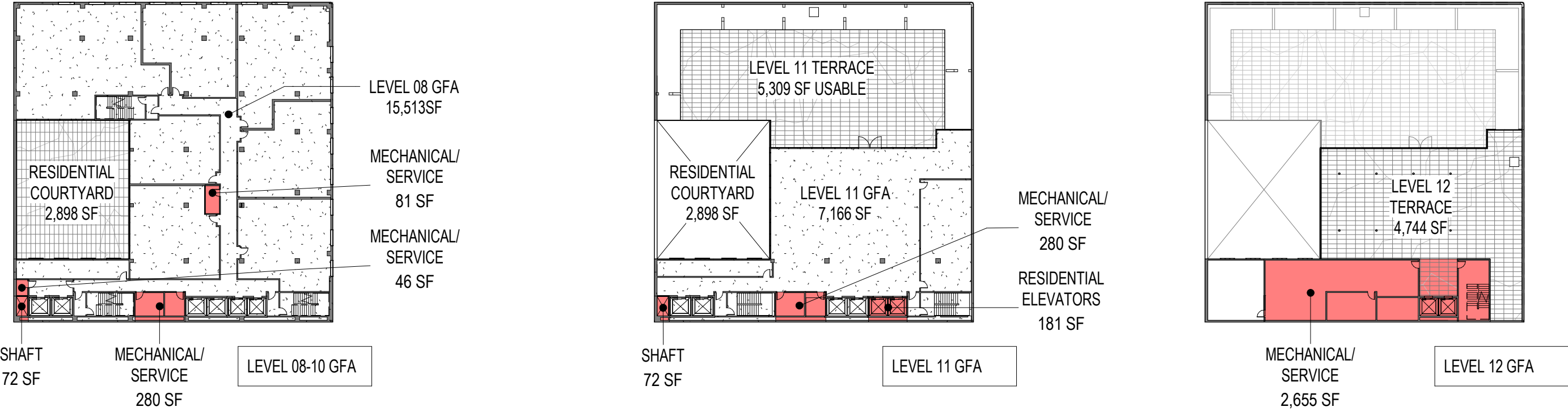
GROSS FLOOR AREA DIAGRAMS

Scale : 1" : 50'-0"



GROSS FLOOR AREA DIAGRAMS

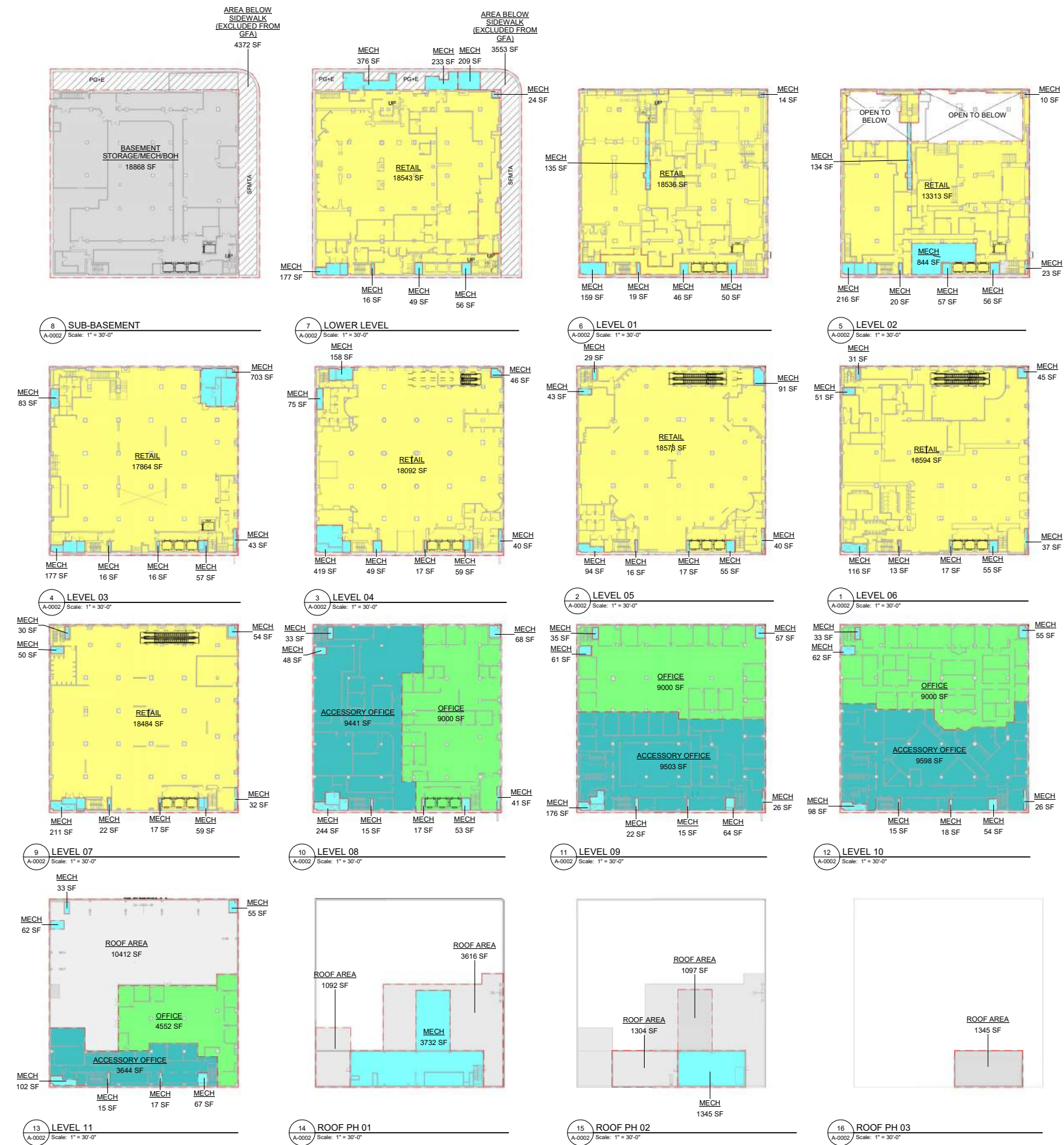
Scale : 1" : 50'-0"



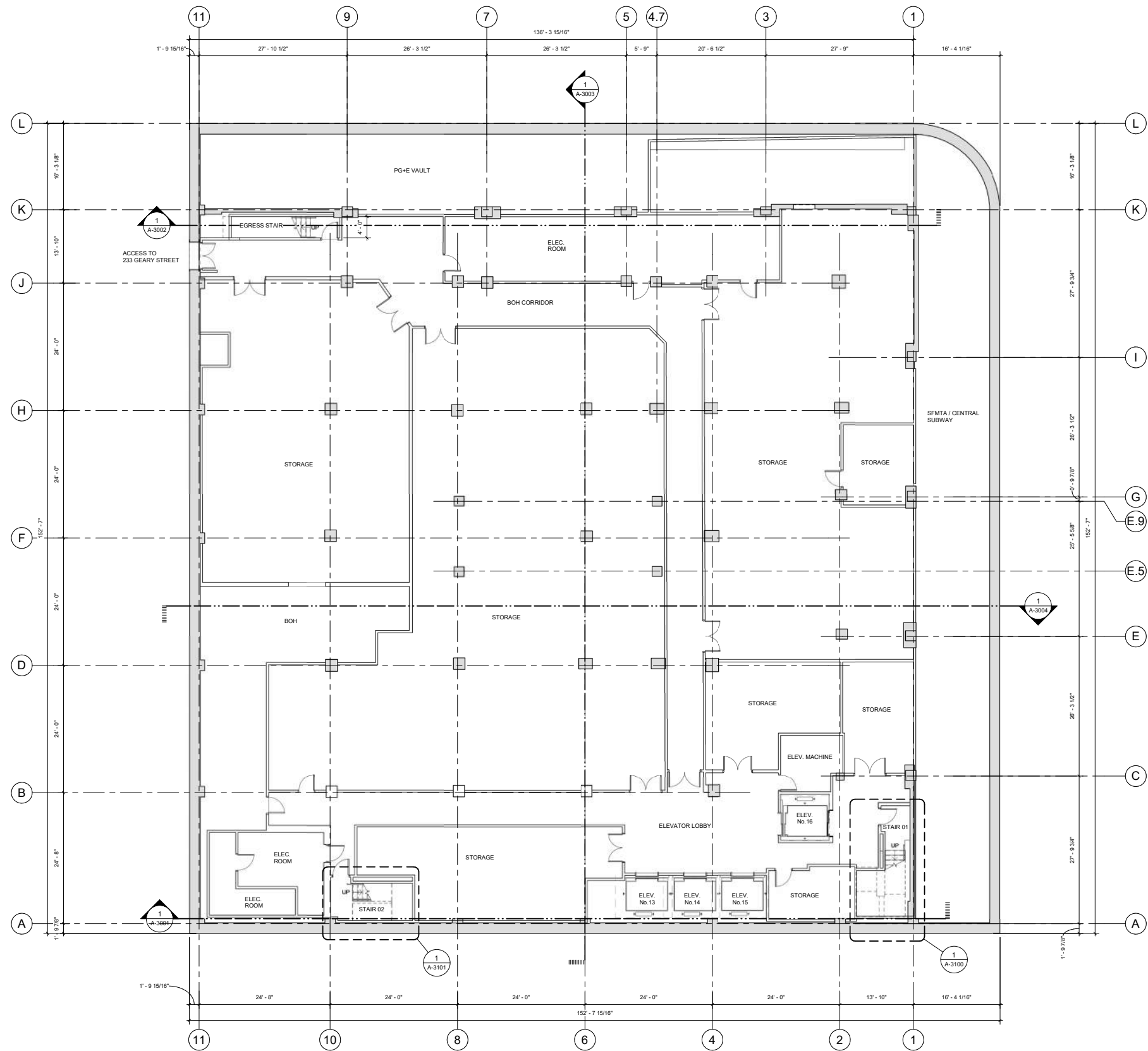


APPENDIX A: EXISTING BUILDING DRAWINGS

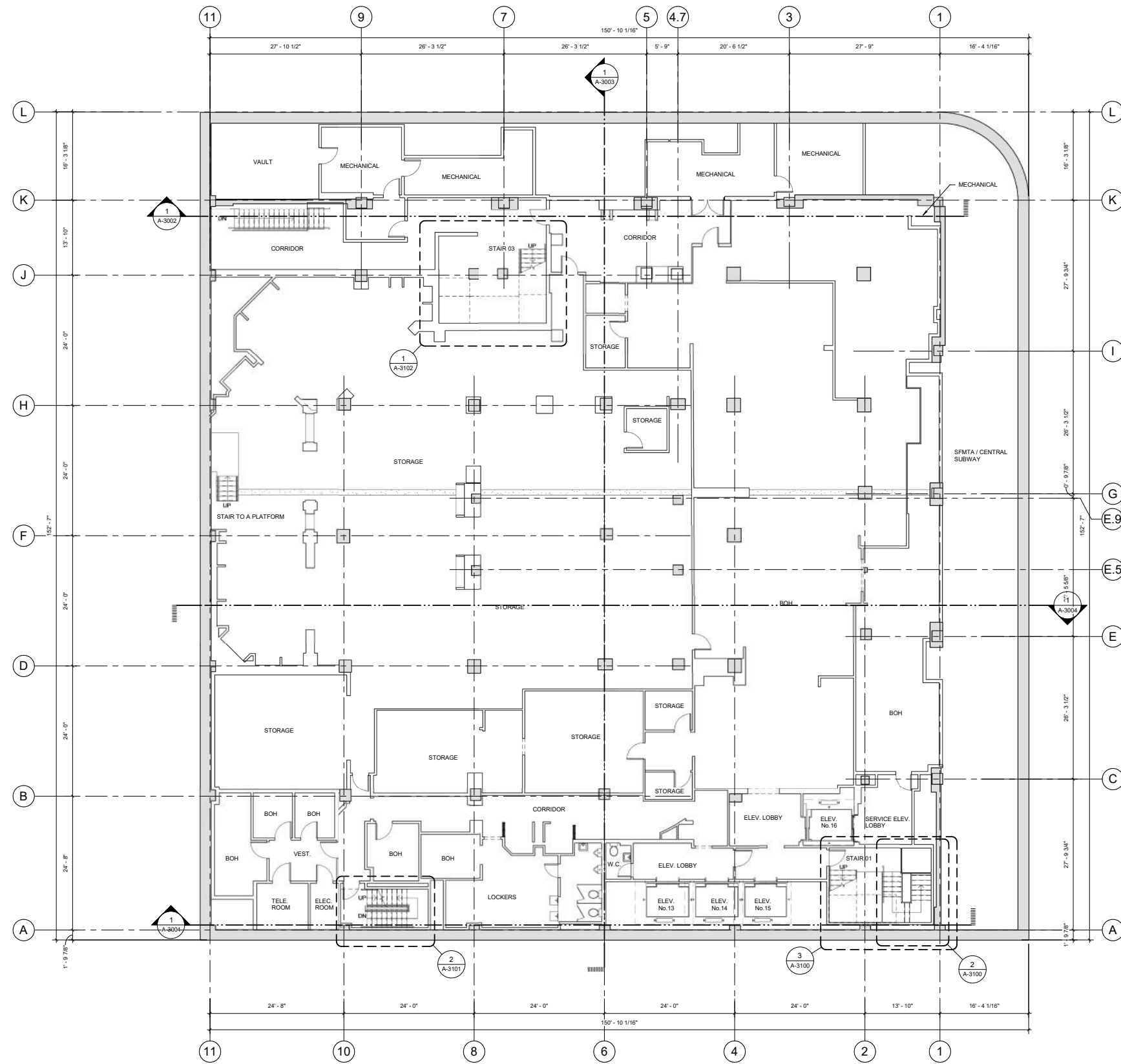
EXISTING AREA CALCULATION DIAGRAMS
N.T.S.



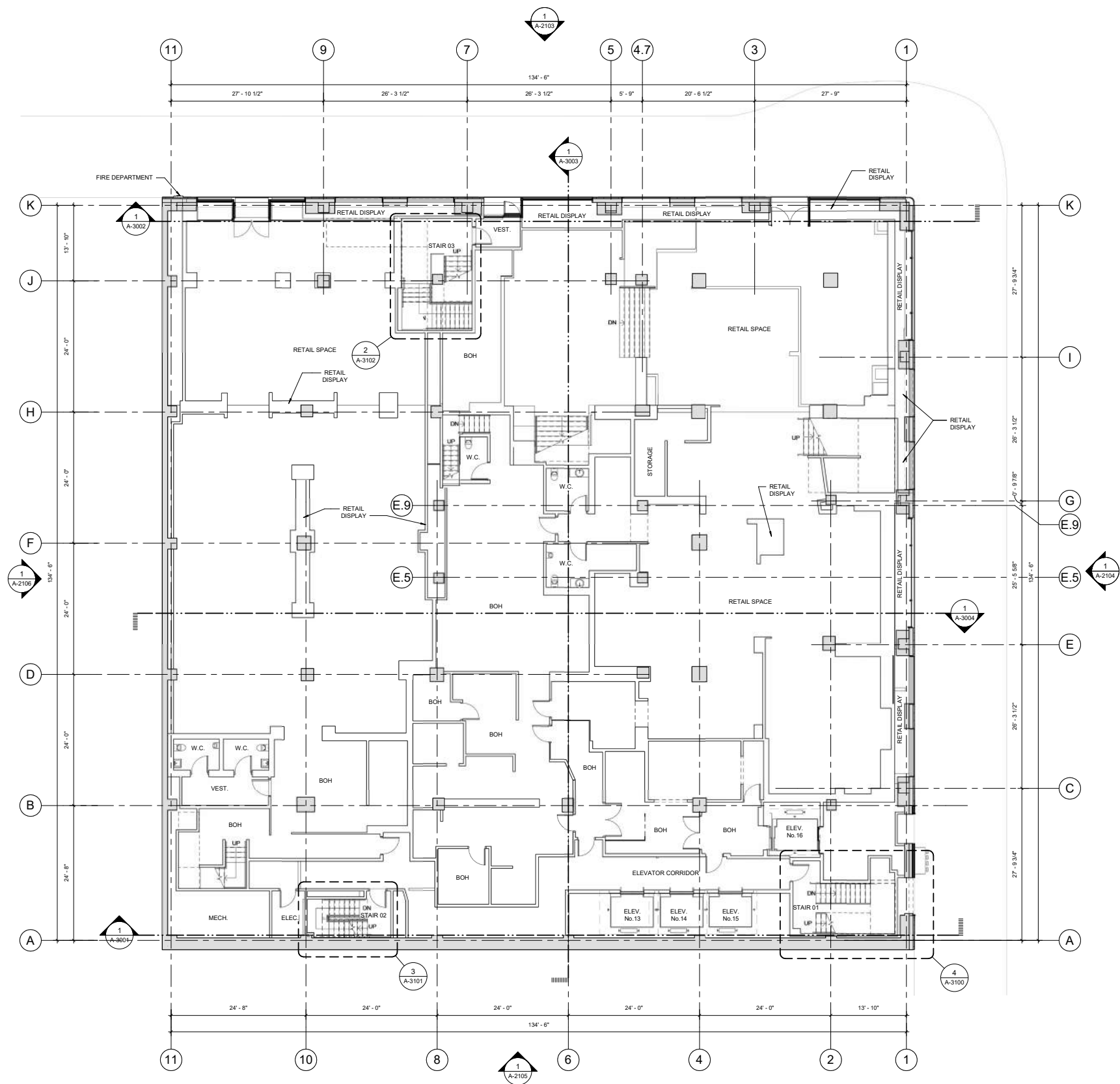
EXISTING LEVEL B2 PLAN
N.T.S.



