1	[Conditionally Reversing the Approval of a Final Mitigated Negative Declaration - Proposed 570 Market Street Project]
2	or o market etreet riojeetj
3	Motion conditionally reversing the approval by the Planning Commission of a Final
4	Mitigated Negative Declaration under the California Environmental Quality Act for the
5	proposed 570 Market Street project, subject to the adoption of written findings of the
6	Board in support of this determination.
7	
8	WHEREAS, The Planning Commission (Commission) approved a Final Mitigated
9	Negative Declaration (FMND) for the proposed project at 570 Market Street (Project) on May
10	1, 2025; and
11	WHEREAS, The 7,045-square-foot Project site is located on the north side of Market
12	Street within the triangular block bound by Market Street to the southeast, Sutter Street to the
13	north, and Montgomery Street to the west, in the Financial District neighborhood, in a C-3-O
14	(Downtown Office) use district and a 300-S height and bulk district; and
15	WHEREAS, The Project site is occupied by two separate two-story commercial
16	buildings over a shared one-story basement level of approximately 16,195-gross-square feet;
17	it is relatively flat and does not have any curb cuts; and there are currently two sidewalk trees
18	on the Project's Market Street frontage; and
19	WHEREAS, The Project would demolish the two existing two-story-over-basement
20	buildings and construct a 29-story, approximately 300-foot-tall building containing hotel use; it
21	would provide approximately 3,400 gross square feet of retail space on the ground floor and

mezzanine levels fronting Market Street and an approximately 123,000-square-foot hotel

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

25

22

23

24

1	a 2,300-square-foot outdoor terrace and 1,900 square feet of indoor support space for the
2	dedicated public entrance and elevator lobby to the POPOS; and
3	WHEREAS, The Project would be supported on a hybrid foundation that would consist
4	of a four-foot mat slab supporting the approximate southern half of the building, while the

of a four-foot mat slab supporting the approximate southern half of the building, while the remaining building portion would be supported by a 6- to 10-foot foundation bearing on 6-foot-diameter piles that would be drilled approximately 40 feet into bedrock, for a total length of around 160 feet under the mat slab; and

WHEREAS, Project construction is anticipated to last approximately 24 months and would require excavation of the total site footprint (7,045 square feet) to approximately 7 to 13 feet below ground surface (bgs), require removal of approximately 3,900 cubic yards of soil; and

WHEREAS, On October 1, 2019, Melinda Sarjapur, of Reuben, Junius & Rose LLP, on behalf of Frontier Group LLC (Project Sponsor) filed a project application with the Planning Department (Department) for the Project; and

WHEREAS, On October 30, 2024, the Department issued a Preliminary Mitigated Negative Declaration (PMND) for the Project, determining that it could not have a significant impact on the environment; and

WHEREAS, On November 20, 2024, Brian Flynn, on behalf of BCal 44 Montgomery Property LLC, and Edward Shaffer, on behalf of Chelsea Pacific Group, LLC, owner of the adjacent 564 Market Street (also known as the Chancery Building), filed separate appeals of the PMND with the Planning Commission; and

WHEREAS, On November 20, 2024, the 20-day appeal period ended; however, at the time of PMND publication, two technical appendices were inadvertently not available for public review on the department website, and a result, the comment period was extended by an additional 20 days to December 12, 2024, once the appendices became available; and

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 of Supervisors reviewed
21	and considered the environmental determination, the appeal letters, the responses to the
22	appeal documents that the Planning Department and the project sponsor prepared, the other
23	written records before the Board of Supervisors and all of the public testimony made in

support of and opposed to the appeal; and

24

25

1	WHEREAS, The written record and oral testimony in support of and opposed to the
2	appeal and deliberation of the oral and written testimony at the public hearing before the
3	Board of Supervisors by all parties and the public in support of and opposed to the appeal of
4	the FMND is in the Clerk of the Board of Supervisors File No. 251034, and are incorporated in
5	this motion as though set forth in its entirety; now, therefore, be it
6	MOVED, That this Board of Supervisors conditionally reverses the Planning
7	Commission's FMND, subject to the adoption of written findings of the Board in support of this
8	determination.
9	
10	n:\land\as2020\1900434\01880324.docx
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	