



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 20, 2016

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

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Planning
Information:
415.558.6377

Date: October 13, 2016
Case No.: **2014.1305CUAENVU**
Project Address: **1001 VAN NESS AVENUE**
Zoning: RC-4 (Residential-Commercial, High Density)
Van Ness Special Use District
Van Ness Automotive Special Use District
130-V Height and Bulk District
Area Plan: Van Ness Avenue
Block/Lot: 0714/016
Project Sponsor: Juan Carlos Wallace
Oryx Partners, LLC
P.O. Box 14315
San Francisco, CA 94114
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The proposed project would involve the demolition of the existing 71-foot-tall, four-story office and television studio building, and the construction of a new 127-foot-tall, 14-story building containing 239 dwelling units and approximately 5,100 square feet of retail/restaurant space on the ground floor along Van Ness Avenue. The residential units include six three-story, three-bedroom townhouses along Myrtle Street; of the remaining 233 units, about 62 percent would be one-bedroom units, 32 percent would be two-bedroom units, and six percent would be three-bedroom units located in the main tower. A single basement level and below-grade portions of the ground floor and second level of the 14-story building would provide for approximately 195 vehicle parking spaces, primarily in stackers, including two car share spaces.

A 2,040-square-foot secured "bicycle lounge" on the second level (on O'Farrell Street, the second level is located at grade, at mid-block) would accommodate 239 Class 1 bicycle spaces in double-decker, assisted-lift racks. The residential entrance would be from Myrtle Street, as would access to basement parking (178 spaces) for the residential units; parking for the retail/restaurant space (15 spaces) and two car share spaces would be accessed via O'Farrell Street, and the secure bicycle parking would be accessible from both O'Farrell Street and the residential lobby on Myrtle Street. The ground-floor retail/restaurant space would be located along, and accessible from, Van Ness Avenue. 10 Class 2 bicycle racks would accommodate 20 bicycles on the O'Farrell Street sidewalk. Level two (on Myrtle and O'Farrell Streets, would be located at grade, at mid-block) would include a residential lobby, mail room, leasing office and the parking ramp, and the recycling/trash room.

The proposal includes PUD modifications to provisions related to off-street loading spaces, floor area premium for corner lots, rear yard, and Conditional Use authorizations for height above 50 feet, street frontage greater than 50 feet where the height exceeds 40 feet, bulk exception, off-street parking, and wind comfort level exception.

The proposal requires a Conditional Use Authorization for a Planned Unit Development. Section 311-neighborhood notification was conducted in conjunction with the Conditional Use authorization process.

SITE DESCRIPTION AND PRESENT USE

The project is located on the northwest corner of Van Ness Avenue and O'Farrell Street, Block 0714, Lot 016. The property is located in an RC-4 (Residential-Commercial, High Density) District, the Van Ness Special Use District, the Van Ness Automotive Special Use District, the Van Ness Avenue Area Plan, and a 130-V Height and Bulk District. The existing building is currently an office use and was previously used as a television studio and offices by KRON TV4.

The project site is rectangular in shape located on a corner lot, with approximately 120 feet of frontage on Van Ness Avenue, and approximately 264 feet of frontage on O'Farrell and Myrtle Streets. The lot, containing approximately 31,650 square feet (0.73-acre), is approximately 85 percent (approximately 27,000 square feet) developed with a four-story office and television studio building, with the exception of an approximately 18-foot-deep and 24-foot-long setback at the southwest corner of the building on O'Farrell Street to accommodate a double-wide on-site commercial loading bay accessed via a curb cut. The project site slopes upward toward the west to Franklin Street, with an elevation of approximately 130 feet at grade on Van Ness Avenue and approximately 157 feet at the western site boundary. The grade elevation on Franklin Street is approximately 170 feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located on Cathedral Hill in the Western Addition neighborhood. A parking lot and a three-story rectory/office building adjoin the project site to the west (Salesian Provincial Office, 1100 Franklin Street). Three buildings are located adjacent to the project site to the north, across Myrtle Street: a nine-story assisted living facility at 1035 Van Ness Avenue, a two-story multi-unit residential building at 234-248 Myrtle Street, known as the Myrtle Flats, and a four-story commercial building (the Harry R. Bridges Memorial Building) occupied by the International Longshore and Warehouse Union (ILWU) at 1188 Franklin Street. Three buildings are also located adjacent to the project site to the south, across O'Farrell Street: a two-story commercial building currently occupied by the Tesla motor car distributors at 999 Van Ness Avenue, a three-story residential building at 1075 O'Farrell Street, and a seven-story residential building at 1050 Franklin Street. The historic eight-story mixed-use building (containing retail, AMC theatres and residential uses) is located across the street at 1000 Van Ness Avenue.

ENVIRONMENTAL REVIEW

On September 29, 2016, the Finalized Mitigated Negative Declaration (FMND) for the project was published. The Planning Department found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department, and that the summary of comments and

responses contained no significant revisions to the Draft MND, and approved the FMND for the project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP), setting forth measures to reduce potential environmental effects. These mitigation measures reduce all potential significant effects to less than significant levels and are set forth in entirety in the MMRP, attached to the Draft Motion as EXHIBIT C.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 28, 2016	September 28, 2016	22 days
Posted Notice	20 days	September 30, 2016	September 29, 2016	21 days
Mailed Notice	20 days	September 30, 2016	September 30, 2016	20 days

Section 311-neighborhood notification was conducted in conjunction with the Conditional Use authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- As of October 7, 2016, the Department has received one e-mail expressing concern related to the amount of off-street parking being provided in the proposed Project, and two e-mails in support of the proposed Project.

ISSUES AND OTHER CONSIDERATIONS

As the project is greater than 40 feet in height, Department staff conducted a shadow fan study as part of a Preliminary Project Assessment, Case No. 2014.1305U, for the project pursuant to Planning Code Section 295. On October 20, 2014, staff concluded that the shadow fan found that the project would not cast shadows on any Recreation and Park Department properties, and a formal shadow study application was not required to further review shadow created by the project.

URBAN DESIGN ADVISORY TEAM REVIEW

The proposed new construction was reviewed by the Department's Urban Design Advisory Team (UDAT). On balance, UDAT supports the project's massing, architecture, and street frontage treatments.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use (CU) authorization under Planning Code Sections 134, 151.1, 152, 243, 253, 253.2, 271, 303 and 304 to allow a Planned Unit Development (PUD) to demolish an existing four-story office and television studio building and construct a 127-foot tall, 14-story mixed-use building containing 239 dwelling units, approximately 5,100 square feet of retail/restaurant space on the ground floor, approximately 195 parking spaces (including 2 car share spaces), and 259 bicycle spaces. The proposal includes PUD modifications to provisions related to off-street loading spaces, floor area premium for corner lots, rear yard, and CU for building height

above 50 feet, street frontage greater than 50 feet where the height exceeds 40 feet, bulk exception, off-street parking, and wind comfort level exception.

BASIS FOR RECOMMENDATION

The project is necessary and desirable in that:

- The project provides 239 new housing units at an underutilized site. The project will help to alleviate the City's housing shortage and create more affordable housing;
- The project would enhance the City's supply of affordable housing by paying the Affordable Housing Fee or participating in the Small Site Acquisition Program, or a combination of the two;
- The project would create new active ground floor uses on Van Ness Avenue and O'Farrell Street;
- The project would construct a Planned Unit Development that is in keeping with the scale, massing, and density of other structures in the immediate vicinity;
- The project is directly adjacent to the Van Ness corridor, and the Van Ness Avenue Area Plan encourages increasing housing development with the goal of establishing a mixed-use neighborhood. The proposed project is the type of development encouraged for the project site;
- The project is desirable for, and compatible with, the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Draft Motion (includes Conditions of Approval - EXHIBIT A)

Parcel Map

Sanborn Map

Zoning Map

Aerial Photo

Site Photos

Final Mitigated Negative Declaration (FMND)

Mitigation Monitoring and Reporting Program (MMRP - EXHIBIT C)

Project Sponsor Submittal, including:

- Reduced Plans (EXHIBIT B)
- Architectural Context Photos
- Attorney Letter
- Affidavit for Anti-Discriminatory Housing Policy
- Affidavit for Compliance with the Inclusionary Affordable Housing Program
- Affidavit for First Source Hiring Program

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion for Conditional Use Authorization (includes EXHIBIT A) | Drawings: <u>Existing Conditions</u> (EXHIBIT B) |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Zoning Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Site Photos | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> FMND | <input checked="" type="checkbox"/> Architectural Context Photos |
| <input checked="" type="checkbox"/> Mitigation Monitoring & Reporting Program (EXHIBIT C) | <input checked="" type="checkbox"/> Attorney Letter |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Affidavit for Anti-Discriminatory Housing Policy |
| | <input checked="" type="checkbox"/> Affidavit for Compliance with the Inclusionary Affordable Housing Program |
| | <input checked="" type="checkbox"/> Affidavit for First Source Hiring Program |
| | <input type="checkbox"/> |
| | <input type="checkbox"/> |

Exhibits above marked with an "X" are included in this packet

MW
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input checked="" type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other: Transportation Sustainability Fee |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE (CU) AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 134, 151.1, 152, 243, 253, 253.2, 271, 303 AND 304 TO ALLOW A PLANNED UNIT DEVELOPMENT (PUD) TO DEMOLISH AN EXISTING FOUR-STORY OFFICES AND TELEVISION STUDIO BUILDING, AND CONSTRUCT A 127-FOOT TALL, 14-STORY MIXED-USE BUILDING CONTAINING 239 DWELLING UNITS, APPROXIMATELY 5,100 SQUARE FEET OF RETAIL/RESTAURANT SPACE ON THE GROUND FLOOR, APPROXIMATELY 195 PARKING SPACES (INCLUDING 2 CAR SHARE SPACES), AND 259 BICYCLE SPACES. THE PROPOSAL INCLUDES PUD MODIFICATIONS TO PROVISIONS RELATED TO FLOOR AREA PREMIUM FOR CORNER LOTS, OFF-STREET LOADING SPACES, REAR YARD, AND CU FOR HEIGHT ABOVE 50 FEET, STREET FRONTAGE GREATER THAN 50 FEET WHERE THE HEIGHT EXCEEDS 40 FEET, BULK EXCEPTION, OFF-STREET PARKING, AND WIND COMFORT LEVEL EXCEPTION WITHIN AN RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) DISTRICT, THE VAN NESS SPECIAL USE DISTRICT, THE VAN NESS AUTOMOTIVE SPECIAL USE DISTRICT, THE VAN NESS AVENUE AREA PLAN, AND A 130-V HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On February 25, 2015, Juan Carlos Wallace (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use (CU) Authorization under Planning Code Sections 134, 151.1, 152, 243, 253, 253.2, 271, 303 and 304 to allow a Planned Unit Development (PUD) to demolish an existing four-story TV studio/office building, and construct a 127-foot tall, 14-story mixed-use building containing 239 dwelling units, approximately 5,100 square feet of retail/restaurant space on the ground floor, approximately 195 parking spaces (including 2 car share spaces), and 259 bicycle spaces. The proposal includes PUD modifications to provisions related to floor area premium for corner lots, off-street loading spaces, rear yard, and CU for height above 50 feet, street frontage greater than 50 feet where the height exceeds 40 feet, bulk exception, off-street parking, and wind comfort level exception. The project site is located in an RC-4 (Residential-Commercial, High Density) District, the Van Ness Special Use District, the Van Ness Automotive Special Use District, the Van Ness Avenue Area Plan, and a 130-V Height and Bulk District.

On October 20, 2016, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.1305CUA.

On August 17, 2016, the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until September 6, 2016. The Finalized Mitigated Negative Declaration was published on September 29, 2016; and

On October 20, 2016, the Planning Department/Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the “CEQA Guidelines”) and Chapter 31 of the San Francisco Administrative Code (“Chapter 31”); and

The Planning Department/Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, and approved the FMND 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. 2014-001305ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP), contained in “EXHIBIT C,” which material was made available to the public and this Commission for this Commission’s review, consideration and action.

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 requested in Application No. 2014.1305CUAENVU, 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. **Site Description and Present Use.** The Project site is located on the northwest corner of Van Ness Avenue and O'Farrell Street, Block 0714, Lot 016. The property is located in an RC-4 (Residential-Commercial, High Density) District, the Van Ness Special Use District, the Van Ness Automotive Special Use District, the Van Ness Avenue Area Plan, and a 130-V Height and Bulk District. The existing building is currently an office use and was previously used as a television studio and offices by KRON TV4.

The Project site is rectangular in shape located on a corner lot, with approximately 120 feet of frontage on Van Ness Avenue, and approximately 264 feet of frontage on O'Farrell and Myrtle Streets. The lot, containing approximately 31,650 square feet (0.73-acre), is approximately 85 percent (approximately 27,000 square feet) developed with a four-story office and television studio building, with the exception of an approximately 18-foot-deep and 24-foot-long setback at the southwest corner of the building on O'Farrell Street to accommodate a double-wide on-site commercial loading bay accessed via a curb cut. The Project site slopes upward toward the west to Franklin Street, with an elevation of approximately 130 feet at grade on Van Ness Avenue and approximately 157 feet at the western site boundary. The grade elevation on Franklin Street is approximately 170 feet.

3. **Surrounding Properties and Neighborhood.** The Project site is located on Cathedral Hill in the Western Addition neighborhood. A parking lot and a three-story rectory/office building adjoin the Project site to the west (Salesian Provincial Office, 1100 Franklin Street). Three buildings are located adjacent to the Project site to the north, across Myrtle Street: a nine-story assisted living facility at 1035 Van Ness Avenue, a two-story multi-unit residential building at 234-248 Myrtle Street, known as the Myrtle Flats, and a four-story commercial building (the Harry R. Bridges Memorial Building) occupied by the International Longshore and Warehouse Union (ILWU) at 1188 Franklin Street. Three buildings are also located adjacent to the Project site to the south, across O'Farrell Street: a two-story commercial building currently occupied by the Tesla motor car distributors at 999 Van Ness Avenue, a three-story residential building at 1075 O'Farrell Street, and a seven-story residential building at 1050 Franklin Street. The historic eight-story

mixed-use building (containing retail, AMC theatres and residential uses) is located across the street at 1000 Van Ness Avenue.

4. **Project Description.** The proposed Project would involve the demolition of the existing 71-foot-tall, four-story building, and the construction of a new 127-foot-tall, 14-story building containing 239 dwelling units and approximately 5,100 square feet of retail/restaurant space on the ground floor along Van Ness Avenue. The residential units include six three-story, three-bedroom townhouses along Myrtle Street; of the remaining 233 units, about 62 percent would be one-bedroom units, 32 percent would be two-bedroom units, and six percent would be three-bedroom units located in the main tower. A single basement level and below-grade portions of the ground floor and second level of the 14-story building would provide for approximately 195 vehicle parking spaces, primarily in stackers, including two car-share spaces.

A 2,040-square-foot secured bicycle lounge on the second level (on O'Farrell Street, the second level is located at grade, at mid-block) would accommodate 239 Class 1 bicycle spaces in double-decker, assisted-lift racks. The residential entrance would be from Myrtle Street, as would access to basement parking (178 spaces) for the residential units; parking for the retail/restaurant space (15 spaces) and two car-share spaces would be accessed via O'Farrell Street, and the secure bicycle parking would be accessible from both O'Farrell Street and the residential lobby on Myrtle Street. The ground-floor retail/restaurant space would be located along, and accessible from, Van Ness Avenue. 10 Class 2 bicycle racks would accommodate 20 bicycles on the O'Farrell Street sidewalk. Level two (on Myrtle and O'Farrell Streets, would be located at grade, at mid-block) would include a residential lobby, mail room, leasing office and the parking ramp, and the recycling/trash room.

The proposal includes PUD modifications to provisions related to off-street loading spaces, floor area premium for corner lots, rear yard, and CU for height above 50 feet, street frontage greater than 50 feet where the height exceeds 40 feet, bulk exception, off-street parking, and wind current exception. The proposal requires a Conditional Use Authorization and Section 311-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

5. **Public Comment.** As of October 7, 2016, the Department has received one e-mail expressing concern related to the amount of off-street parking being provided in the proposed Project, and two e-mails in support of the proposed Project.
6. **First Source Hiring Program.** The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) for projects creating ten (10) or more new residential units. The Project Sponsor will comply with the requirements of this Program. Prior to the issuance of any Building Permit or a First Addendum to a Site Permit, the Project Sponsor will have an approved and signed First Source Hiring Memorandum of Understanding (MOU) from the First Source Hiring Administrator, which will be evidenced in writing. This MOU will include Exhibit A, Construction First Source Hiring Agreement, and Exhibit B, End-Use First Source Hiring Agreement. Before the Commission can act on the Project, the Project Sponsor must complete the "Affidavit for First Source Hiring Program".

The Project Sponsor has submitted a complete Affidavit for First Source Hiring Program, a copy of which is attached to the Draft Motion.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Residential Density.** Planning Code Section 243(c)(2) states that the restrictions on density set forth in the Zoning Control Tables shall not apply to the Van Ness Special Use District.

The Project proposes 239 dwelling units with a mix of townhomes, one-, two- and three-bedroom units.

- B. **Height.** Planning Code Section 253 requires a Conditional Use authorization for review of any new building or structure exceeding 40 feet in height in a RC District with more than 50 feet street frontage, and any building or structure exceeding 50 feet in height in the RC Districts, and Section 252 of the Planning Code limits the height of development at the site to 130 feet. In the Van Ness Special Use District, Section 253.2 requires a Conditional Use authorization for any new building exceeding 50 in height and the Commission may require a setback of up to 20 feet at a height of 50 feet or above for all or portions of a building if it determines that this requirement is necessary in order to maintain the continuity of the prevailing street wall height established by the existing buildings along Van Ness Avenue within two blocks of the proposed building.

The proposed 127-foot tall building is situated on a corner with street frontages on three sides (Van Ness Avenue, O'Farrell and Myrtle Streets) ranging from 120 feet to 264 feet wide, thereby requiring a Conditional Use authorization pursuant to Planning Code Section 253. The building has been sculpted and provides setbacks at upper levels at 77 feet in height so as to be compatible with the scale and massing of the surrounding neighborhood. A portion of the main tower at 77 feet tall is set back 15 feet from Van Ness Avenue and 28 feet from Myrtle Street. The main tower's setback from Myrtle Street increases to 45 feet further west on Myrtle Street. The 127-foot tall tower is placed at the corner of Van Ness and O'Farrell in a deferential move towards the narrower and more residential nature of Myrtle Street, in order to allow greater light and air to reach this street.

- C. **Bulk.** Planning Code Sections 243(c)(3) and 270 states that the "V" Bulk District shall have a maximum length of 110 feet and a maximum diagonal dimension of 140 feet, at a setback height of 77 feet established per Section 253.2. Section 271(c) allows a bulk exception if certain criteria are met through the Conditional Use authorization process.

The Project proposes a single tower with a maximum horizontal dimension of 165 feet and a maximum diagonal dimension of 178 feet above a height of 77 feet. The Project is seeking a bulk exception through the Conditional Use authorization process. Findings under Section 271(c) are set forth below.

- D. **Basic Floor Area Ratio (FAR) and Floor Area Premium.** Planning Code Section 124(d) limits the basic FAR in the Van Ness Special Use District to 7:1 square feet of building area for every 1 square foot of lot area, or approximately 221,550 gross square feet (gsf) of building area for

the subject Site. Planning Code Section 125(a) allows corner lots to increase the area of the lot, for purposes of floor area computation, by 25 percent. However, in the Van Ness Special Use District, Section 243(c)(1) does not allow floor area premiums permitted under Section 125(a). The Project is seeking a PUD modification pursuant to Section 304 to permit a corner lot FAR premium; findings for which are set forth below.

The Project is seeking a PUD modification to permit a floor area premium under Section 125(a). It would allow an increase in gross floor area from 221,550 gsf to 276,938 gsf, increasing the permitted FAR from 7:1 to 8.75:1. The Project proposes 261,970 gsf or an FAR of 8.28:1.

- E. **Rear Yard.** Planning Code Section 134(a)(1) requires that in RC-4 Districts a 25 percent rear yard be provided. An approximately 66-foot deep rear yard from the rear lot line would need to be provided for the Project. However, in the Van Ness Special Use District, Section 243(c)(6) allows either a Zoning Administrator or PUD modification. The Project is seeking a PUD modification from the rear yard requirement pursuant to Section 304; findings for which are set forth below.

The Project does not meet the rear yard depth per Planning Code Section 134(a)(1); however, the Project is seeking a PUD modification to the rear yard requirement under Section 243(c)(6). The Project is required to provide a rear yard of approximately 7,920 square feet. The Project proposes to provide open spaces totaling approximately 11,800 square feet.

- F. **Open Space.** Planning Code Section 135 requires 48 square feet of common usable open space or 36 square feet of private usable open space per dwelling unit.

The Project will provide common usable open space for 225 units through a combination of roof decks, and a courtyard, totaling approximately 11,300 square feet. The Project will also provide private usable open space for 14 units in the form of balconies, totaling approximately 504 square feet. The combined usable open space for the Project would be approximately 11,800 square feet.

- G. **Better Streets Plan.** Planning Code Section 138.1 establishes requirements for the improvement of the public right-of-way associated with development projects, such that the public right-of-way may be safe, accessible, convenient and attractive to pedestrian use and travel by all modes of transportation.

The Project's streetscape and pedestrian improvements include upgrades to Van Ness Avenue, O'Farrell and Myrtle Streets, including new street trees, re-paving of Myrtle Street, bike parking, lighting fixtures, and various hedges and plantings. Sidewalk improvements on Van Ness Avenue will meet the new Van Ness Bus Rapid Transit standards by MTA.

- H. **Street Trees.** Planning Code Section 138.1 requires the installation of street trees in the case of the construction of a new building. One 24-inch box tree is required for every 20 feet of property frontage along each street or alley, with any remaining fraction of ten feet or more of frontage requiring an additional tree. The species and locations of trees installed in the public right-of-way shall be subject to approval by the Department of Public Works (DPW).

The requirements of Section 138.1 may be waived or modified by the Zoning Administrator, pursuant to Section 428, where DPW cannot grant approval due to practical difficulties.

The site contains 648 feet of street frontage along Van Ness Avenue, O'Farrell and Myrtle Streets, requiring a total of 32 trees at the Project site. There are 16 existing trees at the site, up to eight of which would remain. The Project will install not less than 24 new trees, for a total of at least 32 trees provided at the site.

- I. **Standards for Bird-Safe Buildings.** Planning Code Section 139 establishes the Bird-Safe Standards for new building construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." The two circumstances regulated by this Section are (1) location-related hazards, where the siting of a structure creates increased risk to birds, and (2) feature-related hazards, which may create increased risk to birds regardless of where the structure is located. Location-related hazards are created by structures that are located inside of, or within a clear flight path of less than 300 feet from an Urban Bird Refuge. The subject property is not within 300 feet from any Urban Bird Refuge. However, the Project will comply with provisions related to feature-related hazards, such as roof deck glass railings and balcony railings.

The Project meets the standards for bird-safe buildings.

- J. **Dwelling Unit Exposure.** Planning Code Section 140 requires that all dwelling-unit face a public street or side yard at least 25 feet in width, a required rear yard, or an open area of 25 feet in width.

All of the units in the Project meet this requirement.

- K. **Street Frontages in Residential-Commercial (RC) Districts.** Planning Code Section 145.1 requires in RC Districts containing specific uses, including retail stores, that building lobbies do not exceed 40 feet of building frontage, that parking entrances are no more than 20 feet wide, that ground floors have a minimum 14-foot floor-to-floor height, and that the ground floor non-residential street frontage be at least 60% transparent in order to allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind ground floor windows, shall be at least 75 percent open to perpendicular view.

The proposed Project is consistent with the relevant provisions under Section 145.1. The proposed residential lobby on Myrtle Street is set back approximately 25 feet from the front property line, adjacent to the landscaped entry plaza. The two proposed curb cuts (on O'Farrell and Myrtle Streets) are each 20 feet wide. The ground floor retail/restaurant floor-to-floor height is not less than 14 feet along Van Ness Avenue. New transparency/glazing will be added to the non-residential street frontages along Van Ness Avenue and O'Farrell Street (totaling 63 percent transparency on Van Ness Avenue and 74 percent transparency on O'Farrell Street).

- L. **Off-Street Parking - Commercial.** Planning Code Section 151.1 permits one off-street parking space for each 200 square feet of occupied floor area where the occupied floor area exceeds 5,000 square feet for restaurants; one off-street parking space for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet for retail stores.

The Project proposes a restaurant space on the ground floor along the Van Ness Avenue frontage, totaling approximately 5,100 square feet. The allowed parking maximum would be 26 spaces. The project is proposing 15 parking spaces due to its proximity to public transit and available bicycle parking spaces.

- M. **Off-Street Parking - Residential.** Planning Code Sections 151 and 243(c)(9) state that one off-street parking space is permitted as of right for each two dwelling units; Conditional Use authorization required for up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); and not permitted above three cars for each four Dwelling Units. The Project is seeking Conditional Use authorization for 0.74 parking spaces for each dwelling unit. Findings under Section 151.1(g) are set forth below.

The Project proposes a total of 178 residential parking spaces for 239 dwelling units, a ratio of 0.74:1.

- N. **Off-Street Freight Loading - Commercial.** Planning Code Section 152 requires one off-street freight loading space for retail stores where the gross floor area of structure or use is over 10,000 square feet but less than 60,000 square feet in newly constructed structures.

The Project proposes a restaurant/retail space on the ground floor along the Van Ness Avenue frontage, totaling approximately 5,100 square feet. Therefore, an off-street freight loading space is not required.

- O. **Off-Street Freight Loading - Residential.** Planning Code Section 152 requires two off-street freight loading space for residential uses where the gross floor area of structure or use is over 200,000 square feet but less than 500,000 square feet in newly constructed structures. The Project is seeking a PUD modification pursuant to Section 304; findings for which are set forth below.

The Project proposes one off-street freight loading space for approximately 262,000 gross square feet of residential use. The second required loading space would be provided in an on-street yellow loading zone on O'Farrell Street.

- P. **Handicapped Parking.** Planning Code Section 155(i) requires one handicapped parking space for each 25 off-street parking spaces provided..

The Project proposes a total of 193 off-street parking spaces. The required handicapped parking would be eight spaces. Eight are proposed for the Project.

- Q. **Bicycle Parking - Class 1.** Planning Section 155.2 requires one Class 1 space for every dwelling unit. For buildings containing more than 100 dwelling units, 100 Class 1 spaces plus one Class 1 space for every four dwelling units over 100. For restaurants, one Class 1 space is required for every 7,500 gross square feet. All bicycle parking must meet the standards set forth under Section 155.1.

The Project would be required to provide 136 Class 1 bicycle parking spaces for the proposed 239 dwelling units and 5,100 square feet of restaurant space. The existing site contains no bicycle parking spaces. The Project proposes 239 Class 1 bicycle parking spaces.

- R. **Bicycle Parking - Class 2.** Planning Code Section 155.2 requires one Class 2 space for every 20 dwelling unit and one Class 2 space for every 750 square feet of occupied floor area for restaurants. All bicycle parking must meet the standards set forth under Section 155.1.

The Project would be required to provide 12 Class 2 bicycle parking spaces for the proposed 239 dwelling units and 7 Class 2 bicycle parking spaces for the 5,100 square feet of restaurant/retail space. The existing site contains no bicycle parking spaces. The Project proposes 20 Class 2 bicycle parking spaces.

- S. **Car-Share Parking Spaces.** Planning Code Section 166 requires two car sharing spaces plus one for every 200 dwelling units over 200.

The Project containing 239 dwelling units will provide two on-site car sharing spaces.

- T. **Baby Diaper-Changing Accommodations.** Planning Code Section 168 requires that “public-serving establishments”, such as restaurants, over 5,000 square feet provide on-site diaper-changing stations.

The Project meets the requirements related to diaper-changing accommodations.

- U. **Shadows on Parks.** Planning Code Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

The Department conducted a shadow fan analysis, under Case No. 2014.1305U, and determined that the Project would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Department, nor would it cast shadows on any other parks or open spaces

- V. **Wind Currents on Ground Level.** Planning Code Section 243(c)(15) states that new buildings be shaped, or other wind baffling measures be adopted, so that the development will not cause year-round ground level wind currents to exceed, more than 10 percent of the time, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the

building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement. It further states that an exception to this requirement may be permitted but only if and to the extent that the project sponsor demonstrates that the building cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.

The Project is seeking an exception through the Conditional Use authorization. Findings under Section 243(c)(15) are set forth below.

- W. **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 ("MOHCD") 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 Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on November 24, 2014; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the Fee is at a rate equivalent to an off-site requirement of 27.5%. The Project may provide off-site affordable housing by acquiring an existing building to fulfill all or part of the requirements set forth in this Section 415.3 and in Section 415.7 with an equivalent amount of units as specified in this Section 415.3(b)(2).

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 either a payment of the Fee, in an amount to be established by MOHCD, or alternatively, may elect to purchase and dedicate off-site affordable housing units per Section 415.3(b)(2). 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 Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on November 24, 2014; 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 27.5%.

- X. **Child-Care and Transportation Sustainability Impact Fees.** Sections 411 and 414 authorize the imposition of certain development impact fees on new development projects to offset impacts on child-care services and the transit system. Land use categories for all impact fees are defined in Section 401.

The Project Sponsor will comply with the requirements of this section prior to the issuance of the first construction document.

Y. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.

8. **Planning Code Section 151.1(g) Findings Relating to Parking.** Section 151.1(g) establishes criteria for the Planning commission to consider when reviewing applications for projects seeking a residential parking ratio greater than 0.5:1, but not greater than the maximum 0.75:1 ratio permitted through the Conditional Use authorization process. On balance, the Project does comply with said criteria in that:

(1) 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. In granting such Conditional Use or exception, the Planning Commission shall make the following affirmative findings according to the uses to which the proposed parking is accessory:

(A) Parking for All Uses.

(i) Vehicle movement on or around the project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district.

A transportation study was prepared by Fehr & Peers for the Project in February 2016. It concluded that the Project would have no significant transportation effects. The report finds that transit service on O'Farrell Street will not be impacted by the garage and loading entrance/exit because the garage and loading entries on O'Farrell Street are from the left lane (looking east, in the direction of travel), whereas the bus lane on O'Farrell is on the right. Myrtle Street has no transit service. There are no bicycle routes on either O'Farrell or Myrtle Streets or Van Ness Avenue. The existing building has three curb cuts, including one on O'Farrell and two on Myrtle Street. The new building will reduce the number of curb cuts, with one on O'Farrell for the commercial garage and the on-site loading space and one on Myrtle Street for the residential garage entry.

(ii) Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal;

Almost all parking is underground. The small area of the commercial garage that is partially at grade because of the slope of the site is located behind an active bicycle lounge and pedestrian entrance.

(iii) All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code;

The small area of the commercial garage that is partially at grade because of the slope of the site is located behind an active bicycle lounge and pedestrian entrance.

(iv) Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

The Project reduces the number of curb cuts from three to two. The Project would include enhanced streetscape on O'Farrell Street, Myrtle Street, and Van Ness Avenue, resulting in an improved pedestrian experience compared with the existing condition.

(B) Parking for Residential Uses.

(i) For projects with 50 dwelling units or more, all residential accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for parking and maneuvering, and maximizes other uses.

The Project proposes a total of 178 residential parking spaces for 239 dwelling units. Approximately 98 percent (174 cars) will be parked in mechanical stackers.

(C) Parking for Non-Residential Uses.

(i) Projects that provide more than 10 spaces for non-residential uses must dedicate 5 percent of these spaces, rounded down to the nearest whole number, to short-term, transient use by vehicles from certified car sharing organizations per Section 166, vanpool, rideshare, taxis, or other co-operative auto programs. These spaces shall not be used for long-term storage nor satisfy the requirement of Section 166, but rather to park them during trips to commercial uses. These spaces may be used by shuttle or delivery vehicles used to satisfy Subsection (B).

The Project proposes a total of 15 non-residential parking spaces. Two car-share parking spaces are proposed for the Project.

(ii) Retail uses larger than 20,000 square feet including but not limited to grocery, hardware, furniture, consumer electronics, greenhouse or nursery, and appliance stores, which sell merchandise that is bulky or difficult to carry by hand or by public transit, shall offer, at minimal or no charge to its customers, door-to-door delivery service and/or shuttle service. This is encouraged, but not required, for retail uses less than 20,000 square feet.

Not applicable; the Project proposes approximately 5,100 square feet of retail/restaurant use.

(iii) Parking shall be limited to short-term use only.

Non-residential parking for the Project would be limited to short-term use only.

(iv) Parking shall be available to the general public at times when such parking is not needed to serve the use or uses to which it is accessory.

The parking spaces on-site are designated for the Project's residential and retail/restaurant uses.

9. **Planning Code Section 243(c)(15) Findings Relating to Reduction of Ground Level Wind Currents.** Section 243(c)(15) establishes criteria for the Planning Commission to consider when reviewing applications for projects seeking an exception to the ground level wind comfort level in the Van Ness Special Use District through the Conditional Use authorization process. On balance, the Project does comply with said criteria in that:

- (A) New buildings and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year-round ground level wind currents to exceed, more than 10 percent of the time, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.
- (B) An exception to this requirement may be permitted but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.
 - (i) The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site.

The Project is seeking an exception because changing the massing of the building to further reduce existing wind conditions would unduly restrict the development potential of the building site. According to the Project's FMND, it found that under the existing plus the Project conditions, 25 of the 47 sensor locations would exceed the Planning Code's 11 m.p.h. pedestrian comfort criterion - a total of four fewer exceedances than under existing conditions. Compared with existing conditions, the average of wind speeds exceeded 10 percent of the time would decrease by 1 m.p.h. to a 12 m.p.h. average. The FMND states that the Project reduces wind conditions from the existing conditions on the Van Ness side of the block, which is a busy pedestrian corridor, including the future Van Ness Bus Rapid Transit station between O'Farrell and Geary.

The Project site is currently developed with a four-story office/television studios building. The Project is proposing a 14-story, 127-foot tall, dense mixed-use development that was envisioned under the Van Ness Special Use District's development standards. The Project would provide 239 dwelling units of a variety of unit sizes, including 92 family-sized units in a transit-rich location that is also within easy access of numerous dedicated bicycle routes. The site is within walking distance of 2 long-standing and diverse neighborhood commercial corridors located on Van Ness Avenue and Polk Street. The Project would enhance to the existing neighborhood-serving retail uses by providing approximately 5,100 square feet of ground floor retail space in the building. The Project is providing

195 parking spaces (including 2 car share spaces), most of which will be parked in mechanical stackers (minimizing excavation at the site). 239 Class 1 bicycle spaces would also be provided at the site to facilitate travel by bicycle. Common open spaces are also proposed in the form of a courtyard along Myrtle, a roof terrace, and a roof deck, totaling approximately 11,300 square feet.

If the building were to be redesigned to limit or tailor the bulk at the upper stories to reduce the wind exceedances, there would be a loss of a wide range of units and of the uniquely situated common open space at the upper stories. Reducing the bulk would cause replacement of the open space with more units. The Project site is well-suited for housing in dense, transit-rich, and established neighborhoods. The Project proposes to maximize density and to provide for a wide range of unit sizes to accommodate a variety of households.

(ii) Notwithstanding the above, no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 m.p.h. for a single hour of the year. For the purposes of this Section, the term "equivalent wind speed" shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

The Project would not exceed the hazard criterion under existing conditions plus Project conditions.

10. **Planning Code Section 253 Findings Relating to Height Above 50 Feet and Street Frontage Greater Than 50 Feet in Residential-Commercial Districts.** Section 253 establishes criteria for the Planning Commission to consider when reviewing applications for projects where the building height exceeds 50 feet and street frontage is greater than 50 feet where the building height exceeds 40 feet through the Conditional Use authorization process. On balance, the Project does comply with said criteria in that:

(a) Notwithstanding any other provision of this Code to the contrary, in any RH, RM, or RC District, established by the use district provisions of Article 2 of this Code, wherever a height limit of more than 40 feet in a RH District, or more than 50 feet in a RM or RC District, is prescribed by the height and bulk district in which the property is located, any building or structure exceeding 40 feet in height in a RH District, or 50 feet in height in a RM or RC District, shall be permitted only upon approval by the Planning Commission according to the procedures for conditional use approval in Section 303 of this Code; provided, however, that a building over 40 feet in height in a RM or RC District with more than 50 feet of street frontage on the front façade is subject to the conditional use requirement.

(b) **Commission Review of Proposals.**

(i) In reviewing any such proposal for a building or structure exceeding 40 feet in height in a RH District, 50 feet in height in a RM or RC District, or 40 feet in a RM or RC District where the street frontage of the building is more than 50 feet the Planning Commission shall consider the expressed purposes of this Code, of the RH, RM, or RC Districts, and of the height and bulk districts, set forth in Sections 101, 209.1, 209.2, 209.3, and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles

of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located.

The proposed Project will be 127 feet in height with street frontages ranging from 120 in length to 264 feet in length. It complies with the 130-foot height limit. The intent of the Van Ness Special Use District and the 130-foot height limit is to increase residential density in order to increase housing supply and to provide for high-quality, visually interesting urban design, and activate the ground floor of the block on which the project is located. The proposed 14-story building is comparable to other high-rise buildings in the neighborhood. Its street frontage reflects the dense and urban nature of the surrounding commercial area on Van Ness Avenue, Franklin and O'Farrell Streets. The proposed building would provide a substantial amount of open space in both private (decks/balconies) and common areas. By allowing a height of 127 feet, the Commission would enable the creation of 239 dwelling units, including 92 family-sized units. These features would not be feasible were the height of the building limited to 50 feet.

11. **Planning Code Section 253.2 Findings Relating to Height Above 50 Feet in the Van Ness Special Use District.** Section 253.2 establishes criteria for the Planning Commission to consider when reviewing applications for projects where the height exceeds 50 feet through the Conditional Use authorization process. On balance, the Project does comply with said criteria in that:

(1) On Van Ness Avenue. The Planning Commission may require a setback of up to 20 feet at a height of 50 feet or above for all or portions of a building if it determines that this requirement is necessary in order to maintain the continuity of the prevailing street wall height established by the existing buildings along Van Ness Avenue within two blocks of the proposed building.

While Van Ness Avenue does not have a prevailing street wall height in the immediate vicinity, Department staff has encouraged a setback at 77 feet for Van Ness Avenue in order to reduce the length of the massing along Van Ness Avenue and Myrtle Street. A portion of the main tower facing Van Ness Avenue is set back approximately 15 feet at a height of 77 feet, and set back approximately 28 feet from Myrtle Street. Additionally, a portion of the tower along O'Farrell Street was shortened, thereby reducing the diagonal dimension from 220 feet to 178 feet in length.

12. **Planning Code Section 271(c) Findings Relating to Bulk Limit Exceptions in Districts Other Than C-3.** Section 271(c) establishes standards and criteria for the Planning Commission to consider when reviewing applications for projects seeking bulk limit exceptions through the Conditional Use authorization process. On balance, the Project does comply with said standards and criteria in that:

(1) The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:

(A) Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

In the "V" bulk district, the maximum horizontal dimension above 77 feet is 110 feet and the maximum diagonal dimension is 140 feet. The Project proposes a single tower with a maximum horizontal dimension of 165 feet and a maximum diagonal dimension of 178 feet above a height of 77 feet. The bulk-compliant alternative, however, would allow two towers over a 77-foot podium that would each have 110-foot horizontal dimensions and 140-foot diagonal dimensions. The proposed building massing, with a single tower, is less bulky than the two tower scheme. The proposed single tower scheme provides multiple setbacks and planar wall changes along the building frontages. The single building tower massing is broken into three distinct components along Van Ness Avenue, and three distinct components along O'Farrell Street, with major setbacks from Myrtle Street that allow for a combination of six townhomes stepping up along Myrtle Street as well as a public-facing pedestrian entry courtyard and a private courtyard that separates the townhomes from the main tower. Building services and parking are below grade with active uses along Van Ness Avenue and O'Farrell Street. The following details these various components:

- *The proposed 127-foot tall tower is placed at the corner of Van Ness Avenue and O'Farrell Street in a deferential move towards the narrower and more residential nature of Myrtle Street, in order to preserve and enhance light and air reaching Myrtle street.*
- *Along Van Ness Avenue, the middle component is a 37-foot wide portion of the main tower mass that is set back 15 feet from the street wall at a height of 77 feet. This component is the tallest portion of the building given the 19-foot (code compliant) elevator and mechanical penthouse.*
- *The third component along Van Ness Avenue is a 77-foot tall rectilinear component at the corner of Myrtle Street. The main tower component of the building is set back 28 feet from Myrtle Street, and 15 feet from Van Ness Avenue.*
- *The main tower's setback from Myrtle Street increases to 45 feet further west on Myrtle Street, allowing for six three-story townhomes that would complement the existing historic Myrtle Street townhomes dating from the early 20th Century. The proposed townhomes are separated from the main tower by a 25-foot wide landscaped court yard. This court yard also creates visual separation between the main tower and the townhomes on Myrtle Street.*
- *Along O'Farrell Street, the massing changes as the building steps four floors down from the corner tower down to a podium level approximately 100 feet from the western property line.*
- *There are three main expressions for the O'Farrell Street façade that are separated by glass reveals, which are set back from the primary façade plane and reinforce the notion of three separate masses that step down to the corner of O'Farrell Street and Van Ness Avenue.*

(B) Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

The proposed building massing is designed with multiple setbacks, creating distinct portions of the building at different heights. The main features include:

- *the 127-foot tower component anchors the corner of Van Ness Avenue and O'Farrell Street (54 feet along Van Ness and 165 feet along O'Farrell);*

- the Stair/elevator penthouse accentuates the middle portion of the tower element along Van Ness Avenue;
- the penthouse is hidden from view on O'Farrell Street given the approximately 5,000 square-foot rooftop deck along the O'Farrell Street frontage, but is visible from Van Ness Avenue. This middle component is set back 15 feet from Van Ness Avenue at a height of 77 feet;
- the 77-foot tall component, along the northern third (44 feet) of the Van Ness frontage, wraps around onto Myrtle Street and continues for the first 40 feet of Myrtle Street;
 - The main tower is set back 15 feet along 37 feet of the tower wall. The top of the 77-foot height component is partly improved with a roof deck.
- the western-most "podium" along O'Farrell Street forms a distinct massing 76 feet in height;
 - The top of this podium is improved with an approximately 4,000 square-foot roof deck.
- The townhomes along Myrtle Street step-up along the street at a height of 35 feet above street level.

(C) Differences in materials, colors or scales of the facades that produce separate major elements;

Various materials, colors, and scales have been used to accentuate the differences of the main massing components. In particular:

- The massing of each face of the main building is broken into several distinct components along Van Ness and O'Farrell:
 - The **first massing expression** on the corner of Van Ness and O'Farrell is characterized by a white pre-cast frame and a glass and metal curtain-wall. This expression helps to anchor the corner and create a gateway up to Saint Mary's Cathedral. The pre-cast frame picks up on the color and architectural expression of the Cathedral. At the base of this volume sits a two-story volume expressed with punched windows and dark pre-cast panels above the retail store-fronts. This element works to strengthen the corner expression at the pedestrian level on both O'Farrell and Van Ness faces.
 - The **highest massing expression for the Project** is the middle component along Van Ness. The glass and metal curtain wall is framed by a dark colored pre-cast frame and is set back 15 feet from the property line along Van Ness. The tower element at the top of the mechanical penthouse creates a crown/cornice that is set back from the main curtainwall glass plane to create a sense of depth and shadow that is visible from far away.
 - The **low massing expression** is a volume that anchors and steps down to the corner of Van Ness and Myrtle and acknowledges the 77-foot aspirational street wall height on that avenue. The solid pre-cast expression with punched windows references the solid façade of the historic 1000 Van Ness across the street. This expression has a light pre-cast color that contrasts with the dark pre-cast frame of the middle component.
 - The **second (middle) massing expression** along O'Farrell is a solid building with punched windows. This expression alludes to the façade of the historic 1000 Van Ness across the street from the project. The punched windows are two stories in

height and are highlighted with projecting metal frames that add depth and shadow to the façade. This middle expression has a light pre-cast color that contrasts with the glass-and-metal curtain-wall at the corner and the dark colors of the third expression.

- The **third massing expression**, which is furthest up the hill on O'Farrell consists of a weave of vertical and horizontal metal panels. These are contained by strong metal frame and cornice element. The height at this part of the building is four floors lower than the tower and is capped by a roof terrace. The dark color of the metal panel contrasts with the light color pre-cast wall, and creates further separation between the massing volumes.
- The townhomes along Myrtle complement the main building by using a collage of wood, warm colored stucco, and glass elements that bridge in both material and scale the main building of the project and the historic wood townhomes across the street. The expression of these elements is vertical in nature and reinforces with its repeating rhythm the intimate, pedestrian focused residential scale of this street.

(D) Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and

The "bulk compliant" Project alternative would consist of two bulk compliant (130-foot) towers, each measuring 110 feet in width and length and 140 feet in diagonal, one on Van Ness and the other further upslope on O'Farrell above a 77-foot tall podium. This alternative would create significantly more massing along O'Farrell and Myrtle (220 feet of building façade for both towers versus 165 feet for a single tower). In addition, the bulk compliant alternative would not have allowed for the significant setbacks from Myrtle, thus precluding the ability to place townhomes and court yards along the Myrtle frontage. The bulk compliant alternative would have also placed a second tower further up the hill. The proposed single tower alternative would provide significantly more light and air for both Myrtle and O'Farrell than the bulk-compliant alternative. Setbacks and façade modulation would enhance visual, light and air qualities of the existing environment.

(E) In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

The proposed Project consists of a main building tower at the corner of Van Ness and O'Farrell with podium components west along O'Farrell and north along Van Ness. A second structure along Myrtle consists of six three-story townhomes that step up along the street and are separated from the main building structure by a 25-foot wide landscaped court yard (Myrtle Street has a width of 35 feet including sidewalks).

(2) In every case, the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:

(A) A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;

The proposed Project is at the base of Cathedral Hill at the corner of Van Ness Avenue and O'Farrell Street. The new building, at a height of 127 feet, complements the pattern of other buildings on the slopes of Cathedral Hill. In addition, the townhomes on Myrtle Street slope upward along the sidewalk conforming to the natural slope of this narrow residential street.

(B) Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

The Project conforms to the height and guidelines of the Van Ness Special Use District. The 1000 Van Ness Avenue building, directly across the Project site, is at a similar height. The new California Pacific Medical Center, one block to the north, is 218 feet in height.

(C) Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

The Project's massing, material, color and scale are complementary of nearby buildings. The primary massing of the building, with a strong light-precast frame expression at the corner of O'Farrell and Van Ness and a taller middle expression along Van Ness is in recognition of the historic Saint Mary's Cathedral at the crest of O'Farrell Street. The proposed two-story punched window expression along O'Farrell and Van Ness allude to the façade of the historic 1000 Van Ness across the street from the Project. The dark pre-cast two-story expression over the retail storefront at the corner of O'Farrell and Van Ness draws inspiration from the historic auto-row buildings further south along Van Ness Avenue. The townhomes along Myrtle Street are similar in scale and complementary to the existing townhomes on Myrtle Street, across from the Project site.

(D) Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The proposed Project would enhance the pedestrian environment by:

- *Activating the Van Ness and O'Farrell corner with approximately 5,100 square feet of ground floor retail/restaurant use;*
- *a 2,000 square-foot bicycle lounge on O'Farrell Street containing a "retail" storefront and pedestrian entrance. This pedestrian access point will act as an entry point to the bike lounge, car-share spaces, and secondary means of access to the main lobby. The main lobby for the residential units is located on Myrtle Street;*
- *Activating the Myrtle Street ground floor frontage with six new townhomes across from the existing Myrtle Street townhomes; establishing an appropriate scale on this narrower street, and the creation of a ground level landscaped court yard entry plaza;*
- *Upgrading the landscape and hardscape improvements consisting of street trees, planting strips, seawall elements with lighting, and re-paving of Myrtle Street with new pavers;*

(3) While the above factors must be present to a considerable degree for any bulk limit to be exceeded, these factors must be present to a greater degree where both the maximum length and the maximum diagonal dimension are to be exceeded than where only one maximum dimension is to be exceeded.

As stated above, the bulk compliant two tower scheme would create more massing and bulk than the proposed single tower scheme at the Project site. The single tower approach also allows the building to be set back along Myrtle Street, enables the creation of townhomes and an entry court yard that would complement the narrow width on Myrtle Street. This approach has been also supported by the immediate neighbors. The Project takes into design consideration of setbacks and sculpting the size of the tower. The facade of the tower is further modulated with plane and material changes to further break-up the massing of the tower.

13. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the Project does comply 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 is necessary and desirable because it will replace an office and former television studio building with a mixed-use development containing 239 residential units and retail/restaurant on the ground level along Van Ness Avenue. Providing a total of 239 dwelling units on the Van Ness corridor will assist in alleviating the City's housing shortage for numerous families and smaller households. The residential units include six three-story, three-bedroom townhouses along Myrtle Street; of the remaining 233 units, about 62 percent would be one-bedroom units, 32 percent for two-bedroom units, and six percent for three-bedroom units located in the main tower.

The influx of residents would enliven this area of Van Ness Avenue, which is often deserted in the evening hours, and strengthen the retail establishments in the neighborhood. The Project proposes to add approximately 5,100 square feet of retail/restaurant amenities. It would also generate a substantial amount of pedestrian activity throughout the area.

The Project Sponsor will comply with the inclusionary housing requirement by either paying the in-lieu fee or pursuing a Small Site Acquisition (SSA) under Section 415 to purchase and dedicate up to 66 off-site units, or a combination of the two options.

The Conditional Use authorizations and PUD modifications for construction over 50 feet in height, a bulk exception, a rear yard modification and to permit a corner Floor Area Ratio (FAR) premium would allow the Project to maximize the dwelling unit density in an efficient building configuration, and, thereby increase the Project's contribution to the City's inclusionary affordable housing program.

- 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:
- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site are adequate for accommodating a high-density residential development. The Project, at 127 feet tall, meets the 130-foot height limit and the massing of the Project is appropriate for the site and the neighborhood. The main building tower rises at the corner of O'Farrell Street and Van Ness Avenue, on wider streets that are home to buildings that are as tall as or taller than the proposed project. The main tower is set back significantly from the historic townhomes across Myrtle Street, allowing much improved access to daylight than exists with the current building. The design includes six new townhomes (at the west end of the Project site) across from the existing townhomes on Myrtle Street. The new townhomes would establish an appropriate scale on this narrower street.

- ii. 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 residential component of the Project is proposing 178 off-street parking spaces for 239 dwelling units, a ratio of 0.74:1. A ratio of 0.50:1 is permitted as of right. Any ratio above 0.50:1 but below 0.75:1 would require a Conditional Use authorization. The Project, is therefore seeking a Conditional Use authorization for the off-street parking provision. The Project proposes a restaurant space on the ground floor along the Van Ness Avenue frontage, totaling approximately 5,100 square feet. The parking allowed would be 26 spaces. The Project is proposing 15 spaces due to its proximity to public transit and the availability of bicycle parking spaces. The Project will provide one Code-compliant freight loading space while two loading spaces are required. The Project, is therefore seeking a PUD modification from the freight loading space requirement. The Project will provide two car-share spaces as required. In order to ensure that commercial traffic does not interfere with the residential units, the Project's garage access is proposed via one access point on Myrtle Street for the residential units, and one on O'Farrell Street for the restaurant and freight loading.

The Project will provide 239 Class 1 bicycle parking spaces, located in a bicycle lounge on O'Farrell Street, and 20 Class 2 bicycle spaces located on the sidewalk, for a total of 259 bicycle parking spaces. The site is also well-served by public transit with transit stops located near the site. Van Ness Avenue is a transit rich corridor with transit lines serving San Francisco and Marin County. Local transit lines are also nearby and are within walking distance of the site.

Transit lines that are nearby and within walking distance of the site include the following MUNI lines: 19-Polk, 27-Bryant, 31-Balboa, 38-R Geary, 38-Geary, 47-Van Ness, and 49-Van Ness/Mission.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project, which is predominantly residential in nature, will not emit any noxious odors or other offensive emissions. All window glazing will comply with the Planning Code and relevant design guidelines to eliminate or reduce glare. During construction, the Project Sponsor would take appropriate measures to minimize dust and noise as required by the Building Code and any measures set forth in the Project's CEQA documentation.

The proposed restaurant use would be subject to the standard conditions of approval for restaurants and outlined in Exhibit A. Conditions 13, 14, 15, 33, and 34 specifically obligates the Project Sponsor to mitigate odor and noise generated by the restaurant use.

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

The Project provides ground level green space at the main building entry on Myrtle Street, as well as roof decks, totaling approximately 11,300 square feet of common open space, and approximately 504 square feet of private open space comprised of balconies. Three existing curb cuts will be eliminated (two on Myrtle Street and one on O'Farrell Street) and replaced with one each on Myrtle and O'Farrell Streets. The Project's streetscape and pedestrian improvements include upgrades to Van Ness Avenue, O'Farrell and Myrtle Streets, including new street trees, re-paving of Myrtle Street, bike parking, lighting fixtures, and various hedges and plantings. Sidewalk improvements on Van Ness Avenue will meet the new Van Ness Bus Rapid Transit standards by MTA.

One loading space is provided on-site while the second required loading space would be provided in an on-street yellow loading zone on O'Farrell Street.

All proposed lighting and signage would comply with the requirements of the Planning Code.

- 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 the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

Not applicable; the proposed Project is in an RC District.

- 14. **Planning Code Section 304(a)/Planned Unit Development (PUD) Objectives** require that a CU application for a PUD include such pertinent information as may be necessary to a determination that the objectives of Section 304 are met, and that the proposed development warrants the modification of provisions otherwise applicable under the Code. The proposed Project will meet the following PUD objectives under Section 304(a):

- A. The procedures for PUDs are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the City as a whole.

The proposed Project is of a size and scale specifically anticipated by the provisions of Section 304. The existing lot, containing approximately 31,650 square feet (0.73 acre), exceeds the ½-acre threshold

established for PUD consideration. The site is approximately 85 percent developed with a four-story office and television studio building. The Project will replace an office and former television studio building with a mixed-use development containing 239 residential units and retail/restaurant on the ground level along Van Ness Avenue. Providing a total of 239 dwelling units on the Van Ness corridor will assist in alleviating the City's housing shortage for numerous families and smaller households. The residential units include six three-story, three-bedroom townhouses along Myrtle Street; of the remaining 233 units, about 62 percent would be one-bedroom units, 32 percent for two-bedroom units, and six percent for three-bedroom units located in the main tower.

The influx of residents would enliven this area of Van Ness Avenue, which is often deserted in the evening hours, and strengthen the retail establishments in the neighborhood. The Project proposes to add approximately 5,100 square feet of retail/restaurant amenities. It would also generate a substantial amount of pedestrian activity throughout the area.

- B. In cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

The Project has been designed to be complementary to the design and values of the surrounding area. The size and shape of the site are adequate for accommodating a high-density residential development. The Project, at 127 feet tall, meets the 130-foot height limit and the massing of the Project is appropriate for the site and the neighborhood. The main building tower rises at the corner of O'Farrell Street and Van Ness Avenue, on wider streets that are home to buildings that are as tall as or taller than the proposed Project. The main tower is set back significantly from the historic townhomes across Myrtle Street, allowing much improved access to daylight than exists with the current building. The design includes six new townhomes (at the west end of the Project site) across from the existing townhomes on Myrtle Street. The new townhomes would establish an appropriate scale on this narrower street.

Through this PUD authorization, the Commission approves the following modifications to otherwise applicable provisions of the Planning Code:

1. Floor Area Premium for a Corner Lot – relief from the prohibition on floor area premium for corner lots not allowed in the Van Ness Special Use District by Section 243(c)(1);

Planning Code Section 124(d) limits the basic Floor Area Ratio (FAR) in the Van Ness Special Use District to 7:1 square feet of building area for every 1 square foot of lot area, or approximately 221,550 gross square feet (gsf) of building area for the Project site. Planning Code Section 125(a) allows corner lots to increase the area of the lot, for purposes of floor area computation, by 25 percent. However, in the Van Ness Special Use District, Section 243(c)(1) does not allow floor area premiums permitted under Section 125(a).