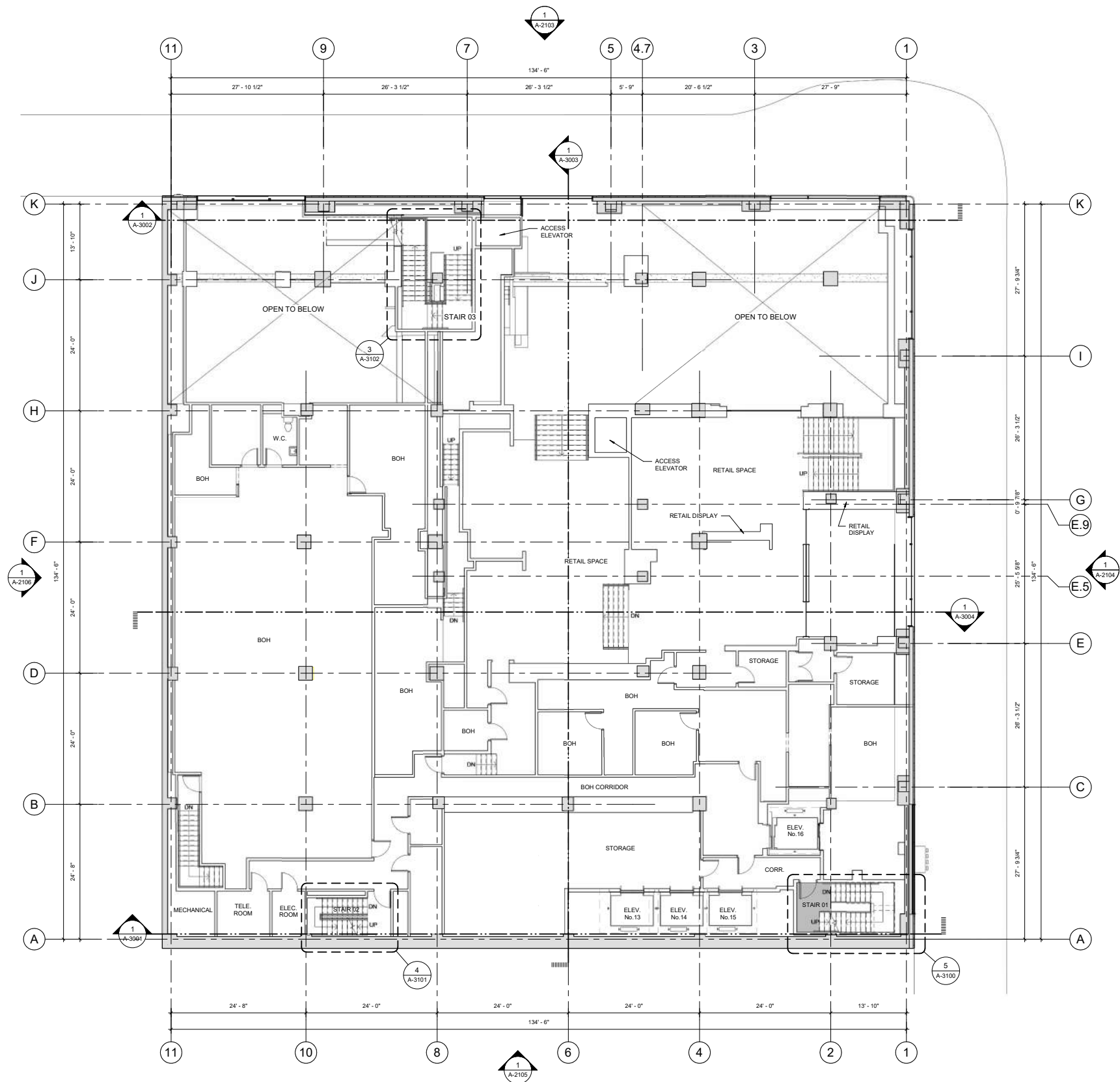
N.T.S.



EXISTING LEVEL 1 PLAN
N.T.S.

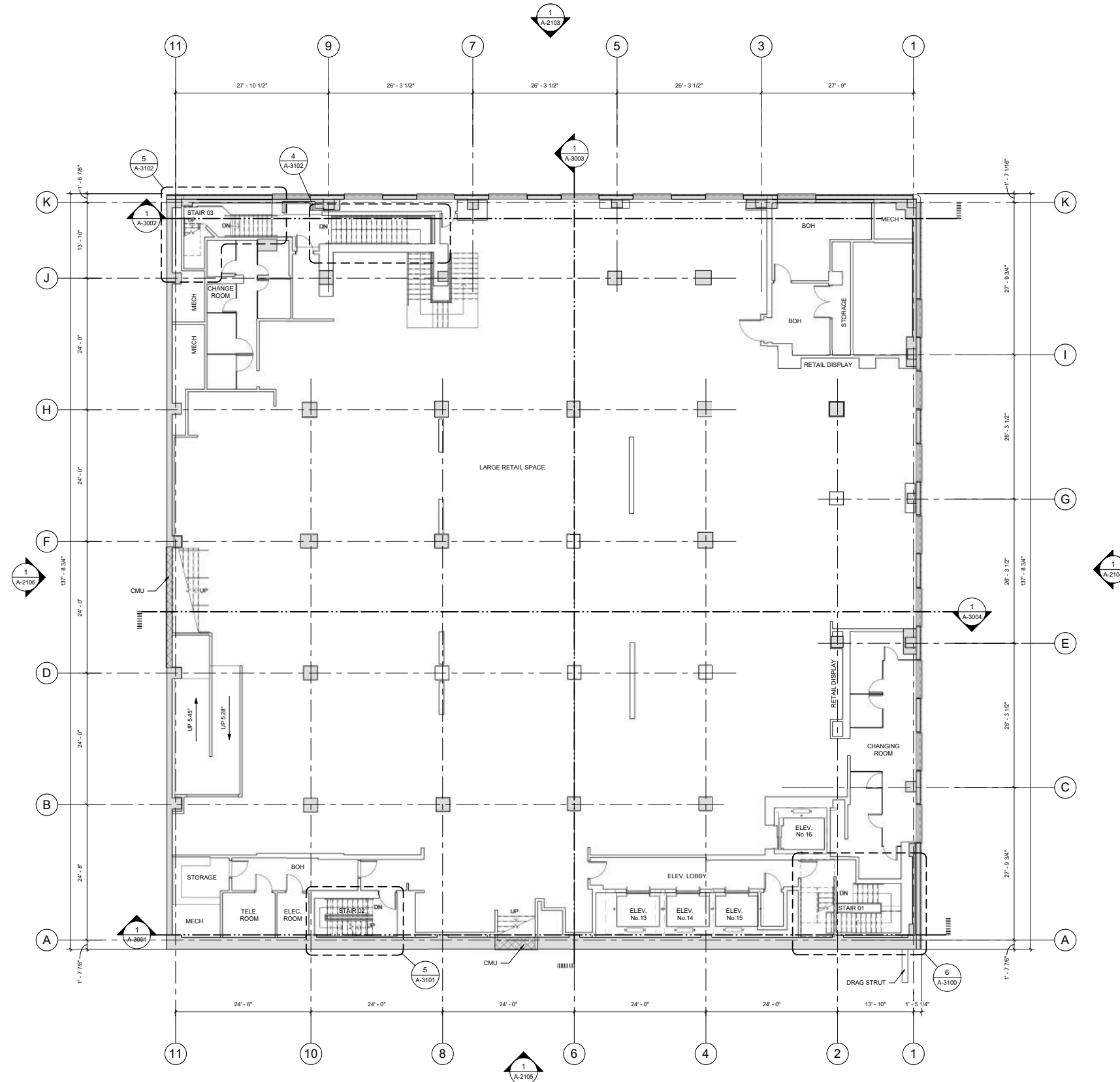


EXISTING LEVEL 2 PLAN
N.T.S.

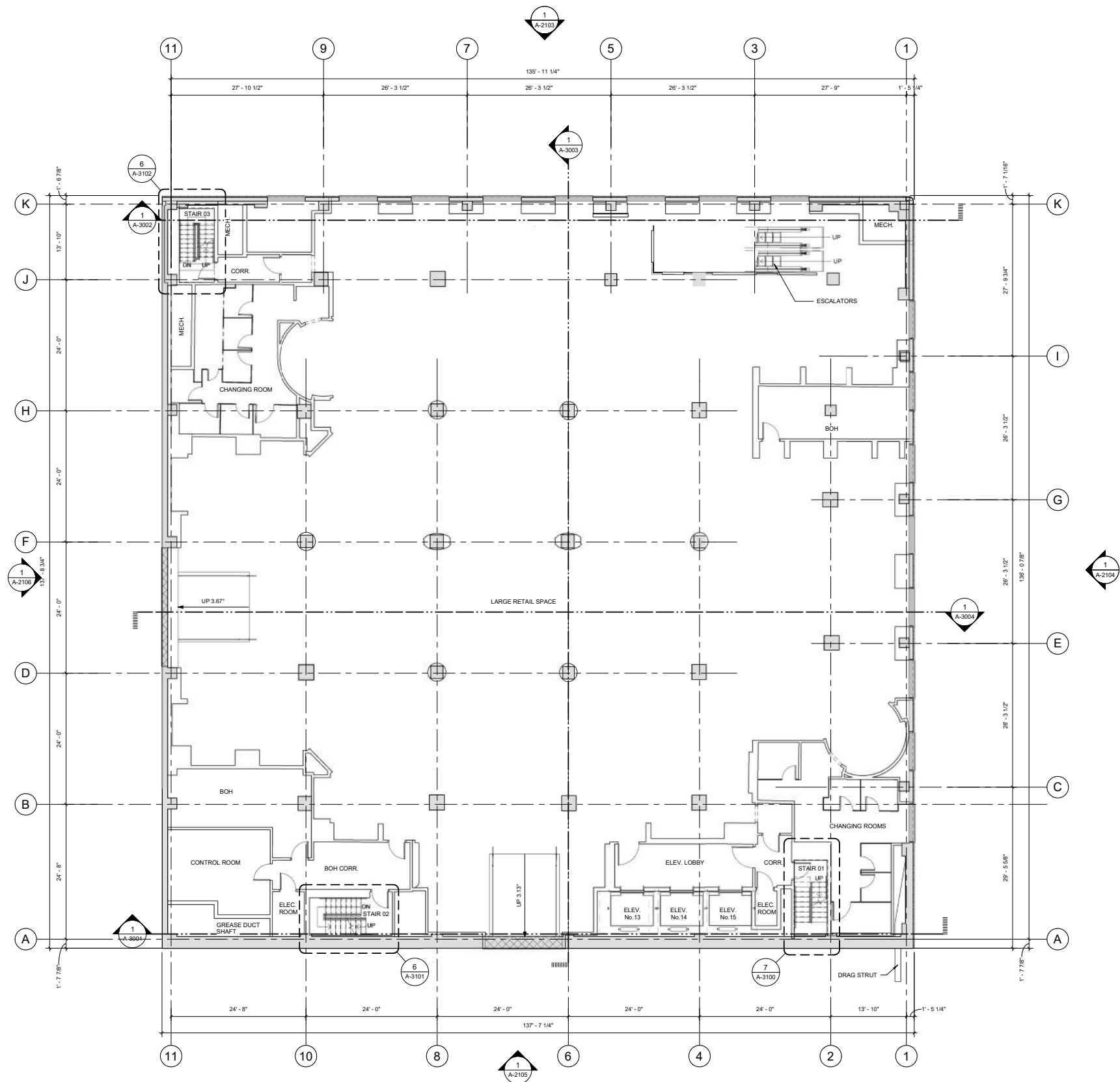


EXISTING LEVEL 3 PLAN

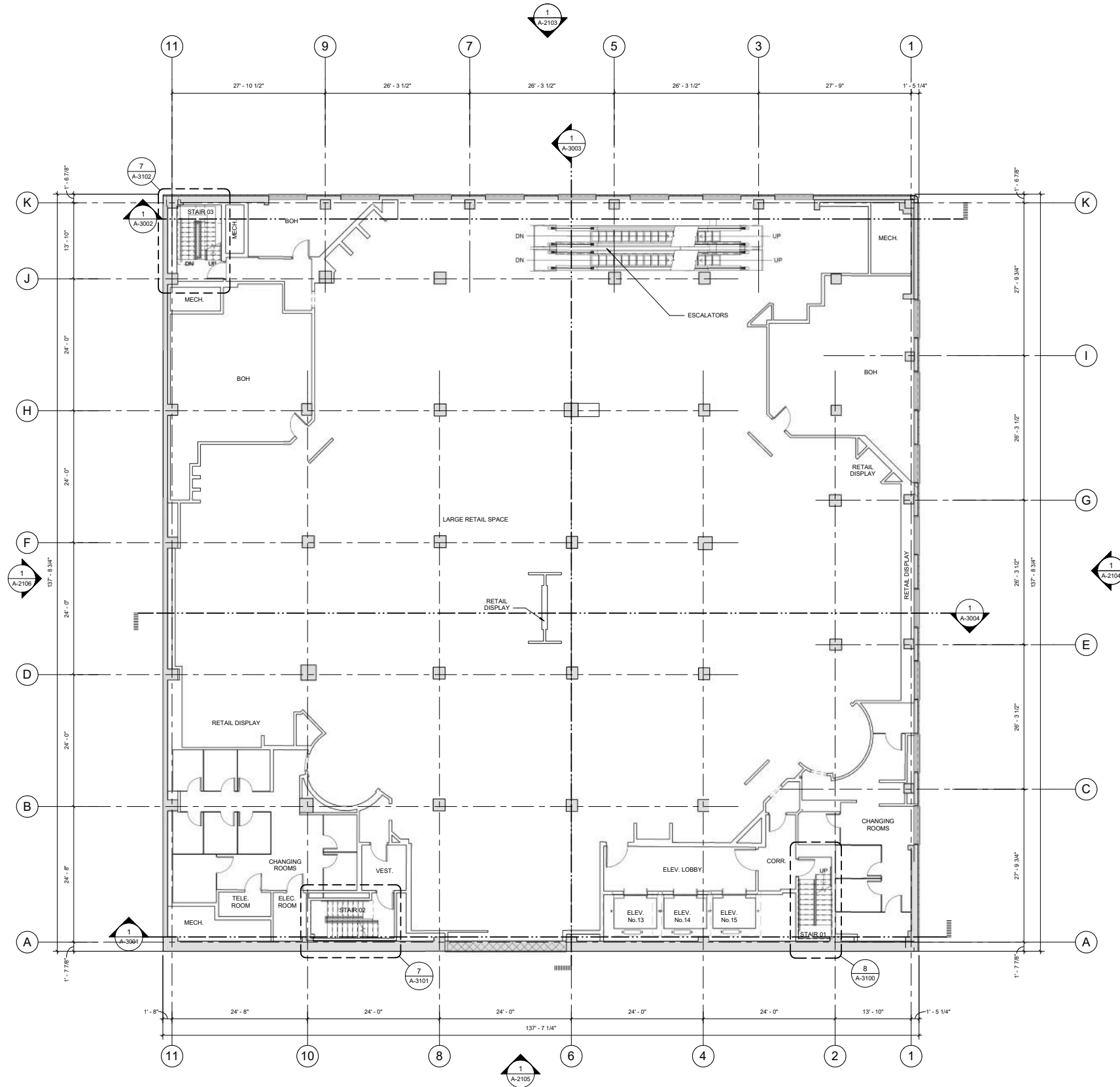
N.T.S.



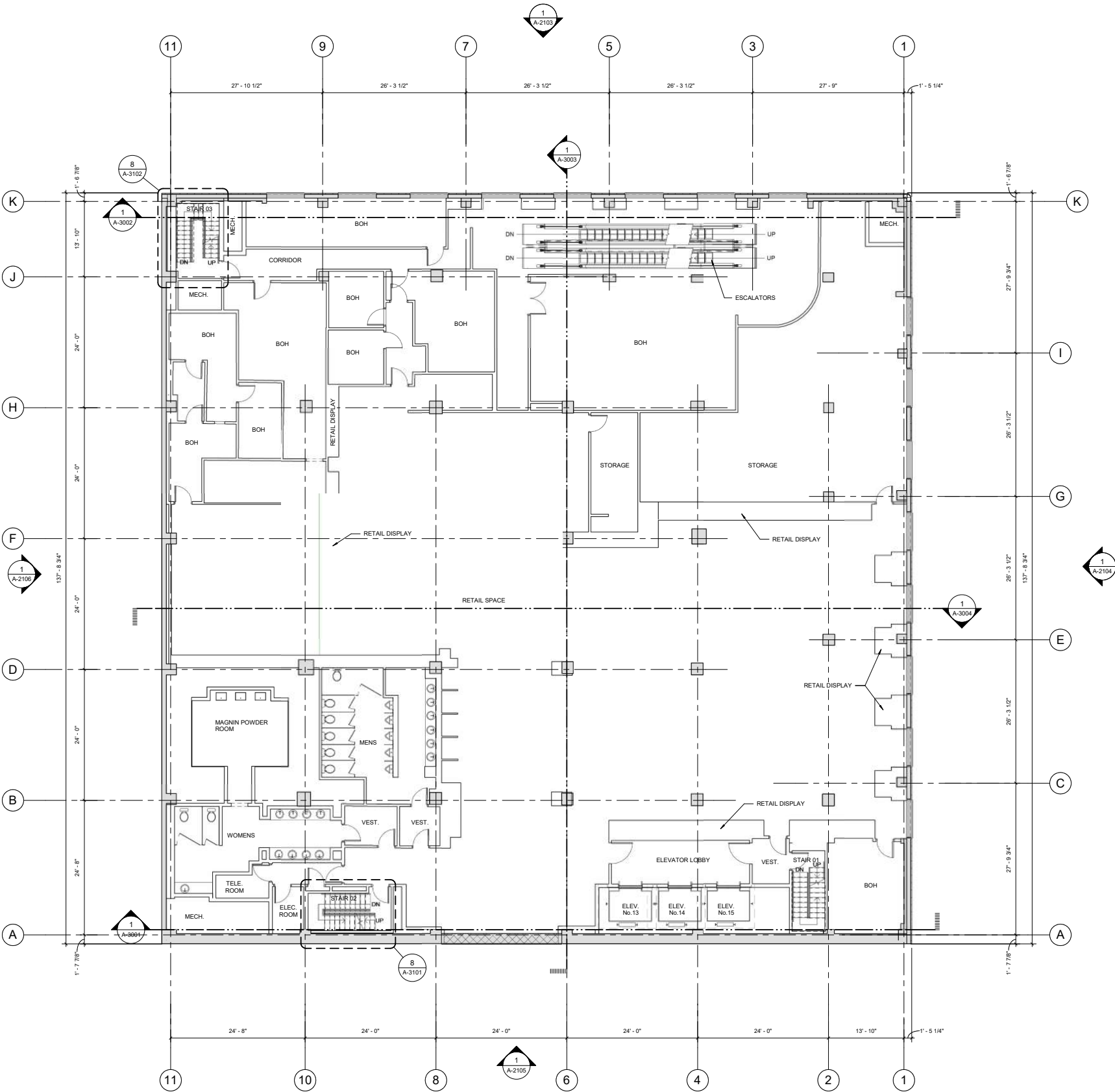
EXISTING LEVEL 4 PLAN
N.T.S.



