



# SAN FRANCISCO PLANNING DEPARTMENT

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- Public Open Space
- First Source Hiring (Admin. Code)
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## Planning Commission Resolution No.19464 Zoning Map Amendment Planning Code Text Amendment

HEARING DATE: SEPTEMBER 17, 2015

*Date:* September 3, 2015  
*Case No.:* 2011.0409ENV/CUA/DVA/OFA/MAP/PCA/SHD  
*Project Address:* **925 Mission Street and various parcels (aka "5M")**  
*Project Site Zoning:* C-3-S (Downtown Support) District, RSD  
 40-X/85-B; 90-X and 160-F Height and Bulk Districts  
 SOMA Youth and Family Special Use District  
*Block/Lots:* Lots 005, 006, 008, 009, 012, 042-047, 076, 077, 089-091, 093, 094, and 097-100 of Assessor's Block 3725  
*Project Sponsor:* Audrey Tendell  
 5M Project, LLC  
 875 Howard Street, Suite 330  
 San Francisco, CA 94103  
*Staff Contact:* Kevin Guy – (415) 558-6163  
[Kevin.Guy@sfgov.org](mailto:Kevin.Guy@sfgov.org)

RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS AN ORDINANCE THAT WOULD 1) AMEND ZONING MAP SHEET HT01 TO RECLASSIFY THE PROPERTY AT 925 HOWARD STREET, BLOCK 3725, LOTS 005, 006, 008, 009, 012, 042-47, 076, 077, 089-091, 093, 097, 098 FROM 40-X/85-B, 90-X, and 160-F TO 90-X, 200-S, 365-X AND 450-S, AS MORE SPECIFICALLY DEPICTED IN FIGURE 5.2.1a ATTACHED HERETO AS PART OF EXHIBIT A; 2) AMEND PLANNING CODE TEXT TO ADD SECTION 249.74 TO ESTABLISH THE FIFTH AND MISSION SPECIAL USE DISTRICT; 3) AMEND ZONING MAP SHEET ZN01 TO RECLASSIFY THE PROPERTY AT BLOCK 3725, LOTS 005, 006, 008, 009, 012, AND 098 FROM RSD TO C-3-S; 4) AMEND ZONING MAP SHEET SU01 TO REFLECT CREATION OF THE FIFTH AND MISSION SPECIAL USE DISTRICT INCORPORATING BLOCK 3725, LOTS 005, 006, 008, 009, 012, 042-47, 076, 077, 089-091, 093, 094, 097-100 AND RESCIND THE

**SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT DESIGNATION AS TO BLOCK 3725, LOTS 005, 006, 008, 009, 012, AND 098, AND ADOPTING FINDINGS, INCLUDING FINDINGS UNDER PLANNING CODE SECTION 302, FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1(b).**

**RECITALS**

1. **WHEREAS**, On August 19, 2014, May 15, 2015, and August 7, 2015, 5M Project, LLC (“Project Sponsor”) filed entitlement applications with the San Francisco Planning Department for the development of a mixed-use commercial, residential and retail/educational/cultural development project known as the 5M Project (“Project”), including amendments to the General Plan, Planning Code and Zoning Maps.
2. **WHEREAS**, The Project is located on approximately four acres of land under single ownership, bounded by Mission, Fifth and Howard Streets. The site is generally bounded by Mission Street to the north, Fifth Street to the east, Howard Street to the south, and Mary Street to the west, along with several additional parcels further to the west along Mary Street. It is currently occupied by eight buildings with approximately 318,000 square feet of office and cultural uses, and several surface parking lots. Buildings on the site include the San Francisco Chronicle Building, Dempster Printing Building and Camelline Building, as well as five low-rise office/warehouse/commercial workshop buildings and several surface parking lots. The site consists of Assessor's Block 3725, Lots 005, 006, 008, 009, 012, 042-047, 076, 077, 089-091, 093, 094, and 097-100.
3. **WHEREAS**, The site is located at the nexus of the Downtown, SOMA, and Mid-Market areas, with a context characterized by intense urban development and a diverse mix of uses. The Westfield San Francisco Centre is located at the southeast corner of Market and Fifth Streets, which defines the entry into the major retail shopping district around Union Square. The Fifth and Mission Parking Garage and the University of the Pacific School of Dentistry are located immediately to the east across Fifth Street, with the Metreon shopping center, Yerba Buena Gardens, and Moscone Center situated further to the east. The 340-foot Intercontinental Hotel is immediately to the east of the site, while the Pickwick Hotel and the Hotel Zetta are located along the 5th Street corridor. The Old Mint is situated immediately to the north of the site across Mission Street. Existing buildings to the west and the south of the site tend to be lower in scale, and contain a wide variety of uses, including residential hotels, older and newly-constructed residential buildings, offices, retail establishments, and automotive repair. The transit spine of Market Street is situated one block to the north, while the alignment of the future Central Subway is located one block to the east along Fourth Street.
4. **WHEREAS**, The Planning Department began conversations with the Project Sponsor in 2008 identifying the subject property as an opportunity site that should both reference the lower-scaled environment to the west by emphasizing the existing historic buildings on the site and adding much needed open space to this part of SOMA, with the potential for density and a mix of uses that relate to the high-rise environment to the east. The proposed Project pre-dates the Central SOMA Plan, but supports many of the goals of the Plan, such as supporting transit oriented growth, providing