The Project is seeking a PUD modification to permit a floor area premium under Section 125(a). It would allow an increase in gross floor area from 221,550 gross square feet (gsf) to 276,938 gsf,

increasing the permitted FAR from 7:1 to 8.75:1. The Project proposes 261,970 gsf or an FAR of 8.28:1.

2. Freight Loading Space for Residential Use – relief from the provision of a second freight loading space for the residential units as required in the RC District by Section 152;

Planning Code Section 152 requires two off-street freight loading space for residential uses where the gross floor area of structure or use is over 200,000 square feet but less than 500,000 square feet in newly constructed structures.

The Project is seeking a PUD modification pursuant to Section 152. The Project proposes one off-street freight loading space for approximately 262,000 gross square feet of residential use. The second required loading space would be provided in an on-street yellow loading zone on O'Farrell Street.

3. Rear Yard Setback – relief from the provisions of rear yard requirements for the residential units as required in the RC District by Section 134(a)(1).

Planning Code Section 134(a)(1) requires that in RC-4 Districts a 25 percent rear yard be provided. An approximately 66-foot deep rear yard from the rear lot line would need to be provided for the Project. However, in the Van Ness Special Use District, Section 243(c)(6) allows either a Zoning Administrator or PUD modification. The Project is seeking a PUD modification from the rear yard requirements pursuant to Sections 134(a)(1) and 243(c)(6).

The Project does not meet the rear yard depth per Planning Code Section 134 for the provision of a rear yard of approximately 7,920 square feet. However, the Project proposes to provide usable open spaces totaling approximately 11,800 square feet in the form of balconies, a ground level courtyard, a roof terrace, and a roof deck.

15. **Planning Code Section 304(d) Findings Relating to Planned Unit Developments.** Planning Code Section 304(d) sets forth criteria, which must be met before the Commission may authorize a Conditional Use for a Planned Unit Development. On balance, the Project generally complies with all applicable criteria:

- (1) Affirmatively promote applicable objectives and policies of the General Plan.

Findings for "General Plan Compliance" are discussed below under item 16.

- (2) Provide off-street parking adequate for the occupancy proposed.

The Project is proposing 0.74 spaces per unit, as well as a small amount of commercial parking, which is below the maximum number of parking spaces allowed. The Project is providing off-street parking for a total of 193 cars (plus 2 car-share stalls), of which 174 will be parked in mechanical stackers for the residential units, and 15 parking spaces for the proposed ground floor retail/restaurant uses.

The Project is requesting a modification to reduce the required two off-street freight loading spaces to one space on O'Farrell Street. The residential gross floor area is 256,819 gsf. Under Section 152, a residential use of this size requires two off-street freight loading spaces. The proposed single freight loading space would be located on O'Farrell Street, which is also the entry to the commercial garage.

The modification is sought to minimize pedestrian and vehicular conflicts on O'Farrell and to minimize impacts on or conflicts between large commercial vehicles and the uses on and near the ground floor area and the courtyard area. By limiting commercial traffic to a small area of the Project site, there is less risk of accidents or conflicts between non-commercial and commercial vehicles. Rather than carving out a large portion of the ground-floor area to accommodate two off-street freight loading spaces, the Project would create active uses for ground floor retail/restaurant, bike lounge, pedestrian circulation and open space use.

- (3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open space required by the Planning Code;

The Project is seeking a rear yard modification by providing a comparable amount of usable open space on the Project site. The Project exceeds the amount of open space area required by Code (11,304 square feet). The Project would provide a total of 11,814 square feet of open space in the form of a ground floor court yard, a roof terrace, a roof deck, and private balconies in 14 units.

- (4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the PUD will not be substantially equivalent to a reclassification of property;

Not applicable; there is no dwelling unit density limit in the Van Ness Special Use District. It is rather a function of height and bulk limits. The Project proposes 239 dwelling units.

- (5) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 231 of this Code;

The Van Ness Special Use District contemplates a mix of commercial and residential uses, such that the RC-4 zoning is superseded. The Project is proposing approximately 5,100 square feet of retail/restaurant use on the ground floor.

- (6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections;

The Project is within the 130-foot height limit. The proposed Project is at a height of 127 feet.

- (7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of this Code.

Not applicable, the Project is not located in an NC District.

- (8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;

Not applicable, the Project is not located in an NC District.

- (9) In RTO and NC Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation;

Not applicable, the Project is not located in an RTO nor an NC District.

- (10) Provide street trees as per the requirement of Section 138.1 of the Code;

The site contains 648 feet of street frontage along Van Ness Avenue, O'Farrell and Myrtle Streets, requiring a total of 32 trees at the Project site. There are 16 existing trees at the site, up to eight of which would remain. The Project will install not less than 24 new trees, for a total of at least 32 trees provided at the site.

- (11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

There are no required setbacks. New landscaping would be added on all three street frontages to create an improved pedestrian experience. A Better Streets Plan has been prepared for the Project, which will entail the following: new trees and street pavers on Myrtle Street from Van Ness to Franklin as well as new sidewalk bands, lighting bollard, seatwall elements, and landscaping strips along the Myrtle Street frontage of the building. New street tree and sidewalk improvements on Van Ness would meet the new Van Ness Bus Rapid Transit (MTA) standards. The Project will attempt to retain the 8 healthy existing trees on O'Farrell in lieu of planting new trees.

16. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of 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.

The Project Sponsor would comply with Section 415 by either paying the in-lieu fee alternative of 27.5 percent or pursuing a Small Site Acquisition (SSA) to purchase and dedicate up to 66 off-site units, or a combination of the two options. If the SSA option is pursued, the affordable housing in-lieu fee would be reduced, if any obligation for in-lieu fee payment remains after the conclusion of the SSA process.

OBJECTIVE 4:

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

The Project provides a wide range of unit types. These units accommodate a variety of household sizes and types, from a single person household to a family with 2 or more children and/or older generations. The Project site is located in close proximity to numerous transit lines and two vibrant neighborhood commercial corridors on Polk Street and Van Ness Avenue.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.3:

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project is replacing a four-story commercial building with a 14-story mixed-use building containing 239 dwelling units, and approximately 5,100 sf of ground floor retail. The active ground floor use would enhance pedestrian experience along the Van Ness, Myrtle and O'Farrell frontages, found in the immediate neighborhood. The density of the housing, massing and fenestration of the proposed building is compatible with neighborhood character. The Project would anchor a key corner on Van Ness Avenue as well as the pedestrian character and scale of all three abutting street frontages.

OBJECTIVE 12:

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

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1:

Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.2:

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project site is well-served by transit, due to its location on Van Ness Avenue and near Polk Street. Numerous MUNI bus lines are available from this location including the 19-Polk, 27-Bryant, 31-Balboa, 38-R Geary, 38-Geary, 47-Van Ness, 49-Van Ness/Mission, many of which provide service to the Van Ness or Civic Center MUNI Station. Also available within walking distance is the Geary Bus Rapid Transit Line. The Van Ness Bus Rapid Transit line will be available in the near future. There are also existing Golden Gate Transit lines that travel on Van Ness for travel to Marin County. The Project furthers “smart” regional growth by providing off-street parking for 174 cars for 239 units, 2 car-share spaces and 239 Class 1 bicycle parking spaces and 20 Class 2 bicycle parking spaces. Similar to its proximity to numerous transit lines, the site is close to the numerous bicycle routes that the City has already created, particularly for bicycle travel N/S on Polk and Larkin, and E/W on Sutter and McAllister. These routes link up to other bicycle routes in the City to facilitate bicycle travel Downtown and South of Market.

VAN NESS AVENUE AREA PLAN

Objectives and Policies

OBJECTIVE 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY’S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING. CONTINUE EXISTING COMMERCIAL USES AND ADD A SIGNIFICANT INCREMENT OF NEW HOUSING.

Policy 1.3

Allow residential densities to be established by building volume rather than lot size.

Policy 1.4

Maximize the number of housing units.

Policy 1.5

Employ various techniques to provide more affordable housing.

The Project replaces a commercial building previously used by the KRON-4 television studio, with a 14-story, 239 unit residential building and approximately 5,100 square feet of ground floor retail/restaurant use. The 239 unit density is a function of building volume and height as there are no density limits in the Van Ness Special Use District. Based on the 130-foot height limit on the site and the desire to activate the pedestrian levels with commercial uses, 239 units ranging from 1-3 bedrooms was deemed the maximum density for this Project. The Project height is 127 feet.

Compliance with the City’s inclusionary housing requirement will be satisfied by the Project Sponsor’s payment of the in-lieu fee alternative of 27.5 percent or pursuing a Small Site Acquisition (SSA) to purchase and dedicate up to 66 off-site units. If the SSA option is pursued, the affordable housing in-lieu fee would be reduced, if any obligation for payment remains.

OBJECTIVE 5

ENCOURAGE DEVELOPMENT WHICH REINFORCES TOPOGRAPHY AND URBAN PATTERN, AND DEFINES AND GIVES VARIETY TO THE AVENUE.

Policy 5.1

Establish height controls to emphasize topography and adequately frame the great width of the Avenue.

Policy 5.2

Encourage a regular street wall and harmonious building forms along the Avenue.

Policy 5.3

(Setbacks) Continue the street wall heights as defined by existing significant buildings and promote an adequate enclosure of the Avenue.

Policy 5.4

(Setbacks) Preserve existing view corridors.

Policy 5.5

(Rear Yards) Encourage full lot development resulting in a maximum number of dwelling units.

The Van Ness Special Use District imposes a 130-foot height limit on the Project site, resulting in the 127-foot building. Existing buildings vary in height ranging from the 127-foot tall building at 1000 Van Ness Avenue, immediately across Van Ness Avenue to the new California Pacific Medical Center, one block to the north at 218 feet tall. A portion of the main tower facing Van Ness Avenue is set back 15 feet at a height of 77 feet.

OBJECTIVE 6

ENCOURAGE DISTINGUISHED ARCHITECTURE WHOSE SCALE, COMPOSITION AND DETAILING ENHANCES THE OVERALL DESIGN STRUCTURE OF THE AVENUE AND RELATES TO HUMAN SCALE.

Policy 6.1

Design exterior facades which complement and enhance significant works of architecture along the Avenue.

Policy 6.2

Create varied rhythms in developments on large lots by inserting vertical piers/columns, or changes in fenestration and materials to articulate what otherwise would be an undifferentiated facade plane.

Policy 6.3

Incorporate setbacks and/or stepping down of building form on new developments — and major renovations when necessary — to increase sun exposure on sidewalks.

Policy 6.4

Differentiate bases of buildings and incorporate detail at ground level through variety in materials, color, texture and architectural projections. Provide windows with clear glass throughout the building.

- *The massing of each face of the main building is broken into several distinct components along Van Ness and O'Farrell:*
 - *The **first massing expression** on the corner of Van Ness and O'Farrell is characterized by a white pre-cast frame and a glass and metal curtain-wall. This expression helps to anchor the corner and create a gateway up to Saint Mary's Cathedral. The pre-cast frame picks up on the color and architectural expression of the Cathedral. At the base of this volume sits a two-story volume expressed with punched windows and dark pre-cast panels above the retail storefronts. This element works to strengthen the corner expression at the pedestrian level on both O'Farrell and Van Ness facades.*
 - *The **highest massing expression for the project** is the middle component along Van Ness. The glass and metal curtain wall is framed by a dark colored pre-cast frame and is set back 15 feet from the property line along Van Ness. The tower element at the top of the mechanical penthouse creates a crown/cornice that is set back from the main curtainwall glass plane to create a sense of depth and shadow that is visible from far away.*
 - *The **low massing expression** is a volume that anchors and steps down to the corner of Van Ness and Myrtle and acknowledges the 77-foot aspirational street wall height on that avenue. The solid pre-cast expression with punched windows references the solid façade of the historic 1000 Van Ness across the street. This expression has a light pre-cast color that contrasts with the dark pre-cast frame of the middle component.*
 - *The **second (middle) massing expression** along O'Farrell is a solid building with punched windows. This expression alludes to the façade of the historic 1000 Van Ness across the street from the project. The punched windows are two stories in height and are highlighted with projecting metal frames that add depth and shadow to the façade. This middle expression has a light pre-cast color that contrasts with the glass-and-metal curtain-wall at the corner and the dark colors of the third expression.*
 - *The **third massing expression**, which is furthest up the hill on O'Farrell consists of a weave of vertical and horizontal metal panels. These are contained by strong metal frame and cornice element. The height at this part of the building is four floors lower than the tower and is capped by a roof terrace. The dark color of the metal panel contrasts with the light color pre-cast wall, and creates further separation between the massing volumes.*
 - *The townhomes along Myrtle complement the main building by using a collage of wood, warm colored stucco, and glass elements that bridge in both material and scale the main building of the project and the historic wood townhomes across the street. The expression of these elements is vertical in nature and reinforces with its repeating rhythm the intimate, pedestrian focused residential scale of this street.*

OBJECTIVE 7

PROVIDE SAFE AND ATTRACTIVE ENVIRONMENTS WITHIN EACH MIXED USE DEVELOPMENT.

Policy 7.1

Ensure safety, security and privacy within new residential developments while encouraging efficient use of common open space areas.

Policy 7.2

Provide wind protection and sun exposure to private and common open space areas.

Policy 7.3

Generally maintain existing open space requirements for residential use. Allow common open space requirements to be met by a variety of recreation and open space features.

Because the private open space is in the form of 14 private balconies of 36 square feet each and accessible only from one of those 14 units, they will be secure. The balconies will get ample exposure as they face west over the amenity deck, or East across Van Ness which is a wide thoroughfare. The common open space areas are found at the following locations:

- 1,960 square feet at the entry courtyard on Myrtle Street;
- 4,090 square feet roof terrace on the 11th floor facing O'Farrell and west towards Franklin Street; and
- 5,260 square feet roof deck facing O'Farrell Street.

The building will be secured enough to ensure that the open spaces are used by occupants and their guests.

OBJECTIVE 8

CREATE AN ATTRACTIVE STREET AND SIDEWALK SPACE WHICH CONTRIBUTES TO THE TRANSFORMATION OF VAN NESS AVENUE INTO A RESIDENTIAL BOULEVARD.

Policy 8.1

Require sponsors of major renovation or new development projects to improve and maintain the sidewalk space abutting their properties according to the guidelines contained in this Plan.

Policy 8.2

Where there are no trees, plant trees within the sidewalk space and the median strip. Maintain existing healthy trees and replace unhealthy ones.

Policy 8.3

Provide street trees with tree grates that have removable sections to adequately accommodate tree growth.

Policy 8.4

Incorporate low-growing ground cover around the tree plantings within the median strip.

Policy 8.5

Maintain existing sidewalk widths.

Policy 8.9

Provide attractive street furniture at convenient locations and intervals throughout the length of the street.

The Project will provide new trees and street pavers on Myrtle Street from Van Ness to Franklin as well as attractive new sidewalk bands, lighting bollards, seatwall elements, and landscaping strips along the Myrtle Street frontage of the building. There are 16 existing trees at the site, up to eight of which would remain. The Project will install not less than 24 new trees, for a total of at least 32 trees provided at the site. New street tree and sidewalk improvements on Van Ness will meet the new Van Ness Bus Rapid Transit (MTA) standards. The Project will attempt to retain the healthy existing trees on O'Farrell. Three curb cuts will be eliminated (two on Myrtle and one on O'Farrell) and replaced with one each on Myrtle and O'Farrell Streets.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

The Project proposes an approximately 5,100 square-foot ground floor retail/restaurant use along Van Ness Avenue.

17. **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 does comply 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 would enhance the district by providing new retail/restaurant uses along a major thoroughfare.

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

The existing units in the surrounding neighborhood would not be affected. There are no existing dwelling units on the site. The Project proposes to add 239 new dwelling units to the City's housing stock.

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

The existing building to be demolished does not contain housing. The Project would enhance the City's supply of affordable housing by paying the Affordable Housing Fee or participating in the Small Site Acquisition Program, or a combination of the two.

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

The transportation study prepared for the Project concluded that the Project will not have any significant effect on the streets, neighborhood parking and MUNI services.

- 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 will not displace any service or industrial establishment and is not a commercial office development. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The Project proposes a building up to 130 feet in height. A shadow fan study was prepared by the Department and determined that the Project will not affect sunlight access to any public parks or open space.

18. 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.
19. 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 Application No. 2014.1305CUAENVU** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 4, 2016, and labeled "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the IS/MND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

The Planning Commission hereby adopts the MND and the MMRP attached hereto as "EXHIBIT C" and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the IS/MND and contained in the MMRP are included as conditions of approval.

The Planning Commission further finds that since the MND was finalized, there have been no substantial Project changes and no substantial changes in Project circumstances that would require major revisions to the MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the MND.

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 No. XXXXXXXXXXXX. 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 October 20, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 20, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow for a building height above 50 feet, street frontage greater than 50 feet where the height exceeds 40 feet, bulk exception, off-street parking, and wind comfort level exception, and a Planned Unit Development (PUD) that would include PUD modifications to the floor area premium for a corner lot, freight loading for residential use, and the rear yard requirements relating to the demolition of an existing four-story television studio and office building and the construction of a new 127-foot tall, 14-story mixed-use building containing 239 dwelling units, approximately 5,100 square feet of retail/restaurant space on the ground floor, approximately 195 parking spaces (including 2 car share spaces), and 259 bicycle spaces, located at 1001 Van Ness Avenue, Block 0714, Lot 016, pursuant to Planning Code Sections 134, 151.1, 152, 243, 253, 253.2, 271, 303 and 304 in an RC-4 (Residential-Commercial, High Density) District, the Van Ness Special Use District, the Van Ness Automotive Special Use District, the Van Ness Avenue Area Plan, and a 130-V Height and Bulk District; in general conformance with plans, dated October 4, 2016, and labeled "EXHIBIT B" included in the docket for Case No. 2014.1305CUA and subject to conditions of approval reviewed and approved by the Commission on October 20, 2016 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 October 20, 2016 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 415-575-6863, www.sf-planning.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 415-575-6863, www.sf-planning.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 415-575-6863, www.sf-planning.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 415-575-6863, www.sf-planning.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 415-575-6863, www.sf-planning.org

6. **Mitigation Measures.** Mitigation measures described in the MMRP attached as “EXHIBIT C” are necessary to avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor. Their implementation is a condition of Project approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.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 415-558-6378, www.sf-planning.org

8. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code Section 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.sf-planning.org

10. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

11. **Signage.** The Project shall comply with the provisions of Article 6 of the Planning Code related to any new signage.

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

12. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
- On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
 - On-site, in a driveway, underground;
 - On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
 - Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
 - Public right-of-way, underground; and based on Better Streets Plan guidelines;
 - Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
 - On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>

13. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

14. **Noise.** Plans submitted with the building permit application for the approved Project shall incorporate acoustical insulation and other sound proofing measures to control noise.

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

15. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the Project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans if applicable as determined by the project planner. Odor control ducting shall not be applied to the primary façade of the building.

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

PARKING AND TRAFFIC

16. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. Any on-site affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

17. **Car Share.** Pursuant to Planning Code Section 166, no fewer than two (2) car share spaces shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **Bicycle Parking (Commercial).** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than one Class 1 and seven Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

19. **Bicycle Parking (Residential).** The Project shall provide no fewer than 147 bicycle parking spaces (135 Class 1 spaces for the residential portion of the Project and 12 Class 2 spaces for the residential portion of the Project).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

20. **Parking Maximum.** Pursuant to Planning Code Sections 151.1 and 243, the Project shall provide no more than 195 off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

21. **Off-street Loading.** Pursuant to Planning Code Section 152, the Project shall provide one off-street loading space for the residential use.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

22. **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 415-575-6863, www.sf-planning.org

PROVISIONS

23. **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 415-558-6378, www.sf-planning.org
24. **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
25. **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 415-558-6378, www.sf-planning.org
26. **Child Care Fee - Residential.** 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 415-558-6378, www.sf-planning.org
27. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.
1. **Requirement.** Pursuant to Planning Code Section 415.5, 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 or pursue a Small Site Program (SSP) acquisition, subject to SSP program guidelines and site approval by MOHCD, to purchase, rehabilitate and dedicate up to 66 off-site units, or a combination of the two options. The applicable percentage for this Project is 27.5 percent (27.5%). 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 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

2. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and the terms of the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing and Community Development ("MOHCD") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development's websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOHCD prior to the issuance of the first construction document.
- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- c. If Project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development Project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

MONITORING - AFTER ENTITLEMENT

28. **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 415-575-6863, www.sf-planning.org

29. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

30. **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 415-575-6863, www.sf-planning.org

OPERATION

31. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>

32. **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, 415-695-2017, <http://sfdpw.org>

33. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

34. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance

with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

35. **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 with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator 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.

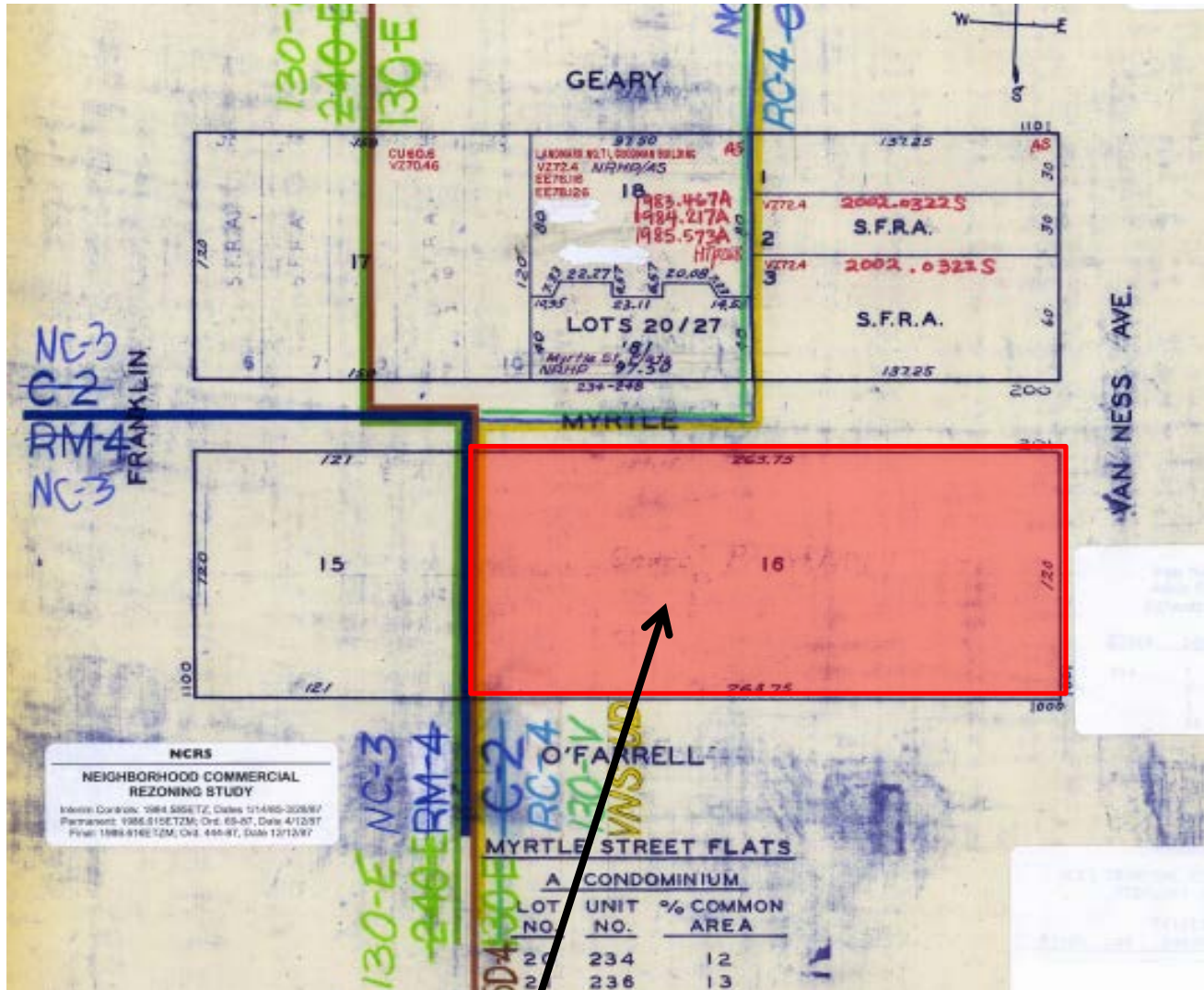
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

36. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parcel Map

(Block 0714, Lot 016)



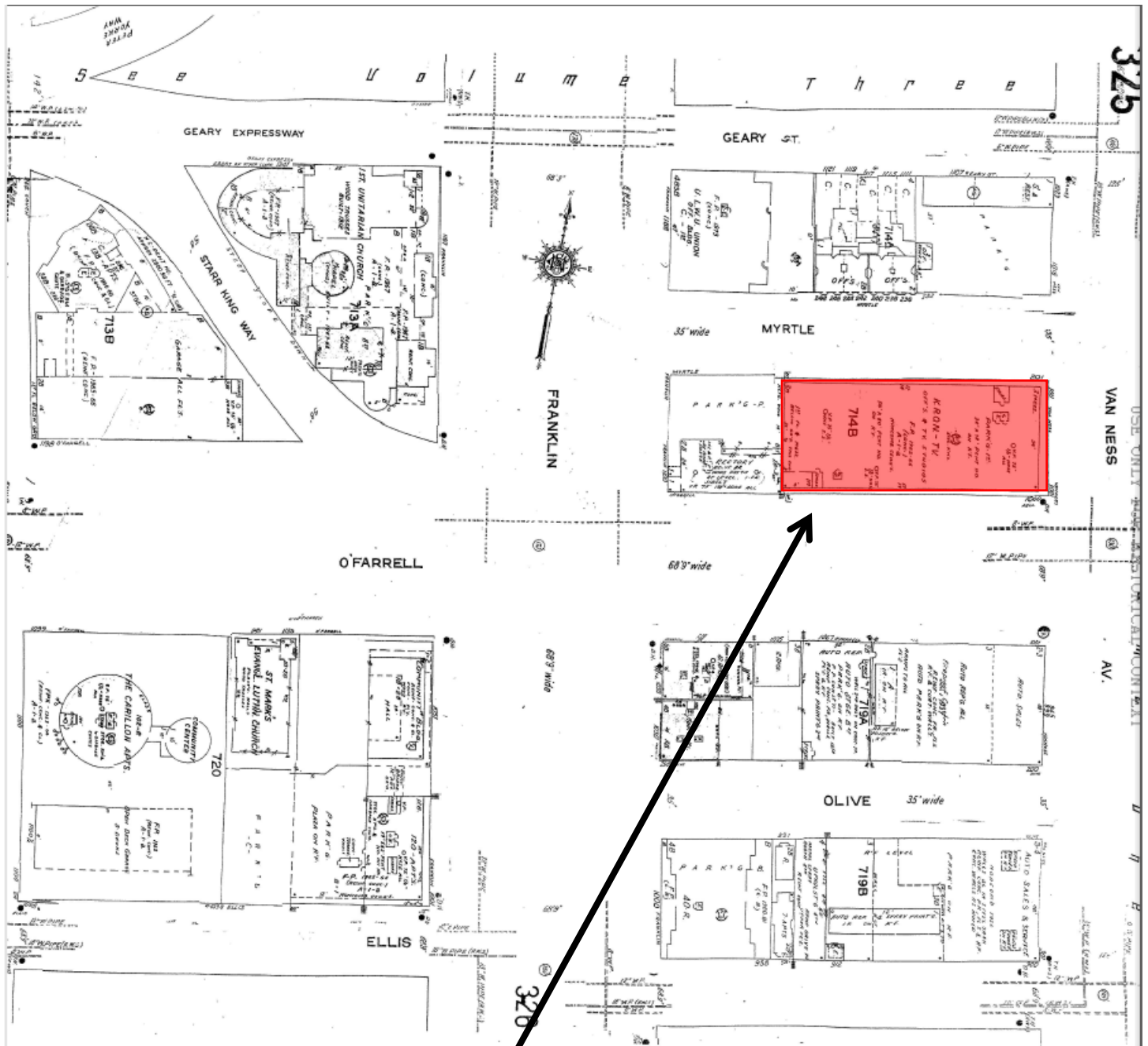
SUBJECT PROPERTY



Conditional Use Hearing
 Case Number 2014.1305CUA
 1001 Van Ness Avenue

Sanborn Map*

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

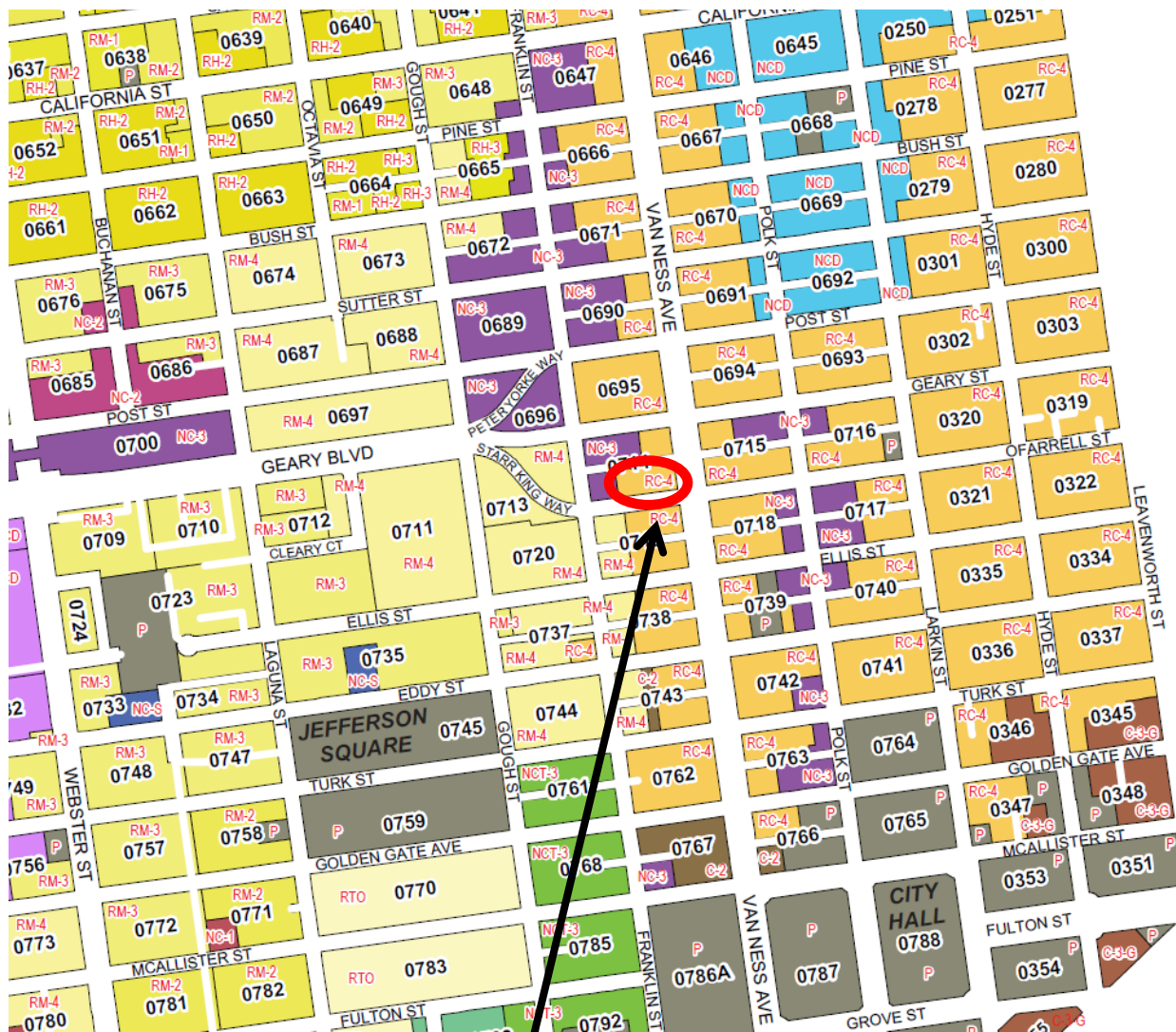


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014.1305CUA
1001 Van Ness Avenue

Zoning Map

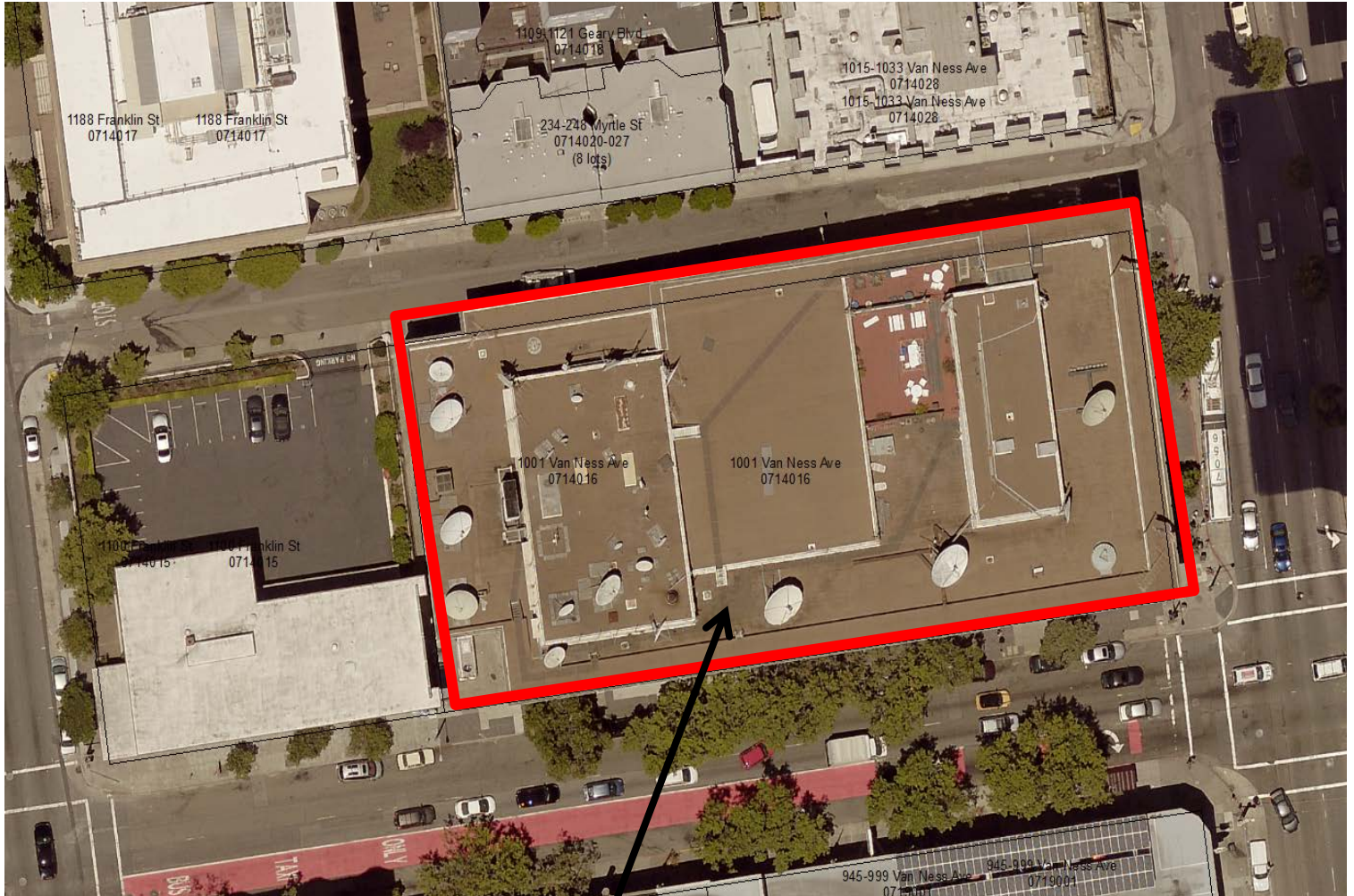


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014.1305CUA
1001 Van Ness Avenue

Aerial Photo



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014.1305CUA
1001 Van Ness Avenue

Site Photo

(Subject Property on Van Ness Avenue)

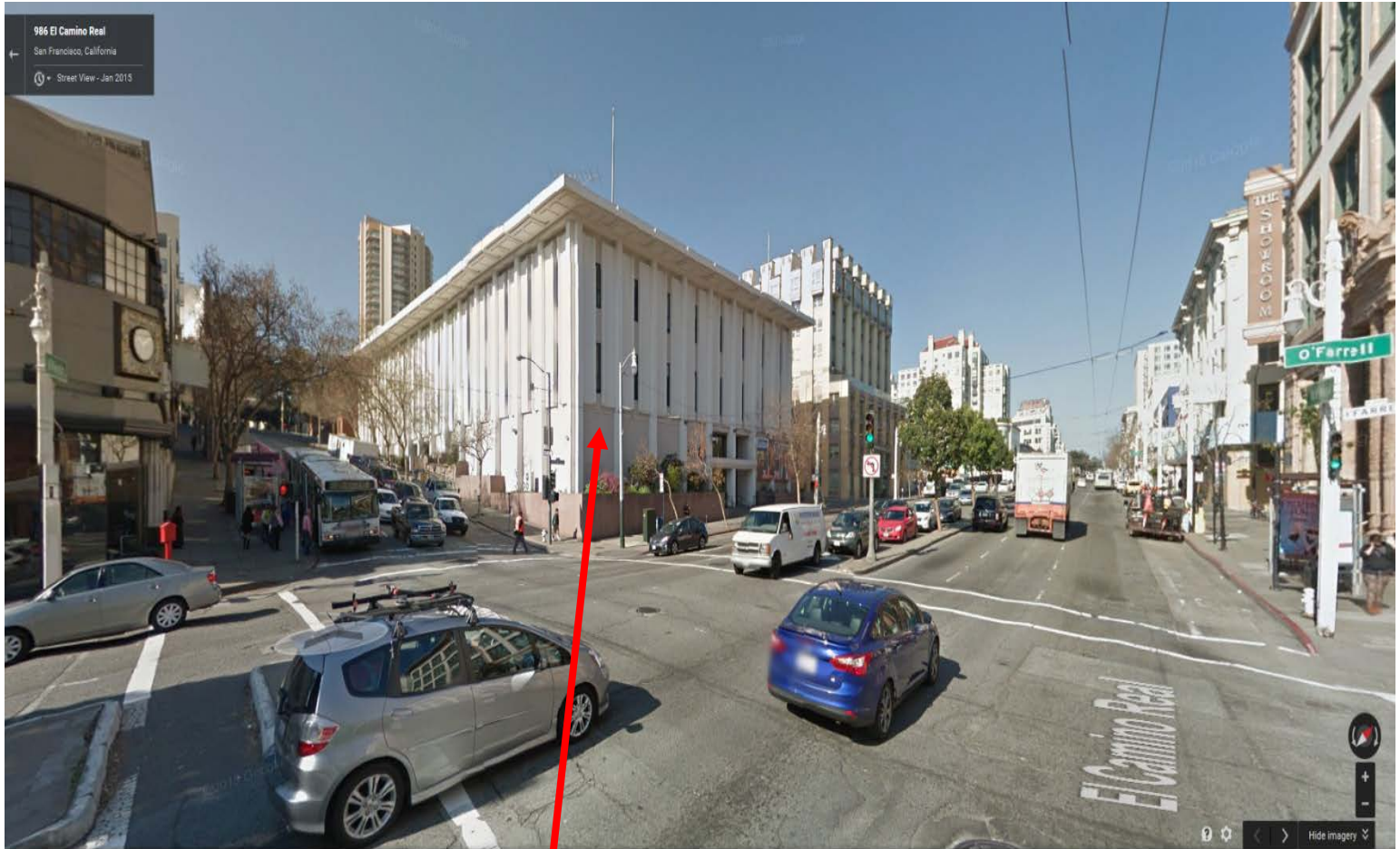


SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2014.1305CUA
1001 Van Ness Avenue

Site Photo

(Subject Property on Corner of
Van Ness Avenue & O'Farrell Street)



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2014.1305CUA
1001 Van Ness Avenue

Site Photos

(Parking Garage Access from Myrtle Street)



Conditional Use Hearing
Case Number 2014.1305CUA
1001 Van Ness Avenue



SAN FRANCISCO PLANNING DEPARTMENT

Mitigated Negative Declaration

PMND Date: August 17, 2016
Case No.: **2014-001305ENV**
Project Title: **1001 Van Ness Avenue**
Zoning: RC-4 (Residential-Commercial, High Density)
Van Ness Special Use District
Van Ness Automotive Special Use District
130-V Height and Bulk District
Block/Lot: 0714/016
Lot Size: 31,646 square feet (0.73-acre)
Project Sponsor: Oryx Partners, LLC
Laura Billings (510) 842-8432
Lead Agency: San Francisco Planning Department
Staff Contact: Rachel Schuett – (415) 575-9030
rachel.schuett@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The approximately 31,646-square-foot (0.73-acre) project site is located at the northwest corner of Van Ness Avenue and O'Farrell Street on the block bounded by Geary Boulevard to the north, Franklin Street to the west, O'Farrell Street to the south, and Van Ness Avenue to the east, within San Francisco's Cathedral Hill neighborhood. The proposed project would involve demolition of the existing 71-foot-tall, four-story building (currently an office and formerly a TV studio) on the project site at 1001 Van Ness Avenue and construction of a new 130-foot-tall, 14-story building containing approximately 239 dwelling units and approximately 5,151 square feet of retail/restaurant space along Van Ness Avenue. The residential units would include six three-story, three-bedroom townhouses along Myrtle Street; of the remaining 233 units, about 63 percent would be one-bedroom units and about 37 percent would be two or three bedroom units. A single basement level and below-grade portions of the ground floor and second level of the 14-story building would provide for approximately 199 vehicle parking spaces, primarily in stackers, including two car-share spaces.


A 1,912-square-foot secure bicycle room on the second level (at grade mid-block on O'Farrell Street) would accommodate 239 Class 1 bicycle spaces in double-decker, assisted-lift racks. The residential entrance would be from Myrtle Street, as would access to basement parking (178 spaces) for the residential units; parking for the retail/restaurant space (19 spaces) and two car-share spaces would be accessed via O'Farrell Street, and the secure bicycle parking would be accessible from both the O'Farrell Street garage entrance and the residential lobby. The ground-floor retail/restaurant space would be located along, and accessible from, Van Ness Avenue. Ten Class 2 bicycle racks would accommodate 20 bicycles on the O'Farrell Street sidewalk. Level two (at grade mid-block on Myrtle and O'Farrell Streets) would include a residential lobby, mail room, leasing office and the parking ramp, and the recycling/trash room.

Approximately 12,200 square feet of residential open space would be provided through a combination of commonly-accessible spaces and private open space.

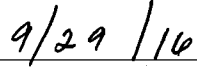
FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See Section F, page 117.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.



LISA M. GIBSON
Environmental Review Officer



Date of Issuance of Final Mitigated
Negative Declaration

cc: Laura Billings, Project Sponsor
Mary Woods, San Francisco Planning Department-Current Planning

INITIAL STUDY

(2015-001305ENV: 1001 Van Ness Avenue)

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INITIAL STUDY

1001 Van Ness Avenue Project Planning Department Case No. 2015-001305ENV

A. PROJECT DESCRIPTION

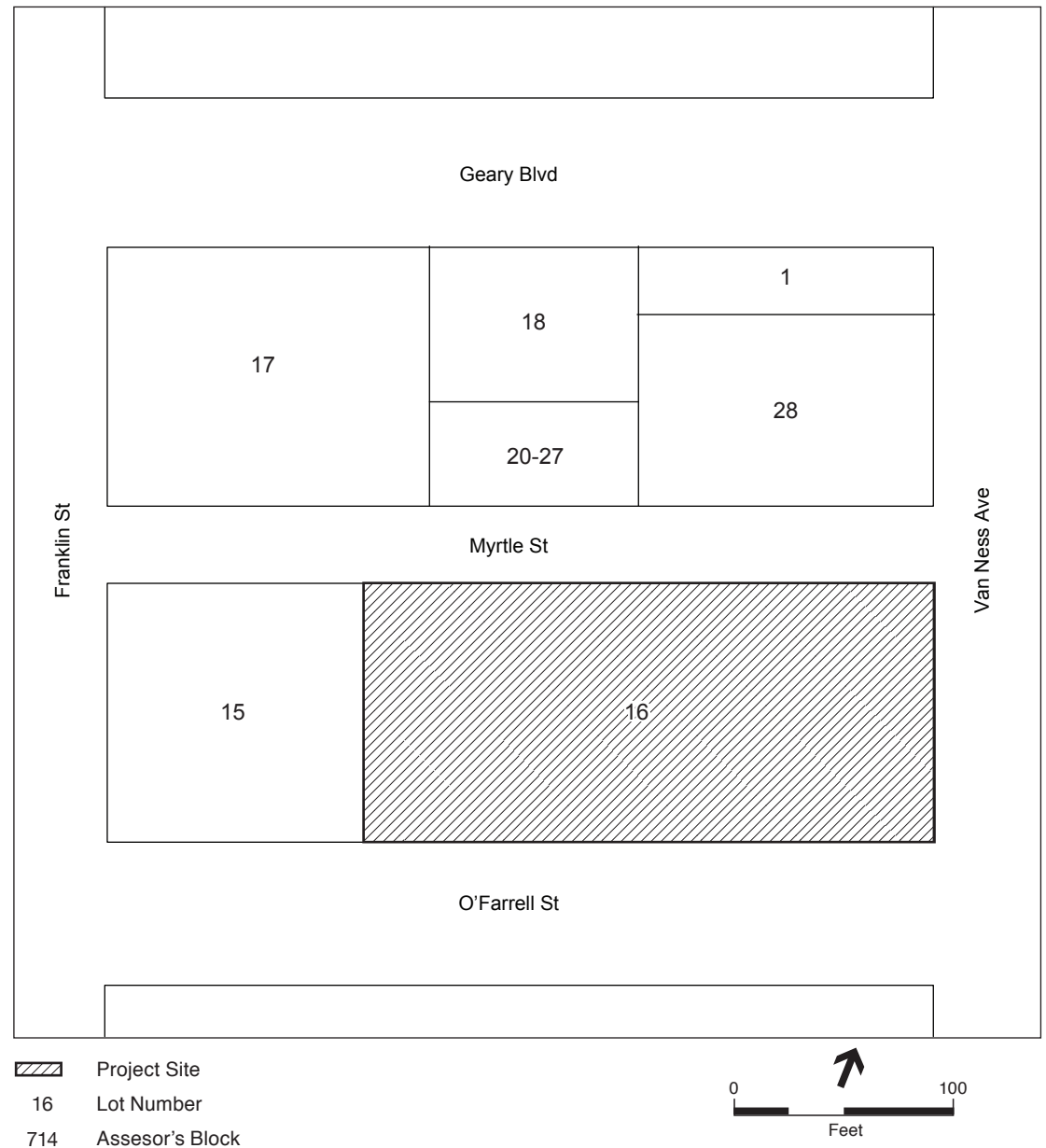
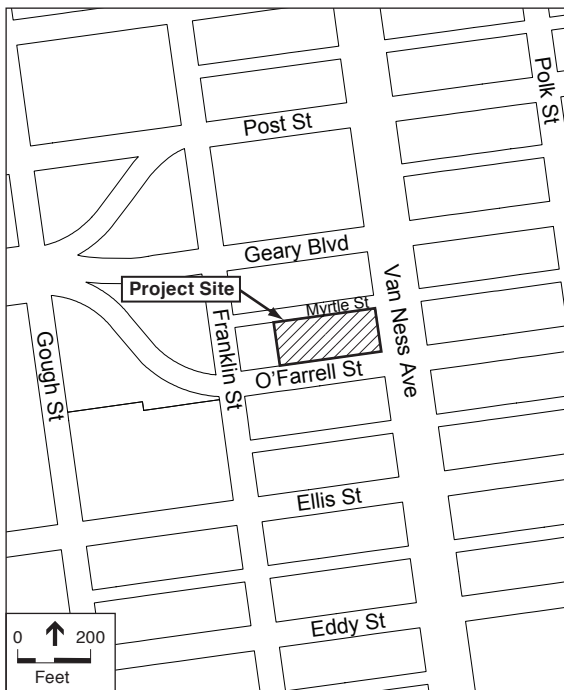
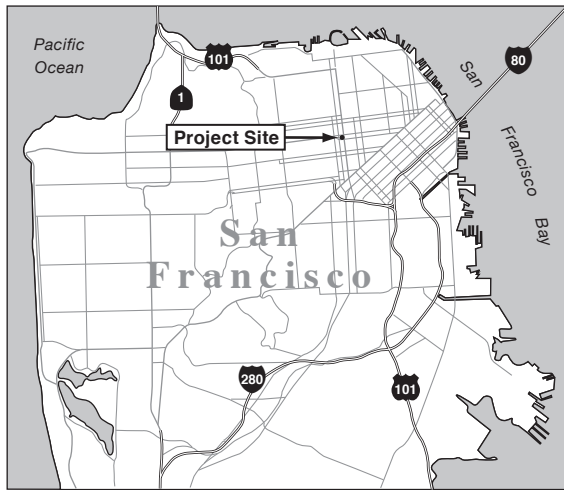
Project Location and Site Characteristics

The approximately 31,646-square-foot (0.73-acre) project site (Assessor's Block 714, Lot 016) is located at the northwest corner of Van Ness Avenue and O'Farrell Street within San Francisco's Cathedral Hill neighborhood, and within the Van Ness Avenue Area Plan identified in the *San Francisco General Plan (General Plan)*. The project site is located on a block bounded by Van Ness Avenue, O'Farrell Street, Franklin Street, and Geary Boulevard. Myrtle Street, an east-west street that divides the block in two, forms the northern boundary of the project site (see **Figure 1**, p. 2). The project site is located within a RC-4 (Residential-Commercial, High Density) use district and a 130-V height and bulk district, (130-foot maximum height, bulk limits apply above a height established by the prevailing Van Ness Avenue street wall height). The site is also located within the Van Ness Special Use District and the Van Ness Automotive Special Use District.

The project site is currently occupied by an approximately 113,000-square-foot, four-story, approximately 60-foot-tall (as measured from the mid-point of the O'Farrell Street façade to the top of the mechanical penthouse) office and television studio building that occupies the entire lot. The building measures approximately 71 feet in height from the base to the top of the mechanical penthouse on the Van Ness Avenue (east) façade. The building was formerly occupied by the studios and offices of the KRON television station and is now occupied by general office uses. Construction of the existing building was completed in 1967. Because the existing building on the project site is more than 45 years old, a Historic Resources Evaluation (HRE) was prepared and concluded that the building is not eligible for listing in the California Register of Historical Resources (California Register) or otherwise identified as a historic resource for the purposes of the California Environmental Quality Act (CEQA). In a Historical Resources Evaluation Response (HRER), the Planning Department concurred with the HRE finding; therefore, the building is not a historic resource.

The project site slopes up toward the west, with an elevation of approximately 130 feet San Francisco City Datum (SFD) at grade on Van Ness Avenue and approximately 157 feet SFD at the western site boundary; the grade elevation on Franklin Street is approximately 170 feet SFD.¹ The project site is rectangular in shape, with 120 feet of frontage on Van Ness Avenue and approximately 264 feet of frontage on O'Farrell and Myrtle Streets. The existing building footprint encompasses the entire lot width and length, with the exception of an approximately 18-foot-deep and 24-foot-long setback at the southwest corner of the building

¹ San Francisco City Datum (SFD) establishes the City's zero point for surveying purposes at approximately 11.3 feet above the current 1988 North American Vertical Datum. Because tides are measured from mean lower low water (about 3.1 feet below mean sea level [MSL]), an elevation of 0 SFD is approximately 8.2 feet above MSL.



SOURCE: ESA

2014-001305ENV . 1001 Van Ness Avenue Residential Project . 150474

Figure 1
Project Location

on O'Farrell Street to accommodate a double-wide on-site commercial loading bay accessed via a curb cut. An on-street passenger loading/unloading zone and one Americans with Disabilities Act (ADA)-accessible parking space are located adjacent to the building on O'Farrell Street, and a bus stop is located adjacent to the building on Van Ness Avenue. Sixty-two off-street vehicle parking spaces are provided on site in a single basement level accessible from Myrtle Street. There are five existing street trees along Van Ness Avenue and seven street trees along both the O'Farrell Street and Myrtle Street frontages of the project site (19 total).

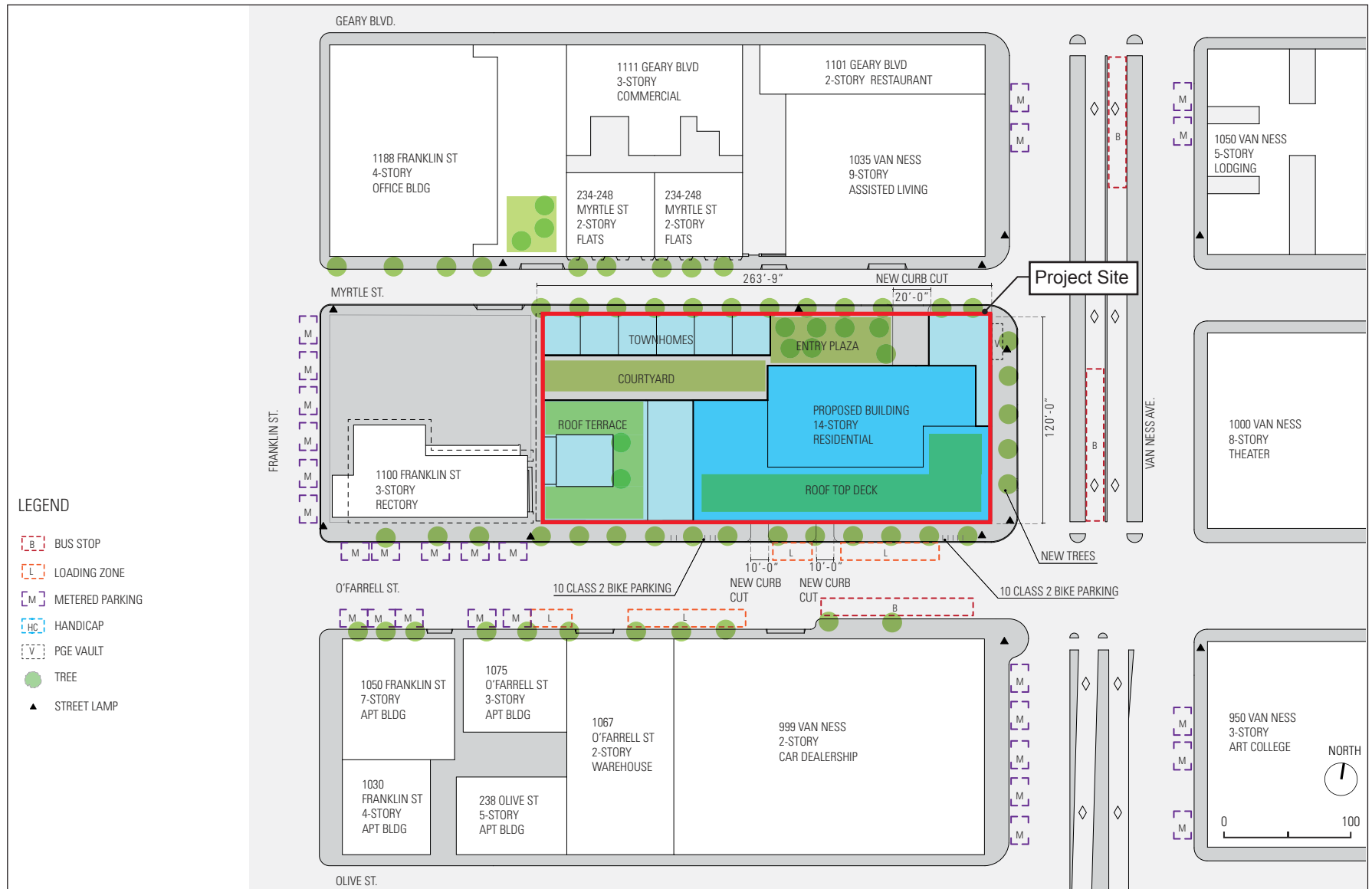
A parking lot and a three-story rectory/office building adjoin the project site to the west (Salesian Provincial Office, 1100 Franklin Street). Three buildings are located adjacent to the project site to the north, across Myrtle Street: a recently constructed (2004) nine-story assisted living facility at 1035 Van Ness Avenue, a two-story multi-unit residential building at 234-248 Myrtle Street, known as the Myrtle Flats, and a four-story commercial building (the Harry R. Bridges Memorial Building) occupied by the International Longshore and Warehouse Union (ILWU) at 1188 Franklin Street. Three buildings are also located adjacent to the project site to the south, across O'Farrell Street: a two-story commercial building currently occupied by British Motor Car Distributors at 999 Van Ness Avenue, a three-story residential building at 1075 O'Farrell Street, and a seven-story residential building at 1050 Franklin Street. The historic eight-story Don Lee Building is located across the street at 1000 Van Ness Avenue.