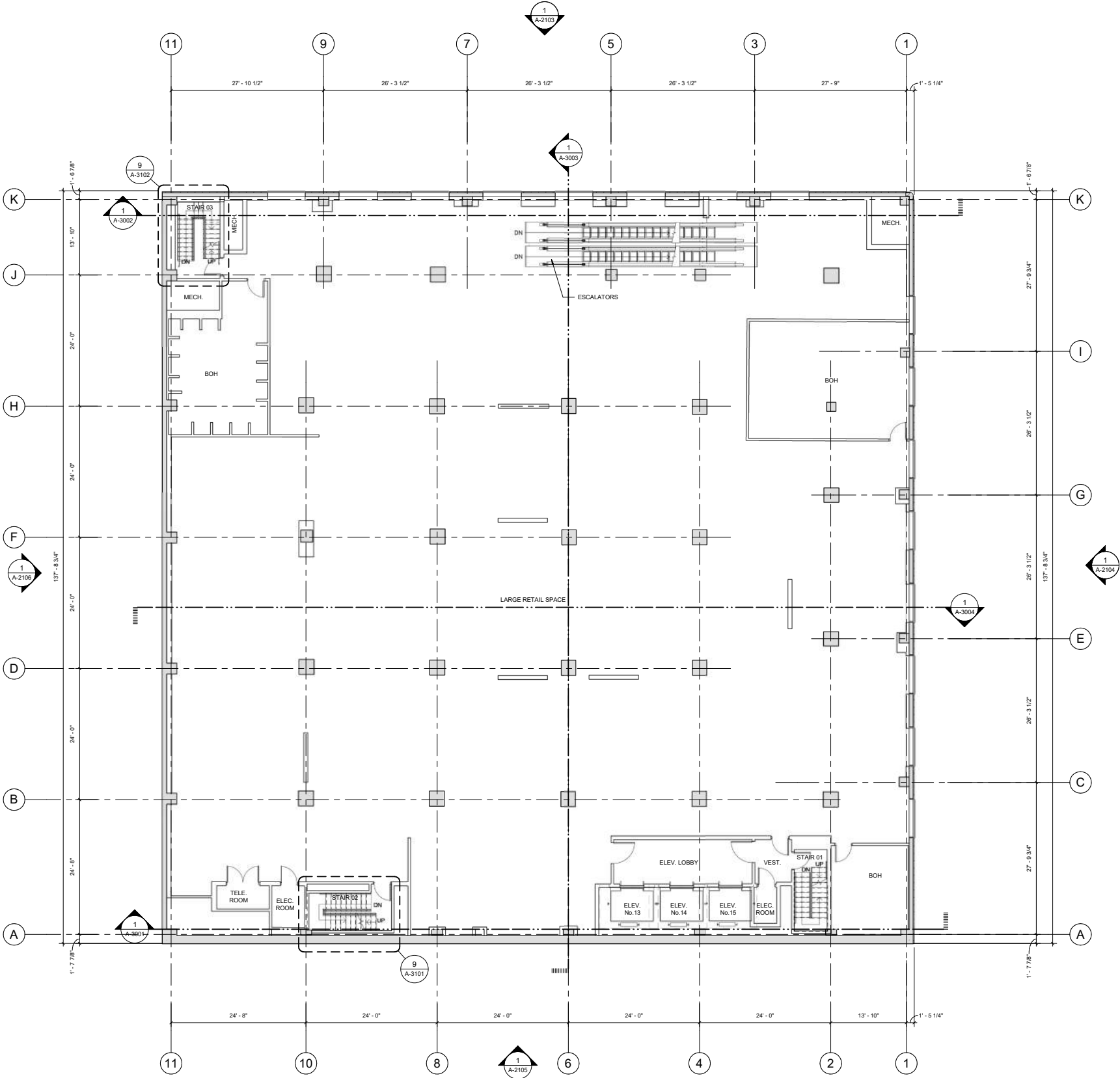
EXISTING LEVEL 5 PLAN
N.T.S.



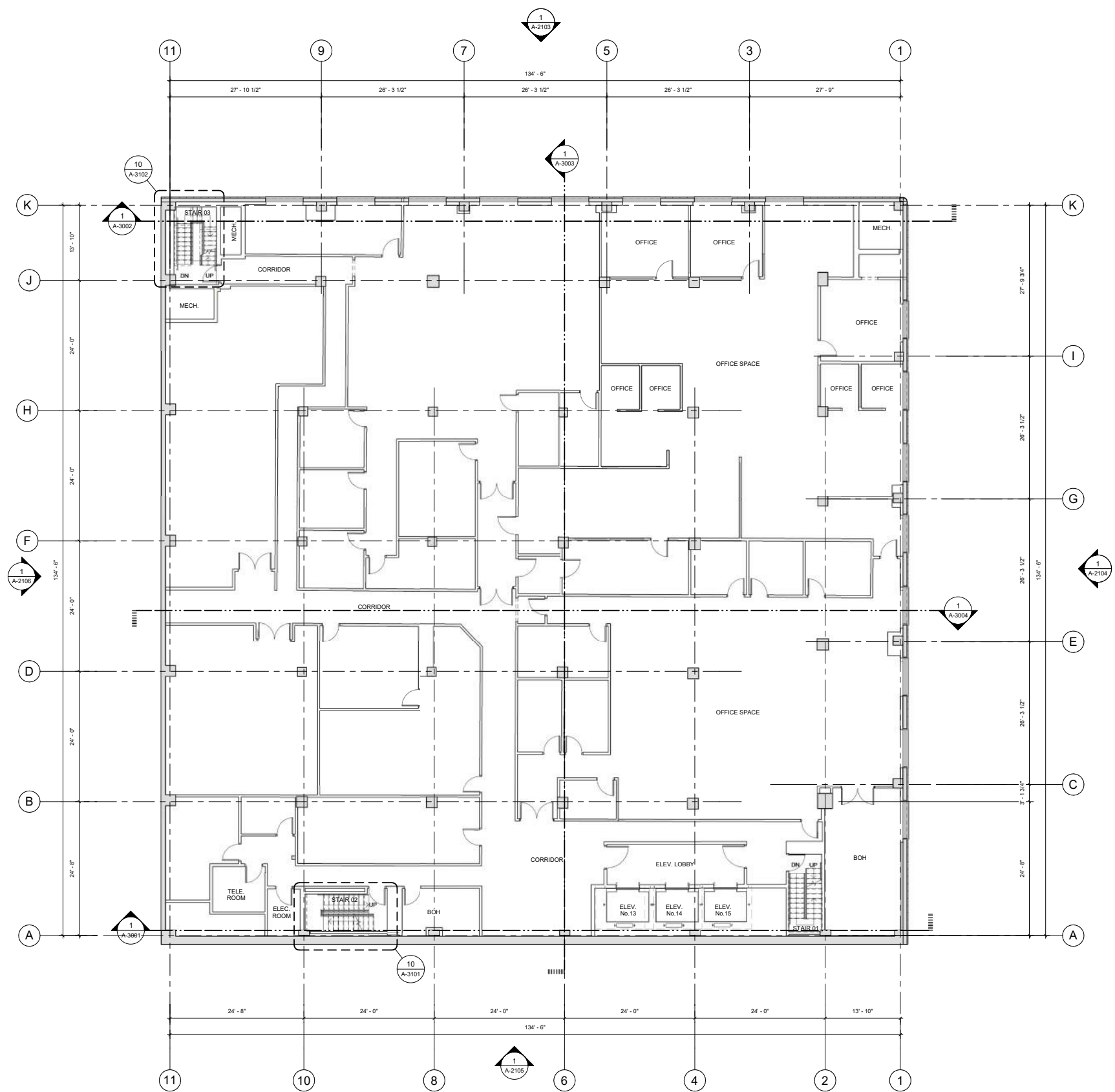
EXISTING LEVEL 6 PLAN
N.T.S.



EXISTING LEVEL 7 PLAN
N.T.S.

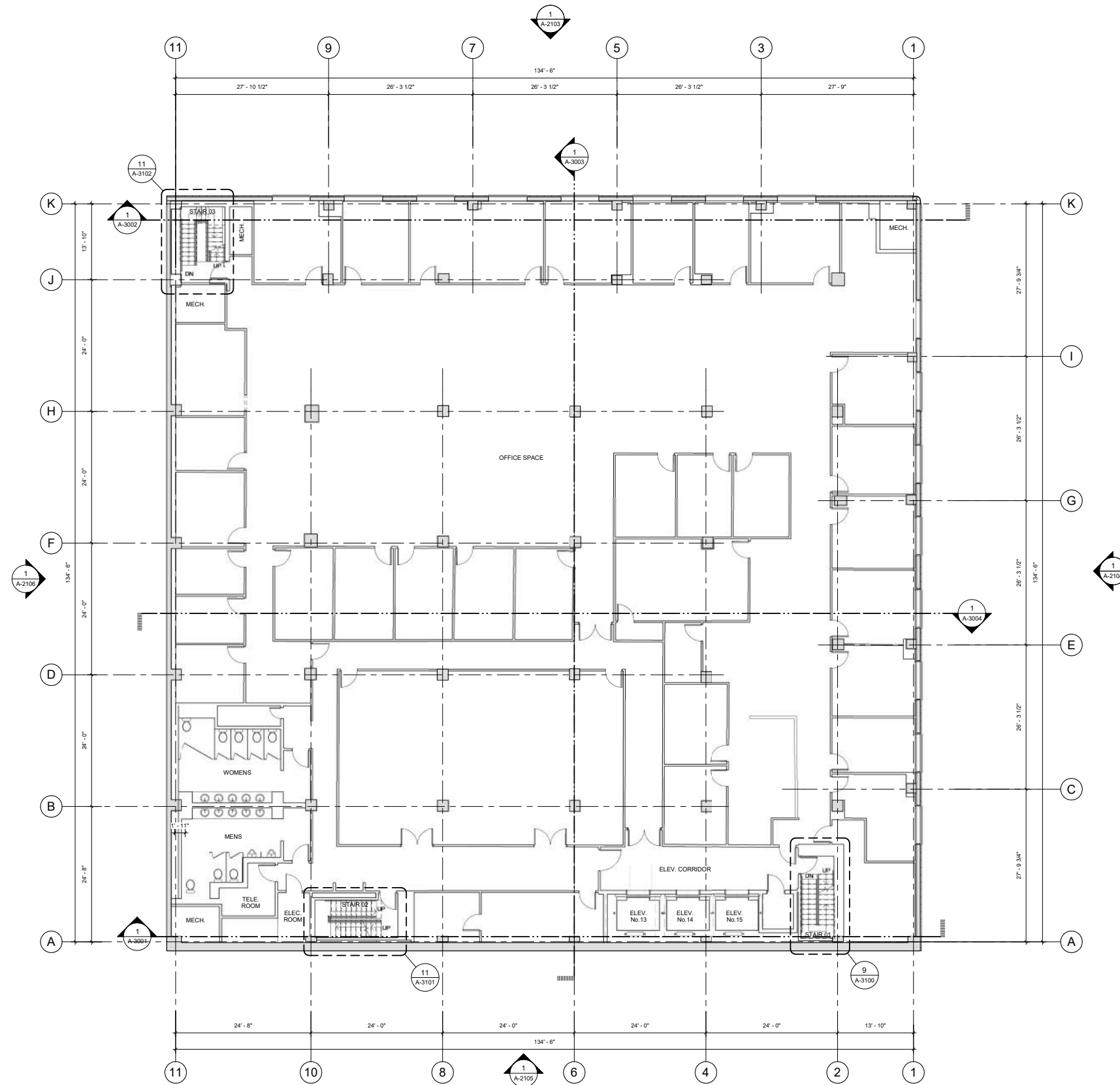


EXISTING LEVEL 8 PLAN
N.T.S.

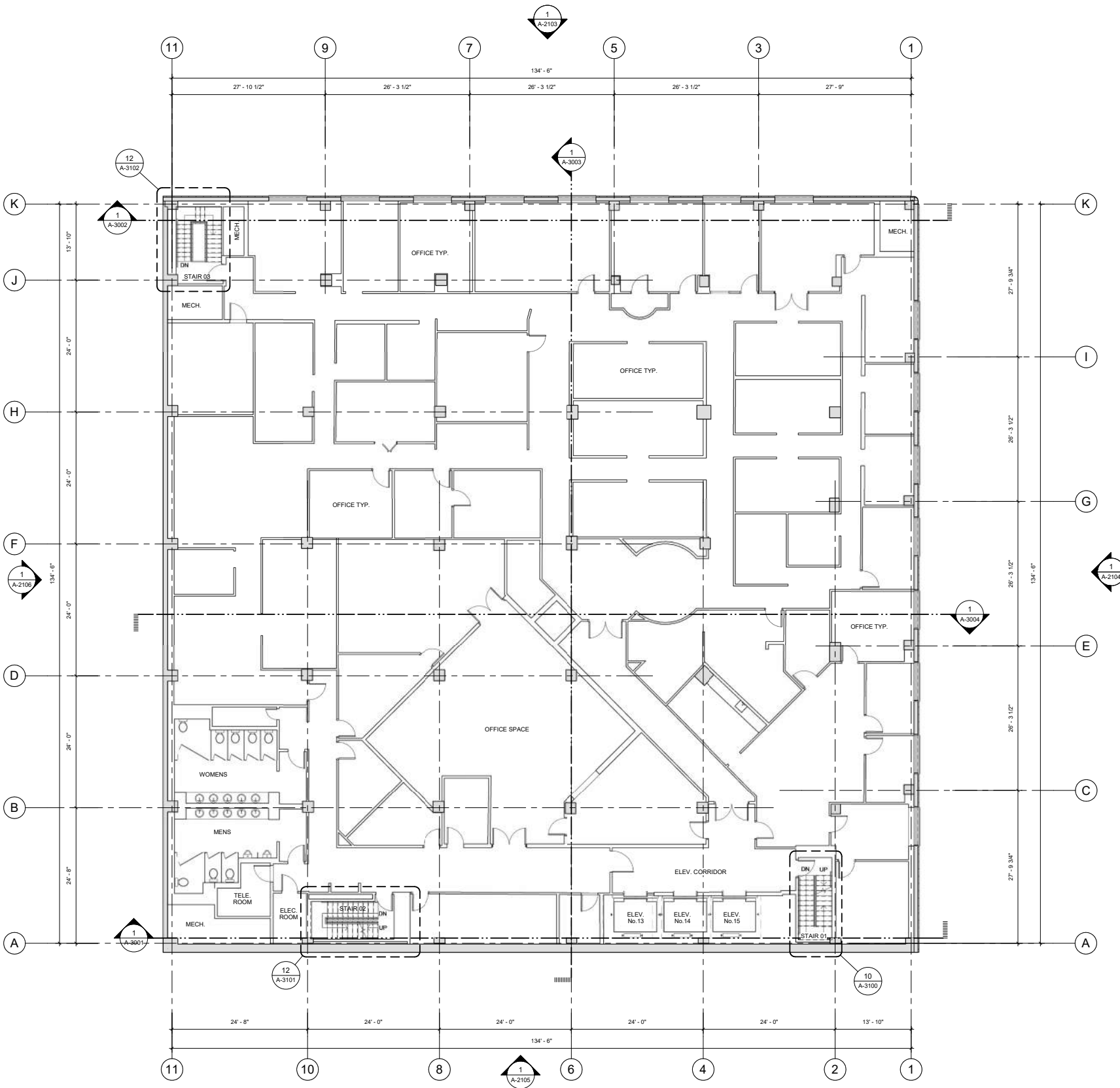


EXISTING LEVEL 9 PLAN

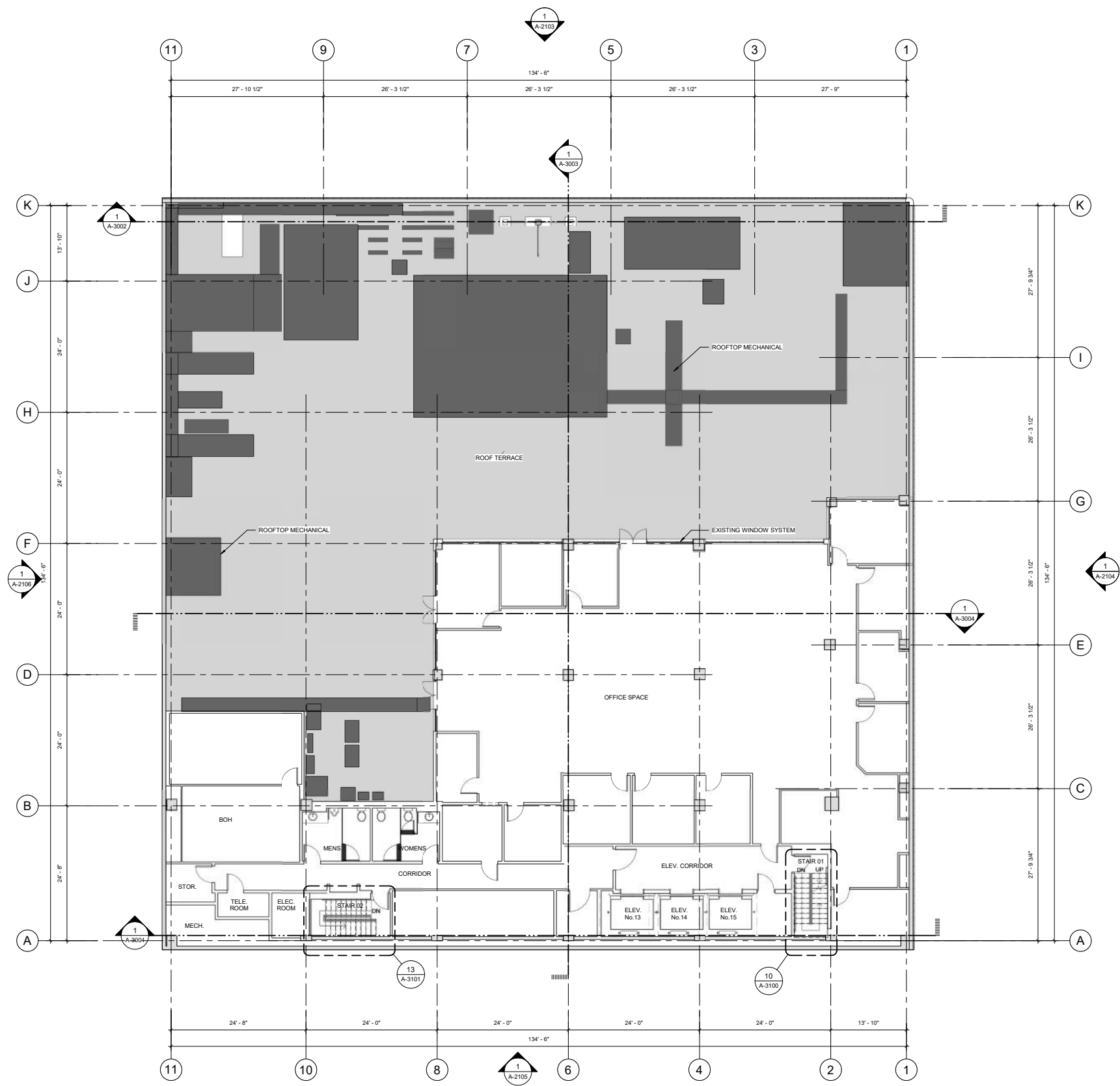
N.T.S.



EXISTING LEVEL 10 PLAN
N.T.S.