extensive open space, and shaping the area's urban form with recognition of both the City and neighborhood context.

5. **WHEREAS**, The Project proposes to demolish surface parking lots and several existing buildings (926 Howard Street, 912 Howard Street, 409-411 Natoma Street, and 190 Fifth Street), retain the Dempster, Camelline, Chronicle, and Examiner (portion) buildings, and construct three new towers on the Project site, with occupied building heights ranging from approximately 200 feet to 450 feet. The Project includes approximately 821,300 square feet of residential uses (approximately 690 units), 807,600 square feet of office uses (including active office uses at or below the ground floor), and 68,700 square feet of other active ground floor uses (a mix of retail establishments, recreational and arts facilities, restaurants, workshops, and educational uses).
6. **WHEREAS**, The Project would also include vehicular parking, bicycle parking, and loading facilities, an extensive program of private- and publicly-accessible open space, and streetscape and public-realm improvements. The northerly portion of Mary Street between Minna and Mission Streets would be converted into a pedestrian alley lined with active uses and enhanced with seating, landscaping, an pedestrian-scaled lighting. Public open space will be provided at the center of the 5M Project, providing active and passive space incorporating artwork, landscape treatments, and furnishings. Another significant open space would be situated on the rooftop of the Chronicle building, including a deck, lawn space, seating, and opportunities for urban agriculture and outdoor gardens.
7. **WHEREAS**, On November 20, 2014, the Planning Commission held an informational hearing regarding the Project, which included a broad overview of the design and regulatory approach being proposed for the site. On July 23, 2015, the Planning Commission held a second informational hearing for the Project, which focused on the Design for Development document proposed as part of the overall project entitlements. On August 6, 2015, the Planning Commission held a third informational hearing for the Project, focusing on public benefits, wind and shadow effect, circulation design and transportation, and street improvements. On September 3, 2015, the Planning Commission held a final informational hearing on the Project, focusing on various issues raised at the third informational hearing.
8. **WHEREAS**, In order for the Project to proceed and be developed with the proposed mix of uses and development controls, various General Plan amendments, height reclassifications and amendments to the Planning Code and Zoning Maps, together with additional entitlements and approvals, are required.
9. **WHEREAS**, On July 21, 2015, Mayor Lee introduced draft Ordinances with respect to the Project 1) approving a Development Agreement for the Project, and 2) amending the Planning Code to add Section 249.74 to create the Fifth and Mission Special Use District, and amending Sectional Maps ZN01, SU01, and HT01 of the Zoning Map to reflect the Fifth and Mission Special Use District and height reclassifications associated therewith.

10. **WHEREAS**, On August 6, 2015, the Planning Commission held a duly noticed public hearing to consider initiation of General Plan Amendments associated with the Project, and adopted Resolution No. 19429 initiating such General Plan Amendments.
11. **WHEREAS**, On October 15, 2014, the Department published a draft Environmental Impact Report (EIR) for public review. The draft EIR public comment period was originally proposed to end on December 1, 2014, and was subsequently extended by the Environmental Review Officer to January 7, 2015. On November 20, 2014, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On August 13, 2015, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project. The draft EIR and the Comments and Responses document constitute the Final EIR. On September 17, 2015, the Commission reviewed and considered the Final EIR at a duly noticed public hearing and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31. The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2011.0409ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California
12. **WHEREAS**, On September 17, 2015, at a duly noticed public hearing at a regularly scheduled meeting, by Motion No. 19459, the Commission adopted findings, including a statement of overriding considerations and a Mitigation Monitoring and Reporting Program pursuant to CEQA, the State CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with the actions contemplated herein, the Commission has reviewed the FEIR for the Project and adopts and incorporates by reference as though fully set forth herein the findings, including a statement of overriding considerations, pursuant to CEQA, adopted by the Commission by Motion No. 19459.
13. **WHEREAS**, Also on September 17, 2015 at a duly noticed public hearing at a regularly scheduled meeting, by Resolution No. 19463, the Commission adopted a Resolution recommending that the Board of Supervisors approve various General Plan amendments required for the Project, and adopted findings in connection therewith.
14. **WHEREAS**, The Project would affirmatively promote, be consistent with, and would not adversely affect the General Plan as it is proposed to be amended, for the reasons set forth set forth in Motion No.19460, Case No. 2011.0409ENV/CUA/DVA/OFA/MAP/PCA/SHD, which are incorporated herein as though fully set forth.