Proposed Project

The proposed project would demolish the existing four-story, approximately 71-foot-tall office and television studio building and construct a new 130-foot-tall, 14-story mixed-use building containing approximately 239 dwelling units and about 5,151 square feet of retail/restaurant space that would front onto and be accessible from Van Ness Avenue (see **Figure 2**, p. 4). The proposed project would also include six three-story, three-bedroom townhouses with frontage on Myrtle Street. The project sponsor intends that the proposed dwelling units would be for-sale condominium units.

The basement and a portion of the ground and second floors (both below grade due to the slope of the site) would contain approximately 199 vehicle parking spaces, primarily in stackers, including two car-share spaces (see **Figure 3**, p. 5 and **Figure 4**, p. 6). A 1,912-square-foot secure bicycle room on the second floor (at grade mid-block on O'Farrell Street) would accommodate 239 Class 1 bicycle parking spaces in double-decker, assisted-lift racks. Access to the 178 parking spaces for the residential units would be from Myrtle Street. Parking for the retail/restaurant space (19 spaces) and two car-share spaces would be accessed via O'Farrell Street, and the Class 1 bicycle parking spaces would be accessible from both the O'Farrell Street garage entrance and the residential lobby on Myrtle Street. Ten Class 2 bicycle racks would accommodate 20 bicycles on the O'Farrell Street sidewalk.

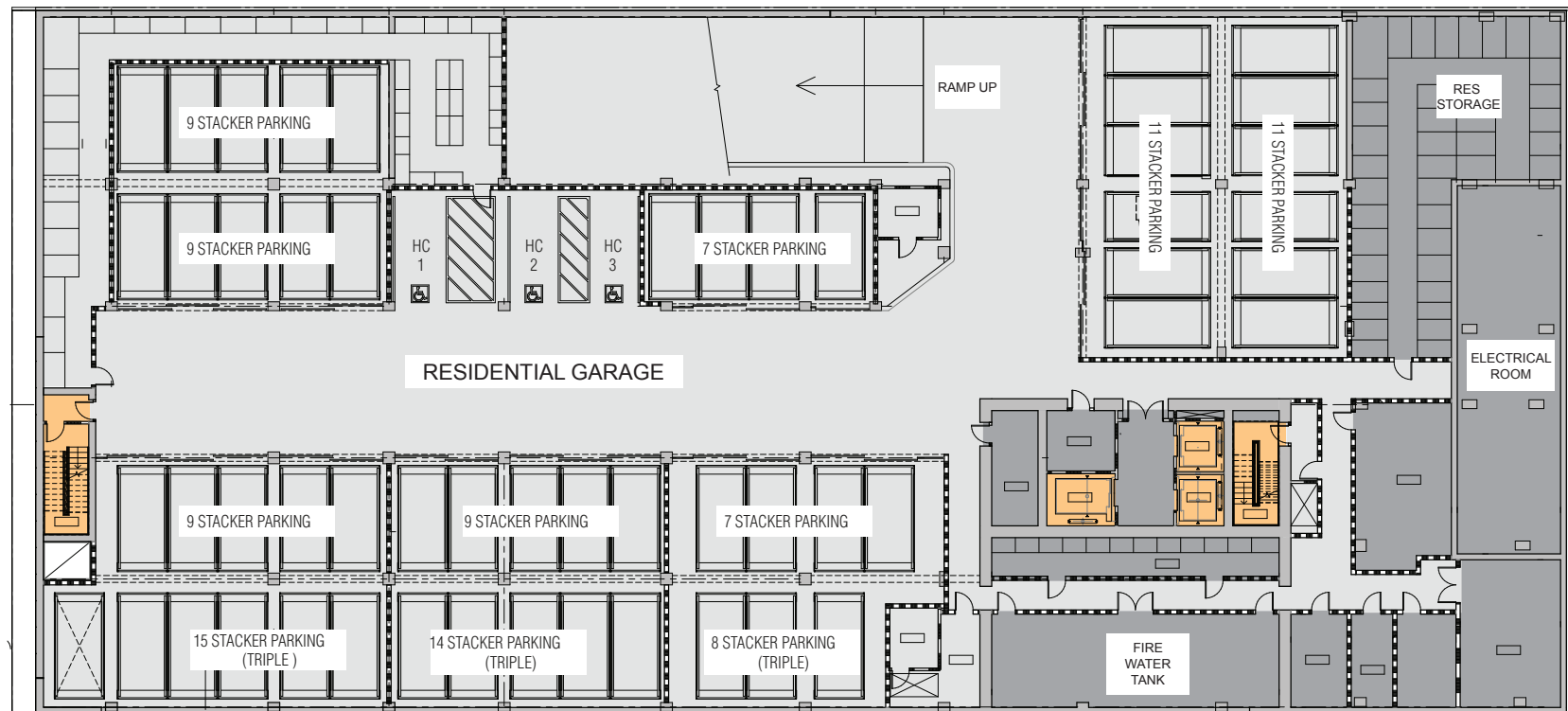
The eastern portion of the second floor would contain six residential units along Van Ness Avenue and O'Farrell Street, in addition to the residential entrance/lobby fronting Myrtle Street, mail room, parking ramp, off-street loading, recycling/trash room, and management office (see **Figure 5**, p. 7). As noted above, the western below-grade portion of the second floor would contain vehicle and bicycle parking



SOURCE: Handel Architects

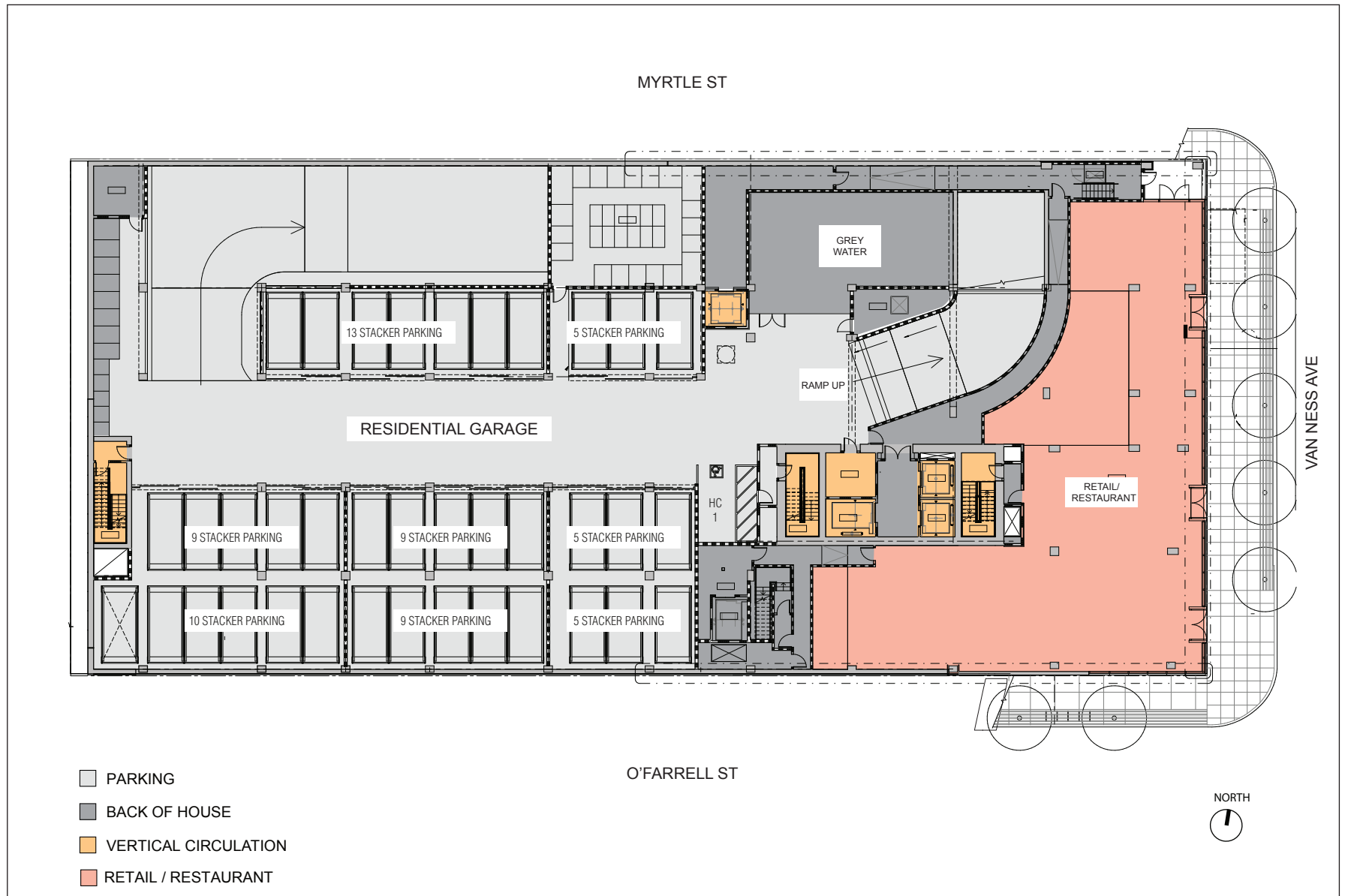
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Figure 2
Site Plan



- PARKING
- BACK OF HOUSE
- VERTICAL CIRCULATION

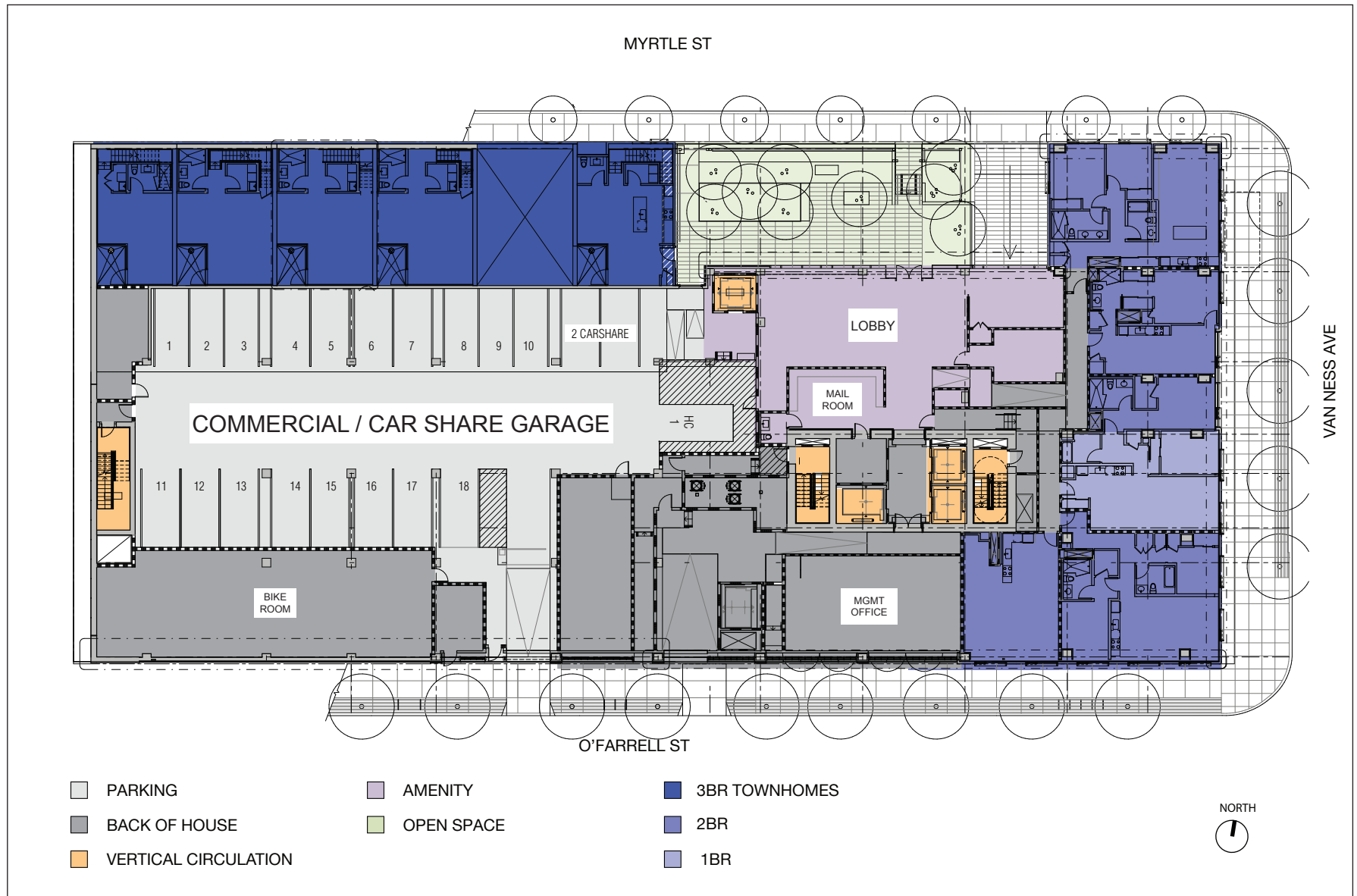




SOURCE: Handel Architects

2014-001305ENV . 1001 Van Ness Avenue Residential Project . 150474

Figure 4
Ground Floor Plan



SOURCE: Handel Architects

2014-001305ENV . 1001 Van Ness Avenue Residential Project . 150474

Figure 5
Second Floor Plan

spaces, in addition to a storage area. The third floor would contain 25 residential units, and floors 4 through 7 would each contain 26 residential units (see **Figure 6**, p. 9). Floors 8 and 9 would contain 22 units, and Floor 10 would have 20 units. Floor 11 would contain eight residential units, outdoor open space, a lounge area, a fitness room and a kitchen/dining area (see **Figure 7**, p. 10). Floors 12 and 13 would each contain 10 residential units, and Floor 14 would contain seven units. The residential unit count also includes six three-story, three-bedroom townhouses on Myrtle Street. In total, the project would contain 239 dwelling units in a combination of one-, two-, and three-bedroom units. The residential unit mix would consist of approximately 147 one-bedroom units and junior one-bedroom units (62 percent of the total),² 77 two-bedroom units (32 percent), and 15 three-bedroom units (6 percent). The project would comply with the inclusionary affordable housing program, as required by *Planning Code* Section 415.3, by either paying the Affordable Housing Fee to the Mayor's Office of Housing, by participating in the off-site small site acquisition program pursuant to Section 415.3(b)(2)(G), or a combination of the two.

The proposed structure would be approximately 130 feet in height to the top of the roof, with the parapet extending an additional 4 feet above the roofline and a mechanical and stair/elevator penthouse extending up to 16 feet above the roof height (see **Figure 8**, p. 11).³ **Figure 9**, p. 12 depicts the proposed project elevations.

The proposed building would be constructed on shallow spread footings or a mat foundation. The building would be designed in a contemporary architectural style, employing precast concrete, stone veneer, stucco, and glass as the primary building materials. For the primary facades on Van Ness Avenue and O'Farrell Street, the proposed design would employ precast materials and large glass windows. The Myrtle Street façade would be articulated with the entrance courtyard, building setbacks, and the six proposed townhouses. The ground floor retail/restaurant space would feature large glass storefronts and would be articulated by an aluminum trim cap under a precast overhang.

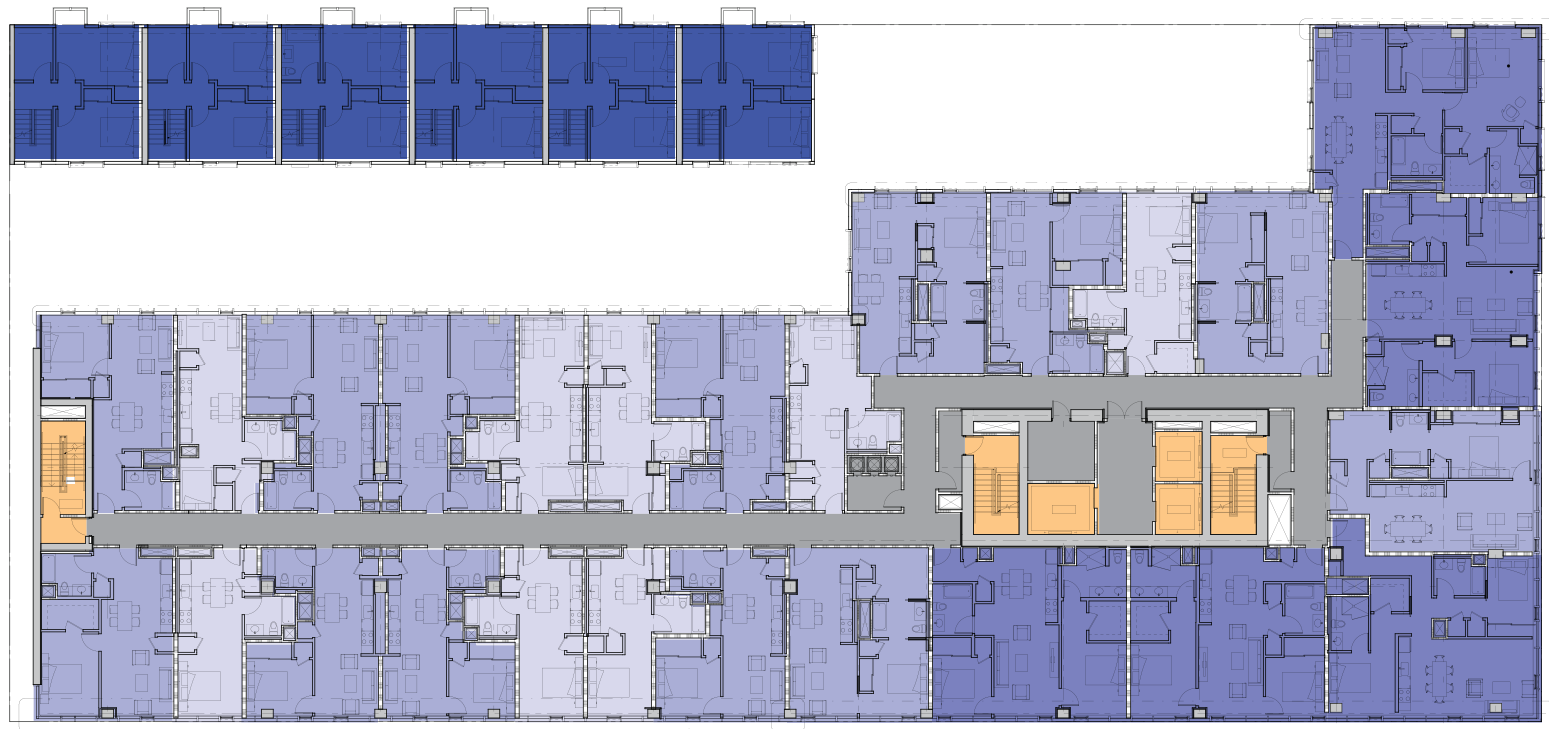
Visual simulations were prepared by the project architect to illustrate how the proposed project would appear from the most prominent public vantage points (see **Figure 10**, p. 13).

Open Space

The proposed project would provide three common open spaces that would be accessible to building residents only. One open space would be provided atop the building in the form of a commonly-accessible roof deck of approximately 5,260 square feet (see **Figure 2**, p. 4). A second open space would be provided on the 11th floor and would include a commonly-accessible outdoor terrace of approximately 4,090 square feet that would be open to the sky at the southwest corner of the building. The third common open space would be the approximately 1,960-square-foot courtyard area at the residential entrance on the northeast side of the building fronting Myrtle Street. An additional 20 private balconies and roof decks of at least 36 square feet each would be provided. The proposed 11,814 square feet of private and common open space would meet the *Planning Code* open space requirement of 11,304 square feet (at 48 square feet per unit of commonly-accessible open space and 36 square feet per unit of private open space, respectively).

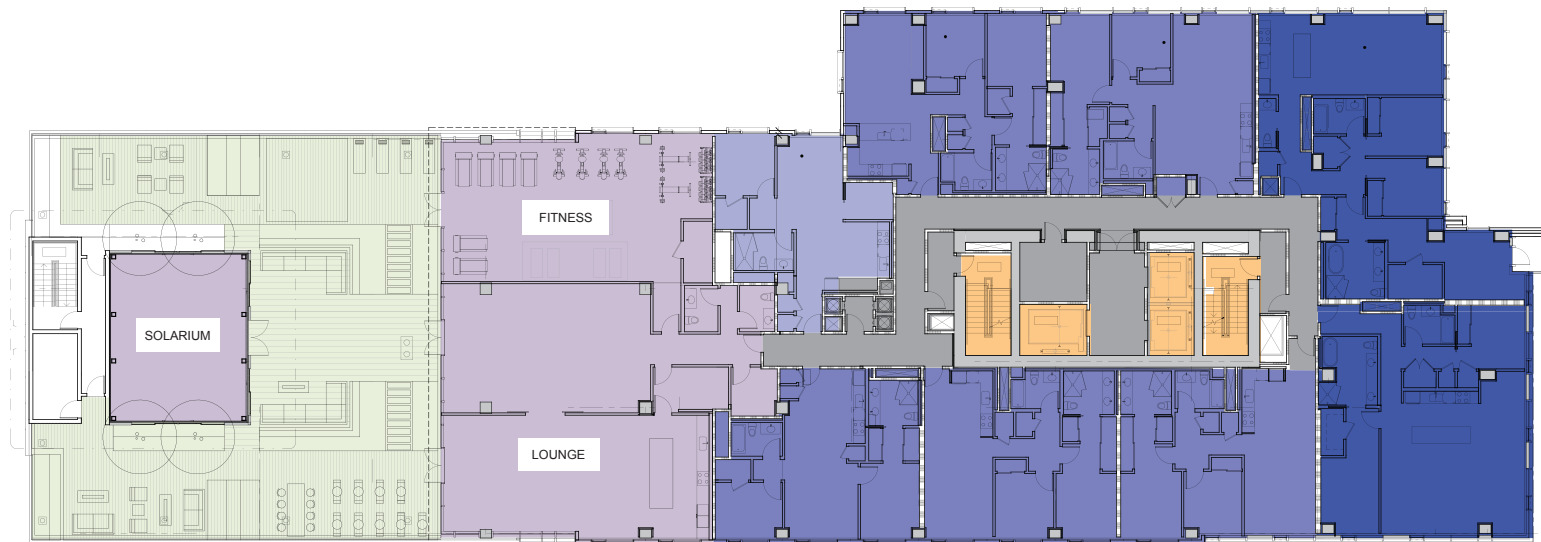
² A junior one-bedroom unit contains a separate bedroom, although without a window in the bedroom and not necessarily with a door; the window is typically in a larger living/dining room.

³ These roof-top features are exempt from the height limit, pursuant to *Planning Code* Sec. 260(b)(1)(B).



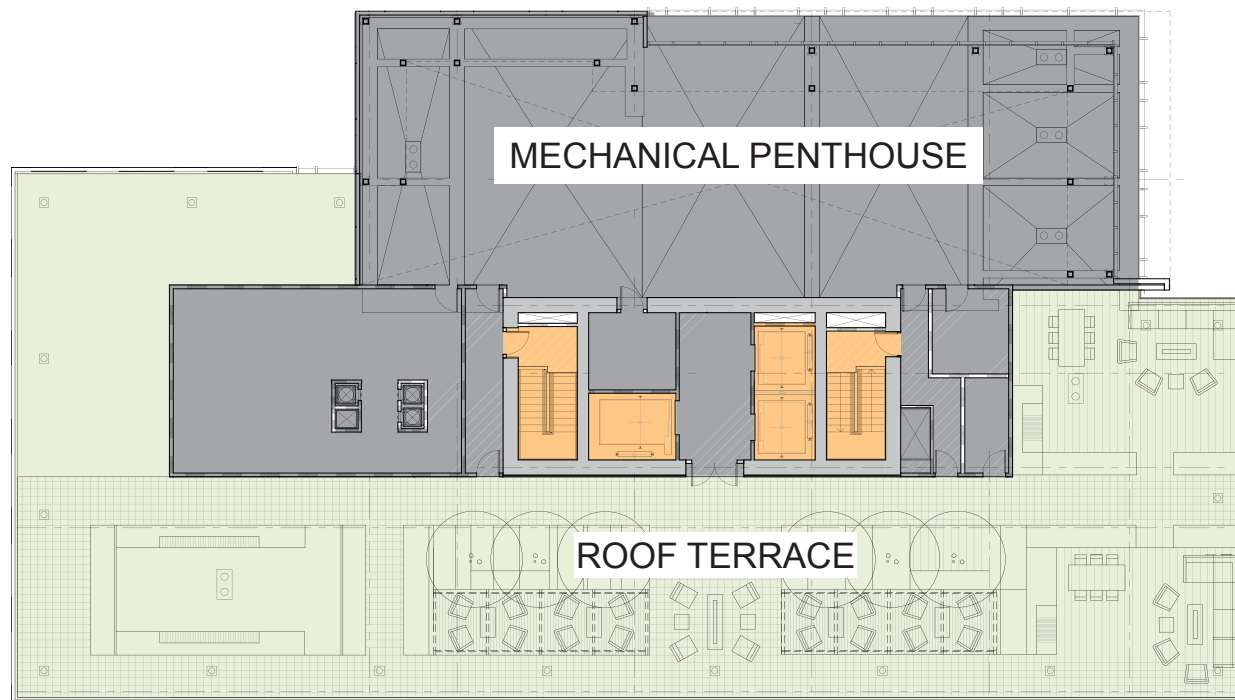
- | | |
|---|--|
| 3BR TOWNHOMES | 2BR |
| BACK OF HOUSE | 1BR |
| VERTICAL CIRCULATION | JR1 |



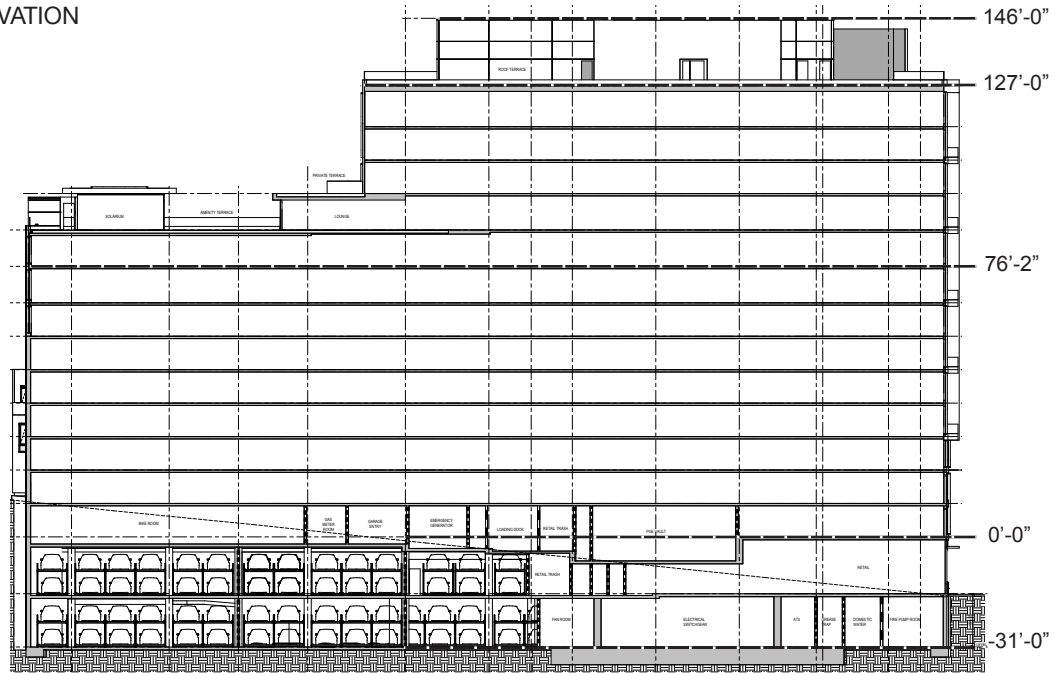


- | | |
|--|--|
| AMENITY | OPEN SPACE |
| BACK OF HOUSE | 3BR |
| VERTICAL CIRCULATION | 2BR |
| | 1BR |

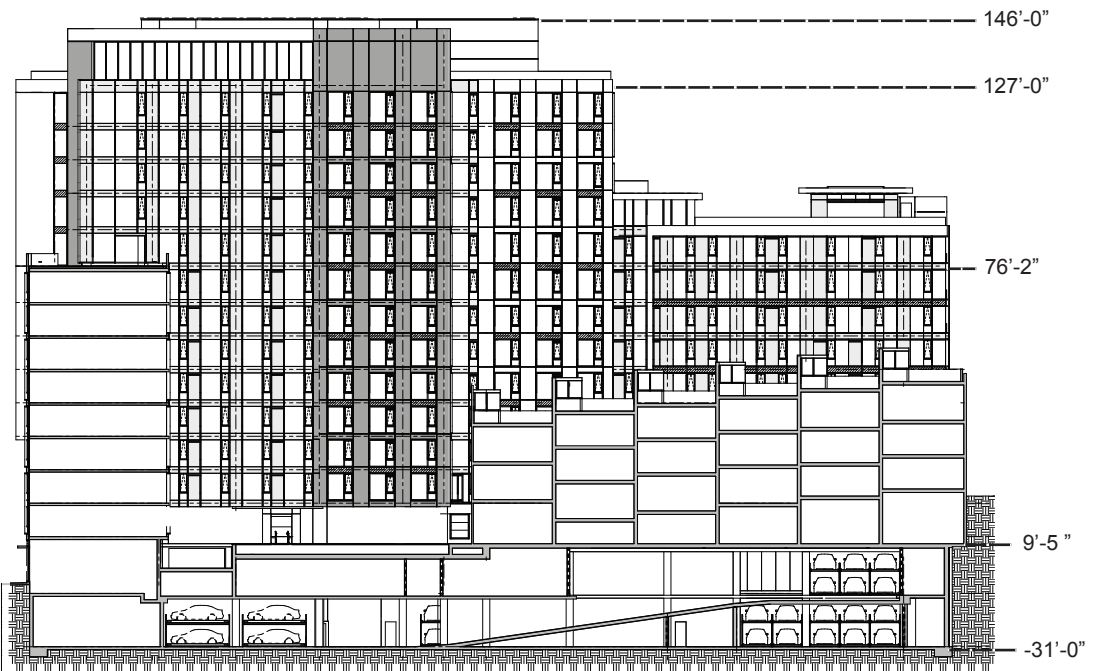




SOUTH ELEVATION



NORTH ELEVATION



O'FARRELL STREET VIEW



MYRTLE STREET VIEW



Parking, Loading, and Bicycle Facilities

The existing building on the project site contains 62 off-street parking spaces accessed from Myrtle Street, one passenger loading/unloading zone accessed from O'Farrell Street, and one ADA-accessible on-street parking space along the building's southern façade facing O'Farrell Street. The proposed project would remove the existing curb cuts and create two new curb cuts on O'Farrell Street adjacent to the proposed on-street commercial loading/unloading zone. One curb cut would be used to access the 19 vehicle parking spaces for the retail/restaurant use (including one ADA-accessible space), as well as two car-share spaces on the second floor, and the other curb cut would be used to access the off-street loading space on the second level. The basement and a below-grade portion of the first level would contain approximately 178 vehicle parking spaces for residents, primarily in stackers, including four ADA-accessible spaces. With a Conditional Use authorization, as the sponsor is requesting, the 199 parking spaces would be consistent with *Planning Code* Section 151.1. In addition to the two new curb cuts and 10-foot-wide openings proposed on O'Farrell Street for access to the commercial parking and off-street loading spaces, a new curb cut and 20-foot-wide opening is also proposed on Myrtle Street to provide access to the below-grade residential parking area via a vehicular ramp.

As noted above, a 1,912-square-foot secure bicycle room would be provided on the second floor. The secure bicycle room would accommodate 239 Class 1 bicycle parking spaces in double-decker, assisted-lift racks and would be accessible from both O'Farrell and Myrtle Streets. These vehicle and bicycle parking spaces would be available to building residents and employees of the proposed ground-floor retail/restaurant space. Ten Class 2 bicycle racks would accommodate 20 bicycles on the O'Farrell Street sidewalk.

As noted above, one on-street loading zone is proposed on O'Farrell Street, and one off-street loading space is proposed on the second floor. Since only one off-street loading space is proposed, the project would seek approval of a Planned Unit Development exception to allow relief from the requirement of two off-street loading spaces required by *Planning Code* Section 152.

During the construction phase of the proposed project, worker parking would occur off-site. As the entire project site would be under construction at the same time, no designated parking for construction workers would be provided on-site and they would be expected to park on the street or in nearby garages, or to use transit.

Table 1, p. 15, summarizes the characteristics of the proposed project.

Landscaping

As part of the proposed project, all seven existing street trees on Myrtle Street would be removed. Some or potentially most of the street trees on Van Ness Avenue and O'Farrell Street would also be removed depending on construction conflicts and the health of the trees. Trees that would be removed on Van Ness Avenue and O'Farrell Street would be replaced, and a minimum of 13 additional new trees would be planted along the project sidewalks on all three frontages, as well as in front of neighbors' homes on the

TABLE 1
PROJECT CHARACTERISTICS AND PLANNING CODE COMPLIANCE

Project Component	Proposed Project: Gross Building Area
Residential	256,819 sq. ft.
Retail/Restaurant	5,151 sq. ft.
Vehicle Parking ^a	48,405 sq. ft.
Bicycle Parking	1,912 sq. ft.
Bldg. Services	18,129 sq. ft.
TOTAL	330,416 sq. ft.
Residential Open Space commonly-accessible	11,310 sq. ft.
privately accessible	504 sq. ft.
<i>Required Residential Open Space^b</i> (private & commonly-accessible)	<i>11,304 sq. ft.</i>
Project Component	Proposed Project
Dwelling Units (total)	239
Jr. one-bedroom units	52
One-bedroom units	95
Two-bedroom units	77
Three-bedroom Townhouse units	15
Parking Spaces	
Auto ^c	199
Bicycle (Class 1)	239 (135 required)
Bicycle (Class 2)	20 (14 required)
Height of Building	130 feet ^d
<i>Permitted Height</i>	<i>130 feet</i>
Number of Stories	14
Floor Area Ratio (FAR)	8.38
<i>Permitted FAR^e</i>	<i>7.0</i>
<i>Permitted FAR with Corner Premium^e</i>	<i>8.75</i>

^a Includes ramp to garage and garage circulation space in the basement.

^b Per *Planning Code* Section 138(b).

^c Includes two car-shares space.

^d Excludes elevator/stair penthouse, parapet, and various rooftop elements.

^e Project is seeking approval of a Planning Unit Development to allow application of a 25 percent corner lot FAR premium per *Planning Code* Section 125(a) that is not otherwise allowed in the Van Ness Special Use District by Section 243(c)(1).

SOURCE: Oryx Partners, LLC, 2016.

north side of Myrtle Street, in accordance with *Public Works Code* Section 806. All of the new street trees would be placed in continuous soil-filled trenches. Plantings would be used in the tree cutaways on Myrtle Street. The tree cutaways on O'Farrell Street and Van Ness Avenue would match the San Francisco Municipal Transportation Agency's (SFMTA) Van Ness Avenue Bus Rapid Transit (BRT) project, which will include dedicated bus lanes flanking a landscaped median, signal upgrades, new streetlights and landscaping, roadway resurfacing, and pedestrian improvements, such as the bulbouts located on the southwest corner of Van Ness Avenue and O'Farrell Street. Upgraded decorative paving, gutter pans, and curbs would be installed on Myrtle Street from the corner of Van Ness and Myrtle up to the western edge of the building's entry courtyard. Pavers with contrasting colors would be used to demarcate the crosswalk at Myrtle Street and Van Ness Avenue to enhance pedestrian safety. Decorative upgraded lighting would be installed along the southern side off Myrtle Street. Additional raised planters with built-in seating would be located within the Myrtle Street entrance courtyard.

Foundation and Excavation

The proposed project would entail excavation to a maximum depth of approximately 37 feet to accommodate the below-grade parking levels and foundation; excavation would total up to about 43,400 cubic yards. The project is anticipated to be constructed on shallow spread footings or a mat foundation.

Construction Schedule

Construction of the proposed project would take approximately 24 months in six overlapping phases including: demolition (four months), shoring and excavation (two months), foundation (two months), building construction (10 months), installation of facades (six months), and architectural coating (seven months).

Approvals Required for the Proposed Project

Planning Commission

- Approval of a Conditional Use authorization from the Planning Commission per *Planning Code* Sections 253, 253.2, and 303 for new construction exceeding 50 feet in height and where the street frontage of the building is more than 50 feet in the RC-4 zoning district and the Van Ness Special Use District (proposed at 130 feet).
- Approval of a Conditional Use authorization from the Planning Commission per *Planning Code* Sections 151.1(g) and 303 for off-street residential parking in excess of 0.5:1 ratio.
- Approval of a Conditional Use authorization from the Planning Commission per *Planning Code* Sections 243(c)(15) and 303 for an exception to the ground-level wind currents requirement in *Planning Code* Section 243(c)(15) because the building would not eliminate all existing exceedances of the wind comfort criteria. Approval of a Planned Unit Development, pursuant to *Planning Code* Section 304, to permit modification of the (1) off-street loading requirements of *Planning Code* Section 152 (two loading spaces are required; one is proposed); (2) Floor Area Ratio (FAR) corner premium provision in *Planning Code* Section 125(a) that is not otherwise allowed in the Van Ness Special Use District by Section 243(c)(1) (FAR of 7.0 permitted without corner premium; FAR of 8.38 is proposed); (3) "V" bulk requirements of *Planning Code* Sections 243(c)(3), 253.2 and 270 where permitted maximum plan dimensions are 110 feet in length and 140 feet in diagonal above the

prevailing street wall height; 165 feet in length and 178 feet in diagonal are proposed; and (4) rear yard requirements of *Planning Code* Section 134(a)(1) for provision of a rear yard equal to 25 percent of the lot depth, as permitted by Section 243(c)(6) (varied open space configuration, including shared roof deck and upper-level terrace, shared courtyard, and private balconies).

Department of Building Inspection

- Review and approval of demolition, grading, and building permits.
- If any night construction work is proposed that would result in noise greater than five dBA above ambient noise levels, approval of a permit for nighttime construction is required.

San Francisco Public Works

- Approval of a subdivision map because a condominium map is proposed for adoption, pursuant to the *Subdivision Code*.
- If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a street space permit from the Bureau of Street Use and Mapping.
- Approval of a permit to remove and replace street trees adjacent to the project site.
- Approval of construction within the public right-of-way (e.g., curb cuts, bulbouts and sidewalk extensions) to ensure consistency with the Better Streets Plan.

San Francisco Municipal Transportation Agency

- Approval of the placement of bicycle racks on the sidewalk, and of other sidewalk improvements, by the Sustainable Streets Division.
- If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a special traffic permit from the Sustainable Streets Division.
- Approval of construction within the public right-of-way (e.g., bulbouts and sidewalk extensions) to ensure consistency with the Better Streets Plan.
- Approval of a request to convert the existing 100-foot-long passenger loading zone on O'Farrell Street to a 60-foot-long commercial loading zone.

San Francisco Public Utilities Commission

- Approval of any changes to sewer laterals (connections to the city sewer).
- Approval of an Erosion and Sediment Control Plan, in accordance with Article 4.1 of the *San Francisco Public Works Code*.
- Approval of post-construction stormwater design guidelines, including a stormwater control plan that complies with the City's 2016 Stormwater Management Requirements and Design Guidelines.

B. PROJECT SETTING

The project site is located on the east slope of Cathedral Hill, along the Van Ness Avenue Corridor and west of the area known as Polk Gulch. The project site is bounded by Myrtle Street to the north, Van Ness

Avenue to the east, O'Farrell Street to the south and a parking lot and a three-story rectory/office building to the west (Salesian Provincial Office, 1100 Franklin Street). The project site is also located within the Van Ness Avenue Area Plan of the *General Plan*, as well as the Van Ness Special Use District and the Van Ness Automotive Special Use District. The project neighborhood is a densely built area that contains a variety of uses including residential and mixed-use buildings, as well as hotels, religious and community facilities, health care facilities, commercial and office buildings, automobile dealerships, and a few public parks.

Land uses immediately surrounding the project site consist primarily of low- to mid-rise commercial buildings, a handful of which contain automobile-oriented businesses, and mid- to high-rise residential buildings with neighborhood-serving retail uses on the ground floor along Van Ness Avenue. Several community facilities, including the First Unitarian Universalist Church, St. Mark's Lutheran Church, and Saint Mary's Cathedral are located west of the project site on Cathedral Hill. The 12-story, contemporary steel-and-glass California Pacific Medical Center (CPMC) and its associated 9-story Medical Office Building are currently under construction less than one block north of the project site on either side of Van Ness Avenue at Geary Boulevard/Street. The precast panel-and-glass Daniel Burnham Court condominium development with two 16-story towers is located a block and a half north of the project site. The lower three floors of Daniel Burnham Court contain medical offices and retail space. The project site is immediately surrounded by a mix of two- to nine-story commercial, residential, health care, community facility, and hotel buildings.

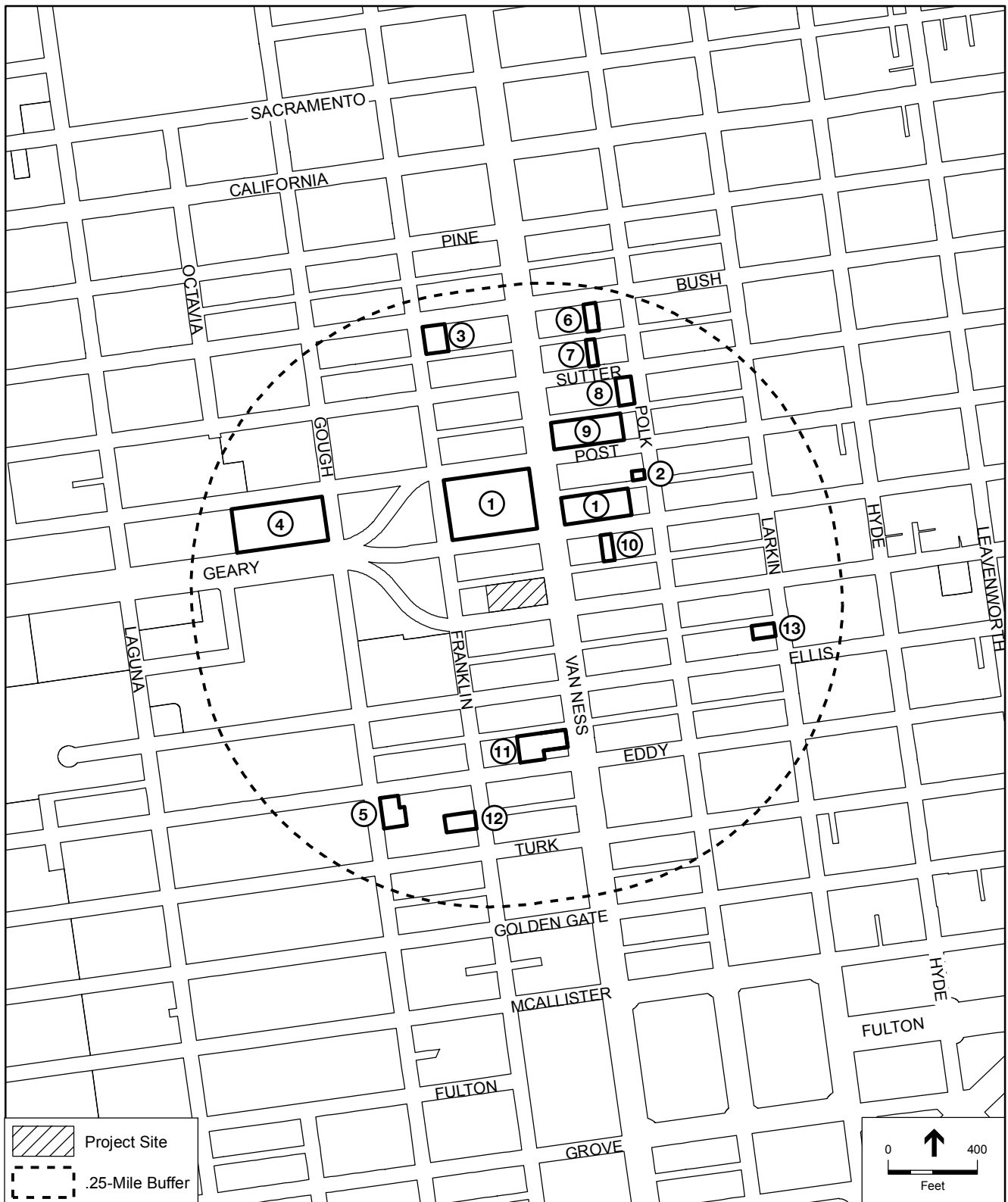
Vegetation in the area is generally limited to street trees. Nearby public parks and open spaces include Jefferson Square Park, James P. Lang Field, the Margaret S. Hayward Playground, Sergeant John Macaulay Park, the Tenderloin Children's Playground, and the Turk-Hyde Mini Park. Interstate 80 is located approximately one-half mile southeast of the project site. Individually landmarked historic buildings located near the project site include: the Don Lee Building located on the east side of Van Ness Avenue, the Goodman Building located north of the project site on Geary Boulevard, and the First Unitarian Church located west of the project site on Franklin Street and Starr King Way.

CUMULATIVE SETTING

Past, present and reasonably foreseeable cumulative development projects within a ¼-mile radius of the project site are listed below in **Table 2: Cumulative Projects Within a ¼-Mile Radius of the Project Site** and mapped on **Figure 11**. These cumulative projects are either under construction or the subject of an Environmental Evaluation Application currently on file with the Planning Department.

As shown in Table 2, there may be up to 999 dwelling units, 9,700 gross square feet (gsf) of community space, 46,994 gsf of commercial space, 740,000 gsf of hospital, and 393,730 gsf of office uses developed within a ¼-mile radius of the project site.

In addition to the cumulative projects identified in Table 2, the following transportation infrastructure plans are also considered part of the cumulative setting:



SOURCE: San Francisco GIS

2014-1305ENV . 1001 Van Ness Avenue Residential Project . 150474

Figure 11
Cumulative Projects

- **Van Ness Avenue BRT Project:** This project will implement BRT improvements along a two-mile stretch of Van Ness Avenue from Mission Street to North Point Street, including replacing the overhead wire system, constructing dedicated bus lanes, and building new bus stations. Additional components of the project include pedestrian safety improvements, utility replacement and street repaving, and new landscaping and lighting.
- **Geary Corridor BRT Project:** This project will implement BRT improvements along a six-mile length of the Geary Corridor, including Geary Boulevard between 48th Avenue and Gough Street, Geary Boulevard/Geary Street between Gough Street and Market Street, O'Farrell Street between Gough Street and Market Street, and various blocks of Market Street, Fremont Street, Beale Street, Mission Street, and First Street comprising the route to and from the Transbay Transit Center. The project will include constructing dedicated bus lanes and new bus stations, improving pedestrian conditions and access to transit, and signal upgrades.

TABLE 2
CUMULATIVE PROJECTS WITHIN A ¼-MILE RADIUS OF THE PROJECT SITE

	Address	Case File No.	Dwelling Units	Community (gsf)	Commercial (gsf)	Hospital (gsf)	Office (gsf)
1	1101 Van Ness Avenue/ 1100 Van Ness Avenue(CPMC Hospital and Medical Office Building)	2005.0555E				740,000	253,000
2	1033 Polk Street	2014.0914E	9		1,300		1,875
3	1450 Franklin Street	2015.011131E	67				
4	1333 Gough Street/1481 Post Street	2005.0679E	262				
5	950 Gough Street	2012.0506E	95	9,700	4,886		
6	1433 Bush Street	2015-009279ENV	47		1,110		
7	1238 Sutter Street	2013.1238E	40		2,550		
8	1145 Polk Street	2014-001674ENV	54		6,990		
9	1200 Van Ness Avenue	2014.1616E	95		28,704		109,045
10	1055 Geary Street	2014.002353ENV	120				
11	830 Eddy Street	2015-009460ENV	126		4,940		29,810
12	807 Franklin Street	2013.1224E	44				
13	719 Larkin Street	2015-005329ENV	40		1,400		
Totals			999	9,700	46,994	740,000	393,730

SOURCE: San Francisco Planning Department Property Information Database and Active Permits in My Neighborhood Map. Available online at <http://propertymap.sfplanning.org/>. Accessed May 23, 2016.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<u>Applicable</u>	<u>Not Applicable</u>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

San Francisco Planning Code

The *San Francisco Planning Code (Planning Code)*, which incorporates by reference the city's Zoning Maps, governs permitted uses, densities, and the configuration of buildings in San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed action conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*.

The proposed building would exceed the 50-foot height for new construction in the RC-4 District and Van Ness Special Use District. As proposed, the project includes a ratio of 0.75:1 off-street residential parking spaces per unit as opposed to the 0.5:1 ratio principally permitted per *Planning Code* Sections 151.1(g) and 303. Therefore, a Conditional Use authorization would be required to permit the proposed 130-foot-tall building height and to allow for the proposed parking ratio. Approval of a Planned Unit Development (PUD), pursuant to *Planning Code* Section 304, would be required for modification of the off-street loading requirements of *Planning Code* Section 152 (two loading spaces are required; one is proposed) and to permit application of the FAR corner premium provision in *Planning Code* Section 125(a) that is not otherwise allowed in the Van Ness Special Use District by Section 243(c)(1) (FAR of 7.0 permitted without corner premium; FAR of 8.38 proposed). The PUD also requires a Conditional Use authorization pursuant to Section 303. In addition, a modification of the requirement in *Planning Code* Section 134(a)(1) for provision of a rear yard equal to 25 percent of the lot depth, as permitted by Section 243(c)(6), would be required from the Planning Commission. In addition, the project would require approval of a Conditional Use authorization from the Planning Commission per *Planning Code* Sections 243(c)(15) and 303 for an exception to the ground-level wind currents requirement in *Planning Code* Section 243(c)(15) because the building would not eliminate all existing exceedances of the wind comfort criteria.

Allowable Uses

The project is located in the RC-4 (Residential-Commercial, High Density) Zoning District, which covers the western portions of Downtown north of Market Street and most of the Van Ness Avenue corridor, the Van Ness Special Use District and the Van Ness Automotive Special Use District. As stated in *Planning Code* Section 209.3, the RC-4 Zoning District is comprised of mainly high-density apartment buildings with commercial ground floors, generally containing neighborhood-serving retail uses. Overall, the intensity of development in this district is lower than the downtown core area further to the east.

The requirements associated with the RC-4 Zoning District are described in Section 209.3 of the *Planning Code*, and the requirements associated with the Van Ness Special Use District are described in Section 243 of the *Planning Code*, with references to other applicable articles of the *Planning Code* as necessary (for example, for provisions concerning parking, rear yards, street trees, etc.). Within the RC-4 district and Van Ness Special Use District, retail uses on the ground floor and residential uses above the ground floor, as proposed by the project, are principally permitted.

There is no residential density limit in the Van Ness Special Use District, and nonresidential uses, including retail sales and services, are only permitted if the ratio between the amount of new residential uses to the amount of new nonresidential uses is 3 to 1 or greater. As is the case of other mixed-use districts and the Van Ness Special Use District, off-street parking at a maximum ratio of 0.5 parking spaces per unit is permitted for residential buildings, although, as noted above, a ratio of up to 0.75:1 may be approved with Conditional Use authorization.⁴

In the Van Ness Automotive Special Use District, wholesaling of automotive parts and any automotive use, when connected with and incidental to the sale of new or used automobiles, is permitted as principal uses, and any automotive use that is not connected with and incidental to the sale of automobiles, may be permitted as a conditional use by the Planning Commission.⁵ The proposed project does not include any automotive sales or any other automotive use, other than accessory parking.

Affordable Housing

The proposed project would comply with the City's inclusionary affordable housing program requirements, as required by *Planning Code* Section 415.3, by paying the affordable housing fee to the Mayor's Office of Housing, by providing off-site affordable units, or a combination of the two.

Height and Bulk

The project site is located within a 130-V Height and Bulk District. This district allows a maximum building height of 130 feet, and falls under the "V" bulk limitations, defined in *Planning Code* Section 270 as a maximum plan length of 110 feet and a maximum diagonal plan dimension of 140 feet for portions of the building that are above "the prevailing street wall height" as specified in Section 253.2, which defines such height as that "established by the existing buildings along Van Ness Avenue within two blocks of the proposed building." The proposed project would be 130 feet tall, measured from ground level to the top of the roof. Various rooftop elements under the proposed project would extend up to 16 feet above the top of the roof, as height exemptions allowable under Section 260 (b)(1)(A) of the *Planning Code*, as well as a parapet extending approximately 4 feet beyond the height limit, as a height exemption allowable under Section 260(b)(2)(A). Because there is not a prevailing street wall height established by existing buildings along Van Ness Avenue within two blocks of the project site, the *Planning Code* does not establish a maximum building bulk. Therefore, the proposed project would comply with the 130-V Height and Bulk District.

⁴ *Planning Code* Sections 209.3 and 243.

⁵ *Planning Code* Section 237.

Street Trees

The proposed project would remove and replace existing trees on Van Ness Avenue and O'Farrell Street, and a minimum of 13 additional new trees would be planted along the project sidewalks on all three frontages, as well as on the north side of Myrtle Street, in accordance with *Public Works Code* Section 806.

Rear Yard Requirements

Planning Code Section 134 requires a rear yard equivalent to 25 percent of total lot depth at all residential levels. The proposed project would provide approximately 11,480 square feet of commonly-accessible open space on the roof top of the building, the roof of the 10th floor, and the entry plaza on the second floor facing Myrtle Street. However, the proposed project would not provide open space within a rear yard and, therefore, the project sponsor is requesting an exception from the Zoning Administrator to the rear yard requirements of *Planning Code* Section 134(e), pursuant to Section 243(c)(6), to allow for open space in a configuration other than a rear yard.

Parking and Loading

According to *Planning Code* Section 151.1(g), a maximum of 0.5 off-street parking space per unit (one space per two units) is permitted for residential uses in the RC-4 district, with up to 0.75 space per unit permitted with a Conditional Use authorization, per Section 303. The project seeks a Conditional Use authorization to allow 0.75 off-street parking spaces per unit, which would allow 180 off-street parking spaces for the proposed residential use. In addition, two car-share spaces⁶ and one parking space per 200 square feet of restaurant use is permitted, which would allow an additional 26 parking spaces, for a total of 206 permitted parking spaces. 199 parking spaces are proposed: 178 for residential, 19 for retail/restaurant, and two car-share spaces.