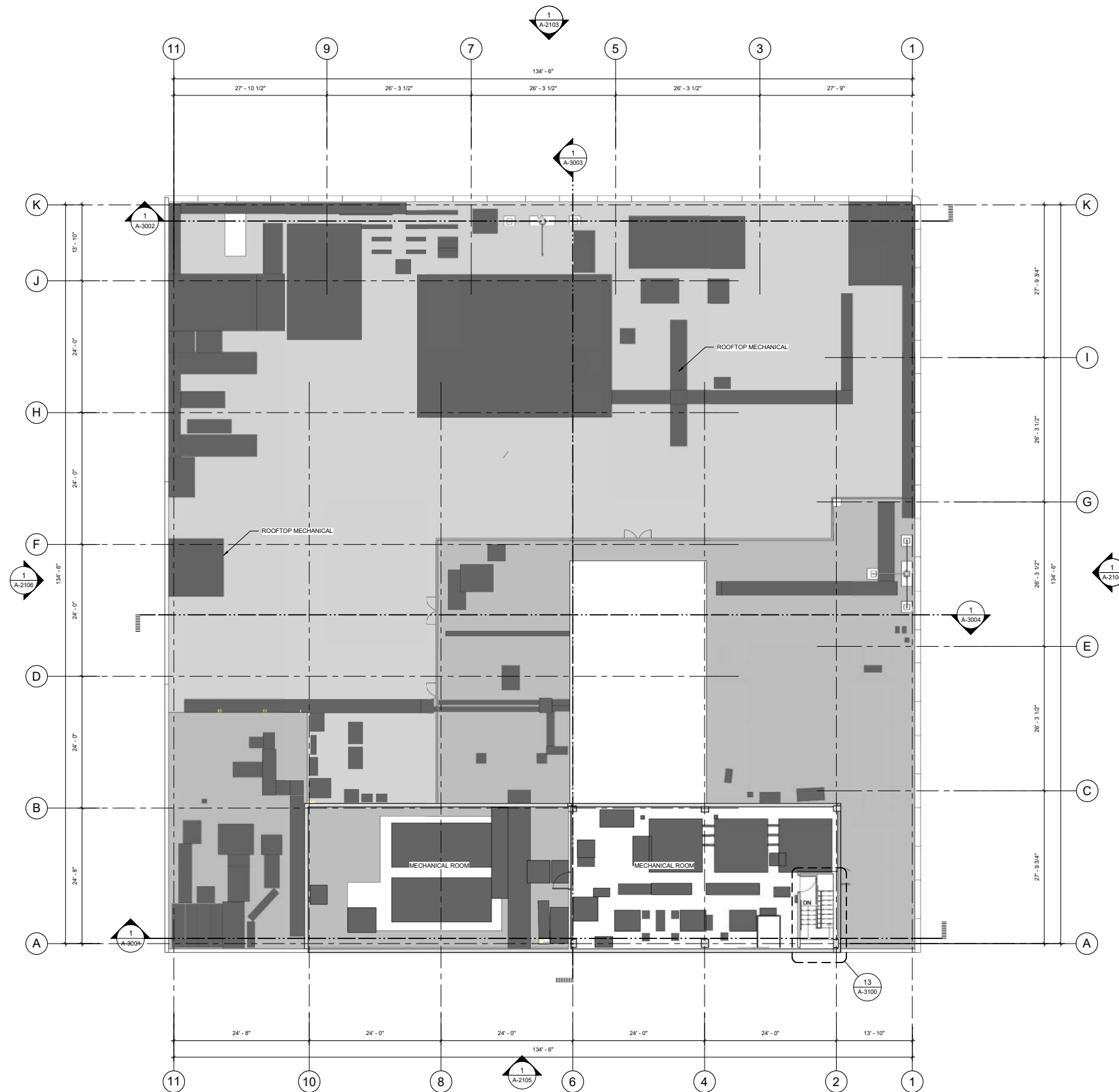
EXISTING LEVEL 11 PLAN
N.T.S.



EXISTING ROOF PH 01
N.T.S.



EXISTING ROOF PH 02
N.T.S.



EXISTING ROOF PH 03
N.T.S.

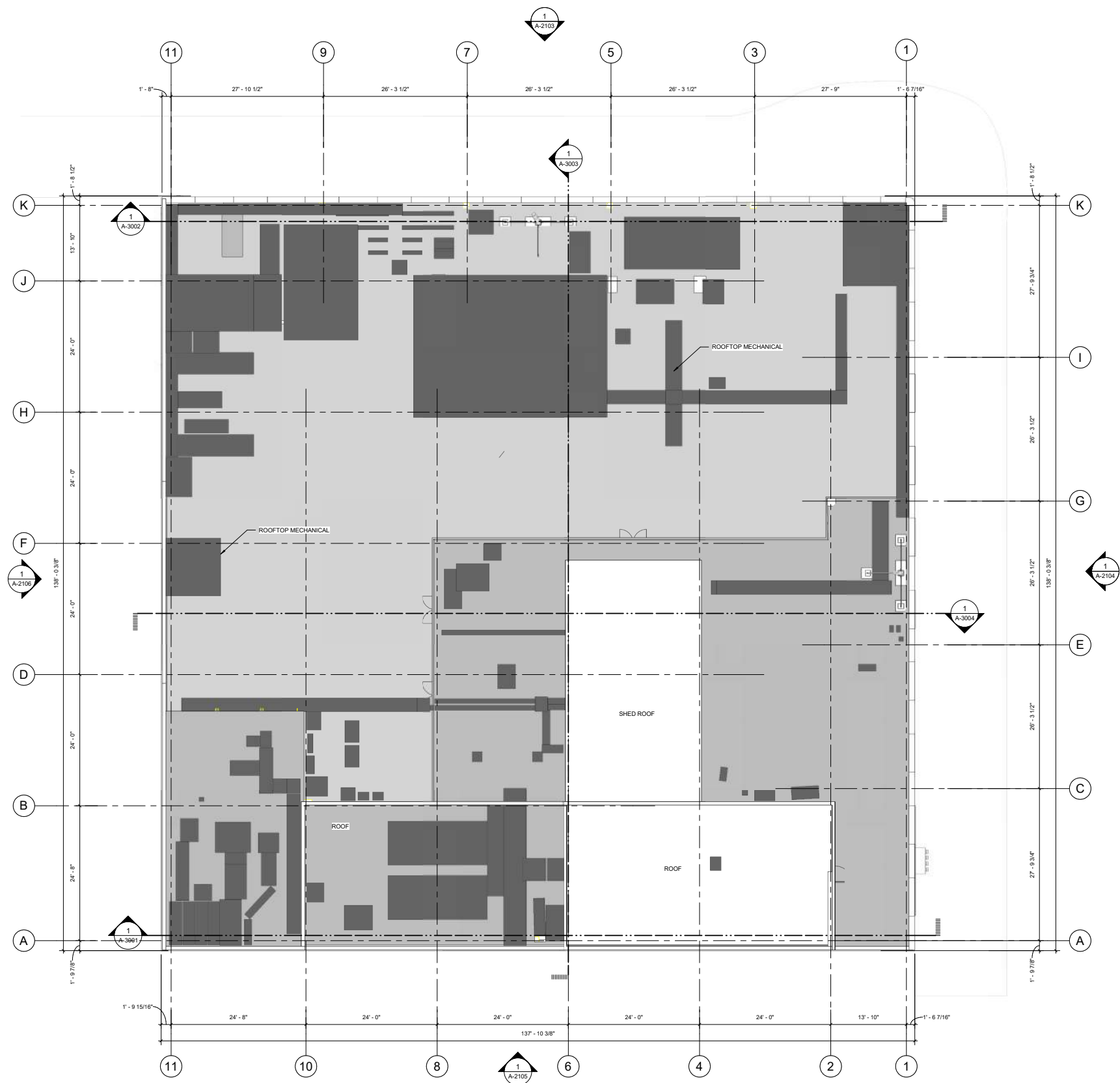




EXHIBIT
C

CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
233 GEARY ST		0314018
Case No.		Permit No.
2020-005897ENV		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval.</p> <p>The proposed project site is located at the northeast corner of Geary and Stockton streets on a block bounded by Geary Street to the north, Stockton Street to the east, and O'Farrell and Powell streets to the south and west, respectively. The project site comprises two contiguous parcels totaling 18,906 square feet at the former Macys location on Union Square. The site includes assessor's block 0314/lots 018-020. The existing building on the site consists of 148,105 square feet of retail (basement 1 + floors 1-7), 31,552 square feet of office uses (floors 8-11), and 24,140 square feet of common space at the basement 2 level, level 11, and at the roof and mechanical penthouse levels. The building height would remain unchanged at approximately 153 feet to the roof level (179 feet in height inclusive of mechanical penthouse). The project proposes a change in use for the conversion of the existing office and retail department store (former Macys) building into a mixed-use building with approximately 63,240 square feet of retail (floors 1-3 + basement floors), 81,470 square feet of office (floors 4-7 and 11), and 49,700 square feet of residential use with 21 dwelling units (floors 8 – 10). The project would relocate the sixth floor powder room to the third floor. The roof level would include an approximately 5,300-square-foot</p> <p>FULL PROJECT DESCRIPTION ATTACHED</p>		

STEP 1: EXEMPTION TYPE

The project has been determined to be exempt under the California Environmental Quality Act (CEQA).	
<input type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input checked="" type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Other ____
<input type="checkbox"/>	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment.

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input checked="" type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i>
<input checked="" type="checkbox"/>	Hazardous Materials: <input checked="" type="checkbox"/> Maier or <input type="checkbox"/> Cortese Is the project site located within the Maier area or on a site containing potential subsurface soil or groundwater contamination and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use? Is the project site located on a Cortese site or would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with current or former underground storage tanks? <i>if Maier box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maier program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant.</i>
<input type="checkbox"/>	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? Would the project involve the intensification of or a substantial increase in vehicle trips at the project site or elsewhere in the region due to autonomous vehicle or for-hire vehicle fleet maintenance, operations or charging?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, Environmental Planning must issue the exemption.
<input type="checkbox"/>	Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.
<input type="checkbox"/>	Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
Comments and Planner Signature (optional): David L Young PLEASE SEE ATTACHED	

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

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

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

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

STEP 5: ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. <i>(Attach HRER Part I)</i> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify)</i>: </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i> </div> </div>
<input type="checkbox"/>	2. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input checked="" type="checkbox"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input checked="" type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input checked="" type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (Analysis required):
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input checked="" type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Jonathan Vimr	

STEP 6: EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

<input checked="" type="checkbox"/>	No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Conditional Use Authorization	Signature: Don Lewis
		06/25/2021
<p>Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link. Once signed or stamped and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.</p> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		

Full Project Description

The proposed project site is located at the northeast corner of Geary and Stockton streets on a block bounded by Geary Street to the north, Stockton Street to the east, and O'Farrell and Powell streets to the south and west, respectively. The project site comprises two contiguous parcels totaling 18,906 square feet at the former Macys location on Union Square. The site includes assessor's block 0314/lots 018-020. The existing building on the site consists of 148,105 square feet of retail (basement 1 + floors 1-7), 31,552 square feet of office uses (floors 8-11), and 24,140 square feet of common space at the basement 2 level, level 11, and at the roof and mechanical penthouse levels. The building height would remain unchanged at approximately 153 feet to the roof level (179 feet in height inclusive of mechanical penthouse). The project proposes a change in use for the conversion of the existing office and retail department store (former Macys) building into a mixed-use building with approximately 63,240 square feet of retail (floors 1-3 + basement floors), 81,470 square feet of office (floors 4-7 and 11), and 49,700 square feet of residential use with 21 dwelling units (floors 8 – 10). The project would relocate the sixth floor powder room to the third floor. The roof level would include an approximately 5,300-square-foot roof terrace with a 10-foot trellis. The trellis would not increase the building height. The project would include 36 Class I, and 4 Class II bicycle parking spaces[1]. Entry access to the residential units and office space would be from Stockton Street; retail access would be from Geary Street.

Freight loading would take place at the two loading spaces at the sub-basement level, accessed from O'Farrell Street, and a 23'- 2" yellow curb for active freight loading and unloading for commercial vehicles at the northeast corner of Geary and Stockton streets. The project would require 18,215 cubic feet of temporary excavation for the footings, elevator pit, showers, and utilities and 16,392 cubic feet excavation for permanent foundation support totaling of 1,334 cubic yards of debris and material. Project construction duration is estimated at 18 months and anticipated to begin in late 2021.

Step 2: Environmental Screening Comments

Air Quality: The project site is located within an air pollutant exposure zone and the proposed residential uses are subject to Health Code article 38. The sponsor submitted an Article 38 application on March 31, 2020. The project would require minor construction activities for interior renovations and foundation supports but would not add new stationary sources of toxic air contaminants. Thus, no significant construction or operational air quality impacts would occur.

Archeology - The planning department conducted a preliminary archeological review on June 14, 2021 which determined that the project would have "no effect" on archeological resources.

Noise: The project would use typical construction equipment that would be regulated by Article 29 of the Police Code (section 2907, Construction Equipment). The proposed project would not generate sufficient vehicle trips to noticeably increase ambient noise levels, and the project's fixed noise sources, such as heating, ventilation, and air conditioning systems, would be subject to noise limits in Article 29 of the Police Code (section 2909, Noise Limits).

Water Quality: Stormwater and wastewater discharged from the project site during operations would flow to the City's combined sewer system and be treated to the standards in the City's National Pollution Discharge Elimination System permit.

Hazardous Materials: The project is subject to the Maher Ordinance (Article 22A of the Health Code), which is administered by the Department of Public Health. The project sponsor enrolled in the Maher Program on July 1, 2020.

Traffic: The department's transportation staff reviewed the proposed project on June 21, 2021 and determined that additional transportation review is not required.

Natural Habitat: The project site is entirely covered with impervious surfaces and within a developed urban area. The project site has no significant riparian corridors, estuaries, marshes, wetlands, or any other potential wildlife habitat that might contain endangered, rare or threatened species. Thus, the project site has no value as habitat for rare, threatened, or endangered species.

The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. The proposed project occurs within city limits on an existing development site of no more than 5 acres substantially surrounded by urban uses. The subject building is on an existing developed lot and adequately served by all required utilities and public services.

Public Notice: A "Notification of Project Receiving Environmental Review" was mailed on May 31, 2020 to adjacent occupants and owners of buildings within 300 feet of the project site and to the South of Market neighborhood group list. No comments were received.

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:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code; |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312; |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)? |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

If at least one of the above boxes is checked, further environmental review is required.

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- | | |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are 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 to the Environmental Review Officer within 10 days of posting of this determination.

Planner Name:

Date:



PART I HISTORIC RESOURCE EVALUATION RESPONSE

Record No.: 2020-005897ENV
Project Address: 233 GEARY ST
Zoning: C-3-R DOWNTOWN- RETAIL Zoning District
80-130-F Height and Bulk District
Block/Lot: 0314/001
Staff Contact: Jonathan Vimr – 628-652-7319
jonathan.vimr@sfgov.org
Melanie Bishop – 628-652-7440
melanie.bishop@sfgov.org

PART I: Historic Resource Evaluation

PROJECT SPONSOR SUBMITTAL

To assist in the evaluation of the proposed project, the Project Sponsor has submitted a:

- ☐ Supplemental Information for Historic Resource Determination Form (HRD)
☒ Consultant-prepared Historic Resource Evaluation (HRE)

Prepared by: Left Coast Architectural History, *Historic Resource Evaluation* (May 22, 2020)

Staff consensus with Consultant's HRE report: ☒ Agree ☐ Disagree

Additional Comments: Planning Staff generally concurs with Historic Resource Evaluation provided by Left Coast, but differs with the consultant's finding that the sixth floor powder rooms lacks integrity, and that the property possesses sufficient integrity to convey its significance in association with the post-quake reconstruction and the establishment of Union Square as the epicenter of San Francisco retail. Please see the *CEQA Historic Resource Determination / Next Steps* section prior to filing and submitting a HRER Part II.

BUILDINGS AND PROPERTY DESCRIPTION

Neighborhood: Downtown
Date of Construction: 1948 (current iteration)
Construction Type: Steel-Frame
Architect: Timothy L. Pflueger
Builder: Unknown

Stories: 10-over-basement (with large rooftop penthouse)
Roof Form: Flat
Cladding: White Marble
Primary Façade: Geary Street (North)
Visible Facades: North and East elevations

EXISTING PROPERTY PHOTO / CURRENT CONDITION



Source: 233 Geary Project Application, Architectural Drawings, Sand Hill Property Company and Handel Architects, 2020

PRE-EXISTING HISTORIC RATING / SURVEY

☒ Category A – Known Historic Resource, per: Inclusion on the Historic Preservation Commission's Landmark Designation Work Program, located within the Kearny-Market-Mason-Sutter Conservation District (KMMS)

☐ Category B – Age Eligible/Historic Status Unknown

☐ Category C – Not Age Eligible / No Historic Resource Present, per: _____

Adjacent or Nearby Historic Resources: ☐ No ☒ Yes: KMMS

CEQA HISTORICAL RESOURCE(S) EVALUATION**Step A: Significance**

Individual Significance	Historic District / Context Significance
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:
Criterion 1 - Event: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 2 - Persons: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 3 - Architecture: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 1 - Event: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 2 - Persons: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 3 - Architecture: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Period of Significance: 1946-1948	Period of Significance: 1906-1930 <input type="checkbox"/> Contributor <input checked="" type="checkbox"/> Non-Contributor <input type="checkbox"/> N/A
Analysis: <p>According to the Historic Resource Evaluation, Part 1 ("HRE," dated May 22, 2020), and information accessed by the Planning Department, the subject building at 233 Geary Street is developed with a ten-story, steel-frame, marble panel clad commercial building, the current iteration of which was designed by master architect Timothy L. Pflueger and completed in 1948. Located across the southeast corner of Union Square in the downtown area, the subject building is roughly square in plan, with a flat roof, regular fenestration, and a prominent parapet. Significant known exterior alterations include replacement of the ground level storefronts and an increase to the size of several storefront openings in the 1990s. The interior has been substantially remodeled or otherwise modified through the years, with only the sixth-floor women's powder room remaining largely intact.</p> <p>Preservation staff concurs with the HRE's determination that the subject building is eligible for listing in the California Register of Historical Resources (CRHR) under Criteria 1, 2, and 3. First home to a two-story commercial structure fronting Stockton Street, Emma G. Butler commissioned its replacement with a nine level masonry structure that broke ground in 1905. Under construction when the 1906 earthquake struck, the Butler Building would survive and reach completion in 1908. Housing the glassware and crockery retailer Nathan-Dohrmann Company, the Butler Building was part of the broader redevelopment of the Union Square area as the retail center of San Francisco and one of the most prominent retail districts in the country. The Nathan-Dohrmann Company moved west to 281 Geary Street in 1944, which conveniently happened to be the same year the I. Magnin department store merged with Bullock's, a larger chain. Having begun in 1876 as a small clothing shop at Grant Avenue and Geary Street, I. Magnin would retain its name and autonomy through the merger and sought larger, state-the-art quarters for its mid-40s expansion. Its then head, Grover Magnin, originally intended to demolish the Butler Building and replace it with a structure clad in white marble and black granite, but the ongoing wartime steel shortage dictated that the Butler Building be stripped while retaining its structural framework, and subsequently entirely re-clad per the design by architect Timothy Pflueger. Pflueger had by this point established himself as a prominent architect locally and throughout the state, having already designed several other I. Magnin stores across California. Work began in 1946 and would be completed with the building's opening in January 1948. Touted during construction as one of the most elaborate stores in San Francisco, and also thought to be the city's first entirely air conditioned building, it was immediately praised for features such as its interior fire escapes, unique elevator vestibule, sound proof changing rooms, and a host of amenities for employees. Though Magnin and Pflueger had input on the interior design and furnishings (Magnin personally designed the crystal chandeliers, for example), Neel D. Parker is credited as the interior designer.</p> <p>Beginning as the Butler Building in 1907, the subject property appears significant for its association with the broad</p>	

pattern of development in San Francisco's Union Square and downtown area. Having only started construction in 1905, completion of the Butler building was part of the overall reconstruction and economic rebound of San Francisco in the years following the 1906 earthquake and fire. Home to the largest crockery and glassware store in the country at the time, this first iteration of 233 Geary was also part of firmly establishing Union Square and the surrounding streets as one of America's premier retail and shopping districts. But while the property has maintained its role as a prominent retail center through the decades, all elements of the Butler Building other than its steel frame were demolished as part of the I. Magnin remodel in the late 1940s. As such the property has lost any ability to convey its significance in association with post-quake reconstruction and the establishment of Union Square as the epicenter of San Francisco retail. Having said that, 233 Geary *does* appear to be a local, distinct representation of the national shift in the character of department stores immediately following World War II. Bouncing back to pre-Depression levels in terms of numbers, the prosperity the nation experienced following the war went hand in hand with Department stores from Los Angeles, to San Francisco, to Chicago and New York being remodeled or newly constructed with contemporary architectural and interior design aesthetics. These aesthetics included the drive for a more opulent, higher end experience. The development of 233 Geary exemplifies this and is therefore significant for its association with broad patterns of local or regional history and is eligible under Criterion 1.

