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1	[Preparation of Findings to Reverse the Final Mitigated Negative Declaration - Proposed 570 Market Street Project]
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3	Motion directing the Clerk of the Board to prepare findings reversing the approval by
4	the Planning Commission of a Final Mitigated Negative Declaration under the California
5	Environmental Quality Act for the proposed 570 Market Street project.
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7	WHEREAS, The Planning Commission (Commission) approved a Final Mitigated
8	Negative Declaration (FMND) for the proposed project at 570 Market Street (Project) on May
9	1, 2025; and
10	WHEREAS, The 7,045-square-foot Project site is located on the north side of Market
11	Street within the triangular block bound by Market Street to the southeast, Sutter Street to the
12	north, and Montgomery Street to the west, in the Financial District neighborhood, in a C-3-O
13	(Downtown Office) use district and a 300-S height and bulk district; and
14	WHEREAS, The Project site is occupied by two separate two-story commercial
15	buildings over a shared one-story basement level of approximately 16,195-gross-square feet;
16	it is relatively flat and does not have any curb cuts; and there are currently two sidewalk trees
17	on the Project's Market Street frontage; and
18	WHEREAS, The Project would demolish the two existing two-story-over-basement
19	buildings and construct a 29-story, approximately 300-foot-tall building containing hotel use; it
20	would provide approximately 3,400 gross square feet of retail space on the ground floor and
21	mezzanine levels fronting Market Street and an approximately 123,000-square-foot hotel
22	space that would accommodate about 211 guest rooms; it would also provide approximately

4,200 gross square feet of privately owned public open space (POPOS), which would include

a 2,300-square-foot outdoor terrace and 1,900 square feet of indoor support space for the

dedicated public entrance and elevator lobby to the POPOS; and

1	WHEREAS, The Project would be supported on a hybrid foundation that would consist
2	of a four-foot mat slab supporting the approximate southern half of the building, while the
3	remaining building portion would be supported by a 6- to 10-foot foundation bearing on 6-foot-
4	diameter piles that would be drilled approximately 40 feet into bedrock, for a total length of
5	around 160 feet under the mat slab; and
6	WHEREAS, Project construction is anticipated to last approximately 24 months and
7	would require excavation of the total site footprint (7,045 square feet) to approximately 7 to 13
8	feet below ground surface (bgs), require removal of approximately 3,900 cubic yards of soil;
9	and
10	WHEREAS, On October 1, 2019, Melinda Sarjapur, of Reuben, Junius & Rose LLP, on
11	behalf of Frontier Group LLC (Project Sponsor) filed a project application with the Planning
12	Department (Department) for the Project; and
13	WHEREAS, On October 30, 2024, the Department issued a Preliminary Mitigated
14	Negative Declaration (PMND) for the Project, determining that it could not have a significant
15	impact on the environment; and
16	WHEREAS, On November 20, 2024, Brian Flynn, on behalf of BCal 44 Montgomery
17	Property LLC, and Edward Shaffer, on behalf of Chelsea Pacific Group, LLC, owner of the
18	adjacent 564 Market Street (also known as the Chancery Building), filed separate appeals of
19	the PMND with the Planning Commission; and
20	WHEREAS, On November 20, 2024, the 20-day appeal period ended; however, at the
21	time of PMND publication, two technical appendices were inadvertently not available for public
22	review on the department website, and a result, the comment period was extended by an
23	additional 20 days to December 12, 2024, once the appendices became available; and
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1	WHEREAS, After several continuances of the appeal hearing and the filing of
2	supplemental letters of appeal, on May 1, 2025, the Commission denied the appeal of the
3	PMND and approved the Final Mitigated Negative Declaration; and
4	WHEREAS, On September 11, 2025, the Commission approved the Downtown Project
5	Authorization and Conditional Use Authorization for the Project, adopting the FMND, including
6	the Mitigation Monitoring and Reporting Program (MMRP), which was adopted as a condition
7	of approval; and
8	WHEREAS, On October 10, 2025, Brian Flynn of Lozeau Drury LLP on behalf of BCal
9	44 Montgomery Property LLC and Anna Shimko of Burke, Williams & Sorensen, LLP on
10	behalf of Chelsea Pacific Group, LLC CPH 54, LP (Appellants) submitted separate appeals of
11	the FMND to the Board of Supervisors; and
12	WHEREAS, The Commission's approval of the Downtown Project Authorization and
13	the Conditional Use Authorization constitutes the approval action for purposes of Chapter 31;
14	and
15	WHEREAS, The Planning Department's Environmental Review Officer, by
16	memorandum to the Clerk of the Board dated October 15, 2025 determined that the appeals
17	had been timely filed; and
18	WHEREAS, On November 18, 2025, the Board of Supervisors held a duly noticed
19	public hearing to consider the appeal of the FMND filed by Appellants; and
20	WHEREAS, In reviewing the appeals of the FMND, the Board reviewed and considered
21	the environmental determination, the appeal letters, the responses to the appeal documents
22	that the Planning Department and the project sponsor prepared, the other written records
23	before the Board of Supervisors and all of the public testimony made in support of and

opposed to the appeal; and

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WHEREAS, The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board by all parties and the public in support of and opposed to the appeal of the FMND is in the Clerk of the Board of Supervisors File No. 251034, and are incorporated in this motion as though set forth in its entirety; now, therefore, be it MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare findings specifying the basis for its decision on the appeal of the FMND prepared by the Planning Department for the Project. n:\land\as2020\1900434\01880325.docx