For new residential buildings, *Planning Code* Section 155.2 requires one secure (Class 1) bicycle parking space (bicycle locker or space in a secure room) be provided for each unit up to 100 units, and one Class 1 space for every four dwelling units over 100. In addition, one Class 2 space (publicly-accessible bicycle rack) is required for each 20 units. Section 155.2 also requires one Class 1 space for each 7,500 occupied square feet of retail space and one Class 2 space for each 750 occupied square feet of restaurant space. As 5,151 square feet of retail/restaurant is proposed, no Class 1 and seven Class 2 bicycle parking spaces are required for the restaurant use. Therefore, the proposed project would require 135 Class 1 bicycle parking spaces and 14 Class 2 bicycle parking spaces. As 239 Class 1 and 20 Class 2 bicycle parking spaces are proposed, the project would comply with Section 151.1(g) of the *Planning Code*. The Class 1 bicycle parking spaces would be provided in a secure storage area on the second level (at grade mid-block on O'Farrell Street), accessible from the residential lobby and O'Farrell Street garage entrance. Ten Class 2 bicycle racks would accommodate 20 bicycles on the O'Farrell Street sidewalk. *Planning Code* Section 152 requires two off-street loading spaces for residential buildings greater than 200,001 square feet and less than 500,000 square feet. The project is proposing only one off-street loading space; therefore, the project

⁶ Car-share spaces do not count towards parking maximums, per *Planning Code* Section 151.1(d).

sponsor is seeking approval of a Planned Unit Development, pursuant to *Planning Code* Section 304, to permit modification of the off-street loading requirements in Section 152.

Plans and Policies

San Francisco General Plan

In addition to the *Planning Code*, the proposed project is subject to the *General Plan*. The *General Plan* provides general policies and objectives to guide land use decisions. The *General Plan* contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies, and objectives for physical development within the city. In addition, the *General Plan* includes area plans that outline goals and objectives for specific geographic planning areas, such as the Van Ness Avenue Area Plan, which includes the project site.

A conflict between a proposed project and a *General Plan* policy does not, in itself, indicate a significant effect on the environment within the context of CEQA. Any physical environmental impacts that could result from such conflicts are analyzed in this Initial Study. In general, potential conflicts with the *General Plan* are considered by the decisions-makers (typically the Planning Commission) independent of the environmental review process. Thus, in addition to considering inconsistencies that affect environmental issues, the Planning Commission considers other potential inconsistencies with the *General Plan*, independent of the environmental review process, as part of the decision to approve or disapprove a proposed project. Any potential conflict not identified in this environmental document would be considered in that context and would not alter the physical environmental effects of the proposed project that are analyzed in this Initial Study.

The aim of the Van Ness Avenue Area Plan is to encourage high-density residential development above commercial uses in new construction or substantial expansion of existing buildings, maximize the number of housing units, provide more affordable housing, permit land uses that are compatible with existing land uses, and promote urban design that relates to the existing character of the corridor and increases density while preserving its human scale. Centered on Van Ness Avenue, the Plan covers an area roughly bounded by Chestnut Street to the north, Golden Gate Avenue to the south, Polk Street to the east, and Franklin Street to the west. The Plan contains objectives and policies that address housing, urban form, safety and livability, streetscape, preservation, and transportation.

The proposed project would not obviously or substantially conflict with any goals, policies, or objectives of the *General Plan*, including those of the Van Ness Avenue Area Plan. The compatibility of the proposed project with *General Plan* goals, policies, and objectives that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project.

Priority Policies

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the subsection of Section E of this Initial Study addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Topic 1, Land Use and Land Use Planning, Questions 1a, 1b, and 1c); (3) preservation and enhancement of affordable housing (Topic 2, Population and Housing, Question 2b, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Topic 4, Transportation and Circulation, Questions 4a, 4b, and 4f); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Topic 1, Land Use and Land Use Planning, Question 1c); (6) maximization of earthquake preparedness (Topic 13, Geology and Soils, Questions 13a through 13d); (7) landmark and historic building preservation (Topic 3, Cultural Resources, Question 3a); and (8) protection of open space (Topic 8, Wind and Shadow, Questions 8a and 8b; and Topic 9, Recreation, Questions 9a and 9c).

Prior to issuing a permit for any project which requires an Initial Study under CEQA, and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in Section E, Evaluation of Environmental Effects, of this Initial Study, providing information for use in the case report for the proposed project. The case report and approval motions for the proposed project will contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies.

Regional Plans and Policies

The principal regional planning documents relevant to the proposed project are *Plan Bay Area*, the region's first Sustainable Communities Strategy, developed in accordance with Senate Bill 375 and adopted jointly by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC); the Bay Area Air Quality Management District (BAAQMD)'s *2010 Clean Air Plan*; and the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*. Due to the relatively small size and infill nature of the proposed project, there would be no anticipated conflicts with regional plans. The consistency of the proposed project with these regional plans is considered under the related resource topics below.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below, for which mitigation measures would be required to reduce potentially significant impacts to less than significant. The following pages present a more detailed checklist and discussion of each environmental factor.

<input type="checkbox"/> Land Use	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Geology and Soils
<input type="checkbox"/> Population and Housing	<input type="checkbox"/> Wind and Shadow	<input type="checkbox"/> Hydrology and Water Quality
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Recreation	<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Transportation and Circulation	<input type="checkbox"/> Utilities and Service Systems	<input type="checkbox"/> Mineral/Energy Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Public Services	<input type="checkbox"/> Agricultural/Forest Resources
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mandatory Findings of Significance

E. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked “Less than Significant with Mitigation Incorporated,” “Less than Significant Impact,” “No Impact” or “Not Applicable” indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that topic. A discussion is included for those issues checked “Less than Significant with Mitigation Incorporated” and “Less than Significant Impact” and for most items checked with “No Impact” or “Not Applicable.” For all of the items checked “Not Applicable” or “No Impact” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the Department’s *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively.

Aesthetics and Parking Analysis

CEQA Section 21099(d) states, “Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.”⁷ Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area,⁸

⁷ CEQA Section 21099(d)(1).

⁸ CEQA Section 21099(a)(7) defines a “transit priority area” as an area within one-half mile of an existing or planned major transit stop. A “major transit stop” is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal

- b) The project is on an infill site,⁹
- c) The project is residential, mixed-use residential, or an employment center.¹⁰

The proposed project meets each of the above three criteria because it (1) is located within one-half mile of several rail and bus transit routes, (2) is located on an infill site that is already developed with an approximately 113,000-square-foot, 4-story office and television studio building and is surrounded by other urban development, and (3) would be a residential project with ground-floor retail/restaurant space.¹¹ Thus, this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.

The Planning Department recognizes that the public and decision makers nonetheless may be interested in information pertaining to the aesthetic effects of a proposed project and may desire that such information be provided as part of the environmental review process. Therefore, some of the information that would have otherwise been provided in an Aesthetics Section of this Initial Study (such as visual simulations to illustrate the proposed project from the most prominent public vantage points once implemented, see Figure 10, above) has been included in Section A, Project Description. However, this information is provided solely for informational purposes and is not used to determine the significance of the environmental impacts of the project, pursuant to CEQA.

In addition, CEQA section 21099(d)(2) states that a Lead Agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources (e.g., historic architectural resources). As such, the Planning Department does consider aesthetics for design review and to evaluate effects on historic and cultural resources.

Automobile Delay and Vehicle Miles Traveled Analysis

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

⁹ CEQA Section 21099(a)(4) defines an “infill site” as a lot located within an urban area that has been previously developed, or a vacant site where at least 75 percent of the perimeter of the site adjoins, or is *separated* only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

¹⁰ CEQA Section 21099(a)(1) defines an “employment center” as a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and located within a transit priority area.

¹¹ San Francisco Planning Department, 1001 Van Ness Avenue—Transit-Oriented Infill Project Eligibility Checklist, October 27, 2015.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*¹² recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.)

Accordingly, this Initial Study does not contain a discussion of automobile delay impacts. Instead, a VMT and induced automobile travel impact analysis is provided under Topic 4, Transportation and Circulation. The topic of automobile delay, nonetheless, may be considered by decision-makers, independent of the environmental review process, as part of their decision to approve, modify, or disapprove the proposed project.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
1. LAND USE AND LAND USE PLANNING — Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The proposed project would not physically divide an established community. (No Impact)

The division of an established community would typically involve the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. The proposed project would entail demolition of the existing four-story building on the project site and construction of a 14-story, 130-foot-tall mixed-use building containing residences above approximately 5,151 square feet of ground floor retail/restaurant uses. Six of the 239 dwelling units would be three-story, three-bedroom townhouses that would front onto Myrtle Street. The proposed project would be incorporated into the existing street configuration, and it would not alter the established street grid or permanently close any streets or impede pedestrian or other travel through the neighborhood. Although portions of the sidewalks adjacent to the project site would likely be closed for

¹² This document is available online at: https://www.opr.ca.gov/s_sb743.php.

periods of time during project construction, these closures would be temporary in nature and sidewalk access would be restored. The proposed project would not construct a physical barrier to neighborhood access or remove an existing means of access, such as a bridge or roadway which would create an impediment to the passage of persons or vehicles. Accordingly, the proposed project would not disrupt or physically divide an established community. Therefore, the project would have no impact with respect to physically dividing an existing community, and no mitigation measures are necessary.

Impact LU-2: The proposed project would not conflict with any applicable land use plans, policies or regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

The proposed project would not obviously or substantially conflict with applicable plans, policies, or regulations such that an adverse physical change would result. In addition, the proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy, such as the BAAQMD 2010 *Clean Air Plan*, which directly addresses environmental issues and/or contains targets or standards that must be met in order to preserve or improve characteristics of the city's physical environment. Therefore, the proposed project would have a less-than-significant impact with regard to conflicts with existing plans and zoning and no mitigation measures are necessary.

Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the vicinity. (Less than Significant)

The proposed project would be constructed on an already developed site in a dense urban environment, and the proposed mixed-use (residential and retail/restaurant) land uses for the project would be similar to and compatible with other existing uses in the area. Given that the existing building is currently occupied with office uses, the proposed project would intensify the use of the project site. However, the proposed project would not alter the general land use pattern of the immediate area, which already includes nearby low- to mid-rise commercial buildings and mid- to high-rise residential buildings with commercial uses on the ground floor.

The buildings in the project area are varied in height with most ranging from two to 16 stories. The proposed 14-story, 130-foot-tall building would not be substantially taller than other tall buildings in the area, such as the nine-story assisted living facility immediately north of the project site or the 12-story and nine-story CPMC buildings that are currently under construction two blocks north of the project site. The proposed building also would be shorter than the 16-story residential towers that are part of the Daniel Burnham Court condominium development located three blocks north of the project site and would be of comparable height to, or shorter than, three of the Cathedral Hill residential buildings on the blocks immediately west and southwest of the project block. The proposed project would be approximately 20 feet taller than the historic Don Lee Building across Van Ness Avenue at 1000 Van Ness.

The proposed project would contain land uses that are both consistent and compatible with the existing surrounding land uses, and the height and massing of the proposed project would be in keeping with the existing character of the urban fabric of the neighborhood. Therefore, the proposed project would have a

less-than-significant impact upon the existing character of the vicinity and no mitigation measures are necessary.

Impact C-LU: The proposed project would not make a considerable contribution to any cumulative significant land use impacts. (Less than Significant)

Cumulative development projects located within an approximate ¼-mile radius of the project site are identified in **Table 2** and mapped on **Figure 11**. With the exception of the CPMC Hospital and Medical Office Building, the cumulative development projects primarily include mixed-use residential buildings with ground-floor retail, such as 1033 Polk Street, 1450 Franklin Street, and 1688 Pine Street. These projects would result in the intensification of land uses in the project vicinity, similar to the proposed project; however, they are infill projects that would not physically divide an established community by constructing a physical barrier to neighborhood access, such as a new freeway, or remove a means of access, such as a bridge or roadway. The transportation infrastructure projects in the project vicinity, such as the Van Ness BRT project and the Geary Corridor BRT project, also would not physically divide an established community or remove a means of access to the neighborhood. In addition, the cumulative projects would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Although these development projects would introduce new infill residential, retail, office, and medical uses in the project vicinity, these uses currently exist; therefore, the cumulative development projects would not introduce incompatible uses, such as manufacturing or industrial, that would adversely impact the existing character of the project vicinity. Thus, the proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a considerable cumulative land use impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
2. POPULATION AND HOUSING — Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact PH-1: The proposed project would not induce substantial population growth either directly or indirectly. (Less than Significant)

Plan Bay Area, which is the current regional transportation plan and Sustainable Communities Strategy that was adopted by MTC and ABAG in July 2013, contains housing and employment projections anticipated to occur in San Francisco through 2040. *Plan Bay Area* calls for an increasing percentage of Bay Area growth to occur as infill development in areas with good transit access and where services necessary to daily living are provided in proximity to housing and jobs. With its abundant transit service and mixed-use neighborhoods, San Francisco is expected to accommodate an increasing share of future regional growth. In the last few years the supply of housing has not met the demand for housing within San Francisco. In July 2013, ABAG projected regional housing needs in the *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. In 2013, ABAG projected housing needs in San Francisco for 2014–2022 is 28,869 dwelling units, consisting of 6,234 dwelling units within the very low income level (0–50 percent), 4,639 within the low income level (51–80 percent), 5,460 within the moderate income level (81–120 percent), and 12,536 within the above-moderate income level (120 percent plus).¹³ As part of the planning process for *Plan Bay Area*, San Francisco identified Priority Development Areas, which are existing neighborhoods near transit that are appropriate places to concentrate future growth, and the project site is in the Downtown-Van Ness-Geary Priority Development Area.¹⁴

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not approved and implemented. The proposed project would include demolition of the existing office and television studio building and construction of a mixed-use infill development project containing 239 residential units (including six three-story, three-bedroom townhouses with frontage on Myrtle Street) above approximately 5,151 square feet of retail/restaurant space on the ground floor. The addition of the new residential units would increase the residential population on the site by approximately 339 persons.¹⁵

While the addition of 339 residents may be noticeable to residents of immediately adjacent properties, this increase would not result in a substantial increase to the population of the larger neighborhood or the City and County of San Francisco. The 2010 U.S. Census indicates that the population in the project vicinity (Census Tracts 151, 160, and 122.02) is approximately 7,944 persons.¹⁶ The proposed project would increase the population near the project site (including Census Tracts 151, 160, and 122.02) by approximately 4 percent, and the overall population of San Francisco by less than 0.04 percent.¹⁷ Furthermore, the population of San Francisco is projected to increase by approximately 280,490 persons for a total of 1,085,725

¹³ ABAG, *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. Available online at http://planbayarea.org/pdf/final_supplemental_reports/Final_Bay_Area_2014-2022_RHNA_Plan.pdf, accessed May 20, 2016.

¹⁴ ABAG, *Plan Bay Area*, Priority Development Area Showcase. Available online at <http://gis.abag.ca.gov/website/PDAShowcase/>, accessed May 20, 2016.

¹⁵ The project site is located in Census Tract 151, which is generally bounded by California Street to the north, O'Farrell Street to the south, Van Ness Avenue to the east and Gough Street to the west. The population calculation is based on Census 2010 data, which estimates 1.42 persons per household in Census Tract 151. It should be noted that this census tract has somewhat smaller households than the citywide average of 2.3 persons per household.

¹⁶ The population estimate is based on data from the 2010 Census for Census Tracts 151, 160, and 122.02.

¹⁷ This calculation is based on the estimated Census 2010 population of 805,235 persons in the City and County of San Francisco.

persons by 2040.¹⁸ The residential population introduced as a result of the proposed project would constitute approximately 0.12 percent of this population increase; therefore, this population increase would be accommodated within the planned growth for San Francisco. Overall, implementation of the proposed project would not directly induce substantial population growth.

The proposed project also would not indirectly induce substantial population growth in the project area because it would be located on an infill site in an urbanized area and would not involve any extensions to area roads or other infrastructure that could enable additional development in currently undeveloped areas.

Based on the total size of the proposed retail/restaurant uses on the project site, the new businesses would employ a total of approximately 15 employees at the proposed building once it is completed.¹⁹ It can be anticipated that most of the employees would live in San Francisco or nearby communities, and that the project would not generate substantial demand for new housing for the potential retail/restaurant employees. Furthermore, employment in San Francisco is projected to increase by 34 percent (191,740 jobs) between 2010 and 2040.²⁰ As employees generated by the proposed project would constitute a negligible increase in the number of jobs in the project vicinity, this increase would be accommodated within the planned employment growth in San Francisco.

Overall, the increase in the number of residents and employees on the project site would be noticeable near the project site. However, the project-related population and employment increases would not be substantial relative to the existing number of residents and employees in the project vicinity, nor would the increase in residents and/or employees exceed the projections for growth and employment promulgated in the ABAG projections, the *San Francisco Housing Element*, or *Plan Bay Area*. Therefore, the proposed project would not directly or indirectly induce substantial population growth in San Francisco and would have a less-than-significant impact related to population growth.

Impact PH-2: The proposed project would not displace a substantial number of existing housing units, people, or employees, or create demand for additional housing elsewhere. (Less than Significant)

The proposed project would not displace any residents or housing units, since no residential uses or housing units currently exist on the project site. As noted above, the project site is occupied by a four-story office and former TV studio building that is currently occupied by general office uses associated with four businesses employing nine people. KRON television previously relocated its offices and studio to 900 Front Street. Thus the proposed project would not result in a substantial loss of employment. Further, an estimated 15 new jobs would be created with the establishment of approximately 5,151 square feet of retail/restaurant uses on the project site. Therefore, the proposed project would have a less-than-

¹⁸ ABAG, *Plan Bay Area*, p. 40. Available online at http://files.mtc.ca.gov/pdf/Plan_Bay_Area_FINAL/Plan_Bay_Area.pdf, accessed May 20, 2016.

¹⁹ The estimated number of employees is based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002) (SF Guidelines) and assumes an average of one employee per 350 square feet of retail and restaurant, yielding approximately 15 employees.

²⁰ ABAG and MTC, *Jobs-Housing Connection Strategy, revised May 16, 2012*, p. 49. Available online at http://www.planbayarea.org/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf. Accessed May 20, 2016.

significant impact related to the displacement of housing or employees, and would not create demand for new housing elsewhere.

Impact C-PH: The proposed project would not make a considerable contribution to any cumulative significant effects related to population or housing. (Less than Significant)

As noted above, *Plan Bay Area* is the current regional transportation plan and Sustainable Communities Strategy that was adopted by MTC and ABAG in July 2013, and contains housing and employment projections anticipated to occur in San Francisco through 2040. *Plan Bay Area* projections provide context for the population and housing cumulative analysis.

As described above, the proposed project would not induce substantial direct or indirect population growth or displace a substantial number of existing housing units, people, or employees, or create demand for additional housing elsewhere.

The approved and proposed projects identified in Table 2 and mapped on Figure 11 would add approximately 1,419 new residents within 999 dwelling units in the ¼-mile radius of the project site.²¹ Overall, these approved and proposed projects, when combined with the proposed project, would add 1,758 new residents within a ¼-mile radius of the project site, which would represent a residential population increase of 22 percent.²² These projects would be required to comply with the City's Inclusionary Housing Program (*Planning Code* Sec. 415 et. seq.) and, therefore, would result in the creation of affordable housing in addition to market-rate housing.

As noted above, recently the supply of housing has not met the demand for housing within San Francisco. Therefore, San Francisco identified Priority Development Areas as part of the planning process for *Plan Bay Area* to identify existing neighborhoods near transit that are appropriate places to concentrate future growth, such as the Downtown-Van Ness-Geary Priority Development Area in which the project site is located. As such, although the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would increase the population in the ¼-mile radius of the project site, the 22 percent increase would not constitute substantial unplanned growth. This population growth has been anticipated and accounted for in ABAG's and the City's projections and, therefore, would accommodate planned population growth that, in and of itself, would not result in a significant impact on the physical environment. Other sections of this document that address physical environmental impacts related to cumulative growth with regard to specific resources can be found in Section E, Topic 4—Transportation and Circulation; Topic 5—Noise; Topic 6—Air Quality; Topic 9—Recreation; Topic 10—Utilities and Service Systems; and Topic 11—Public Services.

Furthermore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in substantial numbers of housing units or people being displaced because the majority of the approved and proposed cumulative projects would be constructed on

²¹ The population calculation is based on Census 2010 data, which estimates 1.42 persons per household in Census Tract 151.

²² The population estimate of 7,944 persons is based on data from the 2010 Census for Census Tracts 151, 160, and 122.02.

underutilized lots. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable impact on population and housing.

Based on the conservative assumption that all new employees would be new San Francisco residents and the cumulative projects would not result in employment decreases, an estimated 3,447 new employees (including new employees associated with the proposed project) would be added within the ¼-mile radius of the project site, including employment at the CPMC Hospital and Medical Office Building currently under construction.²³ The 3,447 new employees would generate a potential demand for approximately 2,714 new dwelling units.²⁴ Based on ABAG's projected housing needs in San Francisco, the employment-related housing demand associated with the proposed project and nearby cumulative development projects could be accommodated by the City's projected housing growth of 28,869 units.²⁵ Furthermore, the proposed project and nearby cumulative development projects would add to the City's housing stock and could potentially accommodate some of the new employment-related housing demand. In combination with the past, present, and reasonably foreseeable projects, the estimated employment growth would account for only approximately 9.4 percent of projected citywide household growth.

For these reasons, the proposed project in combination with other past, present, and reasonably foreseeable future projects would not result in a cumulatively considerable population and housing impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
3. CULTURAL RESOURCES — Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

²³ The estimated number of employees is based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002) (SF Guidelines) and assumes an average of one employee per 276 square feet for office and 350 square feet of retail and restaurant. The estimated number of employees includes the CPMC Hospital and Medical Office Building. The number of employees for the CPMC Hospital and Medical Office Building is based on an average 43 percent reduction in the size of the project analyzed in the 2010 EIR, which estimated 4,790 employees would be located on the site in 2015. The hospital component has been reduced by 36 percent and the medical office component has been reduced by 49 percent, for an average reduction of 43 percent in the overall project size (4,790 x 0.43 = 2,060; 4,790 – 2,060 = 2,730).

²⁴ Assumes the 2014 *Housing Element* figure of 1.27 workers per household for San Francisco in 2015.

²⁵ ABAG, *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. Available online at http://planbayarea.org/pdf/final_supplemental_reports/Final_Bay_Area_2014-2022_RHNA_Plan.pdf, accessed May 20, 2016.

Impact CR-1: The proposed project would not result in a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code. (No Impact)

Historical resources are those properties that meet the definitions in CEQA Section 21084.1 and Section 15064.5 of the CEQA Guidelines. Historical resources include properties listed in, or formally determined eligible for listing in, the California Register or in an adopted local historic register. Historical resources also include resources identified in a historical resource survey meeting certain criteria. Additionally, properties that are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered historical resources. A property may be considered a historical resource if it meets any of the California Register criteria related to (1) events, (2) persons, (3) architecture, or (4) information potential that make it eligible for listing in the California Register, or if it is considered a contributor to an existing or potential historic district. The significance of a historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance.”

The project site is currently occupied by an office and former TV studio building once occupied by the KRON television station. The four-story, reinforced concrete building was designed in 1965 by prominent local architect, Gardner A. Dailey, and served as the network’s studios from the time of its completion in 1967 until 2014. The building is not listed on the National Register of Historic Places or the California Register, has not been rated by the California Historic Resources Information Center, and is not designated under *Planning Code* Articles 10 or 11 as a local landmark or within a historic conservation district. Therefore, a Historic Resources Evaluation (HRE) was prepared to determine whether the existing building on the project site is a historic resource and, thus, whether demolition would be considered a significant impact as defined under CEQA.²⁶ A subsequent Historic Resource Evaluation Response (HRER) was prepared by the Planning Department’s Historic Preservation Staff.²⁷

The HRE determined that although the architectural style of the building is reflective of various late-Modern styles, such as Mid-century Modern, New Formalism, and Brutalism, the building is not a full expression or representative of any one of these styles. The HRE further concluded that the building does not appear to be associated with any historically significant events, nor was it connected with broader patterns of development in the area; therefore, the building is not significant under Criterion 1. The HRE also noted that the building does not appear to be associated with any significant persons, and therefore, is not significant under Criterion 2. Finally, the HRE determined that the building does not appear to express a particular phase in the development of Dailey’s work, or embody a particular idea or theme in his craft; therefore, it is not significant under Criterion 3. Criterion 4 is generally applied to archeological resources, which are evaluated below. The HRER prepared in response to the HRE concurred with the

²⁶ Architectural Resources Group, *Historical Resource Evaluation, 1001 Van Ness Avenue, San Francisco, California*, April, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case No. 2015-001305ENV.

²⁷ Gretchen Hilyard, Preservation Planner, San Francisco Planning Department, “Historic Resource Evaluation Response, Case No. 2015-001305ENV: 1001 Van Ness Avenue,” May 18, 2016.

HRE findings; therefore, the building at 1001 Van Ness Avenue is not eligible for listing on the California Register as an individual resource or as a contributor to a historic district and is not considered a historical resource under CEQA. For these reasons, the proposed project would not cause a substantial adverse change in the significance of a historical resource and no adverse impact would occur.

Impact CR-2: The proposed project may result in a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. (Less than Significant with Mitigation)

This section discusses archeological resources, both as historical resources according to Section 15064.5 as well as unique archeological resources as defined in Section 21083.2(g).

The potential for encountering archeological resources is determined by several relevant factors including archeological sensitivity criteria and models, local geology, site history, and the extent of potential projects soils disturbance/modification, as well as any documented information on known archeological resources in the area. A Planning Department archeologist completed a preliminary archeological review (PAR) for the proposed project.²⁸ The PAR determined that there is a low potential to adversely affect archeological resources. Prior to historical development, the project site was part of an extensive sand dune field that extended across much the northern San Francisco peninsula. Below the dune sand is the Colma formation, which represented a stable land surface since the Pleistocene Era. According to the geotechnical report, there is between 5 to 10 feet of artificial fill on the project site.²⁹ Based on a historical map review, the project site was not developed until St. Mary's Cathedral was constructed in 1891. The cathedral burned in 1962. The current KRON-TV building was then constructed by 1967. Both buildings contained substantial subgrade basement levels.

There are no documented or recorded archeological sites in the immediate vicinity of the proposed project. Archeological investigations at 1661 Pine Street recovered cultural material dating from the mid-to late-19th century, including a middle-class domestic deposit. Multiple archeological investigations have recently occurred in the vicinity of the project site, including the CPMC Cathedral Hill Campus project site and 1634 Pine Street project site.³⁰ Archeological investigations at both project sites were negative. Additionally, prehistoric archeological sensitivity analysis undertaken for the Van Ness BRT project determined that this portion of Van Ness Avenue has a low potential for prehistoric resources.³¹

Based on the above analysis, there is a low potential for uncovering archeological resources during project implementation. While unlikely, it is possible that previously unrecorded and buried (or otherwise obscured) archeological deposits could be discovered during ground disturbing activities.

²⁸ Vanderslice, Alison, Environmental Planning Preliminary Archeological Review: Checklist. Case No: 2015-1305ENV. Prepared February 2, 2016.

²⁹ Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue, San Francisco CA*, August 7, 2015.

³⁰ Archeo-Tec *Final Archaeological Resources Results Report for the California Pacific Medical Center – Cathedral Hill Hospital Project, City and County of San Francisco, California*, January 9, 2015. *ESA 1634-1690 Pine Street, City and County of San Francisco, Final Archeological Results Report*, June 2015 (cited in Vanderslice, 2016; see footnote 28).

³¹ Far Western, *Addendum Archaeological and Native American Cultural Resources Sensitivity Assessment for the Van Ness Avenue Bus Rapid Transit Project, San Francisco, California*, June 2014, prepared for FTA (cited in Vanderslice, 2016; see footnote 28).

Excavating, grading, and moving heavy construction vehicles and equipment could expose and have impacts on unknown archeological resources, which would be a significant impact. However, this impact would be reduced to a *less-than-significant* level with implementation of **Mitigation Measure CR-2, Accidental Discovery of Archeological Resources**. This requires that archeological resources be avoided and, if accidentally discovered, that they be treated appropriately.

Mitigation Measure CR-2: Accidental Discovery of Archeological Resources

The following measures shall be implemented should construction activities result in the accidental discovery of a cultural resource:

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant, based on standards developed by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological

resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Impact CR-3: The project may disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)

There are no known human remains, including those interred outside of formal cemeteries, located in the immediate vicinity of the project site. In the event that construction activities disturb unknown human remains within the project site, any inadvertent damage to human remains would be considered a significant impact. With implementation of **Mitigation Measure CR-2**, as described above, the proposed project would have a less-than-significant impact on previously unknown human remains.

Impact CR-4: The project would not result in a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074. (Less than Significant)

CEQA Section 21074.2 requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, state, or local register of historical resources. Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project causes a substantial adverse change in the resource's significance.

Pursuant to CEQA Section 21080.3.1(d), within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the Lead Agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the Lead Agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts. On October 6, 2015, the Planning Department contacted Native American individuals and organizations for the San Francisco area, providing a description of the project and requesting comments on the identification, presence and significance of tribal cultural resources in the project vicinity.

During the 30-day comment period, no Native American tribal representatives contacted the Planning Department to request consultation. As discussed under Impact CR-2, **Mitigation Measure M-CR-2, Accidental Discovery of Archeological Resources**, would be applicable to the proposed project as it would result in below-grade soil disturbance to a depth of more than 5 feet. Unknown archeological resources may be encountered during construction that could be identified as tribal cultural resources at the time of discovery or at a later date. Therefore, the potential adverse effects of the proposed project on previously unidentified archeological resources, discussed under Impact CR-2, also represent a potentially significant impact on tribal cultural resources. Implementation of **Mitigation Measure M-CR-3, Tribal Cultural Resources Interpretive Program**, would reduce potential adverse effects on tribal cultural resources to a less-than-significant level. **Mitigation Measure M-CR-3** would require either preservation-in-place of the tribal cultural resources, if determined effective and feasible, or an interpretive program regarding the tribal cultural resources developed in consultation with affiliated Native American tribal representatives.

Mitigation Measure M-CR-3: Tribal Cultural Resources Interpretive Program

If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.

If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

In the event that construction activities disturb unknown archeological sites that are considered tribal cultural resources, any inadvertent damage would be considered a significant impact. With implementation of **Mitigation Measures CR-2 and CR-3**, as described above, the proposed project would have a less-than-significant impact on previously unknown tribal cultural resources.

Impact C-CR: The proposed project in combination with past, present, and reasonably foreseeable future projects in the vicinity would not result in cumulative impacts to cultural resources. (Less than Significant with Mitigation)

The proposed project would demolish an existing structure that is not a historical resource. Therefore, demolition of the existing building would have no adverse impact on historical (historic architectural) resources, and could not contribute to any significant cumulative effect on such resources.

Project-related impacts on archeological resources and human remains are site-specific and generally limited to a project's construction area. For these reasons, the proposed project in combination with other past, present, and reasonably foreseeable future projects would not have a significant cumulative impact on archeological resources, tribal cultural resources, or human remains.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
4. TRANSPORTATION AND CIRCULATION — Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Question 4c is not applicable to the project. A transportation study was prepared for the

proposed project.³² The following discussion is based on the information provided in the transportation study.

Setting

The project site is located within San Francisco's Van Ness Special Use District and Area Plan on a block bounded by Van Ness Avenue to the east, Franklin Street to the west, O'Farrell Street to the south, and Geary Boulevard to the north. The project site has frontages on Van Ness Avenue and O'Farrell and Myrtle streets. Access to the project site by transit, foot, or bicycle is available through existing bus transit service, sidewalks, streets, and crosswalks near the site.

As part of the transportation study, p.m. peak hour conditions were evaluated for eight signalized and two stop-controlled intersections along roadways adjacent to or nearby the project site, including the north-south roadways: Van Ness Avenue, Gough Street, Franklin Street, and Polk Street; and east-west roadways: Pine Street, Sutter Street, Geary Street/Geary Boulevard, Myrtle Street, and O'Farrell Street. The three roadways with frontages on the project site—Van Ness Avenue, O'Farrell Street, and Myrtle Street—are highlighted here. Van Ness Avenue, which is part of Highway 101 between Lombard Street and the Central Freeway (via South Van Ness Avenue) is a major north-south arterial with three travel lanes in each direction separated by a center median. O'Farrell Street is a one-way eastbound street with two mixed-flow travel lanes and a bus-only lane. Myrtle Street is an east-west, two-way mid-block street (one lane in each travel direction) that runs along the northern edge of the project site. Metered, on-street parking is provided on both sides Van Ness Avenue and O'Farrell Street. There is no on-street parking on Myrtle Street. Sidewalks of varying widths are provided on both sides of all three streets. There are no existing bicycle facilities on any of these three streets; the closest bicycle routes within the project area are on Polk Street (Class II) and on Sutter and Post Streets (Class III). Class II bicycle facilities provide a designated striped lane for one-way travel; Class III bicycle facilities are designated shared-use lanes, where bicyclists travel in the same lane as motor vehicle traffic.

There are two bus stops directly adjacent to the project site; a southbound bus stop in front of the project site on Van Ness Avenue and an eastbound bus stop on the south side of O'Farrell Street. The project site can be accessed by a number of Muni bus routes, including the 2, 3, 19, 31, 38, 38R, 47, and 49, all of which run within a quarter-mile radius of the project site. In addition to Muni operations, the following regional transit services operate within San Francisco and are accessible from the project site via Muni or other modes of travel: Bay Area Rapid Transit (BART), Golden Gate Transit, Alameda-Contra Costa County Transit District (AC Transit), Caltrain, and San Mateo County Transit District (SamTrans). The BART stations most easily accessible to the project site are the Civic Center and the Powell Street Stations, both located approximately one mile from the project site. The Golden Gate Transit buses that serve the project site are routes 10, 54, 70, 93, 101, and 101X, with stops along Van Ness Avenue. Golden Gate Transit also operates ferry service between the North Bay and San Francisco, connecting Larkspur and Sausalito with the Ferry Building during the morning and evening commute periods. The Ferry Building is approximately two miles east of the project site. AC Transit operates out of the Temporary Transbay

³² Fehr & Peers, *1001 Van Ness Avenue Transportation Impact Study*, San Francisco, CA, February 2016.

Terminal, located at Howard Street and Beale Street, which is located approximately two miles east of the project site. The nearest Caltrain station is the Fourth/King Station, which is located approximately two miles southeast of the project site. SamTrans routes serving Downtown San Francisco do not make local stops within one-quarter of a mile of the proposed project; however, SamTrans service operating along Mission Street can be accessed via Muni lines 47, 49, and 19.

Vehicular access to the parking garage on the project site is currently provided via a curb cut and driveway located on Myrtle Street, and pedestrian access to the existing building is from Van Ness Avenue and O'Farrell Street. Passenger loading zones adjacent to the project site include a 100-foot zone on O'Farrell Street at the southwest corner of the project site and a 70-foot zone on Van Ness Avenue just north of Myrtle Street. Three commercial loading spaces are located on the south side of O'Farrell Street and there are two loading docks accessible from curb on O'Farrell and one Myrtle streets. There is one ADA-accessible parking (blue) zone located at the pedestrian entrance on O'Farrell Street, just west of Van Ness Avenue.

Vehicle Miles Traveled in San Francisco and the Bay Area

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses located in areas with poor access to non-private vehicular modes of travel generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower vehicle miles traveled (VMT) ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the city have lower VMT ratios than other areas of the city. These areas of the city can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010–2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from a project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to the entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely

to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{33,34}

For residential development, the regional average daily VMT per capita is 17.2.³⁵ For office and retail development, regional average daily work-related VMT per employee are 19.1 and 14.9, respectively. See **Table 3**, which includes the traffic analysis zone (TAZ) in which the project site is located, TAZ 318.

TABLE 3
DAILY VEHICLE MILES TRAVELED

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 318	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 318
Households (Residential)	17.2	14.6	2.9	16.1	13.7	2.6
Employment (Retail)	14.9	12.6	7.6	14.6	12.4	7.6

Vehicle Miles Traveled Impact Analysis Methodology

Vehicle Miles Traveled Analysis

Land use projects may cause substantial additional VMT. The following identifies thresholds of significance and screening criteria used to determine if a land use project would result in significant impacts under the VMT metric.

Residential and Retail (and Similar) Projects

For residential projects, a project would generate substantial additional VMT if it exceeds the regional household VMT per capita minus 15 percent.³⁶ As documented in the California OPR Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA (proposed transportation impact guidelines), a 15 percent threshold below existing development is “both reasonably ambitious and generally achievable.”³⁷ For retail projects, the Planning Department uses a VMT efficiency metric approach for retail projects: a project would generate substantial additional VMT if it exceeds the

³³ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

³⁴ San Francisco Planning Department, 2016. Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A. March 3, 2016.

³⁵ Includes the VMT generated by the households in the development.

³⁶ OPR’s proposed transportation impact guidelines state that a project would cause substantial additional VMT if it exceeds both the existing City household VMT per capita minus 15 percent and existing regional household VMT per capita minus 15 percent. In San Francisco, the average VMT per capita is lower (8.4) than the regional average (17.2). Therefore, the City average is irrelevant for the purposes of the analysis.

³⁷ This document is available online at: https://www.opr.ca.gov/s_sb743.php, page III: 20.

regional VMT per retail employee minus 15 percent. This approach is consistent with CEQA Section 21099 and the thresholds of significance for other land uses recommended in OPR's proposed transportation impact guidelines. For mixed-use projects, each proposed land use is evaluated independently, per the significance criteria described previously.

OPR's proposed transportation impact guidelines provide screening criteria to identify types, characteristics, or locations of land use projects that would not exceed these VMT thresholds of significance. OPR recommends that if a project or land use proposed as part of a project meets any of the following screening criteria, VMT impacts are presumed to be less than significant for that land use and a detailed VMT analysis is not required.

The screening criteria applicable to the proposed project and how they are applied in San Francisco are described as follows:

- **Map-Based Screening for Residential and Retail Projects.** OPR recommends mapping areas that exhibit VMT less than the applicable threshold for that land use. Accordingly, the Transportation Authority has developed maps depicting existing VMT levels in San Francisco for residential and retail land uses based on the SF-CHAMP 2012 base-year model run. The Planning Department uses these maps and associated data to determine whether a proposed project is located in an area of the city that is below the VMT threshold.
- **Proximity to Transit Stations.** OPR recommends that residential and retail projects, as well projects that are a mix of these uses, proposed within 0.5 mile of an existing major transit stop (as defined by CEQA Section 21064.3) or an existing stop along a high-quality transit corridor (as defined by CEQA Section 21155) would not result in a substantial increase in VMT. However, this presumption would not apply if the project would (1) have a floor area ratio of less than 0.75; (2) include more parking for use by residents, customers, or employees of the project than required or allowed, without a conditional use; or (3) is inconsistent with the applicable Sustainable Communities Strategy.³⁸

OPR's proposed transportation impact guidelines do not provide screening criteria or thresholds of significance for other types of land uses, other than those projects that meet the definition of a small project (the proposed project does not meet the small project criterion). Therefore, the Planning Department provides additional screening criteria and thresholds of significance to determine if land uses similar in function to residential and retail would generate a substantial increase in VMT. These screening criteria and thresholds of significance are consistent with CEQA Section 21099 and the screening criteria recommended in OPR's proposed transportation impact guidelines.

³⁸ A project is considered to be inconsistent with the Sustainable Communities Strategy if development is located outside of areas contemplated for development in the Sustainable Communities Strategy.

The Planning Department applies the Map-Based Screening and Proximity to Transit Station screening criteria to the following land use types:

- Tourist Hotels, Student Housing, Single-Room Occupancy Hotels, and Group Housing. Trips associated with these land uses typically function similarly to residential. Therefore, these land uses are treated as residential for screening and analysis.
- Childcare, K-12 Schools, Medical, Post-Secondary Institutional (non-student housing), and Production, Distribution, and Repair. Trips associated with these land uses typically function similarly to office. While some of these uses may have some visitor/customer trips associated with them (e.g., childcare and school drop-off, patient visits, etc.), those trips are often a side trip within a larger tour. For example, the visitor/customer trips are influenced by the origin (e.g., home) and/or ultimate destination (e.g., work) of those tours. Therefore, these land uses are treated as office for screening and analysis.
- Grocery Stores, Local-Serving Entertainment Venues, Religious Institutions, Parks, and Athletic Clubs. Trips associated with these land uses typically function similar to retail. Therefore, these types of land uses are treated as retail for screening and analysis.

2040 Cumulative Conditions

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, using the same methodology as outlined in the Environmental Setting for existing conditions, but including residential and job growth estimates and reasonably foreseeable transportation investments through 2040. For residential development, the projected 2040 regional average daily VMT per capita is 16.1. For retail development, regional average daily retail VMT per employee is 14.6. Refer to **Table 3**, Daily Vehicle Miles Traveled, which includes the TAZ in which the project site is located (TAZ 318).

Induced Automobile Travel Analysis

Transportation projects may substantially induce additional automobile travel. The following identifies thresholds of significance and screening criteria used to determine if transportation projects would result in significant impacts by inducing substantial additional automobile travel.

Pursuant to OPR's proposed transportation impact guidelines, a transportation project would substantially induce automobile travel if it would generate more than 2,075,220 VMT per year. This threshold is based on the fair share VMT allocated to transportation projects required to achieve California's long-term greenhouse gas emissions reduction goal of 40 percent below 1990 levels by 2030.

OPR's proposed transportation impact guidelines include a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types) described in the following list, it is presumed that VMT impacts would be less than significant and a detailed VMT analysis is not required. Accordingly, the

proposed project would not result in a substantial increase in VMT because it would include the following components and features:

- Active Transportation, Rightsizing (a.k.a. Road Diet), and Transit Projects:
 - Infrastructure projects, including safety and accessibility improvements, for people walking or bicycling
 - Installation or reconfiguration of traffic calming devices
- Other Minor Transportation Projects:
 - Rehabilitation, maintenance, replacement and repair projects designed to improve the condition of existing transportation assets (e.g., highways, roadways, bridges, culverts, tunnels, transit systems, and bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
 - Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority features
 - Timing of signals to optimize vehicle, bicycle, or pedestrian flow on local or collector streets
 - Addition of transportation wayfinding signage
 - Removal of off- or on-street parking spaces
 - Adoption, removal, or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)

Travel Demand

The proposed project would meet the previously described criterion for map-based screening of residential and retail projects, proximity to transit stations, and tourist/single room occupancy hotels. As such, potential transportation impacts are determined under the VMT analysis, and would not require an induced automobile travel analysis. Overall, the proposed project would generate 5,258 person-trips on a daily basis and 799 person-trips during the weekday p.m. peak hour. The existing office uses generated 1,620 person trips on a daily basis and 138 person-trips during the weekday p.m. peak hour. During the weekday p.m. peak hour, the proposed project would generate 314 net new person-trips by automobile, 211 net new person-trips by transit, 123 net new person-trips by walking, and 13 net new trips by other modes. In addition, the proposed project would generate 265 net new vehicle-trips during the weekday p.m. peak hour.

Impact TR-1: The proposed project would not cause substantial additional VMT or substantially induce automobile travel. (Less than Significant)

Vehicle Miles Traveled Analysis – Residential and Tourist Hotel

As discussed above, existing average daily VMT per capita for residential uses in TAZ 318 is 2.9 miles. This is 83.1 percent below the existing regional average daily VMT per capita of 17.2. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential use would not result in substantial additional VMT and impacts would be less than significant. Also, the project site meets the Proximity to Transit Stations screening criterion, which indicates that the proposed project's residential uses would not cause substantial additional VMT.³⁹

Vehicle Miles Traveled Analysis – Retail

As mentioned previously, existing average daily VMT per employee for retail uses in TAZ 318 is 7.6 miles. This is 49 percent below the existing regional average daily VMT per capita of 14.9. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's restaurant use would meet the Map-Based Screening for Retail and Residential Projects criterion and would not result in substantial additional VMT; impacts would be less than significant. The project site also meets the Proximity to Transit Stations screening criterion, which indicates that the proposed project's residential uses would not cause substantial additional VMT.⁴⁰

Although the proposed project is not expected to result in a substantial addition of VMT and impacts would be less than significant, the following Improvement Measure could be implemented to further decrease these less-than-significant impacts with regards to automobile traffic in the proposed project vicinity:

Improvement Measure TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips

The project sponsor and subsequent property manager should implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single occupancy vehicle trips (SOV) generated by the proposed project for the lifetime of the proposed project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling, and/or other modes. The project sponsor has agreed to: identify a TDM Coordinator, provide transportation and trip planning information to building occupants, participate in the Emergency Ride Home Program, allow installation of a Bay Area Bike Share station along the project frontage, provide a 100% subsidized annual Bay Area Bike Share and car-share membership to new employees and residents, offer a 50% subsidy for one Muni monthly pass for new residents (one per household) and employees, for up to one year, install wayfinding signage, and allow City staff access to private property to facilitate data collection. See Section F for a complete description of these TDM measures.

³⁹ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1001 Van Ness Avenue, April 6, 2016. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015.001305ENV.

⁴⁰ Ibid.

The proposed project includes 199 vehicle parking spaces. Evidence shows that a reduction in the number of on-site accessory parking spaces associated with a land use development project would result in a reduction of vehicle trips associated with the project.⁴¹ Accordingly, if fewer vehicle parking spaces were included, a portion of the person trips generated by the proposed project would be redistributed to sustainable transportation modes including pedestrian, bicycle and transit trips, which would further reduce the vehicle miles traveled associated with the proposed project.

Induced Automobile Travel Analysis

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. These features would include an on-street loading zone, new or expanded curb cuts for access to the parking garage, increased on-site parking capacity, as well as pedestrian safety strategies identified in **Improvement Measures I-TR-5 and I-TR-6**. The proposed project would remove a 62-space parking use at the site, and would include 199 new parking spaces; a net increase in off-street parking. These features fit within the general types of projects previously identified that would not substantially induce automobile travel. Therefore, impacts would be less than significant.

Impact TR-2: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, nor would it conflict with an applicable congestion management program. (Less than Significant)

Vehicle Queuing Analysis

Vehicle queues at the proposed project driveways into the public right-of-way would be subject to the Planning Department's vehicle queue abatement Conditions of Approval. These queues may interfere with bicycle, pedestrian or vehicular movements on O'Farrell Street or Myrtle Street for the proposed project. The following Improvement Measure has been identified to ensure queues from the parking garage do not back up onto city streets:

Improvement Measure TR-2: Queue Abatement

As an improvement measure to minimize the vehicle queues at the proposed project's driveway into the public right-of-way, the proposed project would be subject to the Planning Department's vehicle queue abatement Conditions of Approval.

The proposed project would also have a significant impact to traffic if it created or substantially increased potential collision risks along key corridors providing access to the project site. While the proposed project would add vehicle trips to the surrounding roadways, a general increase in traffic would not be considered a significant impact. The proposed project could increase the potential for conflicts with other modes on O'Farrell Street or Myrtle Street. For example, during the p.m. peak period, 15 vehicles are anticipated to turn right from Myrtle Street onto Van Ness Avenue southbound where there is a bus stop for the 47 Van

⁴¹ San Francisco Planning Department, *Transportation Demand Management Program Technical Justification*, June 2016. Available online at http://default.sfplanning.org/plans-and-programs/emerging_issues/tsp/TDM_Technical_Justification_AdminDraft-071416.pdf, accessed August 9, 2016.

Ness and 49 Van Ness/Mission. Buses or vehicle queues were generally not observed to block Myrtle Street; however, if they do the vehicles exiting the project site would queue along Myrtle Street or the long ramp into the residential garage, which can accommodate several vehicles.

The proposed project would add vehicles to the side-street stop controlled intersections of Van Ness Avenue/Myrtle Street and Franklin Street/Myrtle Street. Pedestrian volumes are moderately high on Van Ness Avenue and are relatively low on Franklin Street. Permitted turning movements at each intersection are limited: at Van Ness Avenue/Myrtle Avenue, only southbound right and eastbound right turns are permitted; on Franklin Street/Myrtle Street, only northbound right turns and westbound right turns are permitted. With the addition of the proposed project traffic, it is likely that the addition of vehicles turning right onto Van Ness Avenue or Franklin Street could create queues on Myrtle Street due to the high traffic volumes on each street; in particular, Van Ness Avenue has both high southbound traffic volumes and moderately high pedestrian volumes. However, during the p.m. peak period, Myrtle Street has sufficient queuing space to accommodate these potential queues, and the long ramp in the residential garage can accommodate several vehicles.

Based on this discussion, the risk of collision between travel modes caused by the proposed project would be less than significant.

Loading

The proposed project would generate a demand for approximately one freight/delivery loading space during both the average and peak hour of loading activities (1.0 truck trips average and 1.4 truck trips during the peak hour). Under *Planning Code* (Section 152.1), the residential component of the proposed project would be required to provide two off-street loading spaces; no loading spaces would be required for the retail/restaurant component because the proposed area would be less than 10,000 square feet.

The proposed project would provide one on-site loading space and, therefore, would not meet the *Planning Code* requirement for two on-site residential spaces, and would seek approval of a Planned Unit Development, pursuant to *Planning Code* Section 304, to permit modification of the off-street loading requirements of *Planning Code* Section 152. The project sponsor would request that the existing 100-foot-long passenger loading zone on O'Farrell Street to a 60-foot-long commercial loading zone through the SFMTA's Color Curb Program. This conversion would be subject to the review and approval of the SFMTA. Truck access to both the on-site and proposed on-street loading spaces would be from O'Farrell Street. The on-site loading space would be accessed by a separate 10-foot-wide curb cut located east of the driveway entrance to the retail/restaurant parking garage. *Planning Code* Section 145.1(c)(2) states that "no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new or altered structure parallel to and facing a street shall be devoted to parking and loading ingress or egress." The proposed project would meet the *Planning Code* as the two 10-foot-wide vehicle entrances on O'Farrell Street would not exceed the maximum width of 20 feet. Since delivery/service trucks would not be expected to include large semi tractor-trailers or concentrated during the peak morning or evening commute hours, it is anticipated that delays to existing traffic due to commercial vehicle operations in and out of the loading docks for the proposed project would be minimal.

Passenger loading would occur on Myrtle Street adjacent to the proposed entrance courtyard. Loading or unloading passenger vehicles could also pull into the residential driveway, if needed. Passenger loading at this location is possible due to the lower traffic volumes on this street. There is also a white passenger loading zone just north of Myrtle Street that can provide additional loading space for vehicles from Van Ness Avenue.

Based on the discussion of loading operations above, loading activities would not create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians; therefore, the proposed project would have a less-than-significant loading impact.

Construction Activities

Project construction would last approximately 24 months and would commence in late 2016. During the construction period, temporary and intermittent transportation impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks.

The construction staging plan identifies the existing driveway on Myrtle Street as the primary access to the project site for workers, deliveries, and trucks. The primary temporary loading zone during construction would be on Myrtle Street just west of Van Ness Avenue. The sidewalk and southern curbside lane on Myrtle Street would be used for staging and deliveries on a daily basis. The southern sidewalk along Myrtle Street would be closed during construction and used as construction storage space and pedestrians would be directed to use the northern sidewalk. A pedestrian covered walkway would be installed along Van Ness Avenue on the sidewalk and along O'Farrell Street in the parking lane when the building is above street level. Temporary lane closures would occur in the left travel lane on O'Farrell Street during certain construction activities such as foundation pours. During these foundation pours, Myrtle Street would need to be temporarily closed; however, the northern sidewalk and vehicle access to the existing driveways on the north side of Myrtle Street would remain open.

Any temporary traffic lane closures would be coordinated with the city in order to minimize the impacts on local traffic. In general, lane and sidewalk closures are subject to review and approval by San Francisco Public Works (Public Works) and the City's Transportation Advisory Staff Committee (TASC) that consists of representatives of City departments including SFMTA, Public Works, Fire, Police, Public Health, Port and the Taxi Commission.

The trip distribution and mode split of construction workers are speculative to estimate. However, the addition of the worker-related vehicle- or transit-trips would not substantially affect transportation conditions, as impacts on local intersections or the transit network would be substantially less than those associated with the proposed project and are temporary in nature. Construction workers who drive to the project site and the potential temporary parking restrictions along the building frontage would cause a temporary increase in parking demand and a decrease in supply. Construction workers would need to park either on-street or in parking facilities that currently have availability during the day or use other

travel modes to reach the project site. However, parking shortfalls would be temporary and are not considered a significant environmental impact.

Therefore, the proposed project's construction impacts were determined to be less-than-significant. Although no construction impacts were identified, the following Improvement Measures have been identified:

Improvement Measure TR-3: Non-Peak Construction Traffic Hours

To minimize the construction-related disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods, truck movements and deliveries requiring lane closures should be limited to occur between 9:00 a.m. to 3:30 p.m., outside of peak morning and evening hours.

Improvement Measure TR-4: Construction Management Plan Additions

To reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the contractor shall add certain measures to the required traffic control plan for proposed project construction. In addition to the standard requirements for a construction traffic control/management plan, the proposed project shall include the following measures (see Section F for complete descriptions):

- Alternative Transportation for Construction Workers
- Proposed Project Construction Updates for Adjacent Businesses and Residents
- Coordinate Construction with Nearby Projects

Impact TR-3: The proposed project would not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less than Significant)

The proposed project would not include any design features that would substantially increase traffic hazards (e.g., a new sharp curve or dangerous intersections), and would not include any incompatible uses, as discussed under Topic 1, Land Use and Land Use Planning. Therefore, the proposed project would not cause adverse impacts associated with traffic hazards. As noted above, the proposed project would provide one 20-foot-wide driveway and one 10-foot-wide driveway to on-site parking facilities, eliminating one of the two existing curb cuts on Myrtle Street and adding one curb cut on O'Farrell Street. As noted previously under the traffic impact discussion, vehicles queueing at the garage entries may interfere with bicycle, pedestrian or vehicular movements on O'Farrell Street or Myrtle Street. Although the proposed project is not expected to result in substantial queuing and impacts would be less than significant, an improvement measure has been identified that could be implemented to further decrease the severity of these less-than-significant impacts with regards to queuing at the garage entries. **Improvement Measure TR-2: Queue Abatement**, would ensure that queues from the parking garages do not back up onto city streets. Based on the above, the proposed project would have a less-than-significant impact related to transportation hazards due to a design feature or resulting from incompatible uses.

Impact TR-4: The proposed project would not result in inadequate emergency access. (Less than Significant)

The street network currently provides access to the project site for emergency vehicles. The proposed project would not modify existing emergency access conditions; emergency vehicles would continue to access the project site via entrances on Van Ness Avenue, O'Farrell Street, or Myrtle Street. Aside from the general and relatively minor increase in vehicle traffic that would result from the additional activity at the project site, the proposed project would not inhibit emergency access to the project site; therefore, the proposed project would have a less-than-significant impact to emergency access.

Impact TR-5: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)***Transit Conditions***

The project is estimated to generate approximately 277 p.m. peak-hour transit trips according to the *SF Guidelines*, which would be distributed among Muni, BART, Golden Gate Transit, and SamTrans lines. The project site is well served by public transit. These additional riders could easily be accommodated on the multiple Muni lines (2, 3, 19, 31, 38, 38R, 47, and 49) and Golden Gate Transit lines (10, 54, 70, 93, 101, and 101X) that run in the project vicinity. These bus lines link the neighborhood to the rest of the city, the East Bay, the North Bay, and the Peninsula, as well as facilitating connections to the far East Bay through a variety of transit networks.

This analysis of transit impacts focuses on the increase in transit patronage across “screenlines” in the outbound direction during the weekday p.m. peak hour. Four screenlines have been established in San Francisco to analyze potential impacts of projects on Muni service, and three screenlines have been established for regional transit service. Muni has a capacity utilization performance standard of 85 percent. The threshold of significance for identifying regional transit crowding impacts is 100 percent capacity utilization. Bus stops served by multiple Muni and Golden Gate Transit routes are located adjacent to the project site on O'Farrell Street and Van Ness Avenue. Access to the proposed garage entrances on O'Farrell Street and Myrtle Street would not conflict with bus operations; therefore, no impacts to bus circulation were identified.