The subject property also appears individually eligible under Criterion 2 for its association with Grover Magnin and the overall Magnin family and business. The Magnin family's roots on both sides can be traced back to Central Europe, specifically to the Netherlands. Isaac Magnin (Moeijen) was born in 1842 in Groningen, a city in the northern Netherlands, the eldest son of a Russian father and Dutch mother.¹ He emigrated to the United States with his parents when he was a child and worked as a travelling merchant throughout Texas and New Mexico as a young adult before enlisting in the army during the Civil War (sources conflict on whether Magnin served in the Confederate or Union Army). After the war's end, the Magnin family returned to Europe, this time to London where Isaac opened an art supply store. Mary Ann Cohen was born in 1848 in Scheveningen, a district of The Hague. She emigrated as a young child with her family, including her father who was a rabbi, to London. While little is known of her early life, many sources note that Mary Ann was only sixteen when she met and married Isaac Magnin in London in October of 1865.² The family had eight children: Samuel, Henrietta, Joseph, Emanuel John, Victor, Lucille, Flora, and Grover (the only Magnin child born in the United States). Isaac and Mary Ann lived in London with their children for approximately ten years, before immigrating to the United States in 1876. The Magnins travelled by ship to California by way of Cape Horn. Upon their arrival, they settled temporarily in Oakland where Isaac took a job as a woodcarver at Solomon Gump's Mirror and Picture Framing Shop in San Francisco at Market & Second Street. While working at Gump's Isaac was tasked with gilding the ceiling of a nearby church. Thinking of her husband's safety and fearful he may hurt himself falling from a scaffold and be unable to work, Mary Ann asked him to quit and offered to find a way for the family to make ends meet.

What originally began this way would grow into the first major American department store established by a woman.³ Mary Ann Magnin set up a small workshop in the family home to sew lingerie for the wealthy women of San Francisco and the Bay Area. Magnin crafted nightgowns, chemise, bridal gowns, and baby clothes, sourcing most of her lace and linen from Europe which gave the Magnin brand the reputation of being high quality and expensive. Mary Ann eventually opened a small store in Oakland to serve her clientele and as the business grew, moved the business from shop to larger shop and her clientele followed. In 1877, the Magnin's opened their first store in San Francisco on Market Street with Mary Ann affectionately naming it "I. Magnin & Company," after her husband, Isaac. Though the store bears Isaac's name, it is important to note that the business was founded by Mary Ann, who took great care and pride in operating the business herself throughout her life even after retirement. The Magnin children

¹ Robert P. Swierenga, *The Forerunners: Dutch Jewry in the North American Diaspora* (Detroit, Michigan: Wayne State University Press, 1994), 310.

² Robert Hendrickson, *The Grand Emporiums: The Illustrated History of America's Department Stores* (New York, New York: Stein and Day, 1979), 162

³ Hendrickson, 162.

were brought up in the family business with several taking on active roles as they became adults and finished schooling. Sons Emanuel (John), Grover, Sam, and Joseph entered the family business around the turn of the century and would each go on to leave their mark upon the company. Joseph eventually founded his own store after falling in love with an I. Magnin millinery worker named Charlotte “Lottie” Davis, breaking a company policy that forbade family members from dating female workers. The two married and were co-owners of J. Magnin & Co, which marketed itself as a more affordable, accessible alternative to I. Magnin.⁴ Joseph Magnin’s break from the rest of the family allegedly caused a rift that lasted decades.

The Magnin family were among some of the most prominent in San Francisco. Family patriarch Isaac was a member of the Masonic Order in London and rose to the highest rank in the United States. Son Grover Magnin became treasurer of the American Council for Judaism, an anti-Zionist organization during World War II.⁵ Members of the family were upwardly mobile, belonged to the prestigious Temple Emanu-El congregation, and were respected throughout the Bay Area and California. Rabbi Edgar Fogel Magnin, son of Isaac and Mary Ann’s oldest son Samuel, became the spiritual leader of Reform Judaism in Southern California during the mid-twentieth century. Born into the family of department store magnates in 1890, Rabbi Magnin became a well-known lecturer, author, and civic leader in California and his Congregation B’nai B’rith in Los Angeles one of the most influential synagogues in the United States. Rabbi Magnin went on to write columns for the Los Angeles Herald Examiner and the Anglo-Jewish weekly Heritage, as well as serve as an adjunct professor of homiletics at the HUC Jewish Institute of Religion. He also developed a friendship with President Richard Nixon, who asked him to deliver the prayer at his presidential inauguration in 1969.⁶

The Dutch Jewish population in early nineteenth century San Francisco was small and transient, numbering less than one hundred people.⁷ Following the discovery of gold in Northern California in 1848, the city grew immensely and rapidly and within five years had nearly 60,000 residents. By the 1870’s, San Francisco was the city with the second largest Jewish population in the United States with 15,000-18,000 Jewish residents.⁸ Though significant, this number was far below New York City’s Jewish population estimate of 75,000-100,000. The earliest Jewish arrivals in San Francisco came from other places in the United States including Charleston, New Orleans, Saint Louis, and New York City. Most immigrated from German held lands of central Europe, but all nationalities were represented. In the early days, much of the Jewish population of San Francisco celebrated religious services and holidays together, with many new Jewish arrivals meeting for the first time on Rosh Hashanah in 1849. By 1850, the First Hebrew Benevolent Society was established to raise funds resulting in the purchase of two city lots for the city’s first Jewish cemetery. By late 1850, congregations began to separate based on nationality due to differences in beliefs.⁹ The economic life of the Jewish in San Francisco revolved mostly around merchandising in the central financial district. At the top of the new societal hierarchy was an elite group of pioneer German Jewish clothing and dry goods manufacturers, including Levi Strauss. The majority of Jews identified in San Francisco city directories between 1861-1865 were middle class with many listing their occupation as dealers and merchants, salesmen, skilled craftsmen, and bookkeepers. According to Robert P. Swierenga’s *The Forerunners: Dutch Jewry in the North American Diaspora*, the Dutch Jewish population was scattered throughout the city in the early nineteenth century, but by 1880 had congregated near Market Street between Third and Sixth streets.¹⁰

Mary Ann’s role in the business was typical of many Jewish families in the Netherlands. Swierenga further states, “Among the Dutch, only Jews appreciated women’s work and Jewish women alone wished to be business partners

⁴ Hendrickson, 166.

⁵ Swierenga, *The Forerunners*, 311.

⁶ Swierenga, 312.

⁷ Swierenga, 294.

⁸ Swierenga, 294.

⁹ Swierenga, 294.

¹⁰ Swierenga, 296.

even when there was no urgent need.”¹¹ Mary Ann ran her business with efficiency, attention to detail, and an independence that was not recognized in America at the time. The first I. Magnin store in San Francisco was located on Market Street and was one of the first retail stores in the city to display their merchandise in a way that incorporated interior design—with cabinets, showcases, and gilded mirrors. As the business continued to grow, the Magnins established their own buying office in New York City as a way to keep up with the latest fashion trends and stay ahead of competition. Along with much of San Francisco, the 1906 Earthquake and Fire levelled the I. Magnin store on Market Street. The family operated out of their home at 1482 Page Street for a time, until a \$50,000 loan with no interest from I.W. Hellman, president of Wells Fargo enabled them to rebuild. The new headquarters for I. Magnin were located downtown at Grant and Geary and sales rose due to the influx of workers during the city’s reconstruction. Around this time, E. John Magnin took over as head of the company. During his tenure as president of I. Magnin & Co., John resided primarily in New York City, the only head of a Pacific Coast retail chain to do so. Magnin is responsible for discovering many of the great design talents of the century including Jeanne Lanvin, Louis Boularges, Philip Mangone, and Hattie Carnegie. The creation of the “Magnin Woman” aesthetic was born during John Magnin’s reign as well, when the department store held up its reputation as a high quality, white-glove department store.

Though Mary Ann had technically retired from the family business in-store operations, the matriarch conducted daily inspections of the store at 3pm, even while she was confined to a wheelchair. Mary Ann further demonstrated her dedication to the business she built when she continued to make visits to the store in her final days, allegedly by ambulance and stretcher, according to an account written by business historian Milton Moskowitz.¹² Mary Ann only fully retired upon her death at the age of ninety-five in 1943, the last year the store was owned fully by the Magnin family. Following this, the company was absorbed by Bullock’s, though it appears Grover Magnin continued to oversee its operation for at least some time.

During Grover’s time as president of the company it went from a single location to a successful chain across the West Coast and was reputedly among the most luxurious brands of department stores in the country. Grover was key in the remodel of 233 Geary as he hired Pflueger as the architect and would even go on to travel Europe with him in the later 1930s in order gain design insights for I. Magnin stores, particularly this flagship location in San Francisco. Living in the Sant Francis Hotel just across Union Square, he likely had frequent involvement with and oversight of the remodel’s construction in the later 1940s. As such 233 Geary is the I. Magnin most closely associated with Grover Magnin.

As stated in the HRE, Pflueger’s iteration of the building at 233 Geary Street has high architectural merit rising to the level of individual significance and eligibility under Criterion 3. Though related to several other I. Magnin stores along the West Coast, the design is nonetheless distinct from these and avoids any simple stylistic categorization. Exhibiting characteristics from various modernist manners, such as Art Moderne and the International Style, its design stands alone and represents Pflueger’s exploration of new aesthetics as he reached the end of his career and, tragically, life. In contrast to the punched and deeply recessed window openings that were nearly ubiquitous in the area, Pflueger chose to install window systems that sat proud of the building face, both as a design decision and also in an effort to make the structure “pigeon proof.”¹³ Describing the impetus for the design to Herb Caen during its construction, Pflueger quipped that it was “A Piece of Cake” and that “The dimensions were already there—I just filled in the blanks with the best damn marble I ever saw.”¹⁴ Pflueger is widely recognized as a master architect

¹¹ Swierenga, 310.

¹² Swierenga, 310.

¹³ Therese Poletti, *Art Deco San Francisco: The Architecture of Timothy Pflueger*, New York, New York: Princeton Architectural Press, 2008, p. 218.

¹⁴ Timothy Pflueger to Herb Caen in Bill Van Niekerken, “When San Francisco department store were royalty, I. Magnin was king,” *San Francisco Chronicle*, February 13, 2019: https://www.sfchronicle.com/chronicle_vault/article/When-San-Francisco-department-stores-were-13606199.php

responsible for some of the Bay Area's Art Deco and other modernist structures, and is known for his approach to designing both the interior and exterior of many of his projects. While Neel D. Parker lead the interior effort at 233 Geary, Pflueger is believed to have been involved, and this is reflected by the opulent finishes and furnishings found throughout the interior. While much of the lavish interior has been destroyed, there are two spaces that remain intact: the sixth-floor women's powder room and a dressing salon found on the fourth floor. While some fixtures have been replaced in-kind over the years, the powder room in particular appears virtually untouched and exhibits the elaborate, high style design the building historically had throughout the interior. Associated with a master architect and possessing high artistic merit and the interior and the exterior, 233 Geary is individually eligible under Criterion 3.

The subject building does not embody a rare construction type and therefore is not individually eligible under Criterion 4 as it applies to buildings and structures. (The potential archeological significance of the site is not addressed in this report.)

The subject building is a Category V (Unrated) property located within the locally designated and CRHR-eligible Kearny-Market-Mason-Sutter Historic District (KMMS). While the designation for KMMS does not include an explicit period of significance, it is apparent that it stretches from roughly 1906-1930. The designation refers to the district as a collection of early twentieth century commercial architecture, the entire area as having been built in less than twenty years following the great quake and fire, and that Union Square had been established as the city's premier shopping districts by the 1920s. Pflueger's iteration of 233 Geary is well outside the approximate period of significance. And though its design certainly relates to the character of the early 1900s buildings, it does so in relatively subtle ways while featuring little to no rustication, façade articulation, or revivalist detailing while also being intentionally designed with a rigid grid of windows that project beyond the face of the building. Given its construction date and architectural design the subject property is therefore noncontributory to KMMS, but its subtle relation to the surrounding district allows it to nonetheless maintain general compatibility.

Step B: Integrity

The exterior of the subject property has retained or lacks integrity from the period of significance noted in Step A:

Location:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Design:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

Analysis:

In order to be determined eligible for the CRHR, the subject building must be found to retain sufficient integrity to convey its historic significance under Criteria 1, 2, and 3. Planning staff concurs with the HRE's finding that the exterior of the building retains all seven aspects of integrity. Although modifications to the ground level have slightly altered the subject building's integrity of design and materials, these changes are not sufficient to result in a determination that overall integrity or any single aspect of integrity has been significantly diminished.

Therefore, the subject building retains sufficient integrity at both the exterior and is a historic resource individually eligible for the CRHR under Criteria 1, 2, and 3.

The interior of the subject property has retained or lacks integrity from the period of significance noted in Step A:					
Location:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input type="checkbox"/> Retains	<input checked="" type="checkbox"/> Lacks
Association:	<input type="checkbox"/> Retains	<input checked="" type="checkbox"/> Lacks	Feeling:	<input type="checkbox"/> Retains	<input checked="" type="checkbox"/> Lacks
Design:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

Analysis:

Although much of the historic interior has been destroyed, including significant diminishment of the fourth-floor dress salon, the Department finds that the sixth-floor powder room remains largely intact. An isolated, self-contained area with much of its historic materials and features remaining, the powder room continues to convey its character while also serving as a limited, but nonetheless representative example of the splendor historically found throughout the building's interior. Without the remainder of the building's interior, this space has lost its integrity of association and perhaps feeling and setting, but it continues to convey all strictly tangible aspects of integrity (materials, design, workmanship) as well as location.

Therefore, the subject building retains sufficient integrity at the exterior and at a single interior space (the sixth-floor powder room) and as previously stated is a historic resource individually eligible for the CRHR under Criteria 1, 2, and 3.

Step C: Character Defining Features

The period of significance is 1948, the year of the completion of Pflueger's complete overhaul of both the interior and exterior and opening of the building as the flagship I. Magnin store. The subject building's character-defining features at the exterior that retain enough integrity to convey its significance are:

- Rectilinear, box-like massing
- Mid-rise (10 stories over basement) height
- Curved building corner
- Uniform, largely unarticulated facades
- Flat roof/roofline
- White, Vermont marble cladding
- Black granite at the base and around ground floor openings
- Uniform grid of windows located above the ground level
- Single-light, aluminum framed windows that project from the face of the building
- Double-height entry openings, uniformly and symmetrically placed at the ground floor
- Square display window openings, uniformly and symmetrically placed at the ground floor
- Parapet pierced with rectangular openings

The property's character-defining features at the interior that retain enough integrity to convey its significance are:

- Sixth floor women's powder room, consisting of:
 - Dark green and cream-colored marble finishes
 - Gold leaf ceiling
 - Three intact original sinks with marble basin surrounds and brass faucets
 - Brass-framed mirrors
 - Exposed bulb light fixtures
 - Toilet stalls with full height mirrored doors.

CEQA HISTORIC RESOURCE DETERMINATION

- ☒ Individually-eligible Historical Resource Present
- ☐ Contributor to an eligible Historical District / Contextual Resource Present
- ☒ Non-contributor to an eligible Historic District / Context / Cultural District
- ☐ No Historical Resource Present


NEXT STEPS

- ☒ HRER Part II Review Required
- ☒ Historic Design Review Comments provided per Plan Check Letter No. 1 (dated 12/24/2020)
- ☐ No further historic resource review, consult:
 - ☐ Current Planner
 - ☐ Environmental Planner

PART I: Approval

- ☐ Preservation Team Review Concurred with this Determination.

Date: _____

Signature:  _____

Date: 4/30/2021

Elizabeth Gordon-Jonckheer, *Principal Planner*
Northwest Team and Historic Preservation Manager, Current Planning Division



HISTORIC RESOURCE EVALUATION RESPONSE

Record No.: 2020-005897ENV
Project Address: 233 GEARY STREET
Zoning: C-3-R DOWNTOWN- RETAIL Zoning District
80-130-F Height and Bulk District
Block/Lot: 0314/018-020
Staff Contact: Jonathan Vimr – 628-652-7319
Jonathan.Vimr@sfgov.org

Part II: Project Evaluation

Proposed Project:	Per Drawings Dated:
<input type="checkbox"/> Demolition / New Construction <input checked="" type="checkbox"/> Alteration	May 25, 2021

PROJECT DESCRIPTION

- Expand smaller storefront openings at ground floor
- Install new storefront systems and metal cladding
- Expand existing window openings throughout the exterior and infill with new window systems
- Remove a portion of the blank, west elevation
- Remove limited portions of marble cladding throughout the primary elevation to accommodate expanded openings
- Relocate the historic sixth floor powder room to the third floor

PROJECT EVALUATION

The proposed project's conformance with the Secretary of the Interior's Standards:

Standard 1 – Minimal Change:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Standard 6 – Repairment:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Standard 2 – Maintain Character:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Standard 7 – Treatments:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Standard 3 – Avoid Conjecture:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Standard 8 – Archeology:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Standard 4 – Acquired Significance:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Standard 9 – Compatibility:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Standard 5 – Building Techniques:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Standard 10 – Reversibility:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

See **Project Impact Analysis** comments for additional information.

