



## GENERAL PLAN REFERRAL

September 1, 2020  
Revised June 23, 2021

**Case No.:** 2018-012827GPR  
**Block/Lot No.:** 3725/089-091  
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**Recommended By:** \_\_\_\_\_  
Daniel A. Sider for Rich Hillis, Director of Planning

**Recommendation:** Finding the project, on balance, is **in conformity** with the General Plan

### Project Description

The Project is the modification of the northernmost block of Mary Street, between Mission and Minna Streets, to form a curbside pedestrian-only street with access for emergency vehicles. The Project is a component of the Fifth and Mission (5M) project for which a Development Agreement 2011.0409DVA was approved in 2015. Modifications include special paving and bollards within the publicly owned right-of-way which would require a Major Encroachment permit; and the sidewalk width is being expanded to cover the entire street. The submittal is for a General Plan Referral to recommend whether the Project is in conformity with the General Plan, pursuant to Section 4.105 of the Charter, and Section 2A.52 and 2A.53 of the Administrative Code.

## Environmental Review

The project received CEQA clearance under the 5M Project EIR, certified by the Planning Commission on September 17, 2015, Motion No. 19458, Case No. 2011.0409E.

## General Plan Compliance and Basis for Recommendation

The Project is the modification of the northernmost block of Mary Street, between Mission and Minna Streets, to form a curbside pedestrian-only street with access for emergency vehicles. The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, **in-conformity** with the following Objectives and Policies of the General Plan:

Note: General Plan Objectives are shown in **BOLD UPPER CASE** font; Policies are in **Bold** font; staff comments are in *italic* font.

### DOWNTOWN AREA PLAN

#### OBJECTIVE 9

#### **PROVIDE QUALITY OPEN SPACE IN SUFFICIENT QUANTITY AND VARIETY TO MEET THE NEEDS OF DOWNTOWN WORKERS, RESIDENTS, AND VISITORS.**

Policy 9.5

#### **Improve the usefulness of publicly owned rights-of-way as open space.**

Recreation and open space use of publicly owned rights-of-way should be expanded and enhanced. The Market Street Beautification Project developed unneeded portions of street rights-of-way into plazas with sunny sitting areas. Similar opportunities exist elsewhere. For example, some lightly used streets and alleyways could be converted into lunchtime malls where outdoor dining could be moved into the street area. Where conditions permit, certain blocks might be converted into permanent plaza or park space. Figure 1 illustrates one example of how public rights-of-way might be combined with adjacent plazas to create a large open space.

*The project would convert publicly owned right-of-way at the northernmost block of Mary Street into pedestrian-only open space with upgraded paving, forming a permanent plaza.*

#### OBJECTIVE 10

#### **ASSURE THAT OPEN SPACES ARE ACCESSIBLE AND USABLE.**

Policy 10.2

#### **Encourage the creation of new open spaces that become a part of an interconnected pedestrian network.**

The individual parts of an open space system should be linked by an overall downtown pedestrian network. For example, the plazas and arcades of the 5 Fremont Building are natural extensions and components of a midblock pedestrian system connecting the Transbay Terminal to Market Street. Plazas and parks become pathways for trips as well as destinations for trips. Future sidewalk arcades, gallerias, and through-block pedestrian ways should also contribute to the pedestrian network.

*The Project would create a pedestrian-only connection between the existing open space at Mint Plaza, north of the Project site, with a new 11,500 square foot open space (Mary Court East, a component of the 5M project) directly to the south of the Project site, forming a network of pedestrian open spaces.*

### **Planning Code Section 101 Findings**

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;  
*No neighborhood-serving retail exists at the Project site. The 5M project, of which this Project is a component, includes approximately 30,000 Gross Square Feet of new retail space.*
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;  
*No housing exists at the Project site. The 5M project, of which this Project is a component, will provide up to 690 new residential units, including 91 affordable units onsite. The Project and the 5M project in general have been designed to be consistent with the diversity, density, and architectural character of the Downtown and SoMa districts.*
3. That the City's supply of affordable housing be preserved and enhanced;  
*No housing exists at the Project site. The 5M project, of which this Project is a component, will provide up to 690 new residential units, including 91 affordable units onsite.*
4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;  
*The Project would remove private vehicles from Mary Street at the intersection with Mission Street, a transit priority street with several MUNI lines. The 5M project, of which this Project is a component, aims to reduce commuter traffic by offering mixed use land uses located near abundant transit. The 5M Project EIR determined that the 5M project would not result in significant impacts to transit service.*
5. 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 affect the existing economic base in this area. The 5M project, of which this Project is a component, includes approximately 30,000 Gross Square Feet of new retail space suitable for service*

*sector employment.*

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

*The Project would preserve emergency vehicle access to Mary Street, and thus would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake. It would improve the City's ability to respond to injuries caused by earthquakes and other emergencies.*

7. That the landmarks and historic buildings be preserved;

*The Project site does not include landmarks or historic buildings. The 5M project, of which this Project is a component, will preserve three historic buildings adjacent to the Project site.*

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

*The Project would create new pedestrian-only open space on publicly owned right-of-way, and would not affect existing parks and open spaces. The 5M project, of which this Project is a component, includes a new 11,500 square foot open space (Mary Court East) directly south of the Project site. While the 5M project itself would result in some shadow impacts to existing open space, the 5M EIR determined that these shadow impacts would not adversely affect outdoor recreation or other public areas within the vicinity of the project.*

**Recommendation: Finding the project, on balance, is in conformity with the General Plan**

**Attachments:**

Pages from 19\_0510\_5M\_Phase2\_SIP\_Resubmittal.pdf  
cc: Christy Alexander, Planning Department