All of the screenlines and the majority of sub-corridors would operate below Muni's standard 85percent capacity utilization with implementation of the proposed project, with the exception of the Fulton/Hayes sub-corridor along the northwest screenline and 3rd Street sub-corridor along the southeast screenline. While these two sub-corridors currently operate above 85 percent capacity, the proposed project would not contribute any new trips to these sub-corridor ridership levels, including the sub-corridors currently operating at or above the 85percent utilization standard. Because the proposed project would not result in a substantial contribution to existing ridership levels, the proposed project would result in a less-than-significant impact.

It should be noted that transit-related policies include, but are not limited to: (1) discouragement of commuter automobiles (*Planning Code* Section 101.1, established by Proposition M, the Accountable Planning Initiative); and (2) the City's "Transit First" policy, established in the City's Charter Section 16.102. The proposed project would not conflict with transit operations as discussed above and also would not conflict with the transit-related policies established by Proposition M or the City's Transit First Policy. Therefore, impacts to the City's transit network would be considered less than significant.

Pedestrian Conditions

The proposed project would generate up to 412 pedestrian trips (277 walking to/from transit and 135 walking to/from sidewalks) during a typical weekday p.m. peak hour. These new pedestrian trips would be spread out over several adjacent sidewalks and crosswalks. Most pedestrian trips are anticipated to occur along Van Ness Avenue accessing nearby bus stops on Van Ness Avenue, Geary Street/Geary Boulevard, and O'Farrell Street. Pedestrian volumes around the proposed project are moderately high on Van Ness Avenue due to the existing transit service and relatively lower along other streets surrounding the project site such as O'Farrell, Franklin, and Myrtle Streets. The proposed project would maintain existing sidewalk widths on Van Ness Avenue, O'Farrell Street, and Myrtle Street. Beyond the immediate proposed project frontages along Van Ness Avenue, O'Farrell Street, and Myrtle Street, no improvements to existing pedestrian facilities in the area are proposed.

The proposed project would not create potential collision risks through increased vehicle conflicts or inadequate sight distance for pedestrians, or otherwise interfere with pedestrian accessibility to the project site and adjoining areas. Overall, pedestrian facilities surrounding the project site are generally adequate, and the proposed project would provide an improvement to the pedestrian environment in the neighborhood by reducing one curb cut on Myrtle Street and providing active retail along Van Ness Avenue. Therefore, the proposed project's impact to pedestrian circulation and facilities would be less than significant. Although the proposed project is not expected to cause significant pedestrian impacts, the following improvement measures could be implemented to improve the pedestrian environment in the project area:

Improvement Measure TR-5: Improve Pedestrian Crossings across Myrtle Street

Installing marked crosswalks across Myrtle Street at Van Ness Avenue and Franklin Street is recommended to improve pedestrian circulation and visibility adjacent to the project site. Presently, there are no marked crosswalks at either location. In addition, the southern curb at Van Ness Avenue does not have a curb ramp. Installation of an ADA-compliant curb ramp with truncated dome treatments would improve this pedestrian crossing adjacent to the project site.

Improvement Measure TR-6: Install Audible Warning Devices at Proposed Garage Entrances

Installing audible warning devices at the proposed garage entrances on O'Farrell Street and Myrtle Street is recommended to improve pedestrian awareness and ADA-accessibility. Audible warning devices would alert audibly-impaired or distracted pedestrians to the presence of vehicles exiting the parking garage.

Bicycle Conditions

The project would provide 239 Class 1 bicycle parking spaces, located on the secured ground level of the garage, along with 20 Class 2 bicycle spaces (racks) on the sidewalk outside the building on O'Farrell Street. This would meet the requirement of *Planning Code* Sec. 155.2, which requires one Class 1 bicycle parking space for every dwelling unit for the first 100 units and one Class 1 space for every four dwelling units above 100, and a minimum of one Class 2 parking space per 20 units, along with one Class 1 space for each 7,500 occupied square feet of restaurant space and one Class 2 space for each 7,500 occupied square feet of restaurant space. Based on the proposed project's land uses and these *Planning Code* requirements, the proposed project would be required to provide 135 Class 1 and 14 Class 2 bicycle parking spaces. Based on these calculations, the proposed project would meet or exceed the requirements of the *Planning Code*.

The *San Francisco Bicycle Plan* includes goals and objectives to encourage bicycle use in the city, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. The nearest bicycle facilities to the proposed project are one block to the east on Polk Street and two to three blocks to the north on Sutter and Post streets. Facilities include Bicycle Route 16 (Class III – shared bicycle lanes) on Post and Sutter streets, and Bicycle Route 25 (Class II/III – striped/shared bicycle lanes) on Polk Street. Additional bicycle facilities in the area include the existing Bay Area Bicycle Share station at just over one-third of a mile away on the southwest corner of Golden Gate Avenue and Polk Street. An expansion is currently proposed for the Bay Area Bike Share system, which potentially will result in closer stations to the project site.

It is anticipated that a substantial portion of the 15 “other” p.m. peak hour trips generated by the proposed project would be bicycle trips. The proposed project would not increase auto or bicycle traffic to a level that adversely affects existing bicycle facilities in the area; nor would the proposed project create a new hazard or substantial conflict to bicycling. The proposed project would not adversely affect bicycle accessibility to the project site or adjoining areas. Thus, the proposed project's impact to bicycle facilities and circulation would be considered less than significant.

Impact C-TR-1: The proposed project, in combination of past, present, and reasonably foreseeable future projects, would not result in a considerable contribution to cumulative regional VMT. (Less than Significant)

VMT, by its very nature, is largely a cumulative impact. The VMT associated with past, present, and future projects contribute to physical secondary environmental impacts. It is likely that no single project by itself would be sufficient in size to prevent the region or state from meeting its VMT reduction goals. Instead, a project's individual VMT contributes to cumulative VMT impacts. The VMT and induced automobile travel project-level thresholds are based on levels at which new projects are not anticipated to conflict with state and regional long-term greenhouse gas emission reduction targets and statewide VMT per capita reduction targets set in 2020. Therefore, because the proposed project would not exceed the project-level thresholds for

VMT and induced automobile travel (Impact TR-1), the proposed project would not be considered to result in a cumulatively considerable contribution to VMT impacts.

Furthermore, as shown in Table 3, Daily Vehicle Miles Traveled, projected 2040 average daily VMT per capita for residential uses in TAZ 318 is 2.6 miles. This is 83.9 percent below the projected 2040 regional average daily VMT per capita of 16.1.⁴² Projected 2040 average daily VMT per employee for retail uses in TAZ 318 is 7.6 miles. This is 47.9 percent below the projected 2040 regional average daily VMT per employee of 14.6.⁴³ Given the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's residential and restaurant uses would not result in substantial additional VMT. Therefore, the proposed project's residential and restaurant uses would not contribute considerably to any substantial cumulative increase in VMT.

Impact C-TR-2: The proposed project in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative transportation impacts. (Less than Significant)

The analysis of cumulative transit utilization considers foreseeable changes in local and regional transit service in the future, such as Muni service changes due to the Van Ness and Geary BRT projects and the recommended Muni Forward improvements, and the anticipated growth in ridership due to future development. Similar to the transit analysis presented under the Existing plus Project conditions, analysis of transit impacts across the Muni and regional screenlines was conducted to determine the extent to which an increase in transit trips associated with the proposed project would affect local and regional transit lines under cumulative (Year 2040) conditions. While some screenlines and sub-corridors would operate above Muni's established capacity utilization threshold (85 percent) by 2040, the proposed project would contribute 1 percent or less of the transit trips on these sub-corridors and the entire screenline. The increase in regional transit trips generated by the proposed project would contribute less than 1 percent to all regional screenlines and ridership levels would continue to be below the 100-percent capacity utilization performance standard. Therefore, the project's contribution to cumulative transit impacts would be less than significant.

Bicycling trips may increase between the completion of the proposed project and the cumulative scenario due to the addition and enhancement of bicycle facilities (such as accessible bicycle parking on project sites, and the improvement of on-street bicycle facilities citywide in accordance with the *Bike Plan*). In particular, encouraging employees and residents to store their bicycles in secure locations to avoid conflicts with private cars and loading vehicles accessing the garage, and facilitating access to the bicycle network through on-site signage, would all serve to increase bicycling trips over time, although not to the level that would create potentially hazardous conditions for bicycles.

In general, the increased development along with localized improvements to the pedestrian network to adhere to the *Better Streets Plan* would not result in overcrowding of sidewalks or create new potentially

⁴² Ibid.

⁴³ Ibid.

hazardous conditions for pedestrians under Cumulative Conditions. These sidewalk improvement elements would improve pedestrian conditions by facilitating safe and easy pedestrian crossings, by providing safe spaces for pedestrians, by slowing traffic, and by increasing pedestrian visibility to drivers. Walk trips may increase between the completion of the proposed project with the addition of cumulative development due to the addition of complimentary land uses, such as the CPMC hospital, retail and office space to the local area. Transit improvements including the Geary and Van Ness BRT projects and TDM measures for new developments could over time increase the number of pedestrians accessing transit surrounding the project site, although not to the level which would induce overcrowding of sidewalks under the Cumulative Condition.

As noted previously, an increase in background automobile traffic between Existing plus Project and Cumulative Conditions is anticipated. This would result in an increase in the potential for automobile-bicycle and automobile-pedestrian conflicts at intersections and driveways in the study area. While there would be a general increase in vehicle, bicycle, and pedestrian traffic that is expected through the future cumulative scenario, the proposed project would not create potentially hazardous conditions for bicycles or pedestrians, or otherwise interfere with bicycle or pedestrian accessibility to the project site and adjoining areas. For the above reasons, the proposed project, in combination with past, present and reasonably foreseeable development in San Francisco, would have a less-than-significant impact on bicycle and pedestrian conditions.

The construction of the nearby CPMC Cathedral Hill Hospital will reduce the travel distance between the project site and the nearest hospital, but would likely increase the number of emergency vehicles on adjacent streets. While there would be a general increase in vehicle traffic that is expected through the future scenario, the proposed project would not create potentially hazardous conditions for emergency vehicles, or otherwise interfere with emergency vehicle accessibility to the project site and adjoining areas. For the above reasons, the proposed project, in combination with past, present and reasonably foreseeable development in San Francisco, would have less-than-significant cumulative emergency access impacts. Moreover, even if the CPMC Cathedral Hill Hospital is not operational in the future, the project's impacts would remain less-than-significant due to the proximity of nearby Saint Francis Memorial Hospital.

Cumulative construction impacts would be temporary and localized, and would be resultant of nearby construction proposed projects whose construction schedules overlap with the proposed project. The trip distribution and mode split of construction workers are speculative to estimate. However, it is anticipated that the addition of the worker-related vehicle- or transit-trips would not substantially affect transportation conditions. Therefore, the proposed project would have less-than-significant cumulative construction impacts.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
5. NOISE — Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area,⁴⁴ nor is it in the vicinity of a private airstrip. Therefore, Questions 5e and 5f are not applicable.

Impact NO-1: The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise. (Less than Significant)

Applicable Noise Standards⁴⁵

The Environmental Protection Element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research (OPR), indicate maximum acceptable noise levels for various newly developed land uses. The proposed uses for this project correspond to the "Residential" land use category

⁴⁴ City/County Association of Governments (C/CAG) of San Mateo County, *Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*, November, 2012. See also, Alameda County Community Development Agency (ACCD), *Oakland International Airport, Airport Land Use Compatibility Plan*, December, 2012.

⁴⁵ In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Accordingly, the discussion of exposure of the proposed project's future residents to existing ambient noise is provided for informational purposes only.

in the Land Use Compatibility Guidelines.⁴⁶ For this land use category, the maximum “satisfactory, with no special insulation requirements” exterior noise levels are approximately 60 dBA (Ldn).^{47,48} Where exterior noise levels exceed 60 dBA (Ldn) for a new residential building, it is generally recommended that a detailed analysis of noise reduction requirements be conducted prior to final review and approval of the project, and that the needed noise insulation features be included in the project design.

In addition, Chapter 12 of the *California Building Code* (CBC) (Part 2 of Title 24 of the *California Code of Regulations*), adopted as part of the *San Francisco Building Code*, contains acoustical requirements for interior sound levels in habitable rooms of multi-family developments. In summary, the CBC requires an interior noise level no higher than an Ldn of 45 dB. Projects exposed to an exterior Ldn of 60 dB, or greater, require an acoustical analysis showing that the proposed design will limit interior levels to the prescribed allowable interior level. Additionally, if windows must be in the closed position to meet the interior standard, the design must include a ventilation or air-conditioning system to provide fresh-air and, therefore, a habitable interior environment. An Environmental Noise Study was prepared for the proposed project and is discussed below.⁴⁹

Existing Noise in Project Site Vicinity

Ambient noise levels in the project vicinity are typical of noise levels found in San Francisco, which are dominated by vehicular traffic, including, cars, Muni buses, and emergency vehicles. Van Ness Avenue and O’Farrell Street are both heavily traveled streets, and generate traffic noise in excess of 70 dBA.⁵⁰ While land uses in the project site vicinity do not generate a substantial amount of noise, high traffic volumes along the surrounding streets result in a relatively loud noise environment.

Two long-term continuous (48-hour) noise monitor measurements were conducted at the project site in order to quantify the existing noise environment in the project vicinity. The results of the noise measurements are provided in **Table 4**, below.

⁴⁶ San Francisco General Plan. Environmental Protection Element, Land Use Compatibility Chart for Community Noise. Available online at http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm. Accessed on October 22, 2014.

⁴⁷ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

⁴⁸ The DNL or Ldn is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

⁴⁹ Charles M. Salter Associates, Inc., *1001 Van Ness Avenue Residences Environmental Noise Study*, November 4, 2015.

⁵⁰ San Francisco Department of Public Health, Map of Areas Potentially Requiring Noise Insulations, March 2009. Available at: http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Noise.pdf. Reviewed February 8, 2016.

TABLE 4
RESULTS OF NOISE MONITOR MEASUREMENTS IN PROJECT VICINITY

Monitor	Location	Measured Ldn
L1	Northeastern building rooftop on Van Ness Avenue, approximately 40-feet above grade.	77 dB
L2	Southwestern building rooftop on O'Farrell Street, approximately 40-feet above grade.	73 dB

SOURCE: Charles N. Salter Associates, Inc., November 2015.

Project Noise Exposure

As noted above, the proposed project would include new sensitive receptors in the form of residences. The proposed project would be required to incorporate Title 24 noise insulation features such as double-paned windows and insulated walls as part of its construction, which would reduce indoor noise levels by at least 32 decibels. Given the relatively high exterior noise levels in the project vicinity, the noise study included design recommendations to ensure that interior noise levels are in accordance with Title 24 standards, CALGreen interior noise criteria, and the *San Francisco Building Code*. The noise study recommended that the project include sound rated assemblies at exterior building façades, with window and exterior door assembly Sound Transmissions Class (STC) ratings that meet the City standards. The noise study estimated that exterior doors and windows along the ground floor retail space would require an STC rating of 31 to 34. Window assemblies (glass and frame) on residential floors 2 through 14 would require an STC rating of up to 42 along Van Ness Avenue and STC rating of up to 39 along O'Farrell Street. The noise study assumed that bedrooms would be carpeted.

Because windows must be closed to achieve the interior noise criteria 45 dBA, the noise study also noted that an alternate means of providing outside air (e.g., fresh-air exchange units, HVAC, Z-ducts, etc.) to habitable spaces is required for building façades exposed to an exterior Ldn of 60 dB, or greater. The Department of Building Inspection (DBI) would review the final building plans to ensure that the project meets the interior noise requirements of Title 24 and the *San Francisco Building Code*. Therefore, the proposed project would not expose persons to noise levels in excess of standards established in the *General Plan*, Noise Ordinance, or *San Francisco Building Code*.

Noise from Project Operations

Generally, traffic must double in volume in order to produce a noticeable increase in the ambient noise level in the project vicinity. The proposed project would generate approximately 1,484 net new daily vehicle trips, with 265 of those trips occurring in the p.m. peak hour.⁵¹ This increase in vehicle trips would not cause traffic volumes to double on most streets in the project vicinity except Myrtle Street, which would preclude the project from having a noticeable effect on ambient noise levels in the project site vicinity along Van Ness

⁵¹ Trip generation estimate is reported in the *1001 Van Ness Avenue Transportation Impact Study* prepared by Fehr & Peers, December 2015.

Avenue, Franklin Street, and/or O'Farrell Street. Noise modeling using the Traffic Noise Model of the Federal Highway Administration indicates that traffic increases along Myrtle Street would result in p.m. peak hour roadway noise contributions increasing from 47.0 to 50.5 dBA, a 3.5 dBA increase from existing conditions. Myrtle Street experiences relatively low traffic levels due to its narrow width and the fact that vehicles are prohibited from crossing Van Ness Avenue due to the presence of the median. Consequently, the street is predominantly used for to access parking in adjacent buildings that have frontage on Geary Boulevard and O'Farrell Street. In environments where the existing noise levels are 60 dBA or less, an increase of 5 dBA or more would be considered "readily perceptible"⁵² and, thus, would result in a significant noise contribution. In contrast, in already impacted environments where the existing noise levels are greater than 60 dBA, an increase of 3 dBA or more would be considered "barely perceptible"⁵³ and result in a significant noise contribution. Here, the background noise level is less than 60 dBA, and increased traffic noise contributions on Myrtle Street would be less than 5 dBA resulting in a less-than-significant noise impact related to vehicular traffic.

The proposed project would contain a ground-floor retail (likely restaurant) use with residential uses above and would not include features or uses that would generate substantial noise. Therefore, operational noise from the proposed project, including traffic-related noise, would not significantly increase the existing ambient noise levels in the project vicinity. In addition to vehicle-related noise, mechanical equipment, including building heating and ventilation system equipment is also considered to be a potential noise source, once the proposed project is operational. Mechanical equipment would be subject to Section 2909 of the Noise Ordinance (Article 29 of the *Police Code*). This section establishes a noise limit from mechanical sources such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise generated by residential uses the limit is 5 dBA in excess of ambient noise levels. This limitation would apply to the proposed project. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the daytime and evening hours.

Compliance with Section 2909 of the Noise Ordinance serves to minimize stationary source noise from building operations. Given that the proposed project's vehicle trips would not cause a doubling of traffic volumes on nearby streets, thereby resulting in a noticeable increase in ambient noise levels, and that any proposed mechanical equipment would be required to comply with the Noise Ordinance, the proposed project would not result in a noticeable increase in ambient noise levels. Thus, the project's impact related to project operations would be less than significant.

Impact NO-2: During construction, the proposed project would not result in a substantial temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project. (Less than Significant)

Demolition, excavation, and building construction would cause a temporary increase in noise levels within the project vicinity. Construction equipment would generate noise and possibly vibrations that

⁵² California Department of Transportation (Caltrans), *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013. Available on the internet at: www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf.

⁵³ Ibid.

could be considered an annoyance by occupants of nearby properties. According to the project sponsor, the construction period would last approximately 24 months. Construction noise levels would fluctuate depending on the construction phase, equipment type and duration of use, the distance between the noise source(s) and the affected receptor(s), and the presence (or absence) of barriers. Impacts would generally be limited to demolition and the periods during which new foundations and exterior structural and façade elements would be constructed. Interior construction noise would be substantially reduced by exterior walls. However, there would be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site.

As noted above, construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the *Police Code*). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, hoe rams, impact wrenches) must have manufacturer-recommended and City-approved mufflers for both intake and exhaust. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by five dBA at the project property line, unless a special permit is authorized by the Director of Public Works or the Director of Building Inspection. The project would be required to comply with regulations set forth in the Noise Ordinance.

The nearest sensitive receptors to the project site are the residential uses across Myrtle Street and the Avenue Assisted Living Facility, also across Myrtle Street fronting Van Ness Avenue. These uses would experience temporary and intermittent noise associated with site clearance and construction activities as well as the passage of construction trucks in and out of the project site. Site excavation would involve removal of approximately 43,000 cubic yards of soil for a below-grade garage. No pile driving is anticipated as part of the project as an excavated mat foundation is the proposed foundation type for the project.⁵⁴

Noise impacts would be temporary in nature and would be limited to the 24-month period of construction. Moreover, the project demolition and construction activities would be required to comply with the Noise Ordinance requirements, which prohibit construction after 8:00 p.m. Although construction noise could rise to the level of an annoyance at times, it would not be expected to exceed noise levels commonly experienced in this urban environment and would not, therefore, be considered significant.

Impact C-NO: The proposed project would not make a considerable contribution to any cumulative significant noise impacts. (Less than Significant)

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis. In general, compliance with Noise Ordinance requirements would maintain the noise impact from project construction at a less-than-significant level. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. Other than renovation projects, there is one development project, CPMC, that is close enough (within 400 feet) to have the potential to result in a cumulative construction noise impact. However, the CPMC site is separated from the proposed

⁵⁴ Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue San Francisco* California, August 7, 2015.

project by multiple buildings and would be unlikely to noticeably combine with project construction noise, even if the two were under construction, simultaneously. As such, construction noise effects associated with the proposed project are not anticipated to combine with those associated with other proposed and ongoing projects located near the project site. Therefore, cumulative construction-related noise impacts would be less than significant.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. Noise modeling using the Traffic Noise Model of the Federal Highway Administration indicates that cumulative traffic increases compared to existing conditions along Van Ness Avenue, Franklin Street, and O'Farrell Street would be less than 3 dBA and that cumulative traffic increases along Myrtle Street would be less than 5 dBA; therefore, cumulative traffic noise impacts would be less than significant.

Project-related stationary source noise, such as from ventilation equipment would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. CPMC is the only cumulative development project close enough (within 400 feet) to even consider the potential to result in a cumulative operational noise impact. However, the CPMC site is separated from the proposed project by multiple buildings and would be unlikely to noticeably combine with project stationary source noise. Consequently, cumulative noise impacts from stationary noise sources would be less than significant. Additionally, the proposed project's mechanical equipment and that of the CPMC would be required to comply with the Noise Ordinance.

In light of the above, the proposed project would result in less-than-significant cumulative impacts related to noise.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
6. AIR QUALITY — Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The BAAQMD is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties, and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan (CAP)*, was adopted by the BAAQMD on September 15, 2010. The CAP updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2010 CAP contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The CAP represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of an applicable air quality plan.

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment⁵⁵ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. **Table 5** identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds

⁵⁵ "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status.

would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

TABLE 5
CRITERIA AIR POLLUTANT SIGNIFICANCE THRESHOLDS

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average Emissions (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

SOURCE: BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter (PM₁₀ and PM_{2.5}⁵⁶). Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).⁵⁷ These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net

⁵⁶ PM₁₀ is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

⁵⁷ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17. Available on the internet at: <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en>, accessed December 21, 2014.

increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM₁₀ and PM_{2.5}). The BAAQMD has not established an offset limit for PM_{2.5}. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM₁₀ and PM_{2.5}, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.⁵⁸ Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.⁵⁹ Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.⁶⁰ The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.⁶¹ The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO₂ concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO₂ emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than 5 percent of the Bay Area total basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO₂. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and

⁵⁸ BAAQMD, Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, October 2009 (see footnote 57, p. 65), page 16.

⁵⁹ Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at http://www.wrapair.org/forums/dej/f/fdh/content/FDHandbook_Rev_06.pdf, accessed December 21, 2014.

⁶⁰ BAAQMD, Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, October 2009 (see footnote 57, p. 65), page 27.

⁶¹ BAAQMD, CEQA Air Quality Guidelines, May 2012. Available on the internet at: http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_Final_May%202012.ashx?la=en, accessed February 9, 2016.

SO₂ emissions that could result from a development project, the proposed project would not result in a cumulatively considerable net increase in CO or SO₂, and a quantitative analysis is not required.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. A TAC is defined in *California Health and Safety Code* Section 39655 as an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach. This approach uses a health risk assessment to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.⁶²

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than for other land uses. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM_{2.5}) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.⁶³ In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.⁶⁴ The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

⁶² In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

⁶³ SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

⁶⁴ California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the “Air Pollutant Exposure Zone,” were identified based on health-protective criteria that consider estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is not located within the Air Pollutant Exposure Zone. Each of the Air Pollutant Exposure Zone criteria is discussed below.

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criteria is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.⁶⁵ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,⁶⁶ the USEPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.⁶⁷

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that the current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³. Air pollution hot spots for San Francisco are based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 µg/m³ to account for error bounds in emissions modeling programs.

Proximity to Freeways. According to the ARB, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,⁶⁸ lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

⁶⁵ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009 (see footnote 57, p. 65), page 67.

⁶⁶ 54 Federal Register 38044, September 14, 1989.

⁶⁷ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009 (see footnote 57, p. 65), page 67.

⁶⁸ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>.

Health Vulnerable Locations. Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM_{2.5} concentrations in excess of 9 µg/m³.⁶⁹

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the *San Francisco Building and Health Codes*, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or *Health Code*, Article 38 (Ordinance 224-14, effective December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality. The project site is not located within the Air Pollutant Exposure Zone.

Construction Air Quality Impacts

Project-related air quality impacts fall into two categories: short-term impacts due to construction and long-term impacts due to project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project would involve demolition of the existing 4-story, 113,000-square-foot, approximately 60-foot-tall office and former television studio building, and construction of a new 130-foot-tall, 14-story mixed-use building containing approximately 239 dwelling units and about 5,151 square feet of retail/restaurant space. During the project's approximately 24-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

Fugitive Dust

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal

⁶⁹ San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14 Amendment to *Health Code* Article 38.

standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the ARB, reducing particulate matter PM_{2.5} concentrations to state and federal standards of 12 µg/m³ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.⁷⁰

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the *San Francisco Building and Health Codes* generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the DBI.

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director of DBI. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. The City and County of San Francisco Ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities

⁷⁰ ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. Interior-only tenant improvement projects that are over one-half acre in size that will not produce exterior visible dust are exempt from the site-specific Dust Control Plan requirement.

The site-specific Dust Control Plan would require the project sponsor to: submit a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent third-party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin; enforce a 15 mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to a less-than-significant level.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To evaluate construction emissions of criteria pollutants, a quantitative analysis was conducted. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Memorandum.⁷¹ The model was developed, including default data (e.g., emission factors, meteorology, etc.), in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown. Construction of the proposed project would occur over approximately 24 months with construction activity occurring five to six days a week. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 574 working days. As shown in **Table 6**, unmitigated project construction emissions would be below the

⁷¹ Environmental Science Associates, *Air Quality Memorandum*, 1001 Van Ness Avenue, December 18, 2015.

threshold of significance for NO_x, PM₁₀, and PM_{2.5}; therefore, the construction-related air quality impact of criteria air pollutants would be less than significant.

TABLE 6
DAILY PROJECT CONSTRUCTION EMISSIONS

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NO _x	Exhaust PM ₁₀	Exhaust PM _{2.5}
Unmitigated Project Emissions	9.94	19.55	1.09	1.02
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in bold.

SOURCE: BAAQMD, 2011; ESA, 2015

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)

As discussed above, the project site is not within an Air Pollutant Exposure Zone. With regard to construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.⁷² Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment.⁷³ This reduction in emissions is due, in part, to refined emissions estimation methodologies. For example, revised PM emission estimates for the year 2010, for which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emission estimates for the SFBAAB.⁷⁴

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines were phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers are required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 emission standards, NO_x and PM emissions will be reduced by more than 90 percent.⁷⁵

⁷² ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

⁷³ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

⁷⁴ ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query, accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

⁷⁵ United State Environmental Protection Agency (USEPA), "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

"Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."⁷⁶

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

Although on-road, heavy-duty diesel vehicles and off-road equipment would be used during the 24-month construction duration, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes,⁷⁷ which would further reduce nearby sensitive receptor exposure to temporary and variable DPM emissions. Therefore, because the project site is not within the Air Pollutant Exposure Zone and construction activities would be temporary and variable over the 24-month construction period, TAC emissions would result in a less-than-significant impact to sensitive receptors.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following addresses air quality impacts resulting from operation of the proposed project.

Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

The proposed project would involve demolition of the existing four-story, 113,000-square-foot former television studio and office building, and construction of a new 130-foot-tall, 14-story mixed-use building

⁷⁶ BAAQMD, *CEQA Air Quality Guidelines*, May 2012, page 8-6.

⁷⁷ *California Code of Regulations*, Title 13, Division 3, § 2485 (on-road) and § 2449(d)(2) (off-road).

containing approximately 239 dwelling units and about 5,151 square feet of retail/restaurant space which does not exceed BAAQMD's operational screening criteria. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in less than significant impact with respect to criteria air pollutants.

Impact AQ-4: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant)

As discussed above, the project site is not within an Air Pollutant Exposure Zone. However, the proposed project would generate toxic air contaminants and/or site sensitive land uses (residential), as discussed below.

Sources of Toxic Air Contaminants

Vehicle Trips. Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's 1,484 net new daily vehicle trips would be well below this level and would be distributed among the local roadway network; therefore, an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

On-Site Diesel Generator. The proposed project would include a backup emergency generator. Emergency generators are regulated by the BAAQMD through its New Source Review (Regulation 2, Rule 5) permitting process. The project applicant would be required to obtain applicable permits to operate an emergency generator from the BAAQMD. Although emergency generators are intended only to be used in periods of power outages, monthly testing of the generator would be required. The BAAQMD limits testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD limits the excess cancer risk from any facility to no more than ten per one million population and requires any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics (TBACT). Compliance with the BAAQMD permitting process would ensure that project-generated TAC emissions would not expose sensitive receptors to substantial air pollutant concentrations, and TAC emissions would be less than significant.

Siting Sensitive Land Uses

The proposed project would include development of 239 residential units and is considered a sensitive land use for the purposes of air quality evaluation. The proposed project would not site sensitive land uses within the Air Pollutant Exposure Zone, therefore, the proposed project would result in a less-than-significant impact with respect to exposing sensitive receptors to substantial levels of air pollution. While

a recent California Supreme Court decisions in *CBIA v. BAAQMD* held that impacts of the environment on a project are not within the purview of the CEQA statutes, this finding is nevertheless identified for the purpose of informing decision makers.⁷⁸

Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of the 2010 Clean Air Plan. (Less than Significant)

The most recently adopted air quality plan for the SFBAAB is the CAP. The CAP is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the CAP, this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the CAP includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact with respect to GHGs is discussed under Topic 7, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options would ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 1,484 net new vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the *General Plan*, as discussed under Topic 4, Transportation,

⁷⁸ In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). Thus, the analysis herein focuses on whether the proposed project would exacerbate existing or future air quality emissions in the project area. It is noted that existing local regulations, including Article 38, would reduce exposure of new sensitive uses to air pollutant concentrations.

control measures that are identified in the CAP are implemented by the *General Plan* and the *Planning Code*, for example, through the City's Transit First Policy, bicycle parking requirements, and transportation sustainability fee. Compliance with these requirements would ensure the project includes relevant transportation control measures specified in the CAP. Therefore, the proposed project would include applicable control measures identified in the CAP to meet the CAP's primary goals.

Examples of a project that could cause the disruption or delay of CAP control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would demolish the existing four-story office and former television studio building, and construct a new 14-story, mixed-use building containing approximately 239 dwelling units and about 5,151 square feet of retail/restaurant space. The proposed project would be located within a dense, walkable urban area near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, would include less than one parking space per unit, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the CAP, and because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, the impact would be less than significant.

Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. (Less than Significant)

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors.⁷⁹ Additionally, the proposed project includes residential and retail/restaurant space, and would therefore not create a significant sources of new odors. Therefore, odor impacts would be less than significant.

Impact C-AQ: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would result in less-than-significant cumulative air quality impacts. (Less than Significant)

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse

⁷⁹ Reconnaissance of project site and environs conducted by ESA staff of January 28, 2016.

air quality impacts. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

Although the project would add new sensitive land uses and/or new sources of TACs (e.g., new vehicle trips and a backup generator), the project site is not located within an Air Pollutant Exposure Zone. The project's incremental increase in localized TAC emissions resulting from the project's 1,484 net new daily vehicle trips and backup generator would be minor and would not contribute substantially to cumulative TAC emissions that could affect adjacent or proposed sensitive land uses. Therefore, cumulative air quality impacts would be considered less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
7. GREENHOUSE GAS EMISSIONS — Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will continue to contribute to global climate change and its associated environmental impacts.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions*,⁸⁰ which

⁸⁰ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. This document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's qualified GHG reduction strategy in compliance with the CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,⁸¹ exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2010 Clean Air Plan*, Executive Order (EO) S-3-05, and Assembly Bill (AB) 32 (also known as the Global Warming Solutions Act).⁸²

Given that the City has met the State and region's 2020 GHG reduction targets and San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under EO S-3-05⁸³ and EO B-30-15,^{84,85} the City's GHG reduction goals are consistent with EO S-3-05, EO B-30-15, AB 32, and the *Bay Area 2010 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's GHG reduction strategy would be consistent with the aforementioned GHG reduction goals, would not conflict with these plans or result in significant GHG emissions, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on the global climate, this analysis is in a cumulative context, and this section does not include an individual project-specific impact statement.

Impact C-GG: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers; energy required to pump, treat, and convey water; and emissions associated with waste removal, disposal, and landfill operations.

⁸¹ ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

⁸² Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan* set a target of reducing GHG emissions to below 1990 levels by year 2020.

⁸³ Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

⁸⁴ Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15, issued on April 29, 2015, sets forth a target of reducing GHG emissions to 40 percent below 1990 levels by 2030 (estimated at 2.9 million MTCO₂E).

⁸⁵ San Francisco's GHG reduction goals are codified in Section 902 of the *Environment Code* and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

The proposed project would increase the intensity of use of the site by introducing new residential and retail/restaurant uses on the site. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the proposed project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, transportation management programs, Transportation Sustainability Fee, Jobs-Housing Linkage Program, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's *Green Building Code*, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.⁸⁶ Additionally, the proposed project would be required to meet the renewable energy criteria of the *Green Building Code*, further reducing the proposed project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Compositing Ordinance, Construction and Demolition Debris Recovery Ordinance, and *Green Building Code* requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁸⁷ and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations

⁸⁶ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁸⁷ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁸⁸ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁸⁹

The project sponsor is required to comply with these regulations, which have proven effective as San Francisco's GHG emissions have measurably decreased when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the *Bay Area 2010 Clean Air Plan* GHG reduction goals for the year 2020. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project contribution to climate change. In addition, San Francisco's local GHG reduction targets are consistent with the long-term GHG reduction goals of EO S-3-05, EO B-30-15, AB 32, and the *Bay Area 2010 Clean Air Plan*. Therefore, because the proposed project is consistent with the City's GHG reduction strategy, they would also be consistent with the GHG reduction goals of EO S-3-05, EO B-30-15, AB 32 and the *Bay Area 2010 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
8. WIND AND SHADOW — Would the project:					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact WS-1: The proposed project would not alter wind in a manner that substantially affects public areas. (Less than Significant)

Average wind speeds in San Francisco are the highest in the summer and lowest in winter. However, the strongest peak winds occur in winter, under storm conditions. Throughout the year the highest typical wind speeds occur in mid-afternoon and the lowest in the early morning. Of the primary wind directions, four have the greatest frequency of occurrence and also make up the majority of the strong winds that occur. These winds include the northwest, west-northwest, west and west-southwest (referred to as prevailing winds).

⁸⁸ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁸⁹ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1001 Van Ness Avenue*, September 17, 2015.

The project site is located in the Van Ness Special Use District and subject to *Planning Code* Section 243(c)(15), Reduction of Ground-Level Wind Currents. The *Planning Code* outlines wind reduction criteria for projects in the Van Ness Special Use District, sets wind speed criteria for both pedestrian comfort and hazardous winds, and requires buildings to be shaped so as not to cause ground-level wind currents to exceed these criteria. The *Planning Code* specifies that new buildings and building additions be shaped so as not to cause ground-level wind currents to exceed, more than 10 percent of the time, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour (mph) in substantial pedestrian use areas, and 7 mph in public seating areas.

When a project would result in exceedances of a comfort criterion, the Planning Commission may approve a Conditional Use authorization pursuant to Planning Code Sections 243(c)(15) and 303 for an exception to the ground-level wind currents requirement in *Planning Code* Section 243(c)(15)), if the building or addition cannot be designed to meet the criteria. Section 243(c)(15)(B)(i) also establishes a hazard criterion, which is an equivalent wind speed of 26 mph as averaged for a single full hour of the year.⁹⁰ Under Section 243(c)(15), new buildings and additions may not cause wind speeds that meet or exceed this hazard criterion and no exception may be granted for buildings that result in winds that exceed the hazard criterion.

A building taller than its immediate surrounding will intercept winds and deflect them down to the ground level, causing wind flow accelerations around building corners. When the gap, created by a street or lower building, between two buildings is aligned with the prevailing winds, high wind activity is expected along the gap. The project site is currently occupied by an approximately 60-foot-tall building and is flanked by a nine-story, approximately 90-foot-tall, assisted living facility to the north and a two-story, approximately 45-foot-tall, commercial building to the south. The 12-story CPMC, located two blocks north of the project site, is currently under construction and therefore included in the existing conditions scenario. When complete, the new hospital will be approximately 220 feet in height, while the CPMC Medical Office Building on the east side of Van Ness Avenue will be 130 feet tall. However, no exceedances of the wind hazard criterion were identified for the CPMC project.⁹¹

To evaluate the potential for wind effects on surrounding sidewalks, wind tunnel testing, using a three-dimensional model of the proposed project, was conducted.⁹² The wind tunnel testing modeled wind speeds at 47 locations, at a pedestrian height of approximately five feet, under existing conditions, existing plus project conditions, and cumulative conditions. The model included all development within

⁹⁰ The wind hazard criterion is derived from the 26 mph hourly average wind speed that would generate a three-second gust of wind at 20 meters per second, a commonly used guideline for wind safety. Because the original wind data on which the testing is based was collected at one-minute averages (i.e., a measurement of sustained wind speed for one minute, collected once per hour), the 26 mph hourly average is converted to a one-minute average of 36 mph, which is used to determine compliance with the 26 mph one-hour hazard criterion in the *Planning Code*. (Arens, E. *et al.*, "Developing the San Francisco Wind Ordinance and its Guidelines for Compliance," Building and Environment, Vol. 24, No. 4, p. 297-303, 1989.)

⁹¹ San Francisco Planning Department, *California Pacific Medical Center Long Range Development Plan EIR*, Case No. 2005.0555E. Available online at www.sf-planning.org/ftp/files/MEA/2005.0555E_CPMC_DEIR_Vol3_pt8.pdf.

⁹² RWDI, *1001 Van Ness Project Report, Pedestrian Wind Conditions Consultation and Wind Tunnel Tests*, December 21, 2015.

an approximately 1,500-foot radius of the project site.⁹³ For the purposes of evaluating impacts under CEQA, the analysis uses the hazard criterion to determine whether the proposed project would alter wind in a manner that substantially affects public areas. The proposed project's effects related to the comfort criterion are presented below for informational purposes (and are also used in the Planning Department's separate determination of compliance with Section 243(c)(15)).

The results of the wind tunnel testing indicate that no sensor locations exceed the hazard criterion under existing conditions, nor would there be any exceedances of the hazard criterion under existing plus project conditions, or the cumulative conditions; therefore, the proposed project would not alter wind in a manner that substantially affects public areas and impacts are considered less than significant.

In terms of the comfort criteria, 46 of the test points were located on sidewalks and, accordingly, are considered areas of substantial pedestrian use. In addition, one test point was located in the publicly-accessible courtyard area at the residential entrance on the northeast side of the building, and is also considered a pedestrian location for the purpose of this analysis. The results of the wind tunnel testing indicate that 29 of the 47 sensor locations exceed the *Planning Code's* 11 mph pedestrian comfort criterion under existing conditions. Wind speeds exceeded 10 percent of the time average 13 mph. Comfort criterion exceedances occur on the project site's Van Ness Avenue frontage and along the south side of O'Farrell Street. In addition, most sensor locations along Franklin Street, Van Ness Avenue, the south side of O'Farrell Street, and the western portions of the north side of O'Farrell Street and the south side of Myrtle Street exceed the comfort criterion, with the highest wind speeds measured along Franklin Street, south of Myrtle Street, and on Van Ness Avenue, north of O'Farrell Street.

According to the wind tunnel test results, the proposed project would eliminate the pedestrian comfort criterion exceedances at 10 locations along Van Ness Avenue and on the west side of Franklin Street at Myrtle Street. In addition, the proposed project would cause three new pedestrian comfort criterion exceedances along the south side of the project site fronting O'Farrell Street, and three new pedestrian comfort criterion exceedances at the northeast corner of the project site on Van Ness Avenue and Myrtle Street. Overall, under existing plus project conditions, 25 of the 47 sensor locations would exceed the *Planning Code's* 11 mph pedestrian comfort criterion—a total of four fewer exceedances than under existing conditions. Compared with existing conditions, the average of wind speeds exceeded 10 percent of the time would decrease by 1 mph to a 12 mph average, which represents an overall improvement in the pedestrian wind conditions around the project site. The highest wind speeds would continue to occur along Franklin Street, in addition to the south side of O'Farrell Street, and the western portions of the north side of O'Farrell Street and the south side of Myrtle Street.

In light of the foregoing, the proposed project would result in less-than-significant impacts on wind in public areas.

⁹³ Two additional points – 48 and 49 – were identified in the wind tunnel test results; however, these points were located in the private courtyard area behind the proposed townhouses and would not be publicly accessible. Therefore, these points are not discussed in the analysis.

Impact WS-2: The proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)

Planning Code Section 295, which was adopted in response to Proposition K (passed November 1984), mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the San Francisco Recreation and Parks Department (SFRPD) cannot be approved by the Planning Commission (based on recommendation from the Recreation and Parks Commission) if the shadow “will have any adverse impact on the use” of the park, unless the impact is determined to be insignificant. There are six public open spaces protected under *Planning Code* Section 295 in the vicinity of the project site: the Sergeant John Macaulay Park, located approximately 0.17 miles east of the project site; Jefferson Square Park, located approximately 0.22 miles southwest of the project site; James P. Lang Field, located approximately 0.27 miles southwest of the project site; the Margaret S. Hayward Playground, located approximately 0.35 miles southwest of the project site; the Tenderloin Children’s Playground, located approximately 0.32 miles east of the project site; and the Turk-Hyde Mini Park, located approximately 0.34 miles southeast of the project site.

The height of the proposed building would be 130 feet. Therefore, a preliminary shadow fan analysis was conducted by the Planning Department. The shadow fan analysis shows that, at its greatest extent, the project’s shadow would extend east to roughly halfway between Polk and Larkin Streets, south to Willow Street, west to Gough Street, and north to Post Street. According to the shadow fan, shadow generated as a result of the proposed project would not reach any of the six parks identified above protected by Section 295. The proposed project would also not add new shade to any publicly-accessible usable open spaces not subject to Section 295.

It is noted that the Planning Department’s preliminary shadow fan does not model existing buildings or their shadow; rather, it merely illustrates the maximum extent of potential shadow from a proposed project, and is therefore conservative.

The proposed project would add new shade to surrounding sidewalks and properties. However, because of the configuration of existing buildings in the vicinity, the net new shading that would result from the project’s construction would be limited in scope, and would not increase the total amount of shading above levels that are common in urban areas, particularly in dense neighborhoods such as the project vicinity. Due to the dense urban fabric of the city, the loss of sunlight on private residences or property is not considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

Therefore, the proposed project would not result in new shadow that would substantially affect outdoor recreation facilities or other public areas, and this impact would be less than significant.

Impact C-WS: The proposed project, in combination with other past, present, and reasonably foreseeable projects, would not result in cumulatively considerable impacts related to wind and shadow. (Less than Significant)

As described above, the proposed project would not cast any net new shadow on any park protected by *Planning Code* Section 295, nor would it add net new shadow to any usable open space. Accordingly, the proposed project could not contribute considerably to any cumulative shadow effects that would result from the combination of the proposed project and other projects, and the cumulative effect with respect to shadow would be less than significant.

Wind tunnel testing was conducted for cumulative conditions (which includes the proposed project as well as reasonably foreseeable development, including proposed projects nearby at 1145 Polk Street, 1200 Van Ness Avenue, 1033 Polk Street, and 1481 Post Street, along with the Van Ness Avenue Improvement Project, which includes a center-running bus rapid transit line) at the same 47 sensor locations as under existing and existing plus project conditions. The results of the wind tunnel testing indicate that 24 of the 47 sensor locations would exceed the *Planning Code's* 11 mph pedestrian comfort criterion under cumulative conditions, a decrease of five locations compared to existing conditions.

As noted above, test results indicate that the addition of cumulative development in the project area would not introduce any new exceedances of the wind hazard criterion. Therefore, project-related wind impacts are considered less than significant and would not result in a considerable contribution to any cumulative effect.

Under cumulative conditions, 11 pedestrian comfort criterion exceedances occurring under existing conditions would be eliminated along Van Ness Avenue. In addition, one comfort criterion exceedance would be eliminated at the northwest corner of the project site and on the west side of Franklin Street at Myrtle Street. Six new pedestrian comfort criterion exceedances would be introduced, including four on the south side of the project site along O'Farrell Street and two at the northeast corner of the project site on Van Ness Avenue and Myrtle Street. This totals 24 pedestrian comfort criterion exceedances, compared with 29 under existing conditions and 25 under existing plus project conditions. Average wind speeds exceeded 10 percent of the time would be 12 mph, a decrease of 1 mph compared to existing conditions, which constitutes a slight improvement in pedestrian wind conditions around the project site. Wind conditions also would improve at the BRT stop in the middle of Van Ness Avenue.

Based on the discussion above, the proposed project would not result in cumulatively considerable impacts related to wind and shadow. Thus, the proposed project cumulative wind and shadow impacts would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
9. RECREATION — Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The new residents of the proposed project would be served by the SFRPD, which administers more than 220 parks, playgrounds, and open spaces throughout the city, as well as recreational facilities including recreation centers, swimming pools, golf courses, and athletic fields, tennis courts, and basketball courts.⁹⁴ The project site is in an intensely developed urban neighborhood that does not contain large regional park facilities, but includes a number of neighborhood parks and open spaces, as well as other recreational facilities. The *General Plan's* Recreation and Open Space Element (ROSE), revised and updated in April 2014, identifies portions of the Van Ness Avenue corridor as a high needs open space area.

Impact RE-1: The proposed project would not result in a substantial increase in the use of existing parks and recreational facilities, the deterioration of such facilities, include recreation facilities, or require the expansion of recreational facilities, or physically degrade existing recreational resources. (Less than significant)

There are several facilities managed by the SFRPD near the project site:

- Jefferson Square Park (at the intersection of Eddy and Gough Streets): An approximately 5.6-acre park containing walking and running paths and picnic areas, located approximately 0.22 miles southwest of the project site.
- James P. Lang Field (at the intersection of Gough and Turk Streets): An approximately 2.8-acre public open space containing two ballfields, located approximately 0.27 miles southwest of the project site.
- Margaret S. Hayward Playground (at the intersection of Turk and Laguna Streets): An approximately 2.8-acre park containing tennis courts, basketball courts, a playground, and clubhouse, located approximately 0.35 miles southwest of the project site.
- Tenderloin Children's Playground (on Ellis Street between Hyde and Leavenworth Streets): An approximately 0.71-acre park containing a recreation center and playground, located approximately 0.32 miles east of the project site.

⁹⁴ San Francisco Planning Department, *Recreation and Open Space Element* (ROSE), April 2014. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf. Accessed February 2, 2016.

- Sergeant John Macaulay Park (at the intersection of Larkin and Myrtle Streets): An approximately 0.37-acre park containing a playground, located approximately 0.17 miles east of the project site.
- Turk-Hyde Mini Park (at the intersection of Turk and Hyde Streets): An approximately 0.18-acre park containing a playground, located approximately 0.34 miles southeast of the project site.

As noted above, the ROSE identifies portions of Van Ness Avenue as a “high needs area” of the city. The ROSE defines a “high needs area” of the city as an area “with high population densities, high concentrations of seniors and youth, and lower income populations that are located outside of existing park service areas.”⁹⁵ As shown on Maps 4a through 4c of the ROSE, the project site is located within the ½-mile service area of “Active Use/Sports Fields” and “Passive Use/Tranquil Spaces” and the ¼-mile service area of “Playgrounds.” As shown on Maps 5a, 5c, and 5d in the ROSE, the project site is also within an area of the city that exhibits higher population densities and seniors relative to the city as a whole, although it is not within an area with higher percentages of children and youth. The project site also is within an area with a lower percentage of low-income households relative to the city as a whole (Map 5b) and an area designated to absorb future population growth (Map 6 of the ROSE). Based on these variables, a composite map was generated to identify areas of the city that receive priority when opportunities to acquire land for development of new parks arise and when funding decisions for the renovation of existing parks are made (Map 7 of the ROSE).⁹⁶ As shown on Map 7, the project site is not located along a portion of Van Ness Avenue that is within a “high needs area.”

The proposed project would involve demolition of an existing building and construction of a new residential building with 239 dwelling units and ground-floor retail. As described under Topic 2, Population and Housing, the proposed project would add 339 permanent residents on the project site, which would increase the demand for parks and recreational services in the project vicinity. The proposed project would provide passive recreational uses for the residents onsite, including three common open spaces that would be accessible to building residents only. One open space would be provided atop the building in the form of a commonly-accessible roof deck of approximately 5,260 square feet. A second open space would be provided on the 11th floor and would include a commonly-accessible outdoor terrace of approximately 4,090 square feet that would be open to the sky at the southwest corner of the building. The third common open space would be the approximately 1,960-square-foot courtyard area at the residential entrance on the northeast side of the building fronting Myrtle Street. In addition, residents of the proposed residential units would be within walking distance of the above-noted open spaces.

The project site is not located within a high needs area of the city, as designated by SFRPD. With the availability of open space on and in the immediate vicinity of the project site, and given that the population growth due to the proposed project would be incremental, project-generated demand could be accommodated by the existing local resources and regional recreational resources, such as Jefferson Square Park, James P. Lang Field, Margaret S. Hayward Playground, Tenderloin Children’s Playground,

⁹⁵ San Francisco Planning Department, ROSE, April 2014, p. 13. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed May 23, 2016.

⁹⁶ ROSE, April 2014, Maps 4 through 7. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed May 23, 2016.

Sergeant John Macaulay Park, Turk-Hyde Mini Park, Golden Gate Park. Overall, the proposed project would not create a substantial increase in the use of existing neighborhood or regional recreational facilities such that physical deterioration or degradation of existing facilities would occur, nor would it result in the need for the expansion or construction of recreational facilities. Therefore, this impact would be less than significant and no mitigation measures are necessary.

Impact C-RE: The proposed project, in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to recreational resources. (Less than Significant)

Past, present, and reasonably foreseeable future projects located within a ¼-mile radius of the project site are identified in Table 2 and mapped on Figure 11. As discussed under Topic 2, Population and Housing, these projects would add approximately 1,419 new residents within 999 dwelling units in the project vicinity. Overall, these approved and proposed projects, when combined with the proposed project, would add 1,758 new residents in the project vicinity, which would represent a residential population increase of 22 percent. Recreational facility use in the project area would most likely increase with the development of the proposed project, as well as the past, present, and reasonably foreseeable future projects identified in Table 2. However, it is not anticipated that this added population would increase the use of existing neighborhood and regional parks or other recreational facilities to such an extent that substantial physical deterioration of those facilities would occur. In addition, not all residents would necessarily use local parks and that other recreational opportunities are available citywide.

Moreover, the added residential population as a result of development of the proposed and cumulative projects also would not require the construction or expansion of recreational facilities, nor would it physically degrade existing recreational resources. Each project identified in Table 2 would be subject to compliance with the City's open space requirements, as defined in Section 135 of the *Planning Code*, regarding provision of public and/or private open space to partially meet the demand for recreational resources from future residents of those projects. Also, in June 2016, San Francisco voters approved Proposition B, which extends until 2046 a funding set-aside in the City budget for SFRDP and also provides for annual increases through 2026-2027 in General Fund monies provided to SFRPD, meaning that, going forward, SFRPD will have additional funding for programming and park maintenance.⁹⁷ For these reasons, when considered in combination with other past, present, or reasonably foreseeable future projects, the proposed project would not result in a cumulatively considerable contribution to impacts on recreation, and the impact would be less than significant.

⁹⁷ Unofficial election results from the San Francisco Registrar of Voters website, reviewed June 11, 2016: <http://www.sfelections.org/results/20160607/>.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
10. UTILITIES AND SERVICE SYSTEMS — Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is within an urban area that is served by utility service systems, including water, wastewater and storm water collection and treatment, and solid waste collection and disposal. The proposed project would add new daytime and nighttime population to the site that would increase the demand for utilities and service systems on the site. However, as discussed under Topic 2, Population and Housing, the growth associated with the proposed project would not be in excess of growth planned for the project area.

Impact UT-1: The proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, would not exceed the capacity of the wastewater treatment provider serving the project site, or require construction of new stormwater drainage facilities, wastewater treatment facilities, or expansion of existing facilities. (Less than Significant)

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater treatment and management for the east side of the city, including the project site. As described in Impact PH-1 under Topic 2, Population and Housing, the proposed project would add 339 residents and 15 employees to the project site, which would increase the amount of wastewater generated at the project

site by approximately 18,373 gallons per day.⁹⁸ This increase would not be substantial and would represent only a 0.03 percent increase in the Southeast Water Pollution Control Plant's average daily treatment capacity of 60,000,000 gallons per day.⁹⁹ In addition, the proposed project would incorporate water-efficient fixtures, as required by Title 24 of the *California Code of Regulations* and the San Francisco Green Building Ordinance. Compliance with these regulations would reduce wastewater flows and the amount of potable water used for building functions. The incorporation of water-efficient fixtures into new development is also accounted for by the SFPUC, because widespread adoption can lead to more efficient use of existing capacity.

The proposed project would also meet the wastewater pre-treatment requirements of the SFPUC, as required by the San Francisco Industrial Waste Ordinance in order to meet Regional Water Quality Control Board requirements (see discussion under Impact HYD-1, under Topic 14, for additional stormwater management requirements).¹⁰⁰ Although the proposed project would add new residents and employees to the project site, this additional population is not beyond the growth projections included in long range plans. Therefore, the incremental increase in the demand for wastewater would not require construction of new wastewater treatment facilities or expansion of existing facilities.

The project site is currently covered with impervious surfaces and the proposed project would not create any additional impervious surfaces; therefore, the proposed project would not result in an increase in stormwater runoff. Compliance with the City's Stormwater Management Ordinance, adopted in 2010 and amended in 2016, and the 2016 Stormwater Management Requirements and Design Guidelines would require the proposed project to reduce or eliminate the existing volume and rate of stormwater runoff discharged from the project site. Since the proposed project is located on a site that has more than 50 percent impervious surface at present, the proposed project would create or replace more than 5,000 square feet of impervious surface, and the project site is served by the combined sewer system, the stormwater management approach must reduce the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm. The Stormwater Management Requirements set forth a hierarchy of best management practices (BMPs) to meet the stormwater runoff requirements. First priority BMPs involve reduction in stormwater runoff through approaches such as rainwater harvesting and reuse (e.g., for toilets and urinals and/or irrigation); infiltration through a rain garden, swale, trench, or basin; or through the use of permeable pavement or a green roof. Second priority BMPs include biotreatment approaches such as the use of flow-through planters or, for large sites, constructed wetlands. Third priority BMPs, only permitted under special circumstances, involve use of a filter to treat stormwater.

⁹⁸ The 95 percent of water use (see Impact UT-2) assumed to be discharged to the combined sewer system is consistent with the SFPUC's standard assumption for multi-family residential buildings (SFPUC, "Wastewater Service Charge Appeal" webpage: <http://www.sfwater.org/index.aspx?page=132>; reviewed February 28, 2016). The SFPUC assumes that non-residential (and single-family residential) uses discharge 90 percent of water used to the combined sewer. The 95 percent figure is used here for purposes of a conservative assessment of combined sewer system demand.

⁹⁹ SFPUC, *San Francisco's Wastewater Treatment Facilities*, June, 2014. Available online at <http://sfwater.org/modules/showdocument.aspx?documentid=5801>, accessed May 30, 2016.