DISTRICT COMPATIBILITY ANALYSIS

The proposed project's conformance with the District's Character-Defining Features:

The subject property is a noncontributory to the Kearny-Market-Mason-Sutter Conservation District, but the aspects of its design that do relate to the district's character-defining features will be retained nonetheless. These include the subject property's overall scale and massing, its somewhat abstracted but present tripartite composition, its defined

and pedestrian-oriented ground floor with high levels of transparency, the visual weight and grounding of the masonry clad building, and the balance between solid and void seen along the Geary and Stockton street facades. Given this and the additional analysis below, the property will continue to relate to the surrounding district in much the same way as it currently does and the proposed alterations to the noncontributory property would not result in any diminishment of the historic district's character.

See *Cumulative Impacts Analysis* comments for additional information.

PROJECT DETERMINATION

Based on the Historic Resource Evaluation in Part I, the project's scope of work:

- ☐ **Will** cause a significant adverse impact to the **individual historic resource** as proposed.
- ☐ **Will** cause a significant adverse impact to a **historic district / context** as proposed.
- ☒ **Will not** cause a significant adverse impact to the **individual historic resource** as proposed.
- ☒ **Will not** cause a significant adverse impact to a **historic district / context** as proposed.

PROJECT IMPACT ANALYSIS

As proposed, the subject property's character-defining features and historic fabric would largely be retained, with all alterations being compatible with the existing design. A substantial amount of the marble and granite cladding found at the ground level would be preserved, with the rounded corner going untouched. While the smaller display windows would be enlarged, the ground floor was substantially modified in the past, and new fenestration will be consistent with the larger openings already prevalent on both the Geary and Stockton street facades. With several pillars still extending down to grade, the base of the building will retain sufficient solidity and continue to visually ground the masonry structure. A medium to dark toned bronze is proposed for new storefront systems, doors, and small stretches of new cladding at the ground level. Though metallic in nature, it will be compatible with the building and surrounding district as it will not be glossy or highly reflective in appearance and is referential to the material historically used for the building's primary entryway and signage.

The large expanse of unbroken marble at either side and the top of the building that frames the building's rigid grid of windows will also be virtually unchanged, as will the perforated parapet. The lower two levels of the window grid itself (building floors three and four) will go unaltered, with the window openings at floors five through nine extended only at the sill, and the topmost row of windows proposed to have both the sill and head expanded vertically. In sum, no new window bays would be created, and the strict symmetry of the grid would be retained. This is despite the topmost row of windows varying slightly from those below, as the difference between the height of the topmost window openings (11') is similar enough to that of those below (8'6") to sufficiently retain the architectural parti. Portions of marble panels will need to be removed to accommodate the expanded openings, but the removal is limited relative to the overall volume of marble and approximately 75%-80% of the cladding between each row of windows will be preserved, retaining the exterior's uniform contrast between solid and void. New window systems will have visible, exterior frames matching the profile and material (aluminum) of the historic frames, and will also project slightly from the face of the building in keeping with Pflueger's attempt to design "pigeon proof windows." Although the top three rows of windows will incorporate a small operable light and therefore feature a single horizontal mullion in each window, the dark finish of the frame/mullion, the height of these window levels above the

street, and retention of a dark colored tint for the glazing will ensure that these mullions are hardly if at all perceptible. As such the grid will continue to appear composed of fixed single-lite windows. Overall, the changes to the windows grid will be recognizable, but its contrast between light and dark as well solid and void will be maintained. As will its general sense of symmetry and uniformity and the role of the window grid in the overall composition of the exterior. Finally, the new window systems will feature exterior frames and glazing matching that of the existing design.

A portion of the blank, western elevation will be removed at the highest levels of the building in order to provide improved access to natural light and air for residential units proposed for the top floors. Though this alteration will be visible from the surrounding public right-of-way, the western elevation is strictly utilitarian in nature with no character-defining features or architectural detailing present. Given this, the setback location of the area proposed for removal, and that the solid wall will continue to be visible below the new opening, the building will retain its sense of scale and rectilinear, box-like massing.


The historic interior of the building has been almost entirely destroyed over the past several decades, with the sixth-floor powder room being the only remaining character-defining feature at the interior. As it is only one of many character-defining features (see HRER Part 1), its wholesale removal would not have any significant effect that would diminish the overall the building. Regardless, the project proposes to fully preserve the washroom portion of this historic interior space and relocate it to the third floor. Though the washroom does not represent the entirety of the powder room, it is the most strictly intact and is where the lavish finishes and features are most highly concentrated as it includes green marble clad walls, a gold leaf ceiling, and opulent sinks and light fixtures. Further, since the use of the sixth floor will be converted to office as part of the project, shifting the washroom to the third floor ensures that it remains publicly accessible and is not removed from the public realm. It is believed that the historic materials and features that compose the washroom can be removed and reinstalled, but if this proves impossible the washroom will instead be fully recreated with materials, profiles, dimensions, and finishes matching that of the historic. If this recreation were to be necessary it would represent historically accurate and appropriate restoration rather than rehabilitation, with either approach complying with the associated Secretary of the Interior's Standards for the Treatment of Historic Properties.

Since the property's various character-defining features and historic materials will largely be retained, the conversion of the building from an almost entirely retail use to a mix of commercial and residential uses will result in minimal change to the site and its environment. As discussed above, the distinctive features of the property will be retained, and its historic character continued to be conveyed. The window systems proposed to replace the existing will match the historic in appearance and material, while the new bronze cladding will have a darker, non-glossy appearance in keeping with the building's contrast between the stark white marble and the black glazing and granite. No conjectural features or architectural elements from other buildings are proposed. Though the ground floor is the area proposed for the most substantial alterations, these changes are compatible with but differentiated from the historic in that the new openings will continue to be framed by marble and granite cladding, but will be unified in size. This approach increases the openness and transparency of the building's base but retains sufficient solidity to ensure the building remains grounded. The proposed work is also reversible as the marble used to clad the structure continues to be produced and made available. Changes to building's fenestration could therefore be reverted to the existing conditions without any impairment to the essential form and integrity of 233 Geary and the surrounding environment.

CUMULATIVE IMPACTS ANALYSIS

No demolition is proposed as part of the project, and the character-defining features of the subject property will largely be retained as discussed above. Given this and that the subject property is noncontributory to the subject historic district, the project would not result in any cumulative impacts.

PART II: Principal Preservation Planner Review

Signature:  _____

Date: 6/21/21

Elizabeth Gordon-Jonckheer, *Principal Planner*
Northwest Team & Historic Preservation, Current Planning Division

CC: David Young, *Senior Planner*
Environmental Planning Division

HRER PART II ATTACHMENTS:

- ☒ Architectural Plans, dated: May 25, 2021
- ☒ HRE / Supplemental, dated: May 22, 2020
- ☒ HRER Pt.1, finalized date: April 30, 2021



LAND USE INFORMATION

PROJECT ADDRESS: 233 GEARY STREET
RECORD NO.: 2020-005897PRJ

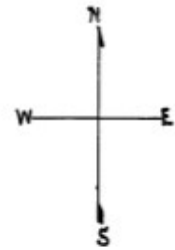
EXHIBIT
D

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	0	0
Residential GSF	0	49,258	49,258
Retail/Commercial GSF	148,105	68,562	-79,543
Office GSF	31,552	81,551	49,999
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	2,898	2,898
Public Open Space	0	0	0
Other (Accessory Office)	33,522	0	-33,522
TOTAL GSF	205,734	199,371	-6,363
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	21	21
Dwelling Units - Total	0	21	21
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	10	0	10
Parking Spaces	0	0	0
Loading Spaces	0	0	0
Bicycle Spaces	0	35	35
Car Share Spaces	0	0	0

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	3	3
Two Bedroom Units	0	15	15
Three Bedroom (or +) Units	0	3	3
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

Parcel Map

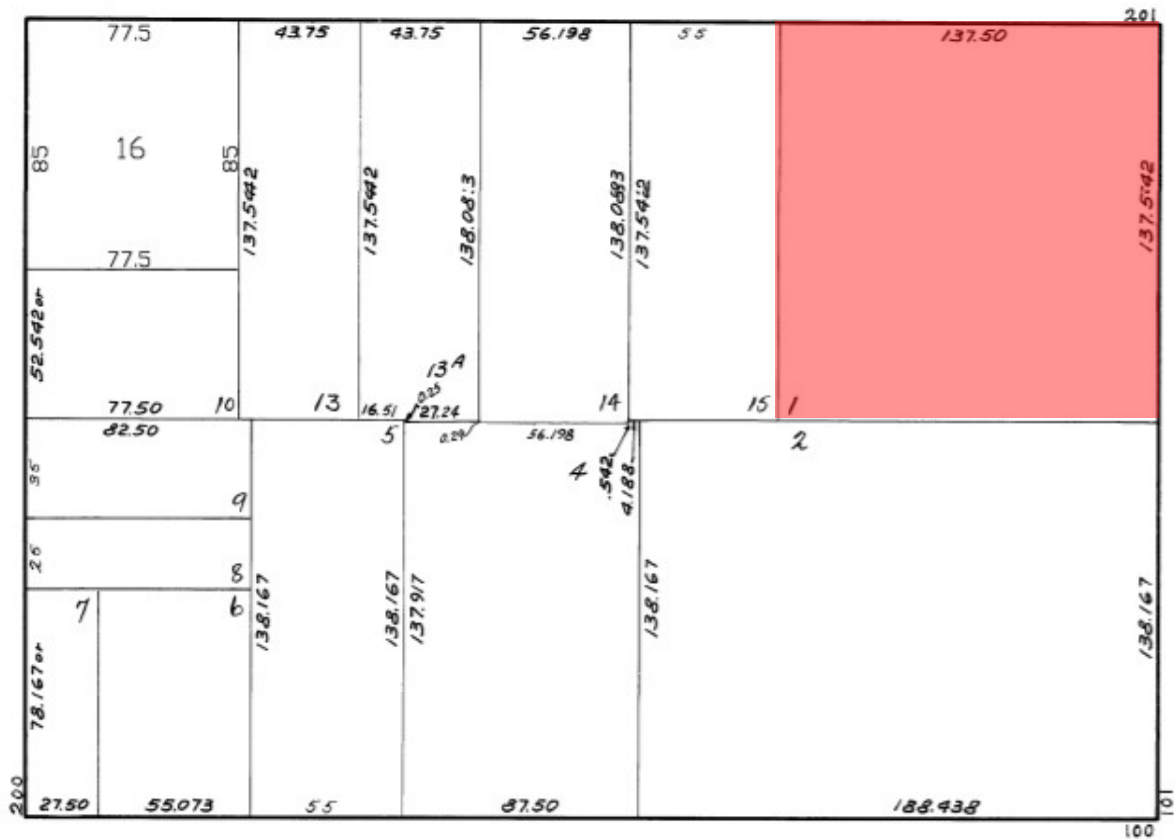
EXHIBIT E



GEARY

POWELL

STOCKTON

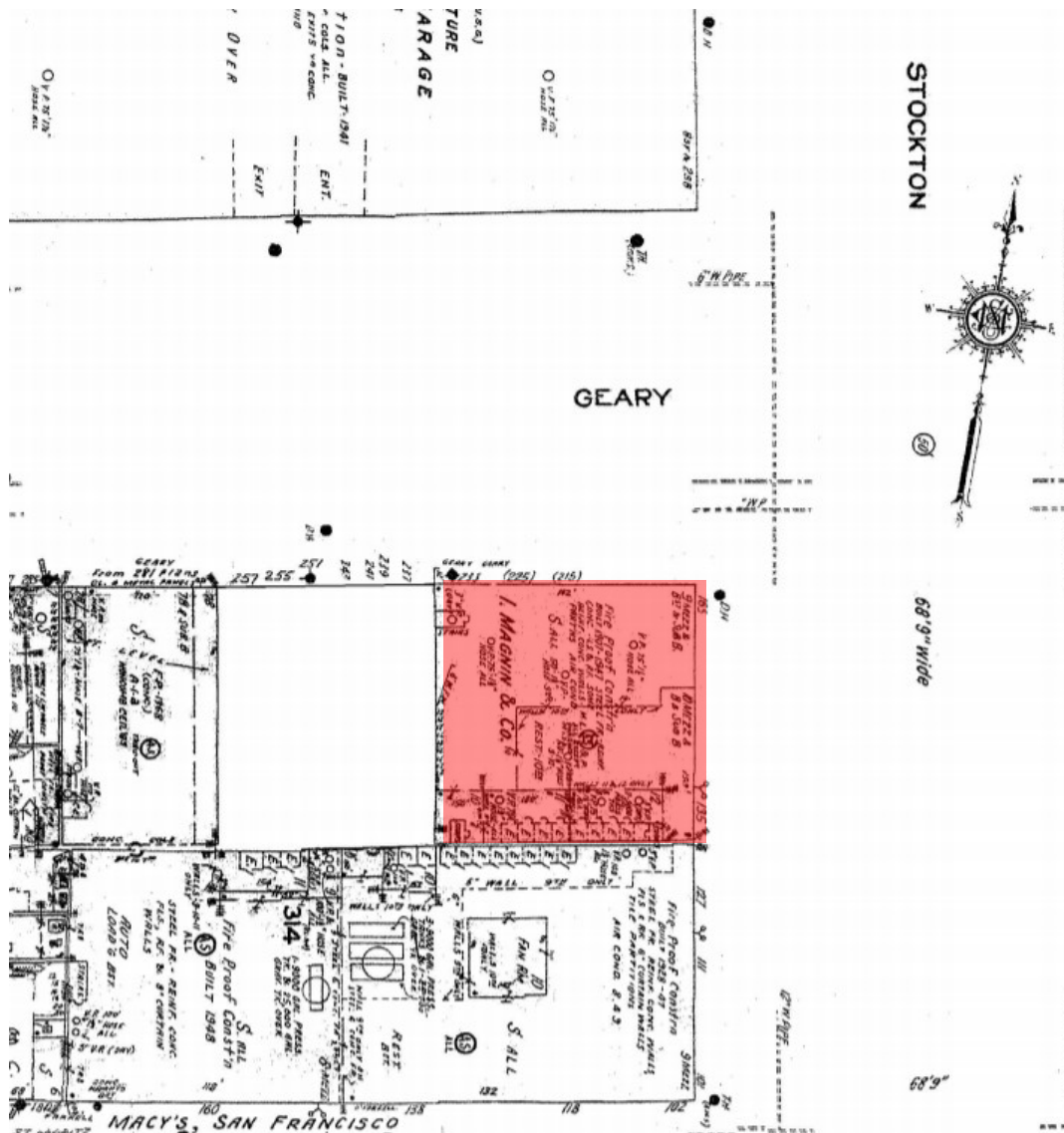


O'FARRELL



Case Number 2020-005897PRJ
233 Geary Street

Sanborn Map*



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



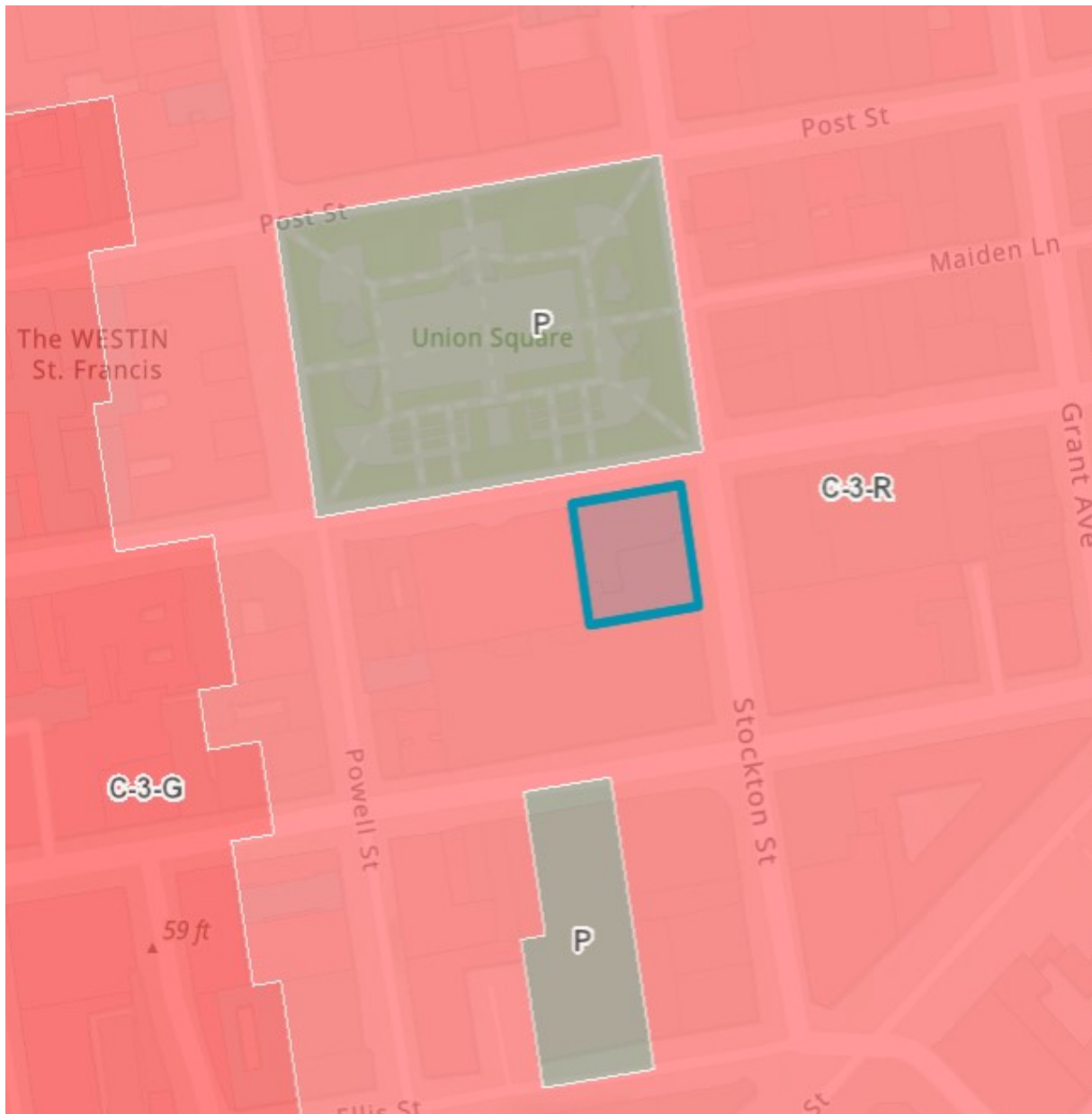
Case Number 2020-005897PRJ
233 Geary Street

Aerial Photo



Case Number 2020-005897PRJ
233 Geary Street

Zoning Map



Case Number 2020-005897PRJ
233 Geary Street

Site Photo*



**Geary Street façade to the right, Stockton Street façade to the left*

Case Number 2020-005897PRJ
233 Geary Street

Site Photo*



**Visible portion of the western elevation, looking southeast from Powell Street*

Case Number 2020-005897PRJ
233 Geary Street

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano
tcatalano@reubenlaw.com

July 14, 2021

Delivered Via Email

President Joel Koppel
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

**EXHIBIT
F**

**Re: 233 Geary Street
Project Sponsor's Brief in Support of the ENX, CUA and OFA Applications
Planning Department Case No. 2020-005897ENX/CUA/OFA
Hearing Date: July 22, 2021
Our File No.: 5042.03**

Dear President Koppel and Commissioners:

Our office represents Sand Hill Property Company, the owner of the property located at 233 Geary Street ("Property"), at the southwest corner of Geary and Stockton Streets, at the heart of Union Square. The Property is occupied by an 11-story former I.Magnin department store building, which then became incorporated into the adjacent Macy's, with two leased ground floor tenants. Macy's sold this building because they deemed it surplus, and the continual use as a department store is no longer viable.