15. **WHEREAS**, The Project complies with the eight priority policies of Planning Code Section 101.1, for the reasons set forth set forth in Motion No.19460, Case No. 2011.0409ENV/CUA/DVA/OFA/MAP/PCA/SHD, which are incorporated herein as though fully set forth.
16. **WHEREAS**, The proposed Ordinance prepared in order to create the Fifth and Mission Special Use District and amend Sectional Maps ZN01, SU01, and HT01 of the Zoning Map to reflect the Fifth and Mission Special Use District and height reclassifications associated therewith is attached hereto as Exhibit A.
17. **WHEREAS**, The Office of the City Attorney has approved the proposed Ordinance as to form.
18. **WHEREAS**, Section 4.105 of the San Francisco Charter and Section 302 of the Planning Code require that the Commission consider any proposed amendments to the City's Zoning Maps or Planning Code, and make a recommendation for approval or rejection to the Board of Supervisors before the Board of Supervisors acts on the proposed amendments.
19. **WHEREAS**, Also on September 17, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Proposed Zoning Map Amendment and Zoning Text Amendment.
20. **WHEREAS**, The Commission has had available to it for its review and consideration studies, case reports, letters, plans, and other materials pertaining to the Project contained in the Department's case files, and has reviewed and heard testimony and received materials from interested parties during the public hearings on the Project.
21. **WHEREAS**, The Commission finds that the Project provides substantial assurances and benefits that would accrue to the public and the City, including, but not limited to, contributions to assist the City and surrounding community in meeting affordable housing, work-force development, youth development, transit, pedestrian safety, and public art goals, and promotes a wide variety of City policies and objectives regarding but not limited to urban design, public realm and streetscape features, affordable housing, economic and workforce development, sustainability, historic preservation, transportation demand management, and open space, all as further detailed in the findings in Motion No. 19460 (General Plan and priority policies consistency) and Resolution No. 19466 (Development Agreement) which are incorporated by reference as though fully set forth herein.

NOW, THEREFORE BE IT RESOLVED THAT, the Commission finds, based upon the entire record, including but not limited to the information set forth above, the submissions by the Applicant, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, all other written materials submitted by all parties, and the evidence set forth above, that the public necessity, convenience and general welfare require that the Planning Code and Zoning Maps be amended as set forth in the attached Ordinance pursuant to Planning Code Section 302; and be it

FURTHER RESOLVED THAT, the Planning Commission recommends that the Board of Supervisors approve the proposed Zoning Map Amendments and Planning Code Text Amendments, with the following modifications to the proposed Ordinance:

1. Amend Section 249.74(d)(1)(A) to clarify that retail, office, education or cultural uses are permitted on the ground floor of any existing historic building, or any new building with frontage on Howard Street (the "H-1" building), by including the following language at the beginning of this Subsection immediately following the phrase "Active Ground Floor Uses: *"In addition to ground floor uses permitted within the C-3-S district, any retail, office, education or cultural use is permitted at the ground floor level of an existing historic building, or of a new building with frontage on Howard Street if: (i) the use does not require non-transparent walls facing the street; (ii) in new buildings..."*
2. Delete Lots 005 and 006 within Assessor's Block 3725 from the list of Lots to be removed from the SOMA Youth and Family SUD.
3. Add Lots 094 and 099 within Assessor's Block 3725 to the list of Lots to be amended to new Height and Bulk District.
4. Throughout the SUD, include a requirement for Conditional Use Authorization for those land uses identified in Planning Code Section 249.40A(c)(1)(A)(i) through (iv) and 249.40A(c)(1)(A)(vi) through (x) in order to mirror the Conditional Use requirements of the SoMa Youth and Family SUD, but excepting any Conditional Use requirement for Restaurants as defined in Planning Code Section 790.91.
5. Throughout the SUD, require Conditional Use Authorization for Formula Retail uses, consistent with the provisions in Planning Code Section 303.1.
6. Throughout the SUD, require that individual buildings meet the minimum dwelling unit mix requirements set forth in Planning Code Section 207.6(c)(1).

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on September 17, 2015.

Jonas P. Ionin  
Commission Secretary

AYES: Antonini, Fong, Hillis, Johnson, Richards

NOES: Moore, Wu

ABSENT: None

ADOPTED: September 17, 2015