¹⁰⁰ City and County of San Francisco, Ordinance No. 19-92, *San Francisco Municipal Code* (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

To achieve compliance with the Stormwater Management Requirements, the proposed project would implement and install appropriate stormwater management systems, such as Low Impact Design approaches, rainwater reuse, cistern, and green roofs that would manage stormwater on-site and limit demand on both collection system and wastewater facilities resulting from stormwater discharges. A Stormwater Control Plan would be designed for review and approval by the SFPUC. The Stormwater Control Plan would also include a maintenance agreement that must be signed by the project sponsor to ensure proper care of the necessary stormwater controls. Therefore, the proposed project would not substantially increase the amount of stormwater runoff to the extent that existing facilities would need to be expanded or new facilities would need to be constructed; as such, the impacts would be less than significant.

Overall, while the proposed project would add to sewage flows in the area, it would not cause collection treatment capacity of the sewer system in the city to be exceeded. The proposed project also would not exceed wastewater treatment requirements of the Regional Water Quality Control Board, and would not require the construction of new wastewater/stormwater treatment facilities or expansion of existing ones. Therefore, since the proposed project would not require the construction of new or expanded wastewater or stormwater collection, conveyance or treatment facilities that could have a significant impact on the environment, the impact would be less than significant.

Impact UT-2: The SFPUC has sufficient water supply available to serve the project from existing entitlements and resources, and the proposed project would not require expansion or construction of new water supply resources or facilities. (Less than Significant)

As noted above, the proposed project would add residential and retail uses to the project site, which would increase the demand for water on the site, but not in excess of amounts planned and provided for in the project area. The SFPUC currently provides an average of approximately 219 million gallons of water to 2.6 million uses in Tuolumne, Alameda, Santa Clara, San Mateo, and San Francisco counties.¹⁰¹ The proposed project's 339 new residents and 15 employees would use an estimated 16,340 gallons of water per day.¹⁰² The SFPUC's 2010 *Urban Water Management Plan* and 2013 *Water Availability Study for the City and County of San Francisco* uses 2035 growth projections that were prepared by the Planning Department and ABAG to estimate future water demand.¹⁰³ The SFPUC estimates an additional 500,000 million gallons of water per day will be needed to meet future demand.¹⁰⁴ The population generated by the proposed project would account for 3.4 percent of this additional demand. Therefore, while the

¹⁰¹ SFPUC, 2013 *Water Availability Study for the City and County of San Francisco*, May 2013, p. 2. Available online at <http://www.sfwater.org/modules/showdocument.aspx?documentid=4168>, accessed May 28, 2016

¹⁰² SFPUC, 2010 *Urban Water Management Plan for the City and County of San Francisco*, June 2011, p. 34 and Appendix D. The current consumption rate for residents in San Francisco is 50 gallons of water per capita. The consumption rate for retail employees is 53.9 gallons per day. The anticipated new residential population of 339 residents x 50 gallons per day yields 16,950 gallons per day; the 15 employees x 53.9 gallons per day yields 793 gallons per day. A 9 percent water loss factor is also included in the total water usage. Therefore, anticipated total gallons per day usage for the proposed project would be 16,950 + 793 + 1,597 (9 percent of 18,993) = 16,340.15 or 16,340 gallons per day. Available online at <http://sfwater.org/modules/showdocument.aspx?documentid=1055>, accessed May 28, 2016.

¹⁰³ SFPUC, 2013 *Water Availability Study for the City and County of San Francisco*, May 2013, p. 16. Available online at <http://www.sfwater.org/modules/showdocument.aspx?documentid=4168>, accessed May 28, 2016.

¹⁰⁴ *Ibid.*, p.17.

proposed project would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated within anticipated water use and supply. Although the proposed project could be served by existing mains and no new or larger mains would be required, more than 22,000 feet of new water mains will be installed along Van Ness Avenue as part of the Van Ness Avenue Improvement Project, which would serve the project site.¹⁰⁵

The proposed project would also be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the San Francisco Green Building Ordinance. The project site is not located within a designated recycled water use area, as defined in the Recycled Water Ordinance 390-91 and 393-94; however, pursuant to the Non-potable Water Ordinance (Ordinance 109-15, approved July 2, 2015), if the proposed project's site permit is issued after November 1, 2016, it will be required to install a recycled water system and to use non-potable water (Rainwater, Graywater, Foundation Drainage, and/or treated Blackwater) for toilet and urinal flushing.¹⁰⁶ Since the proposed project's water demand could be accommodated by the existing and planned supply and conveyance infrastructure, no expansion or construction of new water supply resources or facilities would be required and the proposed project would result in less-than-significant water supply impacts.

Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)

In September 2015, the City entered into a landfill disposal agreement with Recology, Inc. for disposal of all solid waste collected in San Francisco at the Recology Hay Road Landfill in Solano County for nine years or until 3.4 million tons have been disposed whichever occurs first. The City would have an option to renew the agreement for a period of six years or until an additional 1.6 million tons have been disposed, whichever occurs first.¹⁰⁷ The Recology Hay Road Landfill is permitted to accept up to 2,400 tons per day of solid waste, at that maximum rate the landfill would have capacity to accommodate solid waste until approximately 2034. At present, the landfill receives an average of approximately 1,850 tons per day from all sources, with approximately 1,200 tons per day from San Francisco; at this rate landfill closure would occur in 2041.¹⁰⁸ The City's contract with the Recology Hay Road Landfill is set to terminate in 2031 or when 5 million tons have been disposed, whichever occurs first. At that point, the City will either further extend the Recology Hay Road Landfill contract or find and entitle another landfill site. Therefore, the proposed project would be served by landfills with sufficient permitted capacity to accommodate its solid waste disposal needs, and would not have a significant impact related to solid waste disposal.

¹⁰⁵ Available online at <https://www.sfmta.com/projects-planning/projects/van-ness-improvement-project#details>, accessed May 31, 2016.

¹⁰⁶ Graywater wastewater from bathtubs, showers, bathroom sinks, lavatories, clothes washing machines, laundry tubs, and the like. Blackwater is wastewater containing bodily or other biological wastes, such as from toilets, dishwashers, kitchen sinks, and utility sinks.

¹⁰⁷ San Francisco Planning Department, *Agreement for Disposal of San Francisco Municipal Solid Waste at Recology Hay Road Landfill in Solano County* Final Negative Declaration, Planning Department Case No. 2014.0653, May 21, 2015. Available online at: http://sfmea.sfplanning.org/2014.0653E_Revised_FND.pdf, accessed May 27, 2016.

¹⁰⁸ San Francisco Planning Department, *Agreement for Disposal of San Francisco Municipal Solid Waste at Recology Hay Road Landfill in Solano County* Final Negative Declaration, Planning Department Case No. 2014.0653, May 21, 2015. Available online at: http://sfmea.sfplanning.org/2014.0653E_Revised_FND.pdf, accessed May 27, 2016.

Impact UT-4: The construction and operation of the proposed project would comply with all applicable statutes and regulations related to solid waste. (No Impact)

The California Integrated Waste Management Act of 1989 requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment (DOE) showed the City generated approximately 872,000 tons of waste material in 2000. By 2010, that figure decreased to approximately 455,000 tons. Waste diverted from landfills is defined as recycled or composted. San Francisco has a goal of 75 percent landfill diversion by 2010 and 100 percent by 2020. As of 2009, 78 percent of San Francisco's solid waste was being diverted from landfills, having met the 2010 diversion target.

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. The *San Francisco Green Building Code* also requires certain projects to submit a recovery plan to the Department of the Environment demonstrating recovery or diversion of at least 75% of all demolition debris. Furthermore, the project would be required to comply with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. The Recology Hay Road landfill is required to meet federal, state, and local solid waste regulations. The proposed project would comply with the solid waste disposal policies and regulations identified above and the project would have no adverse impact with respect to solid waste statutes and regulations.

Impact C-UT: The proposed project would not make a considerable contribution to any cumulative significant effects related to utilities or service systems. (Less than Significant)

The cumulative development projects identified in Table 2 would incrementally increase demand on citywide utilities, such as water consumption, water and wastewater conveyance and treatment facilities, and solid waste services. As noted above, the SFPUC has accounted for such growth in its water demand and wastewater service projections, and the City has implemented various programs to achieve 100 percent landfill diversion by 2020. As with the proposed project, nearby cumulative development projects would be subject to water conservation, wastewater discharge, recycling and composting, and construction demolition and debris ordinances. Compliance with these ordinances would reduce the effects of nearby cumulative development projects. Moreover, the cumulative development projects in the project vicinity also would not result in a growth in population or employment that is in excess of planned growth for the project vicinity, the city, or the region. For these reasons, no cumulative impact on utilities or service systems would occur, and the proposed project would not contribute to a cumulatively considerable impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
11. PUBLIC SERVICES — Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project's impacts to parks and open spaces are discussed under Topic 9, Recreation. Impacts on other public services are discussed below.

Impact PS-1: The proposed project would not result in an increase in demand for police protection, fire protection, schools, or other services to an extent that would result in substantial adverse physical impacts associated with the construction or alteration of governmental facilities. (No Impact)

Police Protection

The proposed project would result in more intensive use of the project site than currently exists, and thus would likely incrementally increase police service calls in the project area. Police protection is provided by the Northern Police Station located at 1125 Fillmore Street (between Turk Street and Golden Gate Avenue), approximately 0.66 miles southwest of the project site. Although the proposed project could increase the number of calls received from the area, the increase in responsibilities would not be substantial in light of the existing demand for police protection services. The Northern Station would be able to provide the necessary police services and crime prevention in the area.¹⁰⁹ Meeting this additional service demand would not require the construction of new police facilities that could cause significant environmental impacts. Hence, the proposed project would have no adverse impact related to the provision of police services.

Fire Protection

The proposed project would result in more intensive use of the project site than currently exists, and thus, as with police service calls, would likely incrementally increase fire service calls in the project area. The project site receives fire protection services from the San Francisco Fire Department (SFFD). Fire stations located nearby include Station 3, at 1067 Post Street (near the corner of Post and Polk Streets, approximately 0.15 miles northeast of the project site), and Station 5, at 1301 Turk Street (at Webster Street approximately 0.56 miles west of the project site). Although the proposed project would likely increase the number of calls received from the area, the increase in responsibilities would not be substantial in light of existing demand for fire protection services.

¹⁰⁹ San Francisco Police Department, *2014 Annual Report*, p. 118. Available online at <http://sanfranciscopolice.org/annual-reports>, accessed May 28, 2016.

Furthermore, the proposed project would be required to comply with all applicable building and fire code requirements, which identify specific fire protection systems, including, but not limited to, the provision of state-mandated smoke alarms, fire alarm and sprinkler systems, fire extinguishers, required number and location of egress with appropriate distance separation, and emergency response notification systems. Compliance with all applicable building and fire codes, would further reduce the demand for Fire Department service and oversight.

Given that the proposed project would not result in a fire service demand beyond the projected growth for the area or the city, the proposed project would not result in the need for new fire protection facilities, and would have no adverse impact on the physical environment related to the construction of new or physically altered fire protection facilities.

Schools

A decade-long decline in San Francisco Unified School District (SFUSD) enrollment ended in the 2008-2009 school year, and total enrollment in the SFUSD has increased to nearly 53,095 in the 2014-2015 school year.¹¹⁰ According to a 2010 SFUSD enrollment study, new market-rate condominium units in San Francisco generate very few public school students. In projecting enrollment through 2035, the study used a mix of enrollment factors; for the Market and Octavia and Transbay areas combined, the overall weighted student generation rate was 0.19 Kindergarten through 12th grade students per unit. Applying that rate to the proposed project's 239 dwelling units would result in an enrollment increase in the SFUSD of approximately 45 students.

The Tenderloin Community Elementary School, at 627 Turk Street (about 0.21 miles southeast of the project site), Redding Elementary School, at 1421 Pine Street (about 0.33 miles northeast of the project site), and Rosa Parks Elementary School, at 1501 O'Farrell Street (about 0.46 miles west of the project site) are the nearest public elementary schools to the project site. The closest middle schools are Civic Center Secondary School, at 727 Golden Gate Avenue (about 0.62 miles south of the project site), and Bessie Carmichael School at 824 Harrison Street (about 1.19 miles southeast of the project site). Gateway High School and Wells Ida B. High School are both located within about one mile of the project site. The proposed project, a mix of commercial and residential uses, would incrementally increase the number of school-aged children that would attend public schools in the project area, by a total of about 45 students, as noted above. However, this increase would not exceed the projected student capacities that are expected and provided for by the San Francisco Unified School District, and private schools in the project area. Therefore, the implementation of the proposed project would not necessitate the need for new or physically altered schools.

¹¹⁰ California Department of Education, Data Reporting Office, San Francisco Unified School District, K-12 Public School Enrollment, Most Current Enrollment. Available on the internet at: [http://web.sfusd.edu/Services/research_public/rpa_student_enrollment/SFUSD%20School%20Site%20List%20and%20Summary-%20Student%20Enrollment%20\[Most%20Current\].pdf](http://web.sfusd.edu/Services/research_public/rpa_student_enrollment/SFUSD%20School%20Site%20List%20and%20Summary-%20Student%20Enrollment%20[Most%20Current].pdf). Reviewed January 23, 2016.

Since the proposed project would not result in a substantially increased demand for school facilities, and would not require new or expanded school facilities the proposed project would have no adverse impact related to the construction of new or physically altered school facilities.

Other Government Services

The proposed project would incrementally increase demand for governmental services and facilities such as public libraries; however, the proposed project would not be of such a magnitude that the demand could not be accommodated by existing facilities. Therefore, the proposed project would have no adverse impact related to the construction or physical alteration of governmental service facilities.

Impact C-PS: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not result in significant physical impacts on the environment associated with the construction or alteration of public service facilities. (Less than Significant)

Development of the proposed project in conjunction with the cumulative projects identified within a ¼-mile radius of the project site in Table 2 and projected population growth in the project area and within the city would increase overall demand for police protection, fire protection, schools, and other government services, such as public libraries. However, this increase would not be considerable since this growth would not exceed growth projections for the area or the region, as discussed under Topic 2, Population and Housing, and the San Francisco Police Department, SFFD, the SFUSD, and other agencies have accounted and planned for such growth in order to continue to provide public services to San Francisco residents.

Further, the proposed project would contribute to an increased demand for police services provided by the Northern Station and fire services provided by Fire Stations 3 and 5, but the increased demand would not require the construction of new facilities or the expansion of existing facilities. Similarly, the proposed and cumulative projects in the vicinity would increase demand for schools and other government services, such as libraries, but again, this increase would not require the construction of new facilities or the expansion of existing facilities. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a considerable cumulative impact on public services such that new or expanded facilities would be required, and this impact would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
12. BIOLOGICAL RESOURCES — Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
12. BIOLOGICAL RESOURCES — Would the project:					
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is located within a built urban environment. As such, the project area does not include riparian habitat or other sensitive natural communities as defined by the California Department of Fish and Wildlife and the United States Fish and Wildlife Service; therefore, Question 12b is not applicable to the proposed project. In addition, the project area does not contain any wetlands as defined by Section 404 of the Clean Water Act; therefore Question 12c is not applicable to the proposed project. Moreover, the proposed project does not fall within any local, regional or state habitat conservation plans; therefore, Question 12f is also not applicable to the proposed project.

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species, riparian habitat or sensitive natural communities, and would not interfere substantially with any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Less than Significant)

The project site is fully developed and located within a built urban environment. Currently, the project site is entirely covered with impervious surfaces and does not provide habitat for any rare or endangered plant or animal species. Thus, the proposed project would not affect any sensitive plant or wildlife species or habitats; nor would it interfere substantially with any native resident or migratory species, or species movement or migratory corridors.

Migrating birds do pass through San Francisco. Nesting birds, their nests, and eggs are fully protected by *California Fish and Game Code* (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). Although the proposed project would be subject to the MBTA, the site does not contain habitat supporting migratory birds.

The location, height, and material of buildings, particularly transparent or reflective glass, may present risks for birds as they travel along their migratory paths. The City has adopted guidelines to address this issue and provided regulations for bird-safe design within San Francisco. *Planning Code*, Section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes.¹¹¹ The project site is not located in an Urban Bird Refuge, so the standards concerning location-related hazards are not applicable to the proposed project.¹¹² The proposed project would comply with the building feature-related hazards standards of Section 139 by using bird-safe glazing treatment on 100 percent of any building feature-related hazards.

Overall, the proposed project would be subject to and would comply with City-adopted regulations for bird-safe buildings and federal and State migratory bird regulations; therefore, the proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors, and the impact would be less than significant.

Impact BI-2: The proposed project would not conflict with the City's local tree ordinance. (Less than Significant)

The City's Urban Forestry Ordinance, *Public Works Code* Sections 801 et. seq., requires a permit from Public Works to remove any protected trees. Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. The designations are defined as follows:

- A landmark tree is designated by the Board of Supervisors following nomination of a tree by the Urban Forestry Council based on a written request from a property owner or the director of any City agency, or by the Board of Supervisors, Planning Commission, or Landmarks Preservation Advisory Board. The Urban Forestry Council determines whether a nominated tree meets the qualification for landmark designation by using established criteria set forth in Section 810(f)(4)(A)-(E) of the *Public Works Code*. Special permits are required to remove a landmark tree on private property or on City-owned property.
- A significant tree is defined either on property under the jurisdiction of the Public Works, or on privately-owned property with any portion of its trunk within 10 feet of the public right-of-way and that satisfies at least one of the following criteria: a) diameter at breast height (DBH) in excess

¹¹¹ San Francisco Planning Department, *Standards for Bird-Safe Buildings*, July 14, 2001. Available online at http://208.121.200.84/ftp/files/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf, accessed on May 28, 2016.

¹¹² San Francisco Planning Department, *Urban Bird Refuge Map*. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Urban_Bird_Refuge_Poster.pdf, accessed May 28, 2016.

of 12 inches, (b) a height in excess of 20 feet, or (c) a canopy in excess of 15 feet.¹¹³ The removal of significant trees on privately-owned property is subject to the requirements for the removal of street trees. The Director of Public Works may authorize removal of a significant tree after only after factors such as size, age, species, visual and aesthetic characteristics, cultural and historic characteristics, or ecological characteristics have been considered (Section 810A (c)).

- Street trees are trees within the public right-of-way or on land within the jurisdiction of the Public Works. Their removal by abutting property owners requires a permit (Section 806(b)(3)).

Five existing street trees are located on Van Ness Avenue in front of the existing building, and seven existing street trees are located on Myrtle and O'Farrell Streets. As part of the proposed project most or all of these trees are proposed to be removed and replaced depending on construction conflicts and the health of the trees. Although none of the trees located on the project site are landmark trees or significant trees, removal of the street trees would require a permit per Section 806(b)(3) of the *Public Works Code*.

Tree removal activities could potentially disturb nesting birds that are protected under the *California Fish and Game Code* or the MBTA. For the purposes of CEQA, a project that has the potential to substantially reduce the habitat, restrict the range, or cause a population of a native bird species to drop below self-sustaining levels could be considered a potentially significant biological resource impact requiring mitigation.¹¹⁴ Although removal of trees on the project site could have an adverse impact on nesting birds, compliance with the requirements of the *Fish and Game Code* and the MBTA would ensure that there would be no loss of active nests or bird mortality. The requirements include one or more of the following:

- Tree removal and pruning activities would be conducted outside bird nesting season (January 15–August 15) to the extent feasible;
- If tree removal activities are proposed during the breeding season (March through August), preconstruction surveys would be conducted by a qualified biologist within 15 days prior to the start of work from March through May, or 30 days prior to the start of work from June through August, to determine if any birds are nesting in or in the vicinity of any vegetation that is to be removed for the construction to be undertaken. If active nests are located during the preconstruction bird nesting survey, the project sponsor would contact the California Department of Fish and Wildlife for guidance on avoiding any adverse impacts on the nesting birds, such as establishing a construction-free buffer zone that would be maintained until the nestlings have fledged.

In addition, Section 806(d)(2) requires that for every 20 feet of property frontage along each street, one 24-inch box tree be planted, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. As part of the proposed project, all seven street trees on Myrtle Street would be removed. Some or potentially most of the street trees on Van Ness Avenue and O'Farrell Street also would be removed depending on construction conflicts and the health of the trees. Trees that would be removed on Van Ness Avenue and O'Farrell Street would be replaced, and a minimum of 13 additional new trees would be planted along the project sidewalks on all three frontages, as well as on the north side of Myrtle Street, in

¹¹³ *Public Works Code*, Section 810A (a).

¹¹⁴ *California Fish and Game Code* Section 3503; Section 681, Title 14, *California Code of Regulations*.

accordance with *Public Works Code* Section 806. Because the proposed project would not conflict with the City's local tree ordinance, this impact would be less than significant.

Impact C-BI: The proposed project in combination with other past, present or reasonably foreseeable projects, would not result in significant impacts to biological resources. (Less than Significant)

The cumulative development projects noted in Table 2, coupled with projected local and regional growth, would result in an overall intensification of land uses within a dense urban environment, as is typical with infill development. San Francisco does not currently support any candidate, sensitive, or special-status species, any riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

The proposed project, and other nearby development projects could add a number of tall buildings that could, in the event of a bird-strike collision(s), potentially injure or kill birds. In addition, nearby cumulative development projects would likely result in the removal of existing street trees and/or other vegetation. However, as with the proposed project, nearby cumulative development projects would also be subject to the MBTA, which protects special-status bird species; the *California Fish and Game Code*; and the bird-safe building and urban forestry ordinances. As with the proposed project, compliance with these ordinances would reduce the effects of development projects to less-than-significant levels.

In summary, as noted above, implementation of the proposed project combined with other past, present, and reasonably foreseeable projects would not modify any natural habitat and would have no impact on any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community; and/or would not conflict with any local policy or ordinance protecting biological resources or an approved conservation plan. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to result in a significant cumulative impact related to biological resources. Therefore, cumulative impacts to biological resources would be less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
13. GEOLOGY AND SOILS — Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property? ¹¹⁵	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site would be connected to the existing sewer system and would not require use of septic systems. Therefore, Question 13e would not be applicable to the project site.

The project site is generally underlain by sand fill and native dune sand overlying the Colma formation.¹¹⁶ Fill thickness varies from 0 to 2 feet in borings that were drilled within what is now the current building footprint to about 5 to 10 feet in the borings in the streets that were advanced as part of the more recent investigation. Fill thickness may be greater in areas with existing utility trenches and behind basement walls. The fill generally consists of loose, fine-grained sand with varying amounts of brick and concrete rubble. The dune sand is generally loose to medium dense near the top of the layer

¹¹⁵ Note that the current *California Building Code* is no longer based on the *Uniform Building Code* but rather the *International Building Code* but nonetheless still contains relatively similar guidance on expansive soils.

¹¹⁶ Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue, San Francisco, CA*, August 7, 2015.

and increases in density with depth. Where explored, the dune sand is dense to very dense below a depth of 10 to 15 feet below street grade. The dune sand is underlain by dense to very dense sands with varying amounts of clay and thin, interbedded layers of very stiff to hard clay with varying amounts of sand.¹¹⁷ Groundwater was reportedly observed at a depth of approximately 30 feet in 1964, but during the recent investigation was found to be at approximately 80 feet below street grade.

Impact GE-1: The proposed project would not result in exposure of people and structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground-shaking, liquefaction, lateral spreading, or landslides. (Less than Significant)

According to published data based on the California Geological Survey, there are no known active faults, or extensions of active faults, that exist beneath or in close proximity to the project site.¹¹⁸ Therefore, the potential for surface rupture to occur at the site is very low, and impacts are considered less than significant.

However, the San Francisco Bay Region has a number of active faults which all have a potential for causing strong seismic ground shaking. The site is located within a 40 mile radius of several major active faults, including the San Andreas (7 miles), San Gregorio (11 miles), and Hayward (11 miles) fault lines. According to the U.S. Geological Survey, the overall probability of moment magnitude 6.7 or greater earthquake to occur within the San Francisco Bay Region during the next thirty years, beginning in 2014, is 72 percent.¹¹⁹ Therefore, there is a potential that a strong to very strong earthquake would, potentially affect the project site during its lifetime. The severity of the event would depend on a number of conditions including distance to the epicenter, depth of movement, length of shaking, and the properties of underlying materials.

ABAG has classified the Modified Mercalli Intensity Shaking Severity Level of ground shaking in the proposed project vicinity, due to an earthquake on the North San Andreas Fault, as “VIII-Very Strong.”¹²⁰ Very strong shaking would result in damage to some masonry buildings, fall of stucco and some masonry walls, fall of chimneys and elevated tanks, and shifting of unbolted wood-frame structures off of their foundations. In accordance with the *San Francisco Building Code* requirement, a design-level Geotechnical Investigation would need to analyze the potential for strong seismic shaking at the project site, and provide recommendations for seismic design considerations for the proposed project, in accordance either with the provisions of the 2013 *California Building Code* and/or City of San Francisco amendments to the *Building Code*. With implementation of these recommendations, as required by the *San Francisco Building Code*, the impacts to the proposed project due to strong seismic ground shaking would be less than significant.

¹¹⁷ Ibid.

¹¹⁸ Jennings, C. W., California Geological Survey, Geologic Data Map No. 6, Compilation and Interpretation by: Charles W. Jennings and William A. Bryant, 2010 *Fault Activity Map of California and Adjacent Areas*, also available at <http://www.quake.ca.gov/gmaps/FAM/faultactivitymap.html>, 2010.

¹¹⁹ United States Geological Survey (USGS) Uniform California Earthquake Rupture Forecast (UCERF3), Fact Sheet 2015-3009, *UCERF3: A New Earthquake Forecast for California's Complex Fault System*, <http://pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf>, March 2015.

¹²⁰ Association of Bay Area Governments. Earthquake Hazard Map for San Francisco Scenario: Entire San Andreas Fault System, <http://www.abag.ca.gov/cgi-bin/pickmapx.pl>. Accessed on January 27, 2016.

In general, liquefaction and lateral spreading of soils can occur when ground shaking causes saturated soils to lose strength due to an increase in pore pressure. The project site is not within a designated liquefaction hazard zone as shown on the California Geological Survey (CGS) seismic hazard zone map for the area titled State of California Seismic Hazard Zones, City and County of San Francisco, Official Map, dated November 17, 2000.¹²¹ Liquefaction tends to occur with saturated loose soils that are within 50 feet of ground surface. Review of the data on and near the site indicates that groundwater is greater than 50 feet beneath the ground surface and as a result the potential for liquefaction at the site is considered nil.¹²² Therefore, the potential for liquefaction to adversely affect the proposed project is less than significant.

With respect to landslides, based on the *General Plan*, the project site is characterized by a gentle slope and is not located within a mapped landslide zone.¹²³ The site is also not within a designated earthquake-induced landslide zone as shown on the CGS seismic hazard zone map for the area. Therefore, the proposed project would have no impact with respect to the potential for landslides.

Impact GE-2: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)

The project site slopes gently and is currently entirely covered with impervious surfaces. The proposed project would not substantially change the general topography of the project site or any unique geologic or physical features of the site. The proposed project would include demolition of the existing building and improvements and construction of the proposed mixed-use building with one below-grade level that will cover the majority of the site. The 31,646-square-foot (0.73-acre) project site would be under the one-acre threshold for a National Pollutant Discharge Elimination System (NPDES) General Construction Permit. However, the City would still require the project sponsor and its contractor to implement BMPs as part of their grading permit requirements that include erosion and sedimentation control measures, which would reduce short-term construction-related erosion impacts to less-than-significant levels.

Impact GE-3: The proposed project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)

The project site and vicinity do not include any hills or cut slopes that could cause or be subject to a landslide. Proposed project improvements include one- to three-story below grade levels, which would require shoring and underpinning to protect workers and nearby improvements. The final design of the foundation system would be included in a design level geotechnical investigation that is based on site specific data in accordance with building code requirements. According to the collected data, the soil exposed at the bottom of the proposed foundation is expected to generally consist of dense sand and/or very stiff clay that would be capable of supporting a mat foundation in accordance with industry

¹²¹ California Geologic Survey, *Seismic Hazard Zones, City and County of San Francisco, Official Map*, November 17, 2000.

¹²² Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue, San Francisco CA*, August 7, 2015.

¹²³ *San Francisco General Plan, Community Safety Element, Map 4*. Available online at: http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf. Accessed on January 16, 2016.

standards and building code requirements. If loose sand or weak clay is encountered at the bottom of the planned excavation, those materials would be removed and replaced with an engineered fill and compacted or filled with lean concrete.¹²⁴

During construction, excavation of the fill materials and dune sand would be necessary to construct the proposed basement levels of the structure. The final geotechnical investigation would include specific recommendations to be implemented during construction in order to prevent the dune sands from caving and to protect neighboring structures. Excavation activities would require the use of shoring and underpinning in accordance with the recommendations of the geotechnical report and *San Francisco Building Code* requirements. Groundwater was located at over 80 feet below ground surface (bgs) during the geotechnical investigation, although this depth may vary based on the season and the quantity of rainfall. Therefore, excavation for project construction would be unlikely to encounter groundwater. If, however, groundwater were encountered on-site during construction, dewatering activities would be necessary (albeit on a temporary basis) and would not have any effect on the stability of subsurface soils.

Adherence to *San Francisco Building Code* requirements would ensure that the project applicant include analysis of and mitigation for any potential impacts related to unstable soils as part of the design-level geotechnical investigation prepared for the proposed project; therefore, any potential impacts related to unstable soils would be less than significant.

Impact GE-4: The proposed project could be located on expansive soil, as defined in the California Building Code, creating substantial risks to life or property. (Less than Significant)

Expansive soils expand and contract in response to changes in soil moisture, most notably when near surface soils vacillate between a saturated, low-moisture, and a saturated, high-moisture content condition. The presence of expansive soils is typically determined based on site specific data. As noted above, the site is underlain primarily by sandy fills and dune sand with little clay content. Due to the low clay content within the dune sands, there would be a low likelihood for expansion. Regardless, the *San Francisco Building Code* includes a requirement that the project applicant include analysis of the potential for soil expansion as part of the design-level geotechnical investigation prepared for the proposed project. As a result of the data collected, already, in the preliminary geotechnical investigation, and the existing building code requirements (which the design-level geotechnical report would be required to comply with), any potential impacts related to expansive soils would be less than significant.

Impact GE-5: The proposed project would not substantially change the topography or any unique geologic or physical features of the site. (No Impact)

The existing project site and surrounding areas are already densely developed. The proposed project would not substantially change the topography of the site, with the exception of excavation for the

¹²⁴ Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue, San Francisco CA*, August 7, 2015.

underground garage. There are no unique geologic or physical features of the site. Therefore, no impact would occur to topographic or unique geologic or physical features.

Impact GE-6: The proposed project would not indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources as they represent a limited, non-renewable resource and once destroyed, cannot be replaced.

Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units that may be fossiliferous include sedimentary formations.

The project site is underlain by fill and dune sands to depths of approximately 30 to 40 feet below street grade.¹²⁵ Artificial fills do not contain paleontological resources and dune sands are originally derived from rocks, but have been altered, weathered, or reworked to a degree such that the discovery of intact fossils would be nearly impossible. Because the likelihood of accidental discovery of paleontological resources or unique geological features is small, there would be a less-than-significant impact on unique paleontological resources or geologic features. Therefore, the potential accidental discovery of paleontological resources or unique geologic features during construction would be a less-than-significant impact.

Impact C-GE: The proposed project would not make a considerable contribution to any cumulative significant effects related to geology or soils. (Less than Significant)

The potential for substantial adverse geology and soils effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground-shaking, liquefaction, lateral spreading, or landslides, for any potential land use development project is typically site-specific and localized and do not typically result in cumulative impacts, in consideration of the implementation of other local projects when combined with the proposed project. Therefore, the proposed project would not make a considerable contribution to related cumulative impacts, if any, and the potential impacts would be less than significant.

¹²⁵ Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue, San Francisco CA*, August 7, 2015.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
14. HYDROLOGY AND WATER QUALITY — Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is located well inland from both the San Francisco Bay and the Pacific Ocean, and is not subject to seiche or potential inundation in the event of a levee or dam failure or tsunami occurring along the San Francisco coast (Maps Five, Six and Seven of the Community Safety Element of the *General Plan*). In addition, the developed area of the project site would not be subject to mudflow. Thus, Question 14j does not apply. The project site is also not located within a 100-year flood hazard area designated on the City's interim floodplain map, and would not place housing or structures within a 100-year flood hazard

area that would impede or redirect flood flows.¹²⁶ Therefore, Questions 14g and 14h are also not applicable.

Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements and would result in less-than-significant impacts to water quality. (No Impact)

As discussed under Topic 10, Utilities and Service Systems, wastewater and stormwater from the project site would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained within the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay. Treatment would be provided pursuant to the effluent discharge standards included within the City's NPDES permit for the plant. Additionally, as new construction, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Stormwater Management Ordinance and meet the SFPUC stormwater management requirements per the 2016 Stormwater Management Requirements and Design Guidelines.

The project sponsor would be required to submit and have approved by the SFPUC a Stormwater Control Plan that complies with the City's 2016 Stormwater Management Requirements and Design Guidelines using a variety of best management practices (BMPs). As described under Topic 10, Utilities and Service Systems, for the proposed project, the stormwater management approach must reduce the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm through employment of a hierarchy of BMPs set forth in the Stormwater Management Requirements. Therefore, the proposed project would not substantially degrade water quality and water quality standards or waste discharge requirements would not be violated. Thus, the proposed project would have no adverse impact on water quality resources.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table. (No Impact)

The project site is currently almost entirely covered with impervious surfaces; thus, the proposed project would not increase the amount of impervious surface on the site. Therefore, the proposed project would not result in any change in infiltration or runoff on the project site. As noted above, groundwater was located at over 80 feet bgs, although this may vary with the seasons and quantity of rainfall. Also, as noted above, the proposed project would require excavation for the subterranean garage but such excavation would not extend below 80 feet bgs and would not likely reach the groundwater table. However, if groundwater were encountered during onsite excavation, dewatering activities would be necessary. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified regarding projects that necessitate dewatering. In this case, the SFPUC may require water analysis prior to discharge. The proposed project would be required to obtain a Batch Wastewater

¹²⁶ FEMA Preliminary Flood Insurance Rate Map, November 12, 2015. Available online at http://sfgsa.org/sites/default/files/Document/SF_NE.pdf, accessed May 30, 2016.

Discharge Permit from the SFPUC Wastewater Enterprise Collection System Division (WWE/CSD) prior to any dewatering activities.

Groundwater encountered during construction of the proposed project would be subject to the requirements of Article 4.1 of the *Public Works Code*, Industrial Waste, requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. These measures would ensure protection of water quality during construction of the proposed project and would represent a temporary condition on the underlying groundwater table. In addition, the project does not propose to extract any underlying groundwater supplies. Therefore, groundwater resources would not be substantially depleted, and the proposed project would not otherwise substantially interfere with groundwater recharge. Thus, the proposed project would have no adverse impact to groundwater.

Impact HY-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion, siltation, or flooding on- or off-site. (No Impact)

The project site is currently covered with impervious surfaces and no streams or creeks are present on the project site. The proposed project would be designed to incrementally reduce the amount of impervious surface on the project site through implementation of LID and other measures identified in the Stormwater Management Ordinance, which also requires a decrease in the amount of stormwater runoff associated with the proposed project per the City's drainage control requirement. Therefore, although the proposed project is expected to result in a slight decrease in the amount of impervious surface on the project site; overall, impervious surfaces on the site would not substantially change as part of the proposed project and drainage patterns would generally remain the same. As such, the proposed project would not be expected to result in substantial erosion or flooding associated with changes in drainage patterns; and potential to result in erosion or flooding would have no adverse impact.

Impact HY-4: The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)

During construction and operation of the proposed project, all wastewater and stormwater runoff from the project site would be treated at the Southeast Water Pollution Control Plant. As noted above, treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction and operation, the proposed project would be required to comply with all local wastewater discharge, stormwater runoff, and water quality requirements, including the 2016 San Francisco Stormwater Management Requirements and Design Guidelines, described above under Impact HY-1, and the Stormwater Management Ordinance. Compliance with the Stormwater Management Requirements and Design Guidelines would ensure that stormwater generated by the proposed project would be managed on-site to reduce the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm, such that the proposed project would not contribute

additional volumes of polluted runoff to the City's stormwater infrastructure. Compliance with the Stormwater Management Ordinance would ensure that the design of the proposed project would include installation of appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit discharges from the site from entering the City's combined stormwater/sewer system. Therefore, the proposed project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, this impact would be less than significant and no mitigation measures are necessary.

Impact HY-5: The proposed project would not exacerbate flooding conditions such that people or structures would be exposed to a significant risk from future flooding. (No Impact)

The City and County of San Francisco is a participant in the National Flood Insurance Program (NFIP). As a condition of participating in the NFIP, the City has adopted and enforces a Floodplain Management Ordinance intended to reduce the risk of damage from flooding in the city. The Floodplain Management Ordinance governs construction in flood-prone areas and designates the City Administrator's Office as the City's Floodplain Administrator.¹²⁷ The ground surface elevation at the site ranges from approximately 130 feet SFD at grade on Van Ness Avenue to approximately 157 feet SFD at the western site boundary. The project site is not located within a Special Flood Hazard Area identified on San Francisco's Interim Floodplain Map, nor is it adjacent to a shoreline that could be affected by sea-level rise.¹²⁸

The Planning Department considers whether projects located in areas prone to flooding – under existing conditions or future conditions with projected sea-level rise – would expose people or structures to significant risks due to flooding. However, in the *California Building Industry Association v. Bay Area Air Quality Management District* case, decided in 2015, the California Supreme Court determined that CEQA does not *generally* require lead agencies to consider how existing hazards or conditions might impact a project's users or residents, except where the project would exacerbate an existing environmental hazard.¹²⁹ Accordingly, hazards resulting from a project that places development in an existing or future flood hazard area are not considered impacts under CEQA unless the project would exacerbate the flood hazard.

The proposed project is not located an area identified as being prone to flooding hazards as a result of the depth of sewer lines relative to the ground surface elevation of the properties they serve.¹³⁰ The proposed project also would not exacerbate flooding conditions such that people or structures would be exposed to a significant risk from future flooding, because it would not increase the amount of impervious surface on, increase the volume of stormwater runoff from, or change drainage patterns on or around the project site.

¹²⁷ San Francisco Administrative Code, Article XX, Section 2A.280 through 2A.285. Available online at [http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$sync=1](http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1), accessed May 30, 2016.

¹²⁸ City and County of San Francisco, San Francisco Interim Floodplain Map, Northeast. Preliminary, November 12, 2015. Available on the internet at: http://sfgsa.org/sites/default/files/Document/SF_NE.pdf.

¹²⁹ *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369.

¹³⁰ San Francisco Planning Department, *Planning Director Bulletin No. 4: Review of Projects in Areas Prone to Flooding, April 2007*. Available online at http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf, accessed May 30, 2016.

Therefore, the proposed project would have no adverse impact related to flooding, and no mitigation measures are necessary.

Impact C-HY: The proposed project, in combination with other past, present, or reasonably foreseeable projects, would result in less-than-significant cumulative impacts to hydrology and water quality. (Less than Significant)

As stated above, the proposed project would result in no impacts or less-than-significant impacts related to water quality, groundwater levels, alteration of drainage patterns, capacity of drainage infrastructure, 100-year flood zones, failure of dams or levees, and/or seiche, tsunami, and/or mudflow hazards. The proposed project would adhere to the same water quality and drainage control requirements that apply to all land use development projects in San Francisco. Since all development projects would be required to follow the same drainage, dewatering and water quality regulations, as the proposed project, peak stormwater drainage rates and volumes for the design storm would gradually decrease over time with the implementation of new, conforming development projects, meaning that no substantial adverse cumulative effects with respect to drainage patterns, water quality, stormwater runoff, or stormwater capacity of the combined sewer system would occur.

Further, San Francisco's limited use of groundwater would preclude any significant adverse cumulative effects to groundwater levels, and the proposed project would not contribute to any cumulative effects with respect to groundwater. In general, hazards related to 100-year flood zones, failure of dams or levees, and/or seiche, tsunami, and/or mudflows are extremely unusual and are not considered to be substantive impacts in San Francisco such that any cumulative significant impacts would be anticipated, particularly in the interior areas of the city where the project site is located. Given that cumulative impacts are not anticipated since all development projects would be required to follow the same drainage, dewatering and water quality regulations as the proposed project, the proposed project would not contribute to any such cumulative effects. Thus, cumulative hydrology and water quality impacts would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
15. HAZARDS AND HAZARDOUS MATERIALS — Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
15. HAZARDS AND HAZARDOUS MATERIALS — Would the project:					
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Questions 15e and 15f are not applicable.

Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Less than Significant)

Construction activities would require the use of limited quantities of hazardous materials such as fuels, oils, solvents, paints, and other common construction materials. The City would require the project sponsor and its contractor to implement Best Management Practices (BMPs) as part of their grading permit requirements, including hazardous materials management measures, which would reduce the hazards associated with short-term construction-related transport, and use and disposal of hazardous materials to less-than-significant levels.

Once constructed, the proposed project would likely result in the use of common types of hazardous materials typically associated with retail and residential uses, such as cleaning products, disinfectants, and solvents somewhat similar to the uses currently occurring on the project site. These products are typically labeled to inform users of their potential risks and to instruct them in appropriate handling and disposal procedures. However, most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and

adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards resulting from hazardous materials. Thus, the project would result in less-than-significant impacts related to the use of hazardous materials.

Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)

The proposed project site is located in an area of San Francisco governed by Article 22A of the *San Francisco Health Code*, also known as the Maher Ordinance, which is administered and overseen by the San Francisco Department of Public Health (DPH).¹³¹ The project would disturb more than 50 cubic yards of soil through the proposed excavation for the subterranean garage and as a result is subject to the Maher Ordinance. The Maher Ordinance requires the preparation of a Phase I Environmental Site Assessment (ESA) by a qualified professional in accordance with the requirements of *Health Code* Section 22.A.6. The purpose of the Phase I is to determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency (or agencies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and an updated Phase I ESA has been prepared to assess the potential for site contamination.¹³² The Phase I ESA included: (1) a reconnaissance-level site visit to look for evidence of the release(s) of hazardous materials and petroleum products; (2) inquires by telephone, visit, online databases, and/or written correspondence to regulatory agencies regarding building or environmental permits, environmental violations, incidents and/or status of enforcement actions at the project site; (3) review local, state, and federal records pertinent to a Phase I ESA; (4) review of relevant documents and maps regarding local geologic and hydrogeologic conditions; and (5) review of historical documents including aerial photographs and topographical maps. A 2014 update to the original 2011 Phase I ESA included a new search of database records and otherwise confirmed that there were no changes from the 2011 report.

No observed evidence of any significant staining, spillage, and/or ponded liquids or unconfined solids was discovered on the project site during site reconnaissance. No recognized environmental conditions associated with the storage of hazardous materials at the project site were observed during a site reconnaissance for the Phase I. No potential underground storage tanks (USTs), fill ports, or groundwater

¹³¹ San Francisco Planning Department, "Expanded Maher Area" Map, February 2014. Available on the internet at: http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf.

¹³² All West, *Environmental Site Assessment, 1001 Van Ness Street, San Francisco, CA*, November 15, 2011 and *Environmental Site Assessment Update, 1001 Van Ness Street, San Francisco CA*, March 27, 2014.

monitoring wells were noted at adjacent properties. No apparent signs of chemical releases or leaks were noted at any of the nearby facilities.

According to the updated Phase I, the search of documented nearby off-site sources of chemical constituents were judged to have a very unlikely probability of affecting the environmental conditions at the site. The chief transport mechanism for the migration of off-site chemical impacts to the on-site environment would likely be groundwater flow. The Phase I ESA identified no sites in the EDR database report as having had an adverse environmental impact on the site. As a result, these listings are not expected to pose an environmental risk to the project site and are not discussed. The project site itself was not listed on any of the regulatory databases.

Asbestos-Containing Materials

The project site is occupied by a building that was constructed in 1967. Asbestos-containing materials (ACMs) were removed from the existing structure as part of previous building renovations during the 1990s.¹³³ According to the Phase I report, based on the date of construction of the building and the confirmed presence of ACMs during previous renovations, ACMs may still be present in building materials that could become airborne as a result of demolition disturbance.

The California Department of Toxic Substance Control considers asbestos hazardous, and removal of ACMs is required prior to demolition or construction activities that could result in disturbance of these materials. Asbestos-containing materials must be removed in accordance with local and state regulations, BAAQMD, the California Occupational Safety and Health Administration (Cal OSHA), and California Department of Health Services requirements.

Specifically, Section 19827.5 of the *California Health and Safety Code* requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California legislature vests the BAAQMD with the authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and the BAAQMD is to be notified 10 days in advance of any proposed demolition or abatement work. Any asbestos-containing material disturbance at the project site would be subject to the requirements of BAAQMD Regulation 11, Rule 2: Hazardous Materials—Asbestos Demolition, Renovation, and Manufacturing. The local office of Cal OSHA must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in Title 8 of *California Code of Regulations* Section 1529 and Sections 341.6 through 341.14, where there is asbestos related work involving 100 gsf or more of asbestos-containing material. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California

¹³³ Ibid.

law, DBI would not issue the required permit until the applicant has complied with the requirements described above.

These regulations and procedures already established as part of the building permit review process would ensure that any potential impacts due to asbestos would be reduced to a less-than-significant level.

Lead-Based Paint

Similar to ACMs, lead-based paint was identified through earlier renovations and may still be present in areas that have not been renovated.¹³⁴ Work that could result in disturbance of lead paint must comply with Section 3426 of the *San Francisco Building Code*, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to 1979, Section 3426 requires specific notification and work standards, and identifies prohibited work methods and penalties. (The reader may be familiar with notices commonly placed on residential and other buildings in San Francisco that are undergoing re-painting. These notices are generally affixed to a drape that covers all or portions of a building and are a required part of the Section 3426 notification procedure.)

Section 3426 applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and child care centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the U.S. Department of Housing and Urban Development Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The ordinance also includes notification requirements and requirements for signs. Prior to the commencement of work, the responsible party must provide written notice to the Director of DBI, of the address and location of the project; the scope of work, including specific location within the site; methods and tools to be used; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, owner-occupied or rental property; the dates by which the responsible party has fulfilled or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include a Posted Sign notifying the public of restricted access to the work area, a Notice to Residential Occupants, Availability of Pamphlet related to

¹³⁴ Ibid.

protection from lead in the home, and Notice of Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3426 contains provisions regarding inspection and sampling for compliance by DBI, as well as enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

Demolition would also be subject to the Cal OSHA Lead in Construction Standard (8 CCR Section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA would require 24-hour notification if more than 100 square feet of materials containing lead would be disturbed.

Implementation of procedures required by Section 3426 of the *Building Code* and the Lead in Construction Standard would ensure that potential impacts of demolition or renovation of structures with lead-based paint would be less than significant.

Based on mandatory compliance with existing regulatory requirements and the information and conclusions from the Phase I, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and/or groundwater, asbestos, or lead-based paint, and the proposed project would result in a less-than-significant impact with respect to these hazards.

Impact HZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school. (Less than Significant)

Several schools are located within a quarter-mile of the project site, including the following: Sacred Heart Cathedral Academy, at 1055 Ellis Street, about 680 feet southwest (0.13 miles) of the project site; Alliance-MSN District Catholic School, at 1 Peter Yorke Way, about 670 feet (0.13 miles) northwest of the project site; and Tenderloin Community Elementary School, about 0.25 miles southeast of the project site.

However, as noted above, the proposed project would not result in the storage, handling, or disposal of significant quantities of hazardous materials and would not otherwise include any uses that would result in the emission of hazardous substances. Any hazardous materials currently on the site, such as asbestos and lead-based paint would be removed during, or prior to, demolition of the existing building and prior to project construction, and would be handled in compliance with applicable laws and regulations as described above. With adherence to these regulations, there would be no potential for such materials to affect the nearest school. Thus, the proposed project would have a less-than-significant impact related to hazardous emissions or the handling of hazardous materials within a quarter-mile of a school.

Impact HZ-4: The proposed project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (No Impact)

The project site was not included on any available environmental databases as determined by the EDR database search compiled for the updated Phase I report which includes databases maintained by the EPA, California Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board pursuant to *California Government Code* Section 65962.5. The project site is not listed in database reports from state and federal regulatory agencies that identify businesses and properties that handle or have released hazardous materials and/or waste.¹³⁵ Therefore, the proposed project would have no impact related to this criterion.

Impact HZ-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires, nor interfere with the implementation of an emergency response plan. (Less than Significant)

San Francisco ensures fire safety primarily through provisions of the *Building* and *Fire Codes*. Final building plans are reviewed by the San Francisco Fire Department (as well as the DBI), to ensure conformance with these provisions. In this way, potential fire hazards, including those associated with hydrant water pressures and emergency access, would be mitigated during the permit review process. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of, or physically interfere with an adopted emergency response or emergency evacuation plan or expose people or structures to a significant risk of loss, injury or death involving fires. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-HZ: The proposed project would not make a considerable contribution to any cumulative significant effects related to hazardous materials. (Less than Significant)

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts. Any potential hazards occurring at nearby sites would be subject to the same safety and/or remediation requirements discussed for the proposed project, above, which would reduce any hazardous effects to less-than-significant levels. As such, no cumulative impacts would occur, and the proposed project's impacts related to hazards and hazardous materials, both individually and cumulatively, would be less than significant.

¹³⁵ All West, *Environmental Site Assessment Update, 1001 Van Ness Street, San Francisco CA*, March 27, 2014.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
16. MINERAL AND ENERGY RESOURCES — Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All land in the City of San Francisco, including the project site, is designated by the CGS as Mineral Resource Zone Four (MRZ-4) under the Surface Mining and Reclamation Act of 1975. The MRZ-4 designation indicates that adequate information does not exist to assign the area to any other MRZ; thus, the area is not designated to have significant mineral deposits.¹³⁶ The project site has previously been developed, and future evaluations of the presence of minerals at this site would therefore not be affected by the proposed project. Further, the development and operation of the proposed project would not have an impact on any off-site operational mineral resource recovery sites. Therefore, Questions 16a and 16b are not applicable to the proposed project.

Impact ME-1: The proposed project would not encourage activities that would result in the use of large amounts of fuel, water, or energy, or use these resources in a wasteful manner. (Less than Significant)

The proposed project would add new retail and residential uses, and an increased intensity of use, to the project site, although, not to an extent that exceeds anticipated growth in the area. As a new building in San Francisco, the proposed project would be subject to the energy conservation standards included in the San Francisco Green Building Ordinance that require the project to meet a number of conservation standards, including installation of water efficient fixtures and energy efficient appliances, as well as the provision of features that encourage alternative modes of transportation, such as bicycle racks and car-share parking spaces. Documentation showing compliance with the San Francisco Green Building Ordinance would be submitted with the application for the project's building permit, and would be enforced by the DBI.

In addition, the proposed project would be required to comply with Title 24 of the *California Code of Regulations*, which regulates energy consumption for the heating, cooling, ventilation, and lighting of

¹³⁶ California Department of Conservation, Division of Mines and Geology, *Special Report 146, Parts I and II* (1986) and *DMG Open File Report 96 03* (1996). Available online at <http://www.conservation.ca.gov/cgs/minerals/mlc/Pages/index.aspx>, accessed May 30, 2016.

residential and nonresidential buildings; it is enforced by the DBI. Compliance with Title 24 and the San Francisco Green Building Ordinance would ensure reduction in the use of fuel, water, and energy by the proposed project. Therefore, the proposed project would not result in the use of large amounts of fuel, water, or energy, or result in the use of these resources in a wasteful manner, and effects related to the use of these resources would be less than significant.

Impact C-ME: The proposed project, in combination with other past, present or reasonably foreseeable projects, would not result in a cumulative impact on mineral and energy resources. (Less than Significant)

No known minerals exist in the project site or in the vicinity, as all of San Francisco falls within MRZ-4, as described above; therefore, no cumulative impacts would occur with respect to mineral resources and the proposed project would not contribute to any cumulative impact on mineral resources. In addition, the cumulative development projects identified in Table 2, and all land use development projects in the city would be required by the DBI to conform with Title 24 and the *San Francisco Green Building Code* regarding minimizing the use of large amounts of fuel, water, or energy by, for instance, installing energy efficient appliances and water efficient fixtures, which would preclude cumulative significant impacts on fuel, water, or energy. While statewide efforts are being made to increase power supply and to encourage energy conservation, the demand for energy created by the proposed project would be insubstantial in the context of the total demand within San Francisco and the state, and would not require a major expansion of power facilities. The City also plans to reduce GHG emissions to 25 percent below 1990 levels by 2017, and ultimately reduce GHG emissions to 80 percent below 1990 levels by 2050, which would be achieved through a number of different strategies, including energy efficiency. Thus, the energy demand that would be created by the proposed project would not contribute to a cumulative impact. As such, the proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts on fuel, water, and energy resources.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
17. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. — Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within an urbanized area of San Francisco. No land in San Francisco County has been designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as agricultural land. Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not require the conversion of any land designated as prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project would not conflict with any existing agricultural zoning or Williamson Act contracts.¹³⁷ No land in San Francisco is designated as forest land or timberland by the *California Public Resource Code*. Therefore, the proposed project would not conflict with zoning for forest land, cause a loss of forest land, or convert forest land to a different use. For these reasons, Questions 17a, 17b, 17c, 17d, and 17e are not applicable to the proposed project.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
18. MANDATORY FINDINGS OF SIGNIFICANCE — Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹³⁷ San Francisco is identified as "Urban and Built-Up Land" on the California Department of Conservation Important Farmland in California Map, 2008. Available online at www.consrv.ca.gov. Accessed on January 23, 2016.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing analysis identifies potentially significant impacts related to archaeological resources, which would be mitigated through implementation of the mitigation measure identified below and described within Section E.

- a) As discussed in the various topics in this Initial Study, the proposed project is anticipated to have less-than-significant impacts on the environmental topics discussed. The project, however, could have potentially significant impacts resulting from disturbance to archeological resources and tribal cultural resources. These impacts would be mitigated to less-than-significant levels through implementation of **Mitigation Measure M-CR-2** and **Mitigation Measure M-CR-3**, as described within Section E.
- b) The proposed project in combination with the past, present and foreseeable projects as described in Section E, would not result in cumulative impacts to land use, population and housing, transportation and circulation, noise, air quality, GHG emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural and forest resources.
- c) The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Section E, Topic 1 (Land Use and Land Use Planning) would be generally consistent with local and zoning requirements. **Mitigation Measure M-CR-2** and **Mitigation Measure M-CR-3** would address cultural resources impacts. Implementation of these mitigation measures would reduce any impact to eliminate important examples of the major periods of California history or prehistory to less-than-significant levels.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measure has been identified to reduce potentially significant impacts resulting from the proposed project to a less-than-significant level. Improvement measures recommended to reduce or avoid less-than-significant impacts are also identified below. Accordingly, the project sponsor has agreed to implement the mitigation measures and all improvement measures described below.

Mitigation Measures

Mitigation Measure M-CR-2: Accidental Discovery of Archeological Resources

The following measures shall be implemented should construction activities result in the accidental discovery of a cultural resource:

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant, based on standards developed by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall

receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-CR-3: Tribal Cultural Resources Interpretive Program

If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.

If the ERO, in consultation with the affiliated Native American tribal representatives and the Project Sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the Project Sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

Improvement Measures

Improvement Measure I-TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips

The project sponsor and subsequent property manager should implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single occupancy vehicle trips (SOV) generated by the proposed project for the lifetime of the proposed project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling, and/or other modes. The project sponsor has agreed to implement the following TDM measures:

- **Identify TDM Coordinator:** The project sponsor and subsequent property manager should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures described below. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator

should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.