The project benefits include the following:

- Preservation of the iconic building, and enrichment of its character-defining features;
- Conversion of a vacant, former single-user, vertical retail building into a compatible mix of retail, office and residential uses, adding activity and vibrancy to the Union Square neighborhood, at a time when Union Square is experiencing one of the highest vacancy rates in its history;
- Adaptive re-use of the building, allowing its continued use in a post-department store and post-pandemic period;
- Introduction of residential uses to the Union Square (as the first project to do so), and approx. \$2.15M contribution to the City's affordable housing supply via in lieu fee;
- Increased activation and transparency for approx. 275 feet of street frontage along Geary and Stockton, and retention of retail uses on the lower levels, contributing to Union Square's objectives to remain as a regionally significant shopping destination;
- Elimination of the distracting mechanical roof equipment and configuration, and creation of an attractive roofscape; and
- Creation of construction jobs, as well as permanent jobs in the building's retail and office floors.

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
492 9th Street, Suite 200, Oakland, CA 94607
tel: 510-527-5589

www.reubenlaw.com

A. Project Description

The project proposes an adaptive reuse of the former large department building, and its conversion into a true mixed-use building with approx. 69,000 sf of retail (3+lower level floors), 82,000 of (existing and new) office use (4+ floors), and 21 residential dwelling units with 49,000 sf (3 floors) ("Project").

B. Project Outreach and Support

The Project team has proactively reached out to many neighbors and stakeholders, and has presented the Project to San Francisco Heritage, Union Square Business Improvement District, Art Deco Society of California, and Housing Action Coalition. All of the above-mentioned organizations have provided helpful, positive feedback on the Project, and have written letters expressing their support for the Project. The Project team has also communicated about the Project with the closest neighboring property owners, including Macy's, Neiman Marcus, and 100 Stockton (former Macy's Men's Store) who have also expressed their support for the Project.

Copies of all of the support letters are attached in **Exhibit A**, as follows:

Exh. A-1:	San Francisco Heritage
Exh. A-2:	Art Deco Society of California
Exh. A-3:	Union Square Business Improvement District
Exh. A-4:	San Francisco Housing Action Coalition
Exh. A-5:	120 Stockton Owner (Blatteis & Schnur)
Exh. A-6:	Neiman Marcus (150 Stockton)

C. Project Applications - Code Compliance

As an adaptive re-use of the building the Project is remarkably compliant with Planning Code requirements. Only one deviation from current requirements is being requested under the 309 Downtown application, for the residential rear yard requirement. Aside for this single exception, the Project is otherwise fully Code compliant with all other Planning Code requirements.

HPC Review and Approval. The Property is located in the Kearny-Market-Mason-Sutter Conservation District, and the existing building is rated as a Category I (Significant) building under Article 11. The Property Owner appreciates the history of the building, and one of the first consultants they engaged (long before any applications were filed) was Page & Turnbull, in order to help guide the Project's design process and to create a respectful and compatible project, accounting for any historic context and allowing appropriate modernization and needed functionality (e.g. circulation and entrances). Overall, the exterior alterations are relatively minimal necessary to allow for the adaptive re-use including introduction of residential uses, and for an improved emphasis on ground floor retail experience. The Project was heard by the ARC on May 19th, by the HPC on July 7th, and was approved unanimously by the HPC on a 7-0 vote.

Section 309 Downtown Review. Handel Architects have thoughtfully designed the Project to achieve compliance with applicable Planning Code requirement and to provide for a design that is compatible and respectful of the existing building, KMMS and Union Square context. The Property is located in the C-3-R (Downtown Retail) Zoning, and first and foremost the Project seeks to vitalize and contribute to the Union Square shopping district. The Project's mix of uses not only provides retail opportunities on the building's lower level, ground, second and third floors, but also contributes to other nearby retail and restaurant establishments through the building's office employees and residential occupants. The symbiotic relationship of the proposed mix of uses adds a "24/7" element to building, which will result in additional vibrancy and activity to this area.

The only exception that is being requested is from the literal enforcement of the residential rear yard setback requirement. Given the building's historic significance it is not feasible to eliminate a portion of the building to create a Code complying 25% rear yard setback and thus an exception is being requested from that requirement. This exception is common in existing buildings, and certainly even more common with historically significant buildings, such as this building.

Conditional Use Authorization. Since the Property is located in the C-3-R District, any office use on floors 4-6 in excess of 5,000 sf requires a conditional use authorization. The Project proposes office uses on floors 4-7, and thus requires a conditional use authorization for three of the floors. The offices uses are part of a desirable mix for the building, and necessary to allow a fully occupied building. As a former large department store building, future occupancy of floors 4-7 with retail uses is unrealistic. Given the building's large and deep floor plates, introducing residential uses at the lower floors without access to adequate daylight is not feasible. Instead, the Project seeks to create a mixed-use building with uses that are compatible with each other and the neighborhood. The office uses (and tenants) benefit from excellent nearby transit opportunities, and wide spectrum of lunch and other retail amenities. The proposed office uses represent only one of the three key Project components, but as such the office uses are a necessary and desirable use for the building's overall programming and contribution to its context.

Office Allocation. The former uses by I.Magnin and Macy's were never all retail, but have always contained HQ and/or regional office functions on several floors (this started out as I. Magnin's head office). The HQ/regional office functions in the building have changed over time, and at one point as much as approx. 65,000 sf of the building was used for office. The Project will retain 31,551 sf of office area that has been recognized as grandfathered office space. Additionally, the Project proposes 49,999 sf of new office space, with a small cap office allocation request. All of the office uses will be located on the building's middle floors, starting with the 4th level, and the inclusion of office uses in the Project is consistent with the building's past uses.

D. Summary

The Project team is excited to present the Project to the Planning Commission on July 22, 2021. We respectfully ask the Commission to approve the Project, including the 309 exception to the rear yard setback requirement. If you have any questions please do not hesitate to let our team know.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Tuija I. Catalano

Enclosures: Support letters

cc: Vice President Kathrin Moore
Commissioner Deland Chan
Commissioner Sue Diamond
Commissioner Frank Fung
Commissioner Theresa Imperial
Commissioner Rachael Tanner
Rich Hillis, Planning Director
Claudine Asbagh, Team Manager
Jonathan Vimr, Project Planner
Jonas Ionin, Commission Secretary
Jason Chow, Sand Hill Property Company
Glenn Rescalvo, Handel Architects
Jay Turnbull, Page and Turnbull

June 2, 2021

Jason Chow
Sand Hill Property Company
965 Page Mill Road
Palo Alto, CA 94304

Re: 233 Geary Street

Mr. Chow,

Thank you for bringing the proposed project at 233 Geary Street to San Francisco Heritage's Projects and Policy Committee on May 21, 2021. We appreciate your team's recognition and respect for the historical significance and design of the former I. Magnin department store and its important association with the master architect Timothy Pflueger. The committee found your presentation clear and informative. After thoroughly reviewing and discussing the proposed alterations, the committee concluded the following:

Heritage has no objection to the proposed change of use or the ground-floor modifications as presented, supporting the use of bronze panels and mullions for the entryways as more complementary to a Pflueger-designed building than the black granite proposed by the Planning Department. Pflueger used an array of reflective materials and varnishes to achieve luminous surfaces in his projects and the bronze is very much in keeping with his work. The committee concurs with the Planning Department's suggested extension of the white marble cladding down to street level between entry openings.

The committee understands the challenge of bringing in more light and installing operable windows on the proposed residential floors, but opposes the fenestration changes as presented. The grid pattern is an elegant and key element of the iconic I. Magnin building, with window sizes aligned to the marble's panel joints. The significant expansion of openings as proposed, especially with the top line of windows, breaks the balance and harmony of Pflueger's design. We encourage revisiting options to create operable windows within the existing openings.

Finally, Heritage requests further information on the proposed relocation of the 6th floor powder room. What elements of the original lounge are to be salvaged and how closely will the proposed 3rd floor space follow the current layout and incorporate existing features?

We welcome the opportunity to review revisions as you refine the treatment of this important building. The masterful modern facade of the former I. Magnin department store not only visually dominates one corner of Union Square, but also represents a major work by one of San Francisco's most significant architects.

Thank you,



Woody LaBounty
Interim President & CEO



ART DECO SOCIETY OF CALIFORNIA

PO Box 5539 Berkeley, CA 97405

June 21, 2021

Jason Chow

Sand Hill Property

2600 El Camino Real, Suite 410

Palo Alto, CA 94306

Re: I. Magnin Building Conversion, San Francisco

Dear Jason,

Thank you so much for meeting with the ADSC representatives and the Zoom presentation given by Handel Architects and Page +Turnbull of the latest plans for the conversion of the I. Magnin Building to office and residential use.

We were very impressed with the revisions you and your team made to the project since the earlier schemes. We especially appreciate that the façade will retain more of the original Pflueger design, and the existing windows will be closer to the original size except the top row. Of course it would be preferable if the top row of windows could remain the same size as they are currently. We concur with your architect that the additional mullion added to make the windows operable represents an acceptable and necessary change to the original and has been sensitively handled. We are also very encouraged by your retention of the Ladies Lounge, albeit in a new location and accessible to the public. As we discussed, the ADSC would encourage you to increase the number of the stalls and the footprint of the Lounge overall so that as much as possible of the original design intent and user experience is preserved.

There is one area of concern that remains - the changes to the base of the building. We believe that the columns between the storefronts currently shown as clad in bronze should be clad in the same white marble as the building and the other first floor columns. The bronze cladding makes the base appear weaker as the storefronts look like one large opening that the mass of the building floats on. This is a major departure from Pflueger's design intent, which was to make the whole building appear as one, pure geometric solid with punched openings. We strongly recommend the white marble be continued as before to keep the integrity of the design. The design parti provided by the ARC is a preferred alternative from ADSC's point of view.



ART DECO SOCIETY OF CALIFORNIA

PO Box 5539 Berkeley, CA 97405

We commend your design team for their creative solutions to the spaces on the roof. They do not affect the look of the building from the street yet will provide interesting, useful and pleasant outdoor spaces. The exterior changes to the side of the building without windows is acceptable as it does not change any character defining features.

Thank you so much for sharing the development of the project with the ADSC. We look forward to the building coming to life again and continuing to be an important part of the architectural legacy in San Francisco.

Sincerely,

Therese Poletti

Preservation Director

Art Deco Society of California

Klara Komorous-Towey

President

Komorous-Towey Architects,

ADSC Preservation Committee and

Chair

Oakland Landmarks Preservation Advisory Board



May 18, 2021

RE: *Letter of Support for 233 Geary Street Project*

Dear Jonathan:

The Union Square Business Improvement District (USBID) represents over 1200 property owners and businesses covering 27-blocks around Union Square Park and provides enhanced cleaning, safety, marketing, advocacy and public realm improvements to the area. The USBID supports the project owner and applicant, Sand Hill Properties, to convert a multi-tenant retail building at 233 Geary Street – the old I. Magnin Building - to multi-tenant retail with office and residential uses on the upper floors. Overall, in this time of uncertainty as we emerge from this devastating pandemic we welcome new development projects such as this one that will infuse a new sense of life and vitality into Union Square.

The more specific basis for the USBID's support is as follows:

- The project's design maintains the essential architectural character relating to the prevailing height, mass, proportions, rhythm, composition, and coloring of buildings that comprise the rich, ornamented architecture and pedestrian-oriented scale in Union Square.
- The project proposes to encourage visual interest and amenities at the pedestrian level by adding some larger windows at the street level on Geary and, thereby, supports the district's primary function as a retail destination for comparison shopping and direct consumer services.
- Proposed mixed-uses (retail, office, and residential) would encourage pedestrian activity during the day and evening times, and support Union Square's image as one of the City's premier visitor destinations. The impacts of the pandemic on Union Square have highlighted the need for adding these additional uses of office and residential which will hopefully bring back the much needed pedestrian traffic to support businesses and improve the perception of safety in the area.

It was the consensus of the USBID's Executive Committee as advised by our Public Affairs

Committee to support this project. The proposed project design is compatible with Union Square's historic and unique building architecture, creates a new, vibrant mixed-used destination within the district, and reinforces Union Square's image as one of the country's premier visitor destinations. The USBID looks forward to engaging with the Historic Preservation Commission and the Planning Commission on this very important project.

Sincerely,



Karin Flood
Executive Director
Union Square Business Improvement District

Cc: Jason Chow, Sand Hill Properties
Boe Hayward, Lighthouse Public Affairs

UNION SQUARE BUSINESS IMPROVEMENT DISTRICT

323 GEARY STREET, SUITE 203 SAN FRANCISCO, CA 94102
TEL (415) 781-7880 FAX (415) 781-0258 VISITUNIONSQUARESF.COM



**HOUSING
ACTION
COALITION**

PROJECT REVIEW REPORT CARD

Project Address: 233 Geary
Project Sponsor: Sand Hill Property
Date of HAC Review: 04.07.21

Grading Scale

- ★ = The project meets the high standard set by local jurisdiction and/or HAC
- ★★ = The project exceeds HAC standards
- ★★★ = The project far exceeds HAC's standards and exhibits creativity in its proposed solutions

Criteria for HAC Endorsement

1. The development must have been presented to the HAC Project Review Committee
2. The Project must score a minimum of ★ on any given guideline

<i>Guideline</i>	<i>Comments</i>	<i>Score</i>
Summary	After review, the Housing Action Coalition is pleased to support 233 Geary Street. The project team's vision for a revitalized mixed-use building will introduce residential space to Union Square while transforming a vacant retail/office building. The project employs significantly upgraded environmental features, helping to minimize natural resource usage and cut down on emissions. The project adds 21 homes in a transit-rich area and does not include any car parking, further underscoring its commitment to carbon footprint reduction.	★★
Land Use	The project converts a retail/office building that was previously occupied by Macy's into a mixed-use building that includes retail, office, and residential space. The project provides 4 floors of retail, 4 floors of office, and 3 floors of residential space. We recommend the project team consider allocating the third floor to office space instead of retail and also explore the possibility of adding more housing.	★★★
Density	The project includes 21 homes, spaced throughout 3 floors of the building. There are no imposing density limits in the C-3-R zoning code, but given the constraints of the infrastructure and materials the number of residential units is limited. Although we would like to see more housing included, we commend the project team for being the first to introduce residential units in Union Square.	★★
Affordability	The project will address affordability through its payment of an in-lieu fee of approximately \$2.15M.	★
Parking & Alternative Transportation	The building is situated in an area of high public transit activity, enjoying close proximity to the new MUNI Central Subway Union Square station, the Powell Street BART station, and the MUNI stops along Geary and Stockton Streets. Accordingly, the project will include zero car parking and car share spaces and will provide a code-required number of bicycle spaces in an innovative space.	★★
Preservation	As the building is within the Kearny-Market-Mason-Sutter Conservation District, it is identified as a Category V Building. The project recognizes its historical significance and intends to preserve and improve the existing building exterior with modest exterior alterations. We commend the project team for their creative designs that preserve and modernize the architecture, and encourage the team to pursue the second scheme.	★★

Urban Design	The project includes ground floor alterations that promote greater pedestrian activity, increase residential and office entrances, and optimize the visibility of Union Square. The project intends to increase the height of window openings to enhance the health and environmental sustainability of the building. Satisfying residential open space requirements, the project includes a common open space on a rooftop level. The project also proposes the installation of a single-pace yellow curb and does not propose new curb cuts.	★★★
Environmental Features	The project is an adaptive reuse of an existing department store, replacing outdated building systems with energy conservative systems. The project will meet the sustainability requirements established by the City, including the Better Roof Program, and its applications for WELL and LEED are currently under review. The project will also meet the requirements of the Commercial and Residential Water Conservation Ordinance and Water Efficient Irrigation Ordinance.	★★
Community Benefits	The project introduces residential units to the Union Square perimeter, which currently includes only a few residences throughout the surrounding hotels. This project intends to catalyze the further production of residential units as it accentuates the vibrancy of the building and contributes to the immediate context. We commend the project for visualizing and spearheading the creation of new residential space in Union Square.	★★
Community Input	The project team has worked with the Planning Department and has modified the proposed facade alterations with their input. They have also collaborated with Planning staff in creating an opening of the western facade, which presents the residential courtyard. The project continues to connect with key stakeholder organizations such as the Union Square Business Improvement District, and plans to engage the Union Square Community Benefits District. We urge the project team to reach out to additional community groups for their input.	★



June 14, 2021

Mr. Jason Chow
Sand Hill Development Company
2600 El Camino Real, Suite # 410
Palo Alto, CA 94306

Re: 233 Geary Street
San Francisco, CA

Dear Jason:

On behalf of the ownership of 100 Stockton Street (the former Macy's Men's Building), PPF/Blatteis 120 Stockton Street Owner, LLP, we would like to express our strong support for Sand Hill's development of 233 Geary Street. We applaud the overall preservation of the existing historic structure including the beautiful white marble clad exterior. The ongoing high street retail at the first three levels will continue to support the local and tourist business and economies, so vital to the success of Union Square. We view the use of the upper levels of the building for office and residential uses as more in keeping with the demands of the current economy, and thus, will only synergize with the ongoing success of the Union Square District. We appreciate Sand Hill's design approach that not only keeps the historic nature of the building while also allowing every floor to enjoy great light and air.

We appreciate the transparency of Sand Hill to share their plans for the development with us and hope that the Historic, Architectural, and Planning Commissions approve the project expeditiously toward the strongest rebound possible related to the pandemic, which has severely devastated the commerce and past success of Union Square.

Sincerely,

A handwritten signature in black ink, reading "Daniel J. Blatteis". The signature is fluid and cursive, with the first name "Daniel" being the most prominent.

By: Daniel J. Blatteis
For: PPF/Blatteis 120 Stockton Street Owner, LP
Its: Manager

11150 Santa Monica Blvd., Suite 330 · Los Angeles, CA. 90025 · (310) 282-5300



June 23, 2021

Mr. Jonathan Vimr
San Francisco Planning Department
49 South Van Ness, Ste 1400
San Francisco, CA 94103
jonathan.vimr@sfgov.org

Dear Mr. Vimr:

On behalf of Neiman Marcus, I am writing to express our strong support for the proposed project located at 233 Geary in San Francisco's Union Square District.