- ***Provide Transportation and Trip Planning Information to Building Occupants:*** Provide a transportation insert in the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car-share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new-hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.
- ***Emergency Ride Home Program:*** All San Francisco companies are eligible to register for the Emergency Ride Home program. Employers must register annually. Once registered, all San Francisco employees of the company are eligible to request reimbursement.
- ***Bay Area Bike Share Station:*** Project sponsor would cooperate with the San Francisco Municipal Transportation Agency, San Francisco Public Works, and/or Bay Area Bike Share and allow installation of a bike share station in the public right-of-way along the proposed project's frontage.
- ***Bay Area Bike Share Membership:*** Project sponsor would offer a 100 percent subsidy for one annual bike share membership for new employees or residents.
- ***Wayfinding Signage:*** Project sponsor would provide wayfinding signage to nearby bicycle routes and transit facilities, as well as to on-site bicycle parking.
- ***Car-share Membership:*** Project sponsor would offer one annual car-share membership for each new resident (one per household) or employee.
- ***Subsidized Transit:*** Project sponsor would offer a 50 percent subsidy for one Muni monthly pass for new residents (one per household), and employees for up to one year.
- ***City Access for Data Collection:*** As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-project site activities shall be coordinated through the TDM Coordinator. Project sponsor assures future access to the project site by City Staff. Providing access to existing developments for data collection purposes is also encouraged.

Improvement Measure I-TR-2: Queue Abatement

As an improvement measure to minimize the vehicle queues at the proposed project driveway into the public right-of-way, the proposed project would be subject to the Planning Department's vehicle queue abatement Conditions of Approval.

Improvement Measure I-TR-3: Non-Peak Construction Traffic Hours

To minimize the construction-related disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods, truck movements and deliveries requiring lane closures should be limited to occur between 9:00 a.m. and 3:30 p.m., outside of peak morning and evening hours.

Improvement Measure I-TR-4: Construction Management Plan Additions

To reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the contractor shall add certain measures to the required traffic control plan for proposed project construction. In addition to the standard requirements for a construction traffic control/management plan, the proposed project shall include the following measures (see Section F for complete descriptions):

- *Alternative Transportation for Construction Workers* – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include in their contracts methods to encourage carpooling and transit access to the project site by construction workers. Construction workers should also be encouraged to consider cycling and walking as alternatives to driving alone to and from the project site.
- *Proposed Project Construction Updates for Adjacent Businesses and Residents* – To minimize construction impacts on access for nearby institutions and businesses, the proposed project sponsor shall provide nearby residences and adjacent businesses, such as through a website with regularly-updated information regarding proposed project construction, including a proposed project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), travel lane closures, and lane closures.
- *Coordinate Construction with Nearby Projects* – To minimize construction impacts, the project sponsor shall coordinate construction activities and closures with nearby projects, such as the CPMC Cathedral Hill Project.

Improvement Measure I-TR-5: Improve Pedestrian Crossings across Myrtle Street

Installing marked crosswalks across Myrtle Street at Van Ness Avenue and Franklin Street is recommended to improve pedestrian circulation and visibility adjacent to the project site. Presently, there are no marked crosswalks at either location. In addition, the southern curb at Van Ness Avenue does not have a curb ramp. Installation of an ADA-compliant curb ramp with truncated dome treatments would improve this pedestrian crossing adjacent to the project site.

Improvement Measure I-TR-6: Install Audible Warning Devices at Proposed Garage Entrances

Installing audible warning devices at the proposed garage entrances on O'Farrell Street and Myrtle Street is recommended to improve pedestrian awareness and ADA-accessibility. Audible warning devices would alert audibly-impaired or distracted pedestrians to the presence of vehicles exiting the parking garage.

G. PUBLIC NOTICE AND COMMENT

On November 30, 2015, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially interested parties. No comments were received.

H. DETERMINATION

On the basis of this Initial Study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Sarah B. Jones
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE: August 12, 2016

I. INITIAL STUDY PREPARERS

San Francisco Planning Department

Environmental Planning Division
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San Francisco, CA 94103

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Preservation Planner: Gretchen Hilyard
Archeologist: Allison Vanderslice

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Eryn Brennan, Project Manager
Chris Sanchez
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Heidi Koenig
Shadde Rosenblum
Ron Teitel

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Juan Carlos Wallace
Laura Billings

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Glenn Rescalvo, AIA
Carey Chu, AIA

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
<i>Cultural Resources</i>					
<p><i>Mitigation Measure CUL-2: Archeological Resources (Accidental Discovery)</i></p> <p>The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project sponsor	Prior to issuance of a grading, excavation, or site permit.	Distribute Planning Department Archeological Resource "ALERT" sheet to Prime Contractor, sub-contractors and utilities firms	Project sponsor, ERO	Prior to soils-disturbing and construction activities
	Project sponsor			Submit affidavit of distribution to ERO	Following distribution of "ALERT" sheet but prior to any soils disturbing activities
Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.	Head foreman or project sponsor	Upon accidental discovery of an archeological resource	Suspend any soils disturbing activity; notify ERO of discovery	Project sponsor, ERO	Upon accidental discovery of an archeological resource
If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archaeological consultants maintained by the Planning	Project sponsor	In case of accidental discovery	If ERO determines an archeological resource may	Make recommendation to the ERO	N/A

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.			be present, project sponsor to retain a qualified archeological consultant. Archeologist to evaluate archeological resource and advise ERO		
Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.	Project sponsor	After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery	Implementation of archeological measure(s) required by ERO		
The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project sponsor	Following completion of any archeological field program required by ERO	Submit Draft/Final FARR to ERO		
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to	Project Sponsor		Distribution of Final FARR.		Following ERO approval of FARR

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.					
<p><i>Mitigation Measure M-CR-3: Tribal Cultural Resources Interpretive Program</i></p> <p>If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.</p>	Project Sponsor	Upon accidental discovery of an archeological resource during ground-disturbing activities	ERO to consult with tribal representative; if tribal cultural resource is present, sponsor shall evaluate project redesign	Project Sponsor, ERO	As determined by ERO
<p>If the Environmental Review Officer (ERO), if in consultation with the affiliated Native American tribal representatives and the Project Sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the Project Sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.</p>	Project sponsor, tribal representatives	Upon determination by ERO that project redesign is infeasible	Develop and implement interpretative program	ERO	Considered complete upon interpretative program implementation

MONITORING AND REPORTING PROGRAM

Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
IMPROVEMENT MEASURES AGREED TO BY PROJECT SPONSOR					
<p><i>Transportation and Circulation</i></p> <p><i>Improvement Measure TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips</i></p> <p>The project sponsor and subsequent property manager should implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single occupancy vehicle trips (SOV) generated by the proposed project for the lifetime of the proposed project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling, and/or other modes. The project sponsor has agreed to implement the following TDM measures:</p> <ul style="list-style-type: none"> • Identify TDM Coordinator: The project sponsor and subsequent property manager should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures described below. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby. • Provide Transportation and Trip Planning Information to Building Occupants: Provide a transportation insert in the new-hire packet that includes information on transit service (local and regional, schedules and fares), 					
	Project Sponsor, TDM Coordinator and/or Planning Department staff, as detailed for each TDM program component	Prior to and during occupancy	Prepare and implement TDM Plan	Project Sponsor and Planning Department (refer to Improvement Measure language)	Ongoing, specific for each TDM program component (refer to Improvement Measure language)

MONITORING AND REPORTING PROGRAM

Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car-share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new-hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</p> <ul style="list-style-type: none"> • Emergency Ride Home Program: All San Francisco companies are eligible to register for the Emergency Ride Home program. Employers must register annually. Once registered, all San Francisco employees of the company are eligible to request reimbursement. • Bay Area Bike Share Station: Project sponsor would cooperate with the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share and allow installation of a bike share station in the public right-of-way along the proposed project's frontage. • Bay Area Bike Share Membership: Project sponsor would offer a 100 percent subsidy for one annual bike share membership for new employees or residents. • Wayfinding Signage: Project sponsor would provide wayfinding signage to nearby bicycle routes and transit facilities, as well as to on-site bicycle parking. • Car-share Membership: Project sponsor would offer one annual car-share membership for each new resident (one per household) or employee. • Subsidized Transit: Project sponsor would offer a 50 percent subsidy for one Muni monthly pass for new residents (one per household), and employees for up to one year. • City Access for Data Collection: As part of an ongoing effort to quantify the efficacy of TDM measures, City staff 					

MONITORING AND REPORTING PROGRAM

Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/Reporting Responsibility	Monitoring Schedule
may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-project site activities shall be coordinated through the TDM Coordinator. Project sponsor assures future access to the project site by City Staff. Providing access to existing developments for data collection purposes is also encouraged.					
<i>Improvement Measure TR-2: Queue Abatement</i> To minimize the vehicle queues at the proposed project's driveway into the public right-of-way, the proposed project would be subject to the Planning Department's vehicle queue abatement Conditions of Approval.	Property owner/operator of the parking facility	Ongoing throughout operation	If a queue occurs, owner/operator shall implement abatement methods as needed	Property owner/operator of the parking facility	Ongoing throughout operation
<i>Improvement Measure TR-3: Non-Peak Construction Traffic Hours</i> To minimize the construction-related disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods, truck movements and deliveries requiring lane closures should be limited to occur between 9:00 a.m. and 3:30 p.m., outside of peak morning and evening hours.	Project sponsor/project contractor(s)	During construction	Contractor(s) to limit hours of construction traffic during construction; if requested, contractor(s) and/or sponsor to meet with applicable City staff	Project sponsor/project contractor(s)/ SFMTA	Ongoing during project construction (refer to Improvement Measure language)
<i>Improvement Measure I-TR-4: Construction Management Plan Additions</i> To reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the contractor shall add certain measures to the required traffic control plan for proposed project construction. In addition to the standard requirements for a construction traffic control/management plan, the proposed project shall include the following measures:	Project sponsor/project contractor(s)	During construction	Contractor(s) to limit hours of construction traffic during construction; if requested, contractor(s) and/or	Project sponsor/project contractor(s)/ SFMTA	Ongoing during project construction (refer to Improvement Measure language).

MONITORING AND REPORTING PROGRAM

Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> <i>Alternative Transportation for Construction Workers</i> – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include in their contracts methods to encourage carpooling and transit access to the project site by construction workers. Construction workers should also be encouraged to consider cycling and walking as alternatives to driving alone to and from the project site. <i>Proposed Project Construction Updates for Adjacent Businesses and Residents</i> – To minimize construction impacts on access for nearby institutions and businesses, the proposed project sponsor shall provide nearby residences and adjacent businesses, such as through a website with regularly-updated information regarding proposed project construction, including a proposed project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), travel lane closures, and lane closures. <i>Coordinate Construction with Nearby Projects</i> – To minimize construction impacts, the project sponsor shall coordinate construction activities and closures with nearby projects, such as the CPMC Cathedral Hill Project. 			sponsor to meet with applicable City staff		
<p><i>Improvement Measure TR-5: Improve Pedestrian Crossings across Myrtle Street</i></p> <p>Installing marked crosswalks across Myrtle Street at Van Ness Avenue and Franklin Street is recommended to improve pedestrian circulation and visibility adjacent to the project site. Presently, there are no marked crosswalks at either location. In addition, the southern curb at Van Ness Avenue does not have a curb ramp. Installation of an ADA-compliant curb ramp with truncated dome treatments would improve this pedestrian crossing adjacent to the project site.</p>	Project sponsor/ SFMTA	During construction	Install cross walk, curb ramps, and yellow truncated dome (refer to Improvement Measure language)	Project sponsor/ SFMTA	Considered complete after installation of improvements is completed
<p><i>Improvement Measure TR-6: Install Audible Warning Devices at Proposed Garage Entrances</i></p> <p>Installing audible warning devices at the proposed garage entrances on O'Farrell Street and Myrtle Street is recommended to improve pedestrian awareness and ADA-accessibility. Audible</p>	Project sponsor/project contractor(s)	During construction	Install devices	Project sponsor	Prior to project occupancy

MONITORING AND REPORTING PROGRAM

Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
warning devices would alert audibly-impaired or distracted pedestrians to the presence of vehicles exiting the parking garage.					



1001 VAN NESS

CONDITIONAL USE APPLICATION - REVISED SUBMISSION

SAN FRANCISCO
CALIFORNIA

OCT 4, 2016

ORIGINAL:

FEBRUARY 24, 2015

EXHIBIT B

Oryx Partners, LLC

P.O. Box 14315
San Francisco, CA 94114

HANDEL ARCHITECTS LLP

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RENDERINGS

VAN NESS AVENUE VIEW



MYRTLE STREET VIEW



MYRTLE STREET VIEW

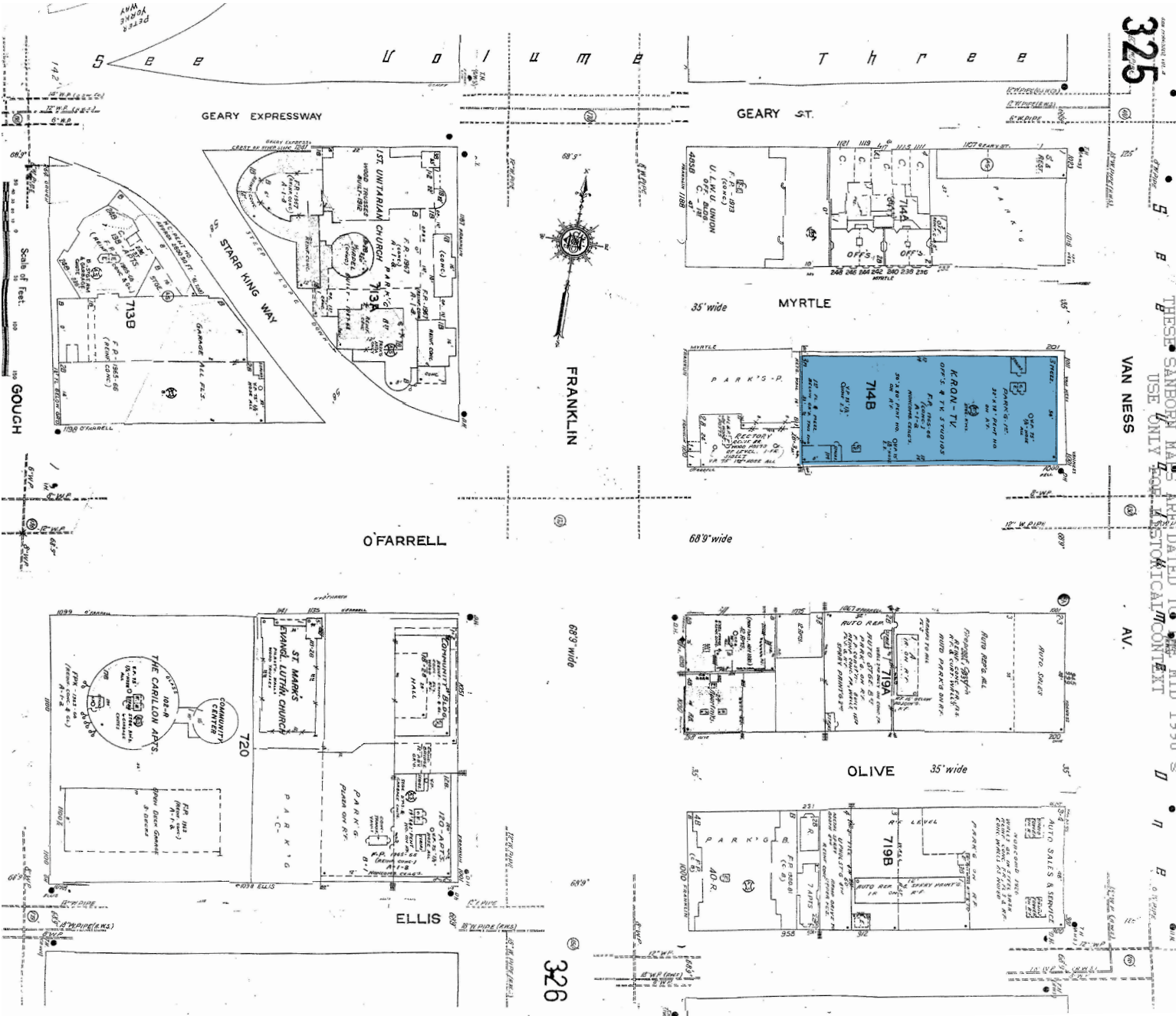


O'FARRELL STREET VIEW

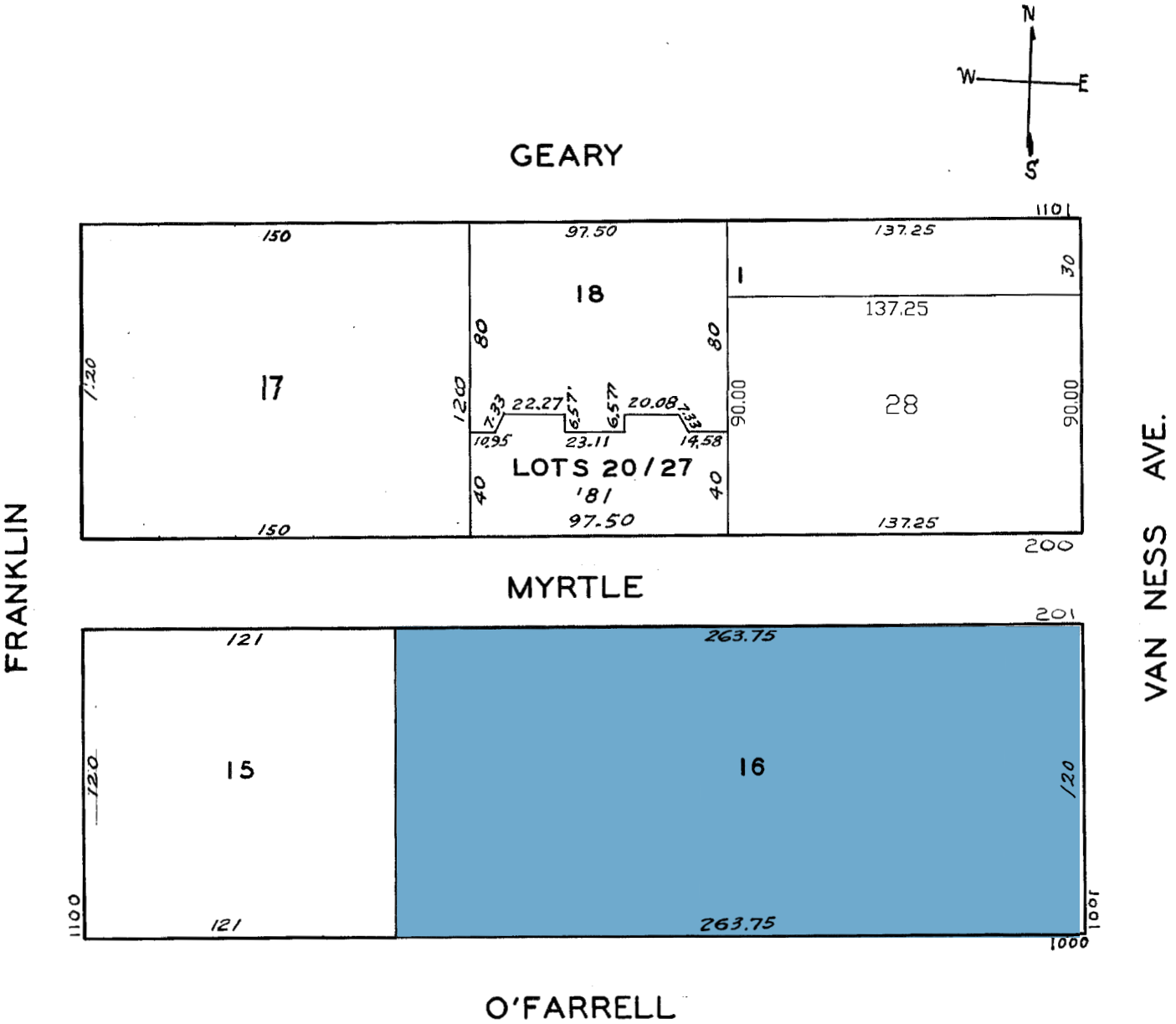


EXISTING CONDITIONS

ASSESSOR'S PARCEL MAP



SANBORN MAP

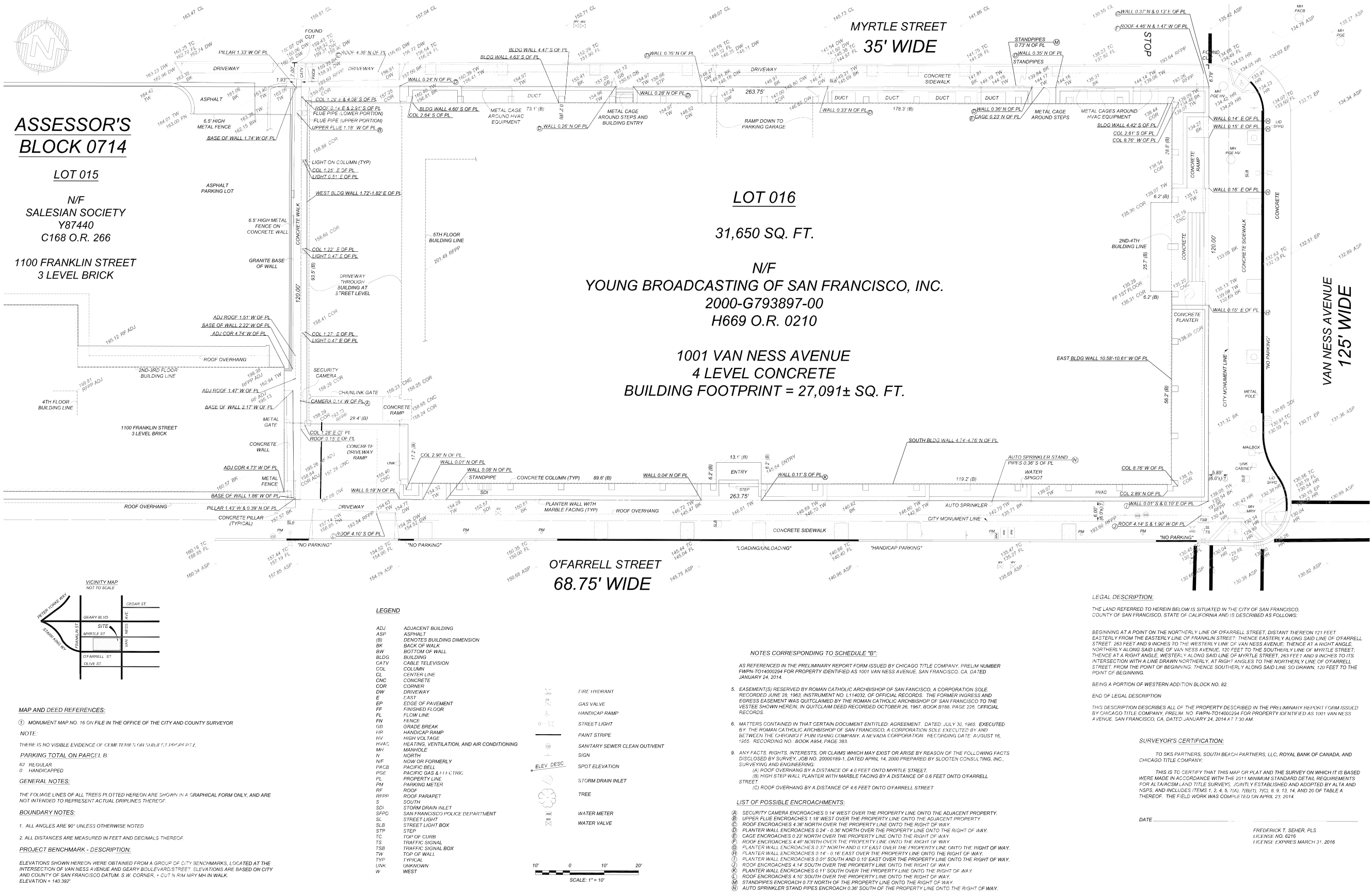


PARCEL MAP

MYRTLE STREET FLATS

A CONDOMINIUM		
LOT NO.	UNIT NO.	% COMMON AREA
20	234	12
21	236	13
22	238	12
23	240	13
24	242	12
25	244	13
26	246	12
27	248	13

SITE SURVEY



DATE:	APRIL, 2014	
SCALE:	1" = 10'	
DRAWN BY:	EF	
DRAWING NAME:	1806-14	
SURVEYED BY:	FTS	
CHECKED BY:		
CHECKED BY:		
	NO	BY DATE REVISIONS

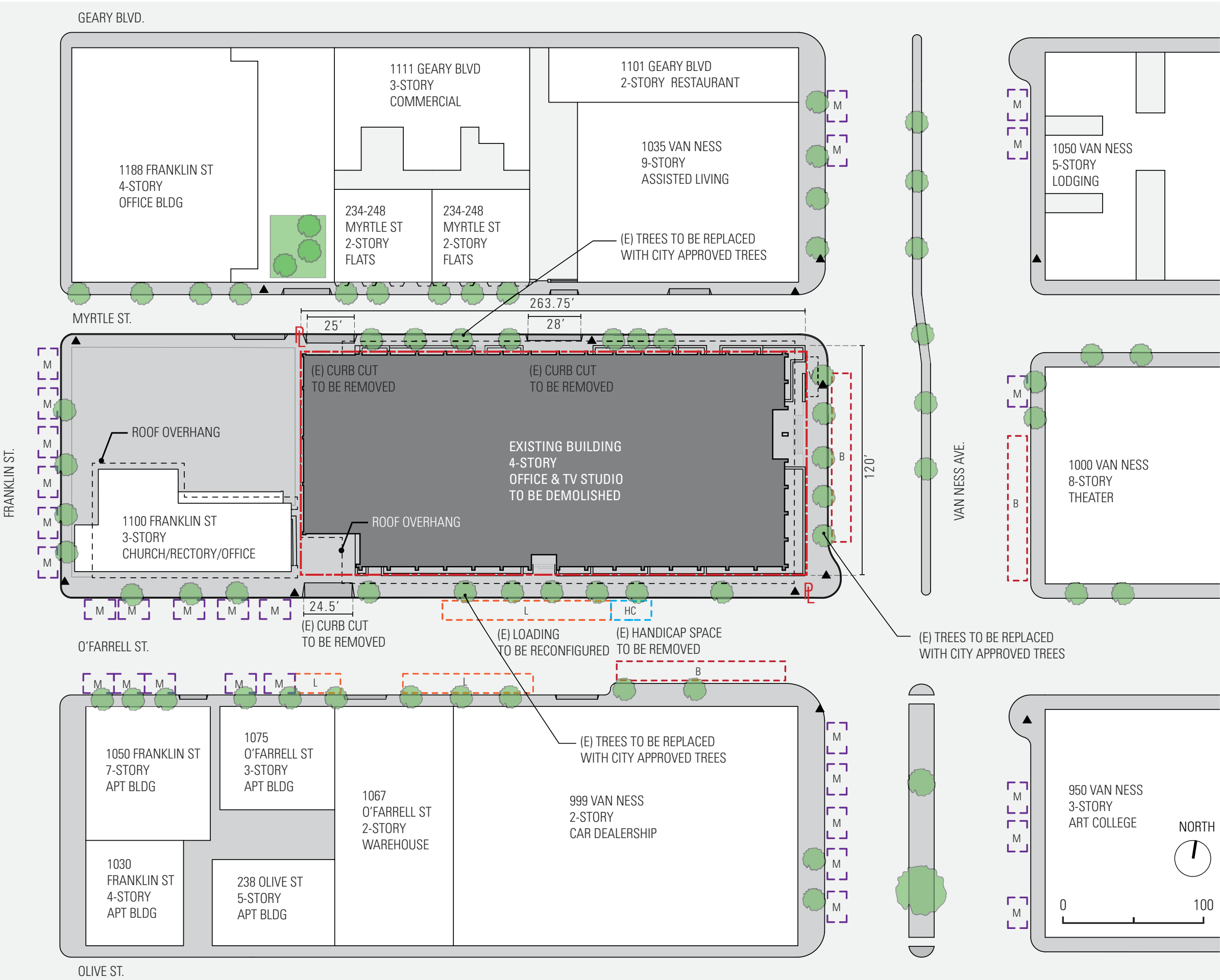


FREDERICK T. SEHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYING & MAPPING
841 LOMBARD STREET, SAN FRANCISCO, CA 94133
(415) 921-7690 FAX (415) 921-7655

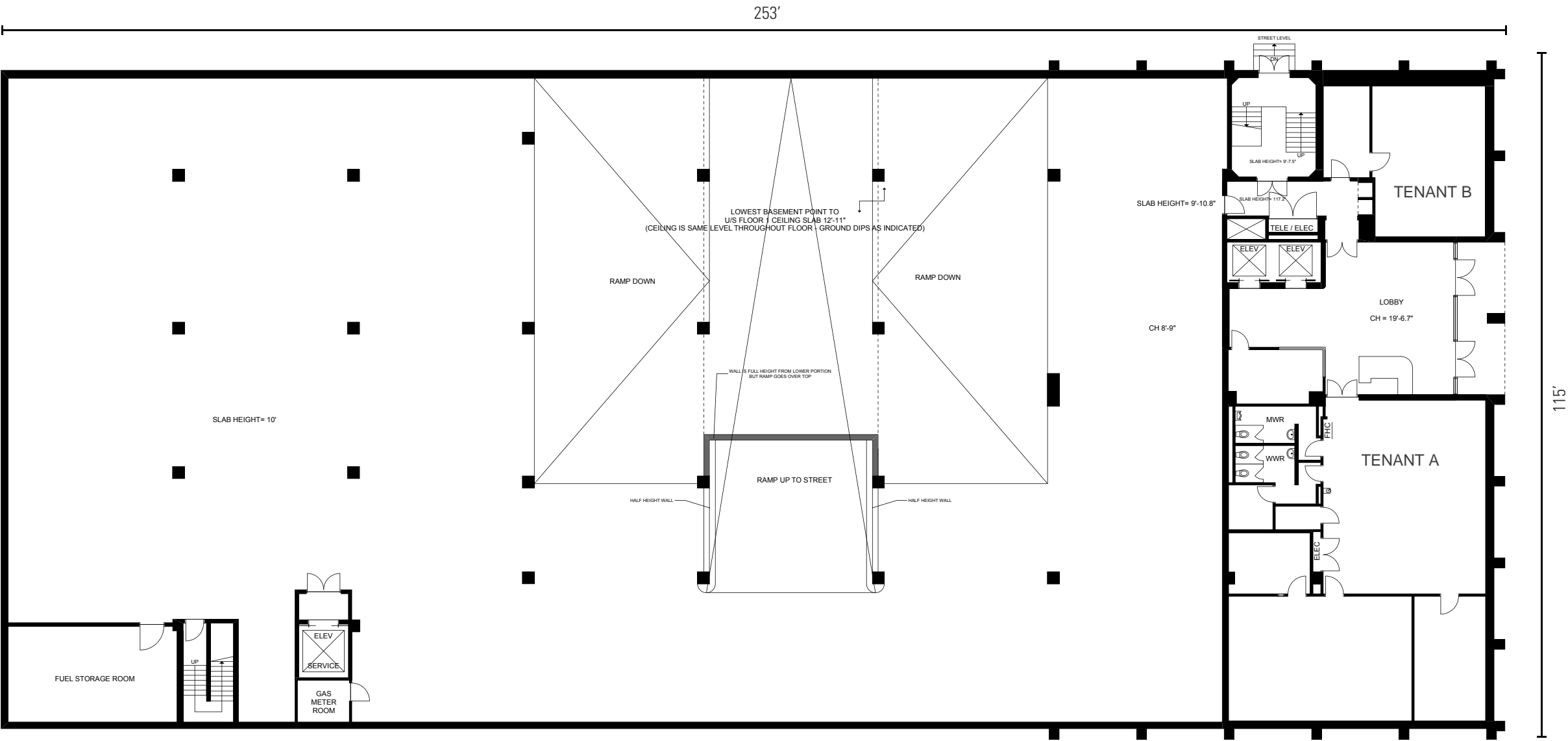
ALTA / ACSM LAND TITLE SURVEY
1001 VAN NESS AVENUE, SAN FRANCISCO, CA
ASSESSOR'S BLOCK 0714, LOT 016

SHEET	1
OF	1 SHEETS
JOB NO.	1806-14

EXISTING SITE PLAN



EXISTING PLAN



FLOOR PLAN - L1

"Client"

Young Broadcasting - KRON TV

Version: FP1A

Prepared: 14/11/2011
Measured: 11/11/2011

1001 Van Ness Avenue
San Francisco, California

Floor 1

Please Refer to Corresponding
BOMA 2010-A Area Chart:
1001vanness-b10a-1a

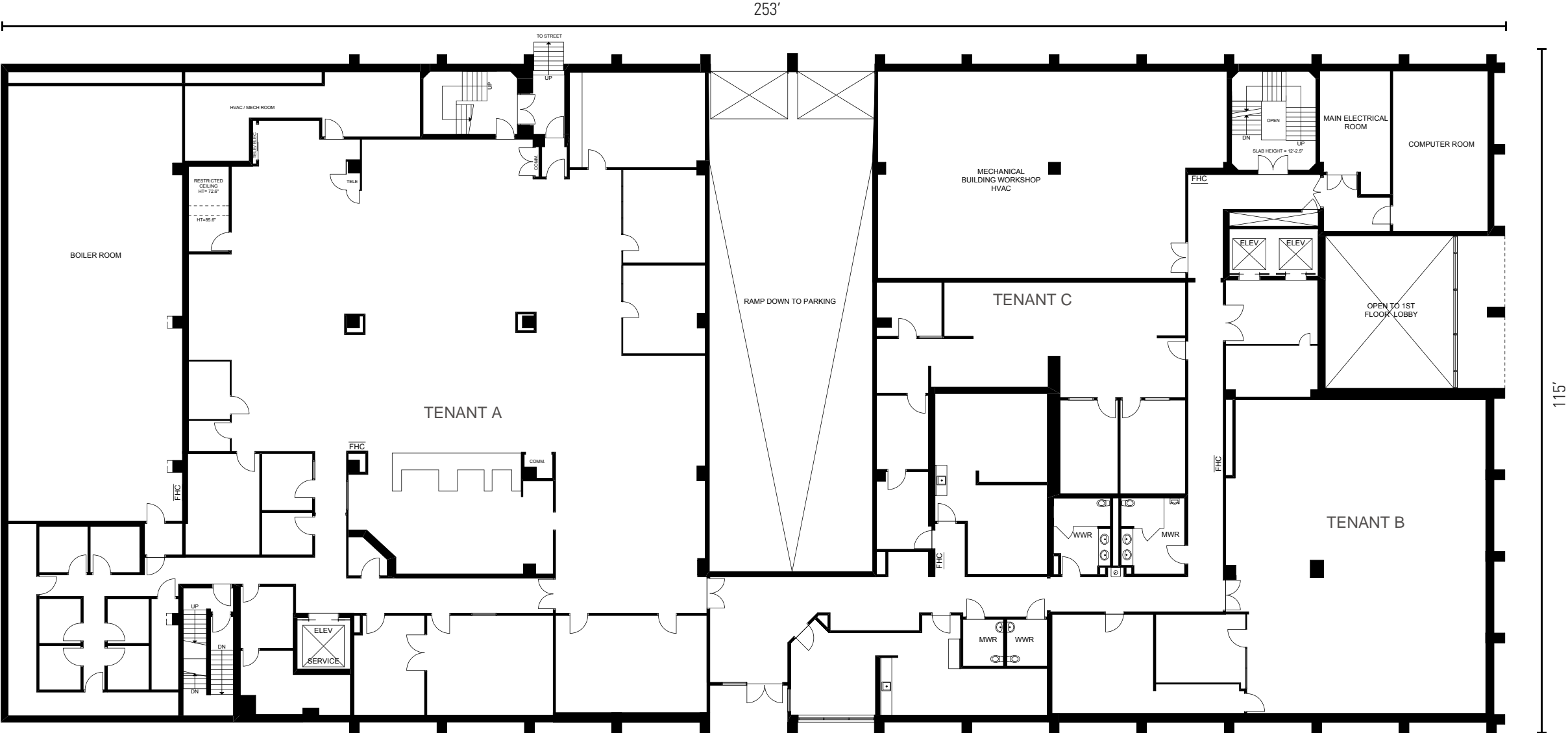
	Geary St	
		N
		O'Farrell St
Franklin St	Van Ness Ave	Polk St
	Ellis St	

This work product has been prepared by Extreme Measures Inc. pursuant to a contract with the Client for the sole benefit of and use by the Client. No third party may rely on this work product without the receipt of a reliance letter from Extreme Measures Inc.

extreme measures inc.

Tel: 416.323.2858
Fax: 416.323.0855
mail@xmeasures.com
www.xmeasures.com

EXISTING PLAN



FLOOR PLAN - L2



"Client"

Young Broadcasting - KRON TV

Version: FP1A

Prepared: 14/11/2011
Measured: 11/11/2011

1001 Van Ness Avenue
San Francisco, California

Floor 2

Please Refer to Corresponding
BOMA 2010-A Area Chart:
1001vanness-b10a-1a

Geary St

Franklin St

Ellis St

Van Ness Ave

Polk St

N

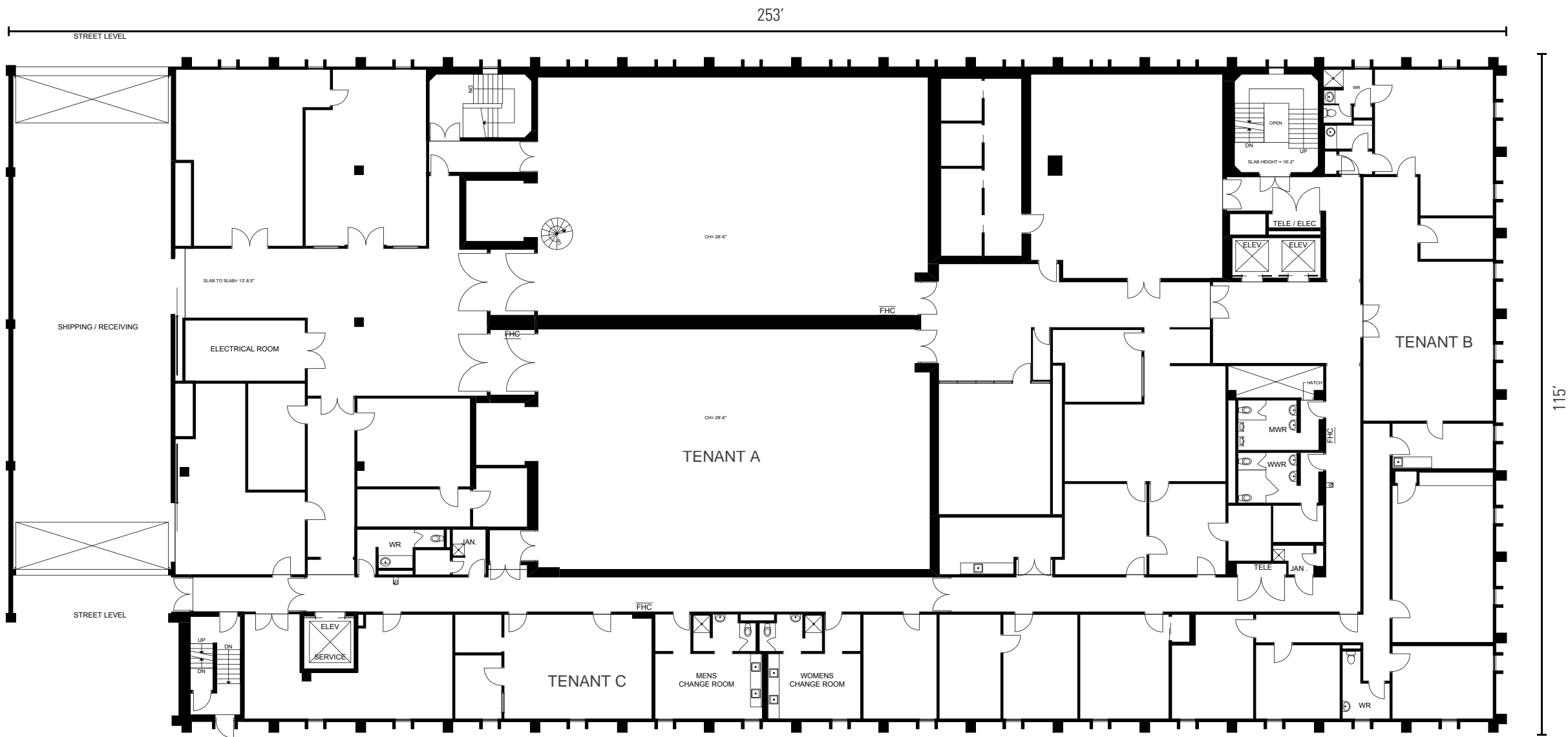
O'Farrell St

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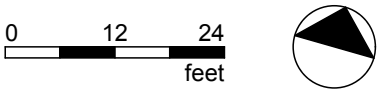
extreme measures inc

Tel: 416.323.2858
Fax: 416.323.0855
mail@xmeasures.com
www.xmeasures.com

EXISTING PLAN



FLOOR PLAN - L3



"Client"

Young Broadcasting - KRON TV

Version: FP1A

Prepared: 14/11/2011
Measured: 11/11/2011

1001 Van Ness Avenue
San Francisco, California

Floor 3

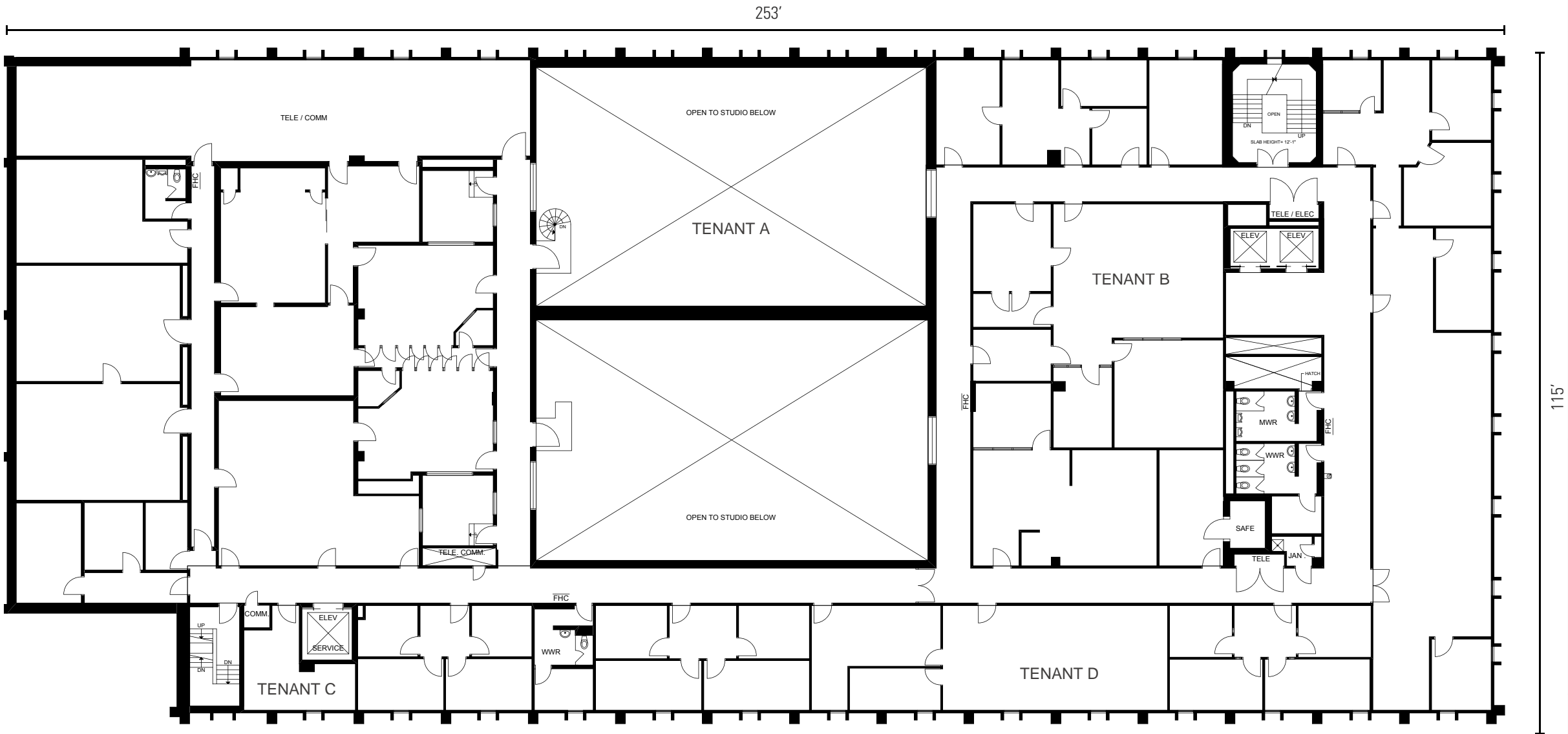
Please Refer to Corresponding
BOMA 2010-A Area Chart:
1001vanness-b10a-1a

	Geary St	
		N
Franklin St	Van Ness Ave	Polk St
	Ellis St	

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EXISTING PLAN



FLOOR PLAN - L4

"Client"

Young Broadcasting - KRON TV

Version: FP1A

Prepared: 14/11/2011
Measured: 11/11/2011

1001 Van Ness Avenue
San Francisco, California

Floor 4

Please Refer to Corresponding
BOMA 2010-A Area Chart:
1001vanness-b10a-1a

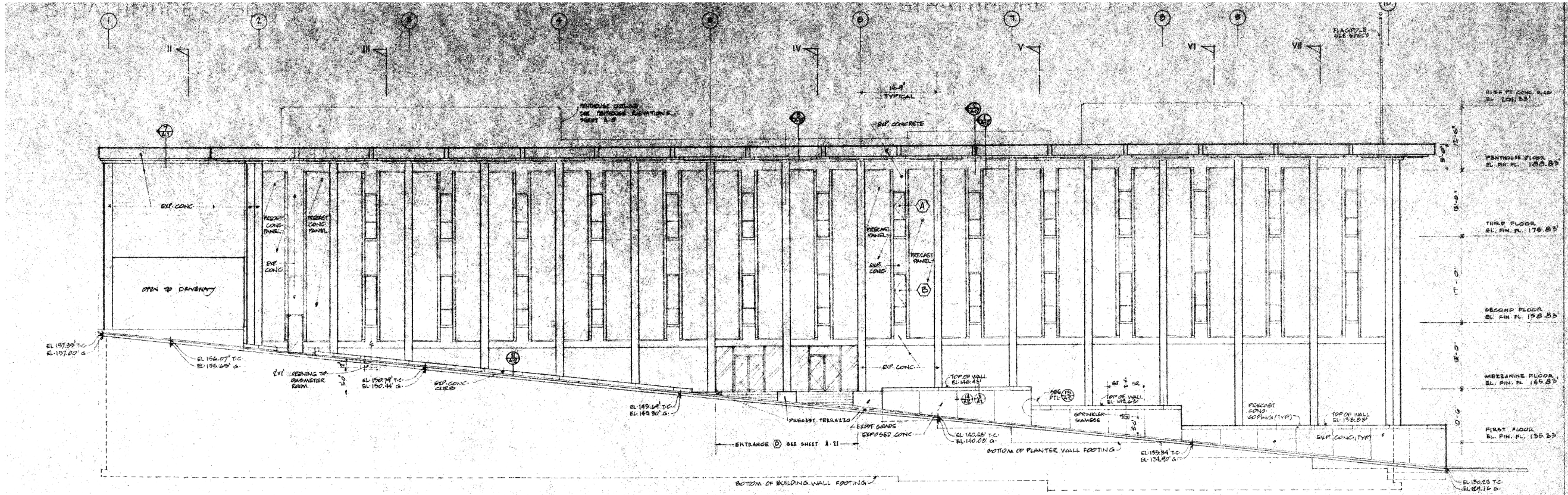
	Geary St		
		N	
		O'Farrell St	
Franklin St	Van Ness Ave	Polk St	
	Ellis St		

This work product has been prepared by Extreme Measures Inc. pursuant to a contract with the Client for the sole benefit of and use by the Client. No third party may rely on this work product without the receipt of a reliance letter from Extreme Measures Inc.