The I. Magnin building at 233 Geary is not only an iconic building but is a building that I am particularly fond of, as I began my career in San Francisco as the General Manager there for DFS (Duty Free Shoppers) in 2000. I am thrilled to see that the proposed use changes include the retention of retail on the first three floors, a limited expansion of existing office and the introduction of new residential units at the top of the building. It is clear to anyone who works, visits or lives near Union Square that we need more activation and I am a firm believer that the addition of residential units will help us move toward that goal of activating the street. In fact, I hope that the proposal for 233 Geary will lead to more residential units in the greater Union Square neighborhood.

As the City knows, Union Square has been hurt by not only the pandemic, but also by the ever-changing world of retail and I am excited to see residential units come into the neighborhood, which will not only help the retail establishments, but will also help our restaurants, cafes and bars, which are critical to the success of the City's premier shopping district.

I also appreciate all the work that Sand Hill Property Company and their team, particularly Handel Architects, have done to not only retain the beauty of the building and keep its iconic look, but also the work that has been completed to ensure that the building will be cleaned up, restored to its original beauty and that will allow the building to be used for decades to come.

I urge both the Historic Planning Commission and the Planning Commission to approve the building and know that I look forward to seeing this project completed.

Sincerely,

Mark Sullivan
Vice President, Market General Manager Northern California
Neiman Marcus

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



EXHIBIT G

Date: October 24, 2018

To: Applicants subject to Planning Code Section 415 and 419: *Inclusionary Affordable Housing Program*

From: San Francisco Planning Department

Re: **Compliance with the Inclusionary Affordable Housing Program**

All projects that include 10 or more dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Planning Code Sections 415 and 419. Every project subject to the requirements of Planning Code Section 415 or 419 is required to pay the Affordable Housing Fee. A project may be eligible for an Alternative to the Affordable Housing Fee. All projects that can demonstrate that they are eligible for an Alternative to the Affordable Housing Fee must provide necessary documentation to the Planning Department and Mayor's Office of Housing and Community Development.

At least 30 days before the Planning Department and/or Planning Commission can act on the project, this Affidavit for Compliance with the Inclusionary Affordable Housing Program must be completed. Please note that this affidavit is required to be included in Planning Commission packets and therefore, must comply with packet submittal guidelines.

The inclusionary requirement for a project is determined by the date that the Environmental Evaluation Application (EEA) or Project Application (PRJ) was deemed complete by the Department ("EEA/PRJ accepted date"). There are different inclusionary requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached charts to determine the applicable requirement. Charts 1-3 include two sections. The first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

For projects with complete EEA's/PRJ's accepted on or after January 12, 2016, the Inclusionary Affordable Housing Program requires the provision of on-site and off-site affordable units at a mix of income levels. The number of units provided at each income level depends on the project tenure, EEA/PRJ accepted date, and the applicable schedule of on-site rate increases. Income levels are defined as a percentage of the Area Median Income (AMI), for low-income, moderate-income, and middle-income units, as shown in Chart 5. Projects with a complete EEA accepted prior to January 12, 2016 must provide the all of the inclusionary units at the low income AMI. **Any project with 25 units or more and with a complete EEA accepted between January 1, 2013 and January 12, 2016 must obtain a site or building permit by December 7, 2018, or will be subject to higher Inclusionary Housing rates and requirements. Generally, rental projects with 25 units or more be subject to an 18% on-site rate and ownership projects with 25 units or more will be subject to a 20% on-site rate.**

Summary of requirements. Please determine what requirement is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) or complete Project Application (PRJ) was submitted deemed complete by Planning Staff. Chart 1-A applies to all projects throughout San Francisco with EEA's accepted prior to January 12, 2016, whereas Chart 1-B specifically addresses UMU (Urban Mixed Use District) Zoning Districts. Charts 2-A and 2-B apply to rental projects and Charts 3-A and 3-B apply to ownership projects with a complete EEA/PRJ accepted on or after January 12, 2016. Charts 4-A and 4-B apply to three geographic areas with higher inclusionary requirements: the North of Market Residential SUD, SOMA NCT, and Mission Area Plan.

The applicable requirement for projects that received a first discretionary approval prior to January 12, 2016 are those listed in the "EEA accepted before 1/1/13" column on Chart 1-A.

CHART 1-A: Inclusionary Requirements for all projects with Complete EEA accepted before 1/12/2016

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16
On-site				
10-24 unit projects	12.0%	12.0%	12.0%	12.0%
25+ unit projects	12.0%	13.0%	13.5%	14.5%
Fee or Off-site				
10-24 unit projects	20.0%	20.0%	20.0%	20.0%
25+ unit projects at or below 120'	20.0%	25.0%	27.5%	30.0%
25+ unit projects over 120' in height *	20.0%	30.0%	30.0%	30.0%

*except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet, which are subject to the requirements of 25+ unit projects at or below 120 feet.

CHART 1-B: Requirements for all projects in UMU Districts with Complete EEA accepted before 1/12/2016

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16
On-site UMU				
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%
Tier A 25+ unit projects	14.4%	15.4%	15.9%	16.4%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	16.0%	17.0%	17.5%	18.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	17.6%	18.6%	19.1%	19.6%
Fee or Off-site UMU				
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	23.0%	28.0%	30.0%	30.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	25.0%	30.0%	30.0%	30.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	30.0%	30.0%	30.0%	30.0%
Land Dedication in UMU or Mission NCT				
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	40.0%	42.5%	45.0%
Tier A 25+ unit > 30K	30.0%	35.0%	37.5%	40.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	45.0%	47.5%	50.0%
Tier B 25+ unit > 30K	35.0%	40.0%	42.5%	45.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	50.0%	52.5%	55.0%
Tier C 25+ unit > 30K	40.0%	45.0%	47.5%	50.0%

CHART 2-A: Inclusionary Requirements for Rental projects with Complete EEA/PRJ accepted on or after 1/12/16

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

CHART 2-B: Requirements for Rental Projects in UMU Districts with Complete EEA/PRJ accepted on or after 1/12/16

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	19.6%	19.6%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 3-A: Inclusionary Requirements for Owner projects with Complete EEA/PRJ accepted on or after 1/12/16

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%

CHART 3-B: Requirements for Owner Projects UMU Districts with Complete EEA/PRJ accepted on or after 1/12/16

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.4%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 4-A: Inclusionary Requirements for Rental projects with Complete EEA/PRJ accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Rental Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Low Income (55% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (80% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Middle Income (110% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%

CHART 4-B: Inclusionary Requirements for Owner projects with Complete EEA/PRJ accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Ownership Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Low Income (80% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (105% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (130% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

CHART 5: Income Levels for Projects with a complete EEA/PRJ on or after January 12, 2016

Projects with complete EEA Application on or after January 12, 2016 are subject to the Inclusionary rates identified in Charts 2 and 3. For projects that propose on-site or off-site Inclusionary units, the Inclusionary Affordable Housing Program requires that inclusionary units be provided at three income tiers, which are split into three tiers. Annual increases to the inclusionary rate will be allocated to specific tiers, as shown below. Projects in the UMU Zoning District are not subject to the affordability levels below. Rental projects with 10-24 units shall provide all of the required Inclusionary units with an affordable rent at 55% Area Median Income (AMI), and ownership projects with 10-24 units shall provide all of the required Inclusionary units at sales price set at 80% AMI.

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Low Income (55% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (80% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%
Middle Income (110% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Low Income (80% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (105% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%
Middle Income (130% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
Off-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Low Income (55% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (80% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (110% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
Off-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Low Income (80% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (105% AMI)	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
Middle Income (130% AMI)	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



**San Francisco
Planning**

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

6/25/21

Date

I, Jason Chow,
do hereby declare as follows:

A The subject property is located at (address and block/lot):

233 Geary Street

Address

0314 / 018-020

Block / Lot

The subject property is located within the following Zoning District:

C-3-R

Zoning District

80-130-F

Height and Bulk District

n/a

Special Use District, if applicable

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?

☐ Yes ☒ No

B The proposed project at the above address is subject to the *Inclusionary Affordable Housing Program*, Planning Code Section 415 and 419 et seq.

The Planning Case Number and/or Building Permit Number is:

2020-005897ENV/DNX/CUA/OFA/PTA

Planning Case Number

Not yet filed

Building Permit Number

This project requires the following approval:

- ☒ Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)
- ☐ Zoning Administrator approval (e.g. Variance)
- ☐ This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:

Jonathan Vimr

Planner Name

A complete Environmental Evaluation Application or Project Application was accepted on:

8/19/2020

Date

The project contains 21 total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:

- ☐ This project is 100% affordable.
- ☐ This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?

☐ Yes ☒ No

(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?

☐ Yes ☒ No

(If yes, please indicate HOME-SF Tier)

Is this project an Analyzed or Individually Requested State Density Bonus Project?

☐ Yes ☒ No

C Please indicate the tenure of the project.

- ☒ **Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.
- ☐ **Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental units for the life of the project. The applicable fee rate is the rental fee rate.

D This project will comply with the Inclusionary Affordable Housing Program by:

- ☒ Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5)
- ☐ On-site Affordable Housing Alternative (Planning Code Sections 415.6)
- ☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)
- ☐ Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)
- ☐ Land Dedication (Planning Code Section 419)

The applicable inclusionary rate is:

20%

On-site, off-site or fee rate as a percentage

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

49,258 gsf

Residential Gross Floor Area

E The Project Sponsor acknowledges that any change which results in the reduction of the number of on-site affordable units following the project approval shall require public notice for a hearing and approval by the Planning Commission.

F The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing and Community Development and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

G The Project Sponsor acknowledges that in the event that one or more rental units in the principal project become ownership units, the Project Sponsor shall notify the Planning Department of the conversion, and shall either reimburse the City the proportional amount of the Inclusionary Affordable Housing Fee equivalent to the then-current requirement for ownership units, or provide additional on-site or off-site affordable units equivalent to the then-current requirements for ownership units.

I For projects with over 25 units and with EEA's accepted between January 1, 2013 and January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

J For projects with EEA's/PRJ's accepted on or after January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project within 30 months of the Project's approval, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor is issued a site or building permit.

K If a Project Sponsor elects to completely or partially satisfy their Inclusionary Housing requirement by paying the Affordable Housing Fee, the Sponsor must pay the fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
21	0	0	3	15	3

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.4. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

☐ **On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4): % of the unit total.

Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

LOW-INCOME	Number of Affordable Units	% of Total Units	AMI Level
MODERATE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
MIDDLE-INCOME	Number of Affordable Units	% of Total Units	AMI Level

☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7 or 419.3): % of the unit total.

Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):	Off-Site Project Address:				
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):	Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:		

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
	Number of Affordable Units	% of Total Units	AMI Level
	Number of Affordable Units	% of Total Units	AMI Level

UNIT MIX TABLES: CONTINUED

☒ **Combination** of payment of a **fee, on-site affordable units, or off-site affordable units** with the following distribution:

Indicate what percent of each option will be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. On-Site % of affordable housing requirement.

If the project is a State Density Bonus Project, please enter "100%" for the on-site requirement field and complete the Density Bonus section below.

Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

2. Off-Site % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):	Off-Site Project Address:				
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):	Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:		

Income Levels for On-Site or Off-Site Units in Combination Projects:

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

3. Fee % of affordable housing requirement.

Is this Project a State Density Bonus Project? ☐ Yes ☒ No

If yes, please indicate the bonus percentage, up to 35% _____, and the number of bonus units and the bonus amount of residential gross floor area (if applicable) _____

I acknowledge that Planning Code Section 415.4 requires that the Inclusionary Fee be charged on the bonus units or the bonus residential floor area.

Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

This project will replace the affordable units to be demolished, converted, or removed using the following method:

- ☐ On-site Affordable Housing Alternative
- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance
- ☐ Off-site Affordable Housing Alternative (Section 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

233 Geary Street Property Owner, LLC

Company Name

Jason Chow

Name (Print) of Contact Person

2600 El Camino Real, Suite 410

Palo Alto, CA 94306

Address

650-772-4043

City, State, Zip

jchow@shpco.com

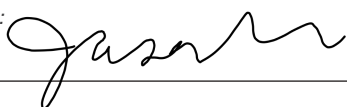
Phone / Fax

Email

I am a duly authorized agent or owner of the subject property. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

Sign Here

Signature:



Name (Print), Title:

Jason Chow, Manager

Executed on this day in:

Location:

Palo Alto, CA

Date:

6/25/21

Contact Information and Declaration of Sponsor of OFF-SITE PROJECT (If Different)

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

Sign Here

Signature:

Name (Print), Title:



SAN FRANCISCO
PLANNING
DEPARTMENT

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378

F: 415.558.6409

SUPPLEMENTAL INFORMATION PACKET FOR

Anti-Discriminatory Housing Policy

Pursuant to Administrative Code Section 1.61, certain housing projects must complete and submit a completed Anti-Discriminatory Housing Policy form as part of any entitlement or building permit application that proposes an increase of ten (10) dwelling units or more.

Planning Department staff is available to advise you in the preparation of this application. Call (415)558-6377 for further information.

WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

Administrative Code Section 1.61 requires the Planning Department to collect an application/form with information about an applicant's internal anti-discriminatory policies for projects proposing an increase of ten (10) dwelling units or more.

WHAT IF THE PROJECT SPONSOR OR PERMITTEE CHANGE PRIOR TO THE FIRST ISSUANCE OF CERTIFICATE OF OCCUPANCY?

If the permittee and/or sponsor should change, they shall notify the Planning Department and file a new supplemental information form with the updated information.

HOW IS THIS INFORMATION USED?

The Planning Department is not to review the responses other than to confirm that all questions have been answered. Upon confirmation, the information is routed to the Human Rights Commission.

For questions about the Human Rights Commission (HRC) and/or the Anti-Discriminatory Housing Policy, please contact Mullane Ahern at (415) 252-2514 or mullane.ahern@sfgov.org.

All building permit applications and/or entitlements related to a project proposing 10 dwelling units or more will not be considered complete until all responses are provided.

WHAT PART OF THE POLICY IS BEING REVIEWED?

The Human Rights Commission will review the policy to verify whether it addresses discrimination based on sexual orientation and gender identity. The policy will be considered incomplete if it lacks such protections.

WILL THE ANSWERS TO THE QUESTIONS EFFECT THE REVIEW OF MY PROJECT?

The Planning Department's and Planning Commission's processing of and recommendations or determinations regarding an application shall be unaffected by the applicant's answers to the questions.

INSTRUCTIONS:

The attached supplemental information form is to be submitted as part of the required entitlement application and/or Building Permit Application. This application does not require an additional fee.

Answer all questions fully and type or print in ink. Attach additional pages if necessary.

Please see the primary entitlement application or Building Permit Application instructions for a list of necessary materials required.

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**SAN FRANCISCO
PLANNING
DEPARTMENT**

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
233 Geary Street Property Owner, LLC, Attn: Jason Chow	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
2600 El Camino Real, Suite 410	(650) 772-4043
Palo Alto, CA 94306	EMAIL:
	jchow@shpco.com
APPLICANT'S NAME:	
Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE:
	()
	EMAIL:
CONTACT FOR PROJECT INFORMATION:	
Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	
Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:	
233 Geary Street			
CROSS STREETS:			
Geary and Stockton streets			
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:	
0314 / 018-020	C-3-R	80-130-F	
PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input type="checkbox"/> New Construction	0	21	+21
<input type="checkbox"/> Demolition			
<input checked="" type="checkbox"/> Alteration			
<input type="checkbox"/> Other: _____			

Compliance with the Anti-Discriminatory Housing Policy

1. Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California? ☐ YES ☒ NO

1a. If yes, in which States? _____

- 1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest? ☐ YES ☐ NO

- 1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property? ☐ YES ☐ NO

If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.

Human Rights Commission contact information
Mullane Ahern at (415)252-2514 or mullane.ahern@sfgov.org

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: 

Date: 6/25/21

Print name, and indicate whether owner, or authorized agent:

Jason Chow, Owner

Owner / Authorized Agent (circle one)



EXHIBIT

I

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM - ADMINISTRATIVE CODE CHAPTER 83

APPLICATION

Project Sponsor's Information

Name: 233 Geary Street Property Owner, LLC

Address: 2600 El Camino Real, Suite 410, Palo Alto, CA 94306

Email Address: jchow@shpco.com

Telephone: 650-772-4043

Property Information and Related Applications

Project Address: 233 Geary Street

Block/Lot(s): 0314 / 018-020

Building Permit Application No(s): not yet filed

Estimated Residential Units: 21

Estimated SQ FT Commercial Space: 150,000 gsf

Estimated Height/Floors: 11 + basements

Estimated Construction Cost: \$70M

Anticipated Start Date: 1Q2022

FIRST SOURCE HIRING PROGRAM VERIFICATION

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	YES
Project is wholly residential	
Project is wholly commercial	
Project is mixed use	✓
A: The project consists of ten (10) or more residential units.	✓
B: The project consists of 25,000 square feet or more of gross commercial floor area/	✓
C: Neither A nor B apply	

Notes:

- If you checked C, this project is NOT subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked A or B, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or 415.701.4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.org
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

FIRST SOURCE HIRING PROGRAM - WORKFORCE PROJECTION

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	\$ 29.54	1	8	Laborer	\$ 33.50	2	20
Boilermaker		0	9	Operating Engineer	\$ 50.00	0	3
Bricklayer		0	0	Painter	\$ 48.79	2	8
Carpenter	\$52.65	2	10	Pile Driver		0	0
Cement Mason	\$ 40.20	1	10	Plasterer		0	0
Drywall/Latherer	\$ 52.65	2	20	Plumber and Pipefitter	\$ 76.30	1	10
Electrician	\$ 78.00	3	30	Roofer/Water proofer	\$ 42.80	1	8
Elevator Constructor	\$ 72.10	1	6	Sheet Metal Worker	\$ 55.92	2	15
Floor Coverer	\$ 53.50	1	6	Sprinkler Fitter	\$ 40.00	1	5
Glazier	\$ 53.02	2	20	Taper	\$ 53.11	1	10
Heat & Frost Insulator	\$ 74.16	1	3	Tile Layer/ Finisher	\$ 49.53	1	5
Ironworker	\$ 37.00	1	10	Other:	\$ 50.00	1	10
		TOTAL:	132			TOTAL:	94

- | | | |
|--|-------------------------------------|--------------------------|
| | YES | NO |
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired? | <u>75</u> | |

DECLARATION OF SPONSOR OF PRINCIPAL PROJECT

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Jason Chow	jchow@shpco.com	650-772-4043
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
		6/30/21
(SIGNATURE OF AUTHORIZED REPRESENTATIVE)		(DATE)
FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG		
Cc: Office of Economic and Workforce Development, CityBuild Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415.701.4848 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org		