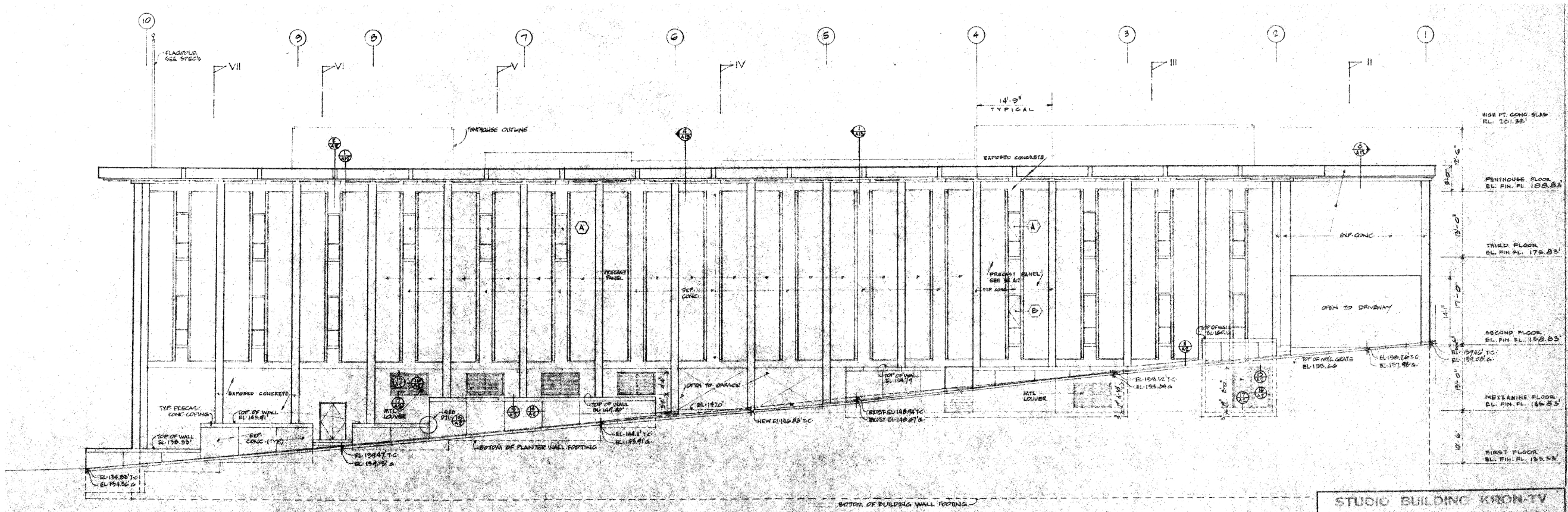
extreme measures inc

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Fax: 416.323.0855
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www.xmeasures.com

EXISTING ELEVATION

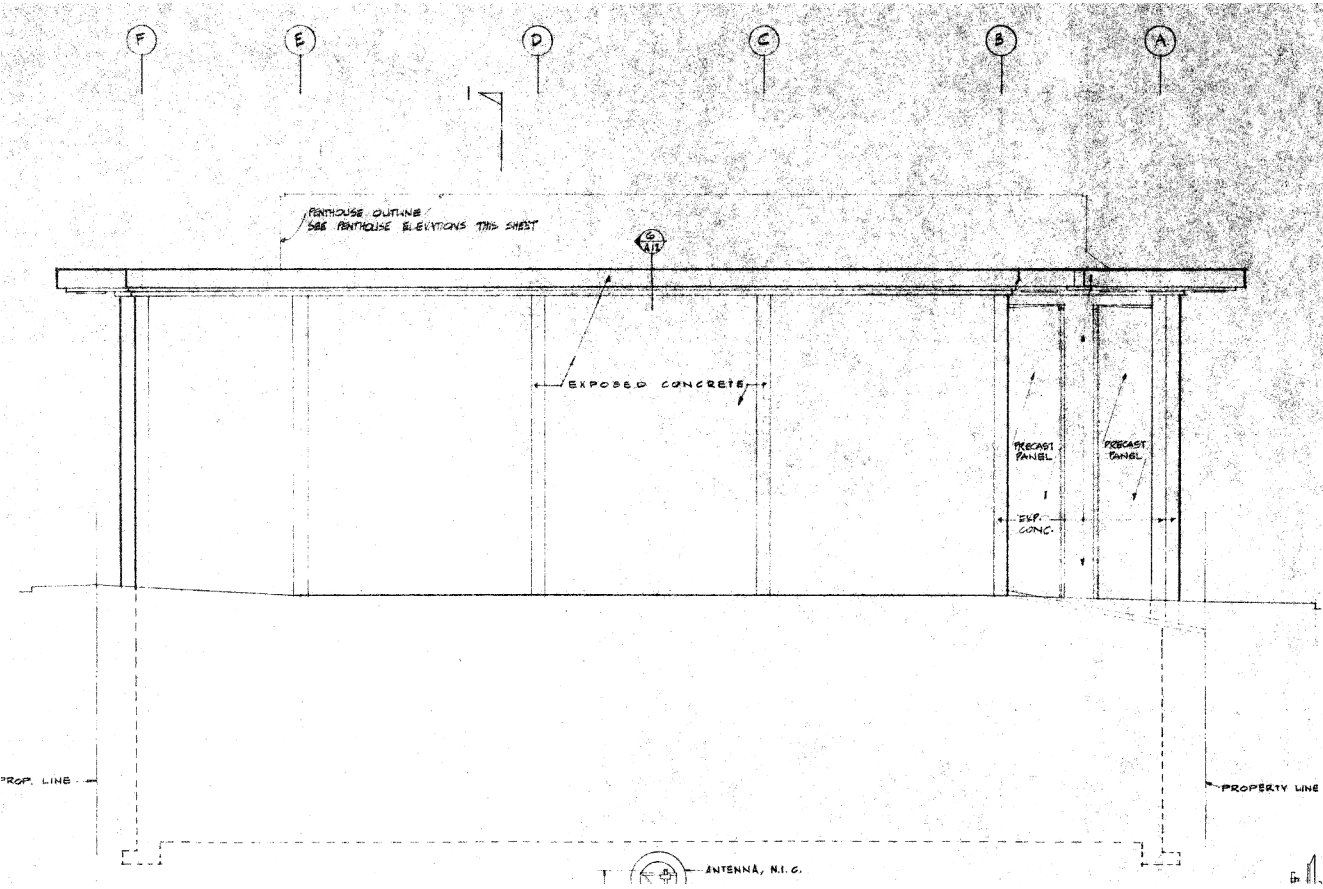


SOUTH ELEVATION

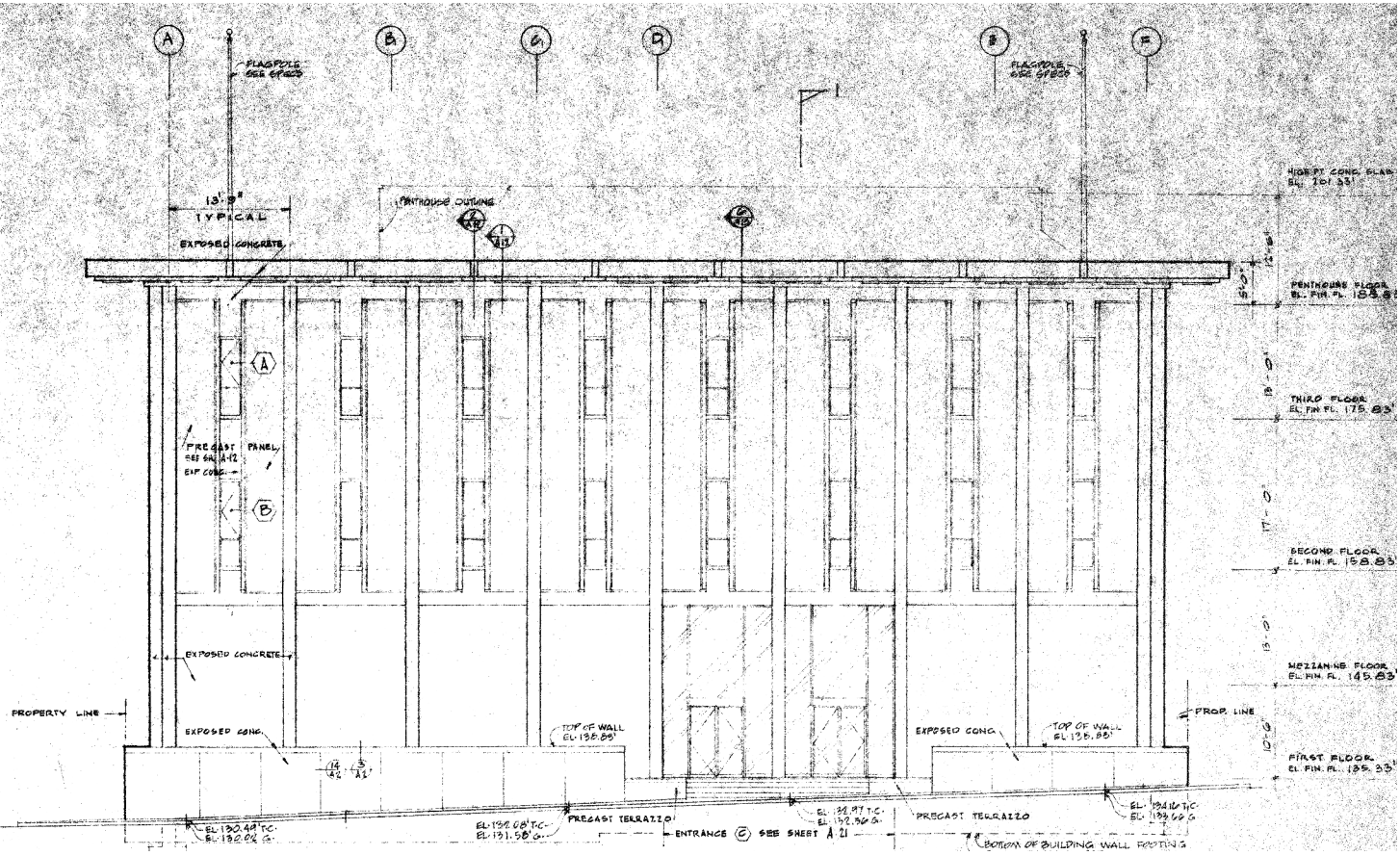


NORTH ELEVATION

EXISTING ELEVATION



WEST ELEVATION



EAST ELEVATION

PROPOSED DESIGN

ZONING INFORMATION

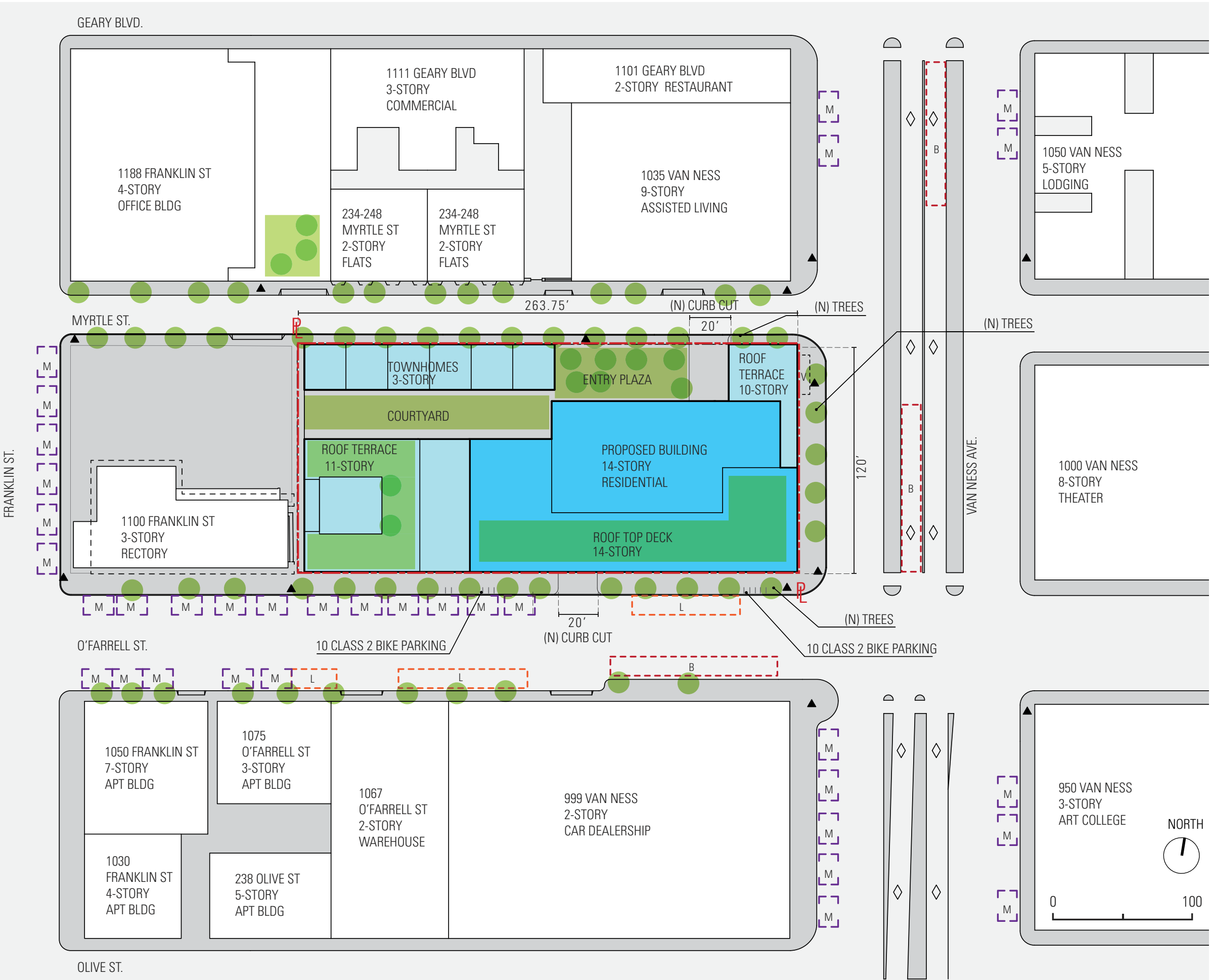
Address	1001 Van Ness Avenue, San Francisco, CA 94109
Block/Lot	0714/016
Zoning	RC-4 (High Density Residential-Commercial); VNSUD (Van Ness Special Use District) Ness Automotive Special Use District

	EXISTING (FORMER KRON 4)	PROPOSED	REQUIRED/ALLOWED	CU/PUD MODIFICATION REQUEST
Height per Sections: 253, 253.2	53'-6"	130'	130'	Yes. C/U required for height above 50' and street frontage greater than 50' per Section 253, 253.2, 305
Bulk per Sections: 243 (c), 270	Complies	165' Length & 178' Diagonal 15' Setback for portion of Van Ness frontage	V, (Maximum Plan Dimension: 110ft in Length & 140' in Diagonal), above prevailing street wall height established by existing buildings along Van Ness Avenue within two blocks, per Section 243 (c)(3), 270; Allowed: two 110' long towers & 77' podium	Yes. C/U Required
Floor Area Ratio (with Corner Premium) per Sections: 124(d), 125(a), 243 (c) (1)	113,403 Gross/ 31,650* Site = 3.58 *Per ATLA Survey	8.28 (261,970/31,650*)	7.0:1 x 31,650 SF = 221,550 SF (without Corner Premium) 8.75:1 x 31,650 SF = 276,938 SF (with Corner Premium)	Yes for corner premium. PUD Modification
Residential Density per Section 243 (c) (2)	No Residential	239 Units	no numerical density limits	No
Rear Yards per Section 134	Full Lot Coverage	None Provided	25% of lot depth at lowest story with a dwelling unit and above; 263'-9" x 25% = 65'-11"	Yes. PUD Modification
Useable Open Space per Section 135	None Provided	11,814 SF	36 SF if private, or a ratio of 1.33 SF (48 SF) of common usable open space may be substituted for private open space. 14 Private Balconies @ 36 SF; 225 Common @ 48 SF; Required: 11,304 SF	No
Parking Maximum per Section 151.1	62 Parking Spaces	193 Parking Spaces	.75 parking space per 1 dwelling units (239 units x .75 = 180 parking spaces); 1 parking space per 200 SF restaurant (5151 SF x 1/200SF = 26 parking spaces); Total Parking Permitted = 206	Yes. C/U required for Resi above 0.5:1; 178 Resi Spaces (0.74:1); 19 Rest. Spaces
Car-share per Section 166	None Provided	2 Spaces	For 201 or more units, 2 car-share parking spaces plus 1 for every 200 dwelling units over 200. Required: 2 Spaces	No
Freight Loading per Section 152	2 Loading Spaces	1 Space	For residential, 2 spaces for 200,001 - 500,000 sf. For retail, none required for 0 - 10,000 sf.	Yes - 1 Freight Loading in Lieu of 2. PUD Modification
Bicycle Parking per Section 155.2	None Provided	239 Class 1 bicycle parking & 20 Class bicycle parking.	1:1 Class 1 bicycle parking up to 100 dwelling units and 1:4 Class 1 bicycle parking above 100 dwelling units. 1 Class 1 bicycle parking per 7,500 sf of retail. Class 2 bicycle parking: 1 per 20 dwelling units and 1 per 2,500 square feet of retail, or 1 per 750 SF for restaurant. Required Resi: 135-Class 1, 12-Class 2; Required Retail (Restaurant): 1-Class 1, 7-Class 2	No
Exposure per Section 140	Not Applicable	Complies	All residential units meet the exposure requirements of Section 140	No
Streetscape Improvements per Section 138.1	Not Applicable	Complies	Proposed projects shall include streetscape & pedestrian improvements on all publically accessible right-of-way fronting the property. 16 existing trees, 8 trees to remain, 28 new trees will be installed, total of 36 trees will be provided at site.	No
Standards for Bird Safety per Section 139	Not Applicable	Complies	New Construction must meet Location-Related Standards & Feature-Related Standards	No
Street Frontage per Section 145.1	None Provided	Complies	Preserve, enhance, and promote attractive, clearly defined street frontages that are pedestrian-oriented, fine grained and which are appropriate. Ground floor retail ceiling height no less than 14'-0" clear.	No
Ground Level Wind Currents per Section 243 (c) (15)	Not Applicable	Complies	New Construction will not cause year-round ground level wind currents to exceed 11mph in areas of pedestrian use and 7 mph in areas of public seating more than 10% of the time between 7am-6pm.	Yes. C/U Required
Inclusionary Housing per Section 415	Not Applicable	Complies - In Lieu Fee and/or Small Sit Acquisition	27.5% Off-site/In-Lieu Fee 13.5% On-Site	No
Baby Diaper Changing Accommdations per Section 168	Not Applicable	Complies	Every public-serving establishment as defined in Sec. 168 shall be required to install and maintain baby diaper-changing accommdations.	No

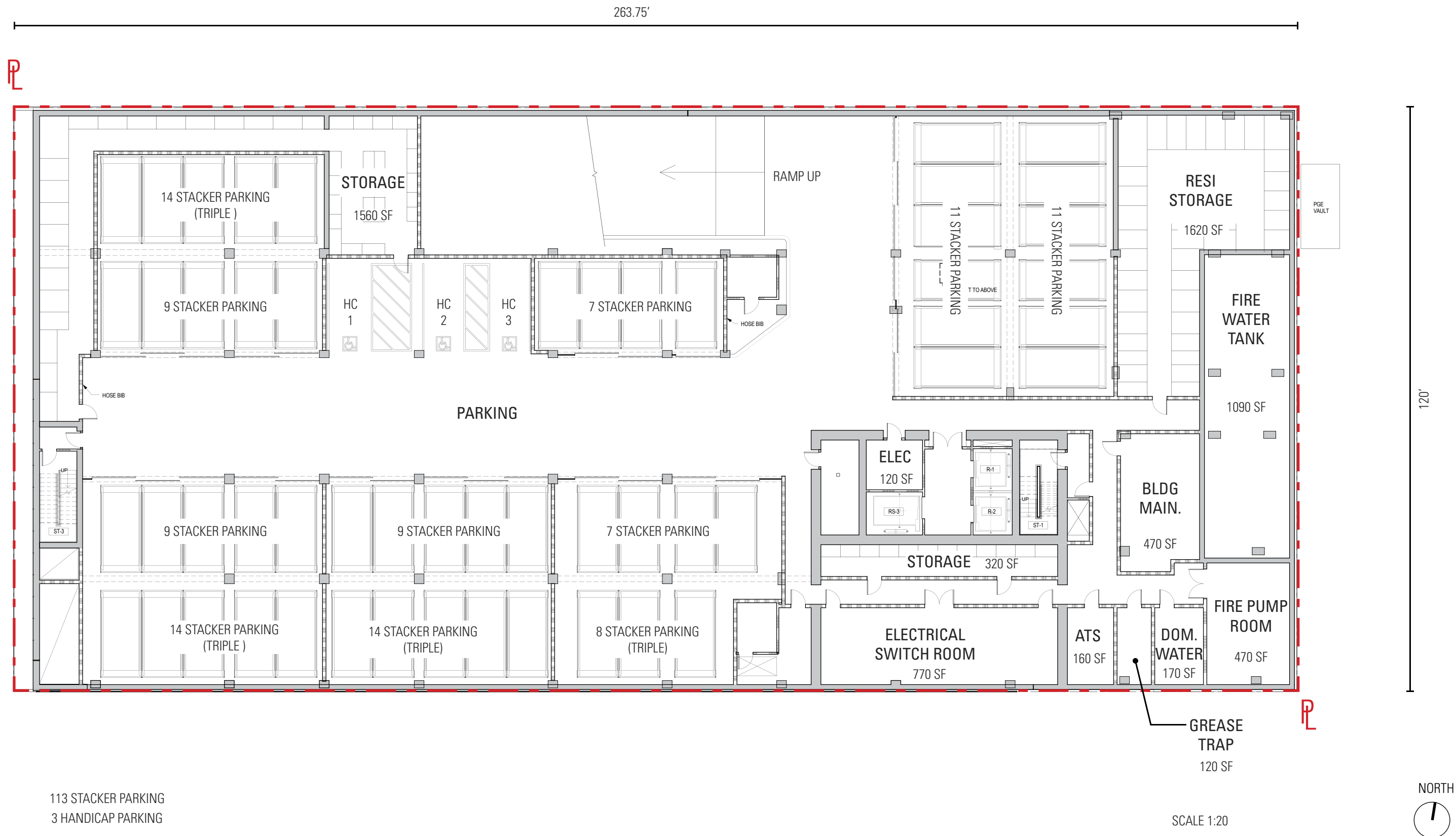
PROJECT SUMMARY

FLOOR								GROSS FLOOR AREA (PER SFPD SECTION 102.9)			EXEMPTED GSF (PER SEC 102.9)				TOTAL INTERIOR GSF	PARKING							EXTERIOR SF		
	JR1	1BR	1BR+D	2BR	3BR	TH-3BR	Sub-Total	PER FLOOR			PARKING	BICYCLE	MECH & UTILITY	TOTAL	TOTAL	CAR PARKING				CAR-SHARE	BICYCLE		OPEN SPACE		TOTAL
								RETAIL	RESIDENTIAL	TOTAL						CONVENTION	STACKER	HC	TOTAL		CLASS 1	CLASS 2	PRIVATE	COMMON	
ROOF												2,838	2,838	2,838										5,260	5,260
14	0	0	0	2	5	0	7		13,483	13,483				13,483									0		0
13	0	0	1	8	1	0	10		13,483	13,483				13,483									36		36
12	0	0	1	8	1	0	10		13,483	13,483				13,483									72		72
11	0	0	1	6	1	0	8		15,123	15,123				15,123									36	4,090	4,126
10	4	3	5	7	1	0	20		19,964	19,964				19,964									36		36
9	4	3	6	9	0	0	22		21,637	21,637				21,637									36		36
8	4	3	6	9	0	0	22		21,637	21,637				21,637									0		0
7	8	9	4	5	0	0	26		21,827	21,827				21,827									36		36
6	8	9	4	5	0	0	26		21,827	21,827				21,827									0		0
5	8	9	4	5	0	0	26		21,827	21,827				21,827									36		36
4	8	9	4	5	0	0	26		21,827	21,827				21,827									0		0
3	8	7	5	5	0	0	25		21,735	21,735				21,735									216		216
2	0	2	0	3	0	0	5		11,405	11,405	8,614	1,912	2,237	12,763	24,168	14		1	15	2	239				0
1							0	5,151	3,382	8,533	18,466		4,107	22,573	31,106		58	4	62			20		1,960	1,960
B1						0	0		1,328	1,328	21,325		7,857	29,182	30,510		113	3	116						0
Townhomes						6	6		12,851	12,851					12,851										0
Total SF	52	54	41	77	9	6	239	5,151	256,819	261,970	48,405	1,912	17,039	67,356	329,326	14	171	8	193	2	239	20	504	11,310	11,814

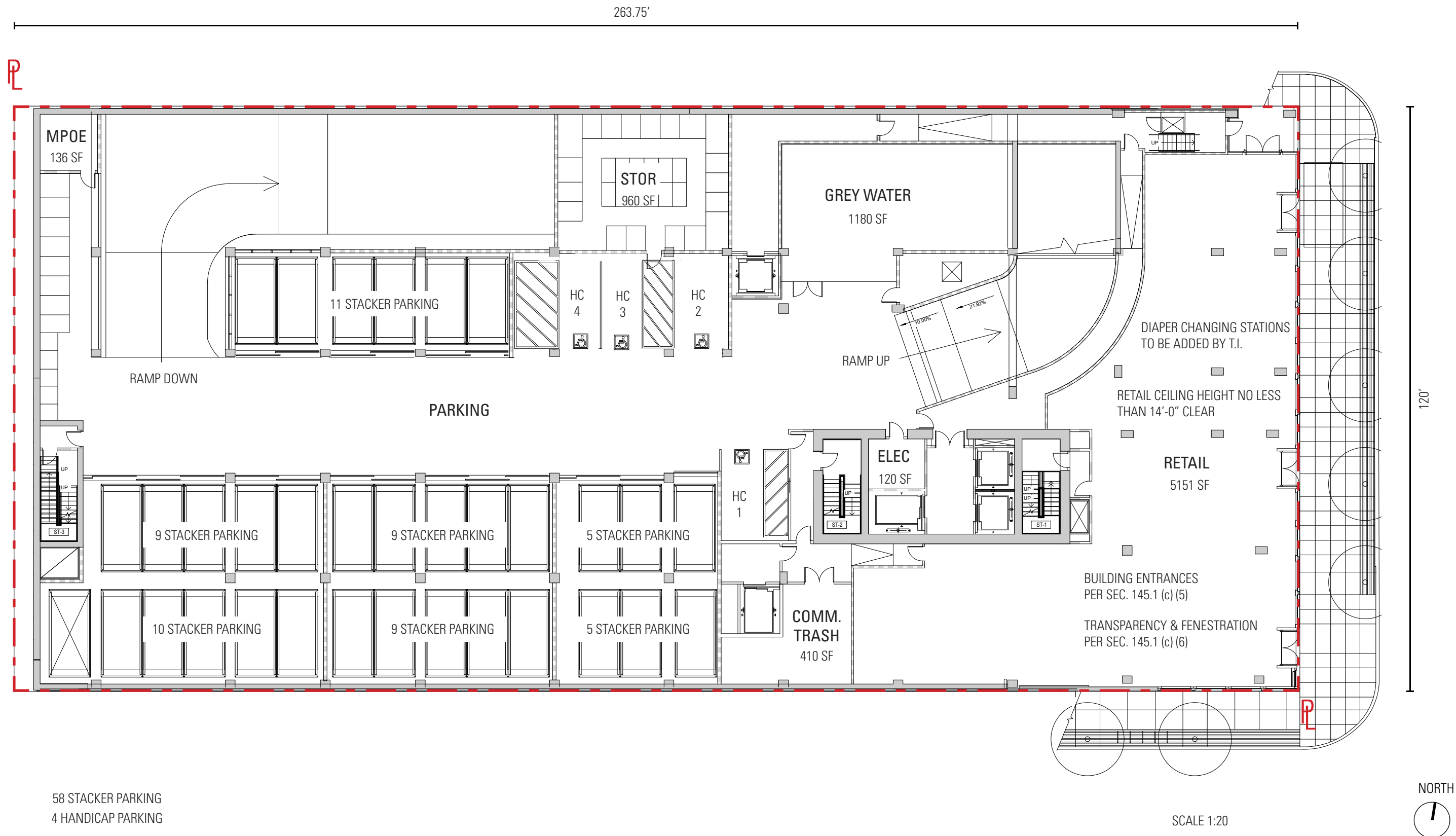
SITE PLAN
(PROPOSED)



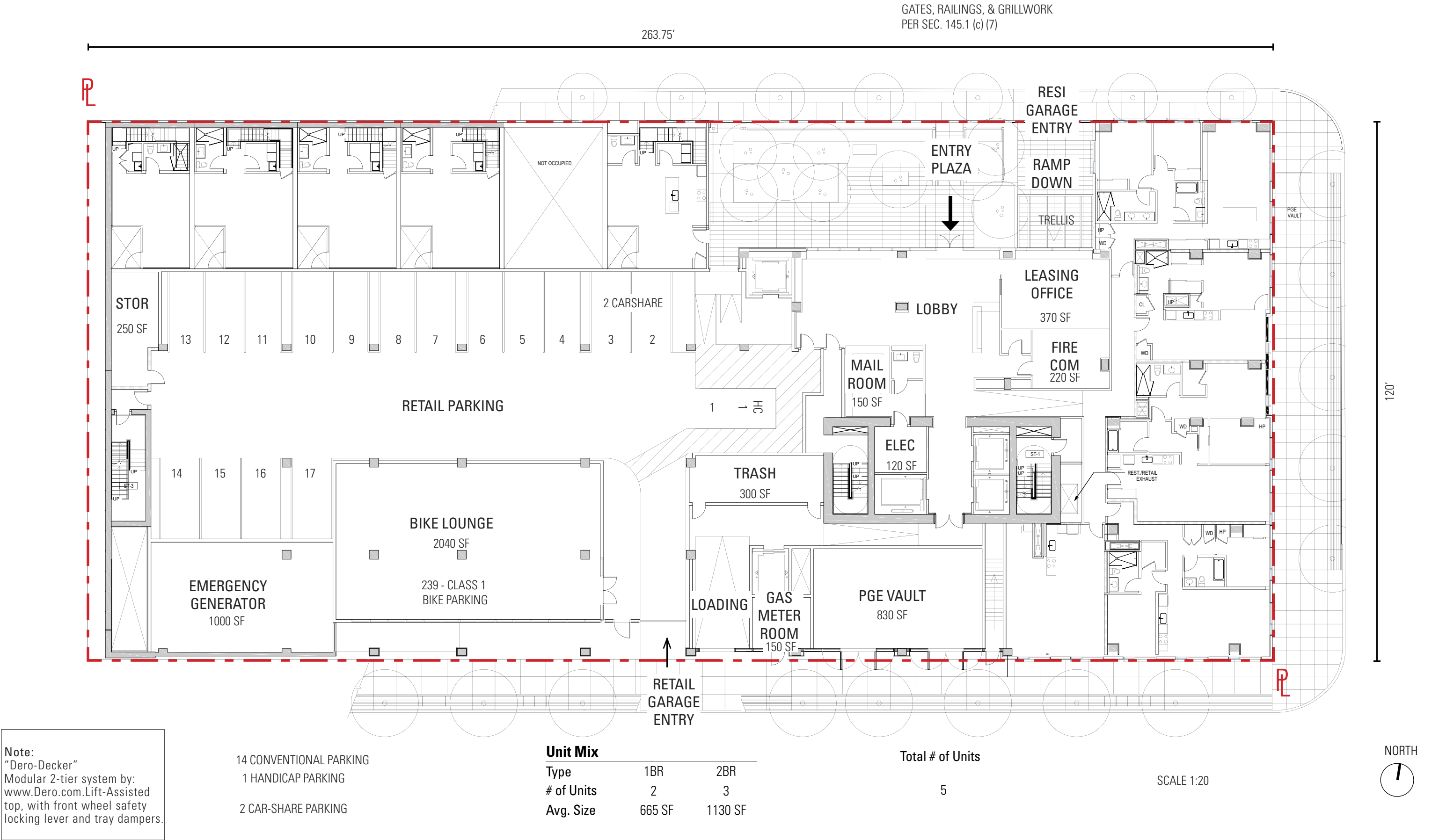
FLOOR PLAN - B1



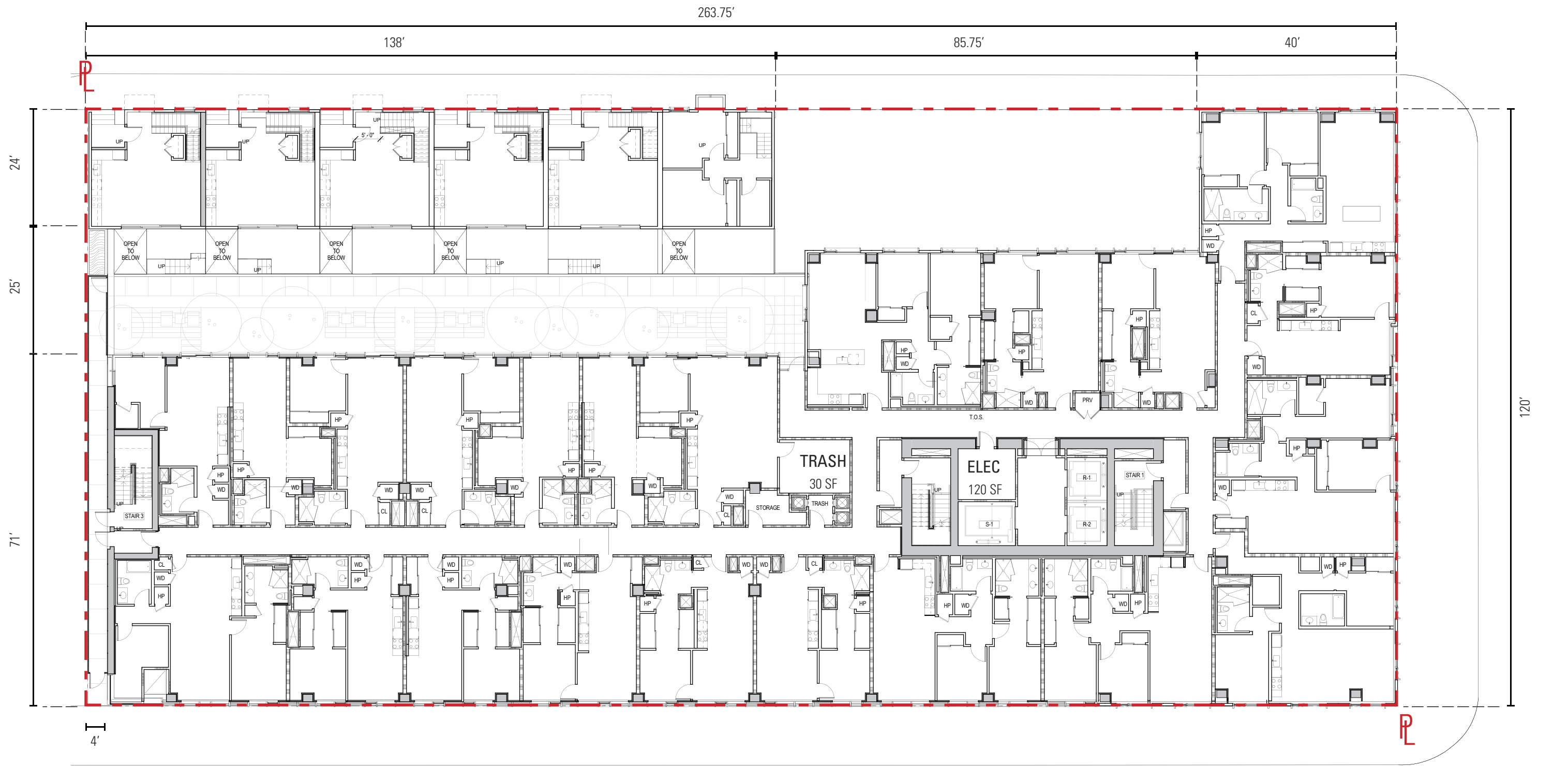
FLOOR PLAN - L1



FLOOR PLAN - L2



FLOOR PLAN - L3



Unit Mix					Total # of Units
Type	JR	1BR	1BR+	2BR	
# of Units	8	7	5	5	
Avg. Size	510 SF	665 SF	720 SF	1130 SF	

Total # of Units

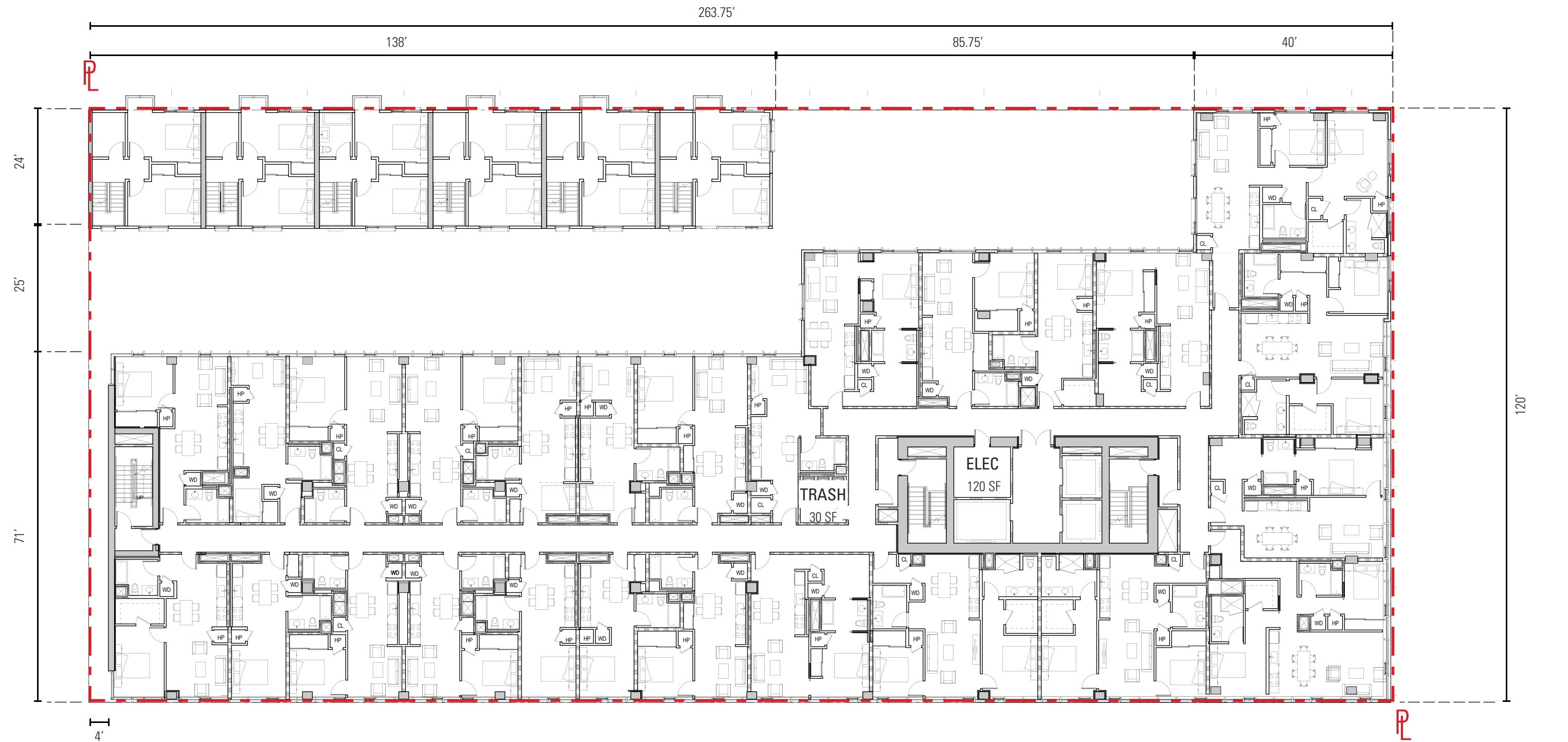
25

SCALE 1:20

NORTH



TYP PODIUM FLOOR PLAN - L4-7



Unit Mix					Total # of Units
Type	JR	1BR	1BR+	2BR	
# of Units	8	9	4	5	
Avg. Size	510 SF	665 SF	720 SF	1130 SF	

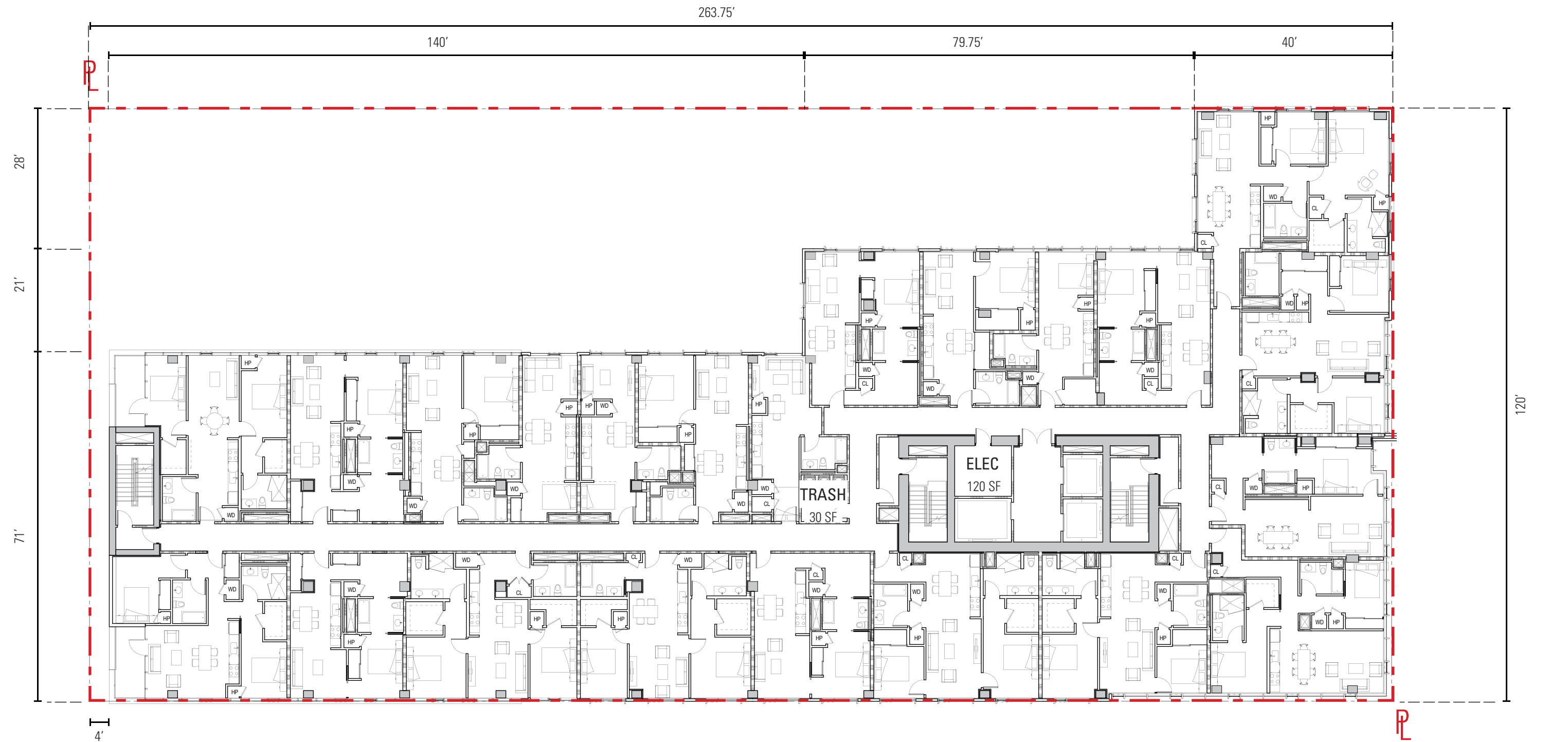
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SCALE 1:20

NORTH



FLOOR PLAN - L8-9



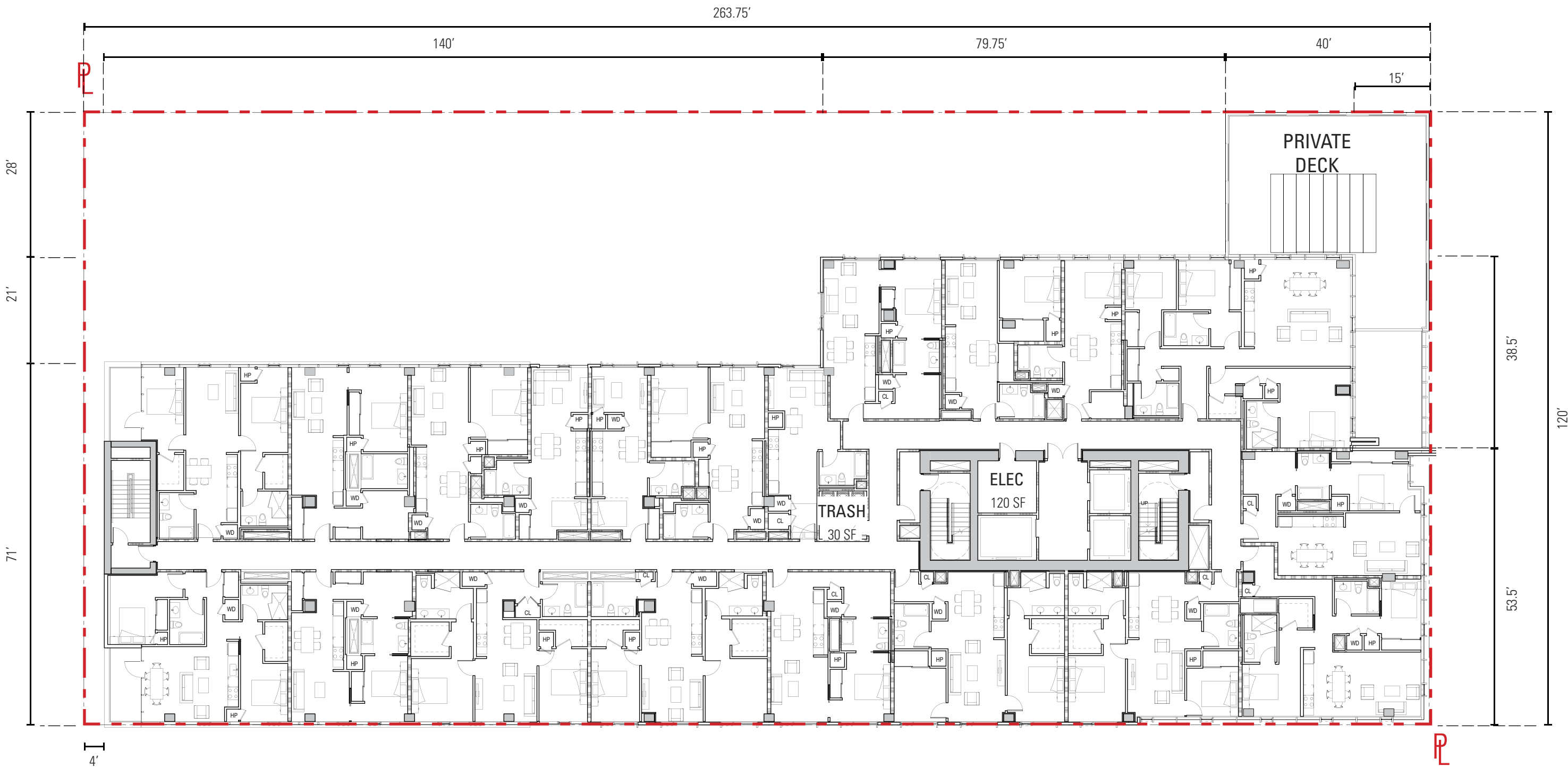
Unit Mix					Total # of Units
Type	JR	1BR	1BR+	2BR	
# of Units	4	3	6	9	
Avg. Size	510 SF	665 SF	720 SF	1130 SF	

22

SCALE 1:20



FLOOR PLAN - L10



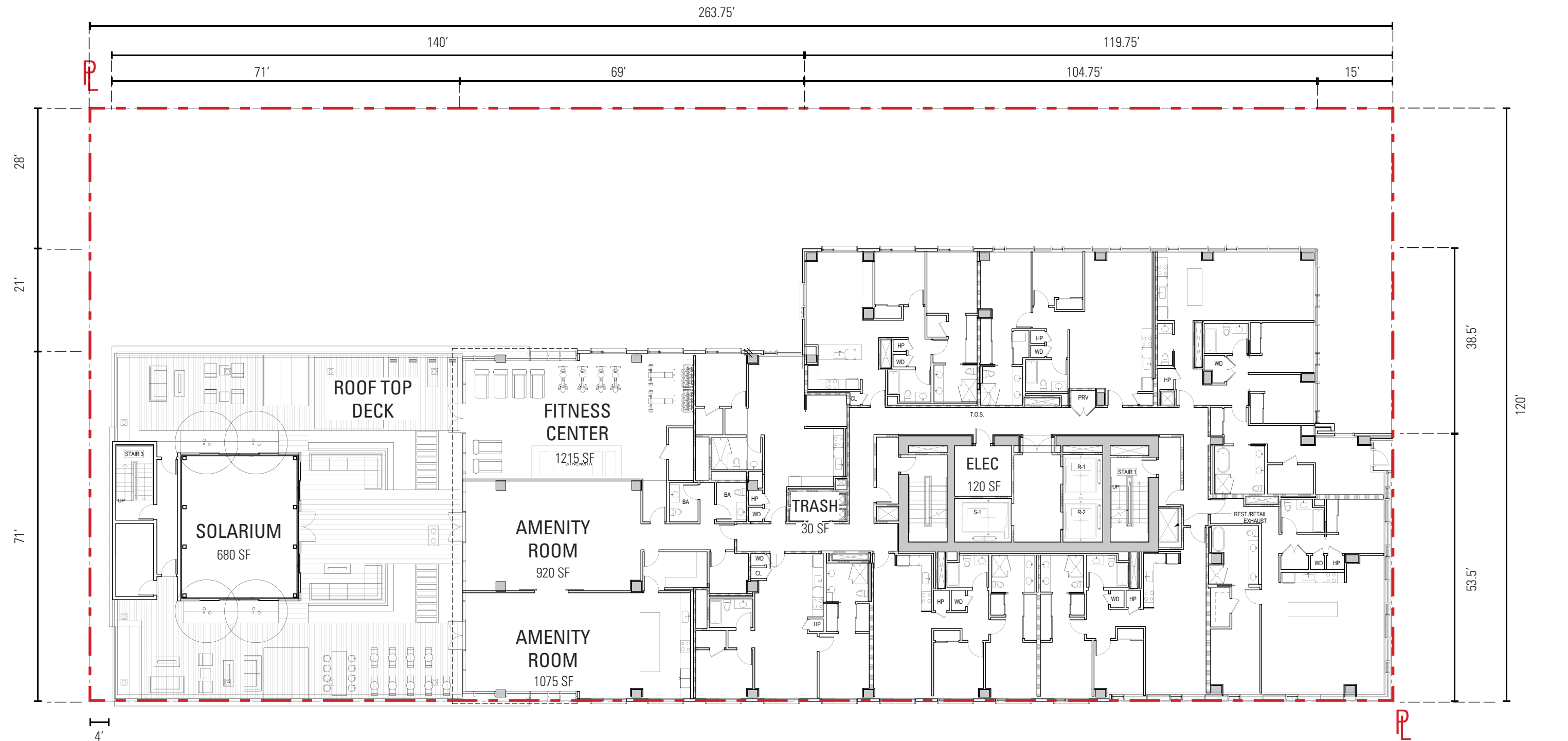
Unit Mix					
Type	JR	1BR	1BR+	2BR	3BR
# of Units	4	3	5	7	1
Avg. Size	510 SF	665 SF	720 SF	1130 SF	1510 SF

Total # of Units
20

SCALE 1:20



AMENITY FLOOR PLAN - L11



Unit Mix			
Type	1BR+	2BR	3BR
# of Units	1	6	1
Avg. Size	720 SF	1130 SF	1530 SF

Total # of Units

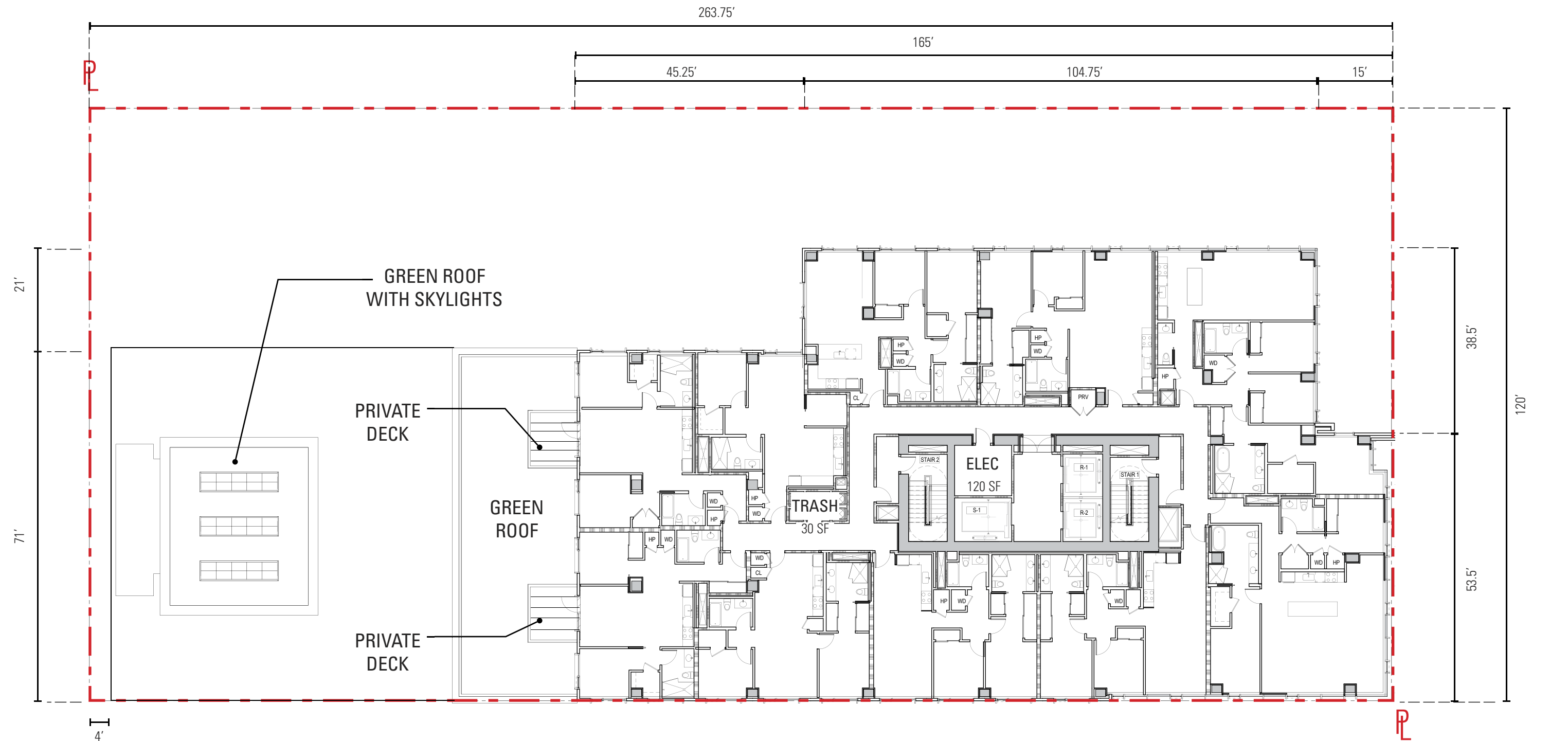
8

SCALE 1:20

NORTH



TYP TOWER FLOOR PLAN - L12-13



Unit Mix			
Type	1BR+	2BR	3BR
# of Units	1	8	1
Avg. Size	720 SF	1130 SF	1530 SF

Total # of Units

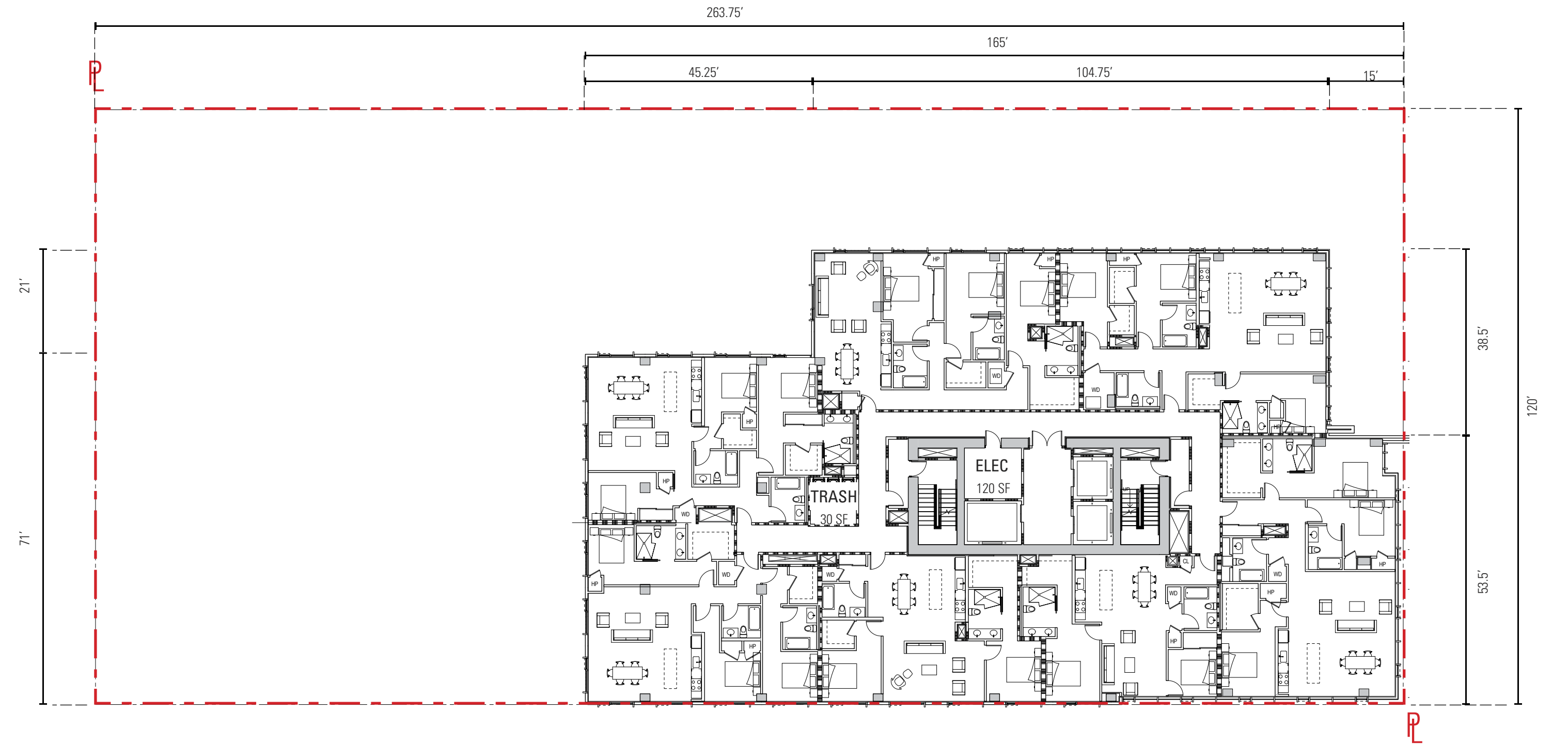
10

SCALE 1:20

NORTH



FLOOR PLAN - L14



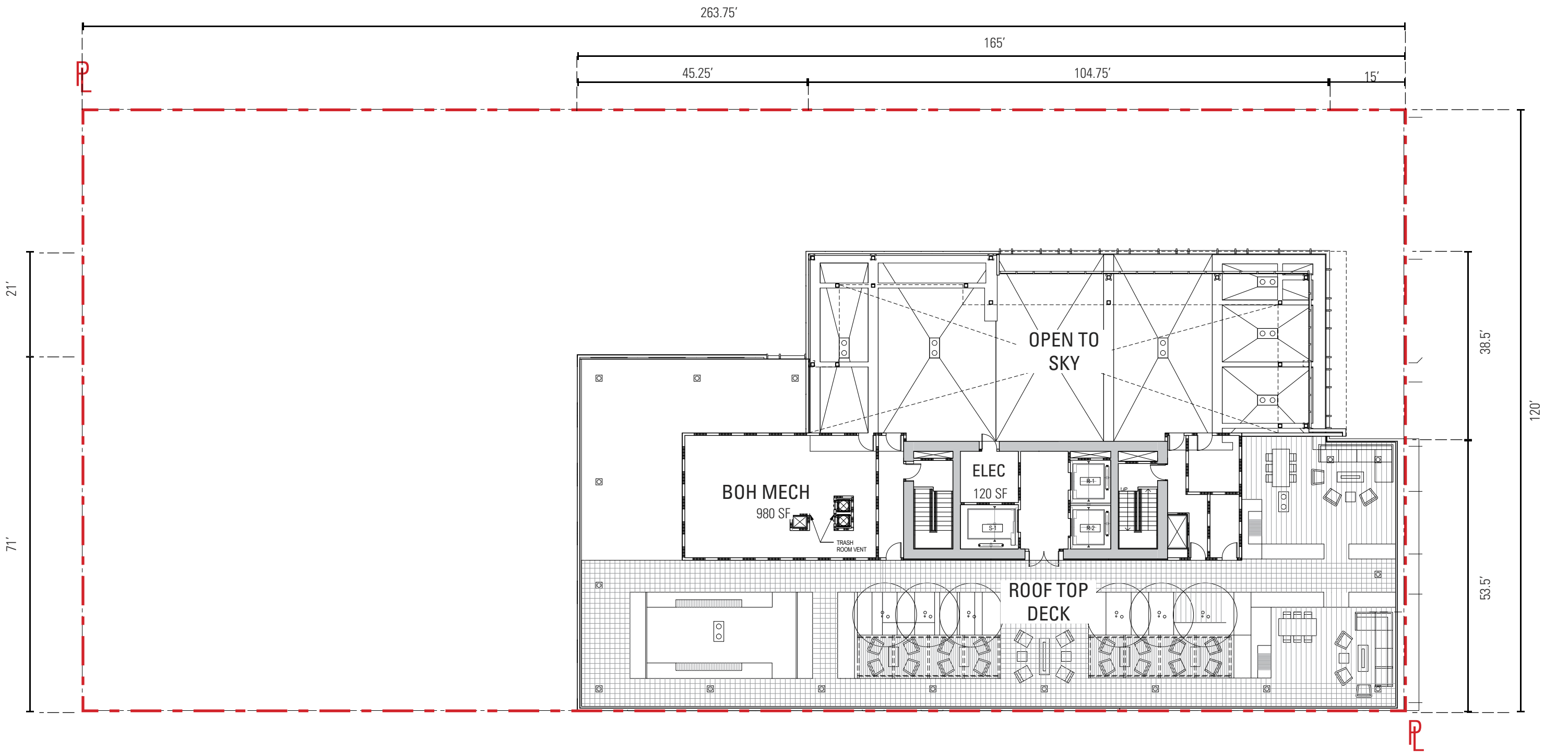
Unit Mix		
Type	2BR	3BR
# of Units	2	5
Avg. Size	1130 SF	1530 SF

Total # of Units
7

SCALE 1:20



ROOF



BUILDING SECTION

T.O MECH PENTHOUSE
EL. 146'-0"

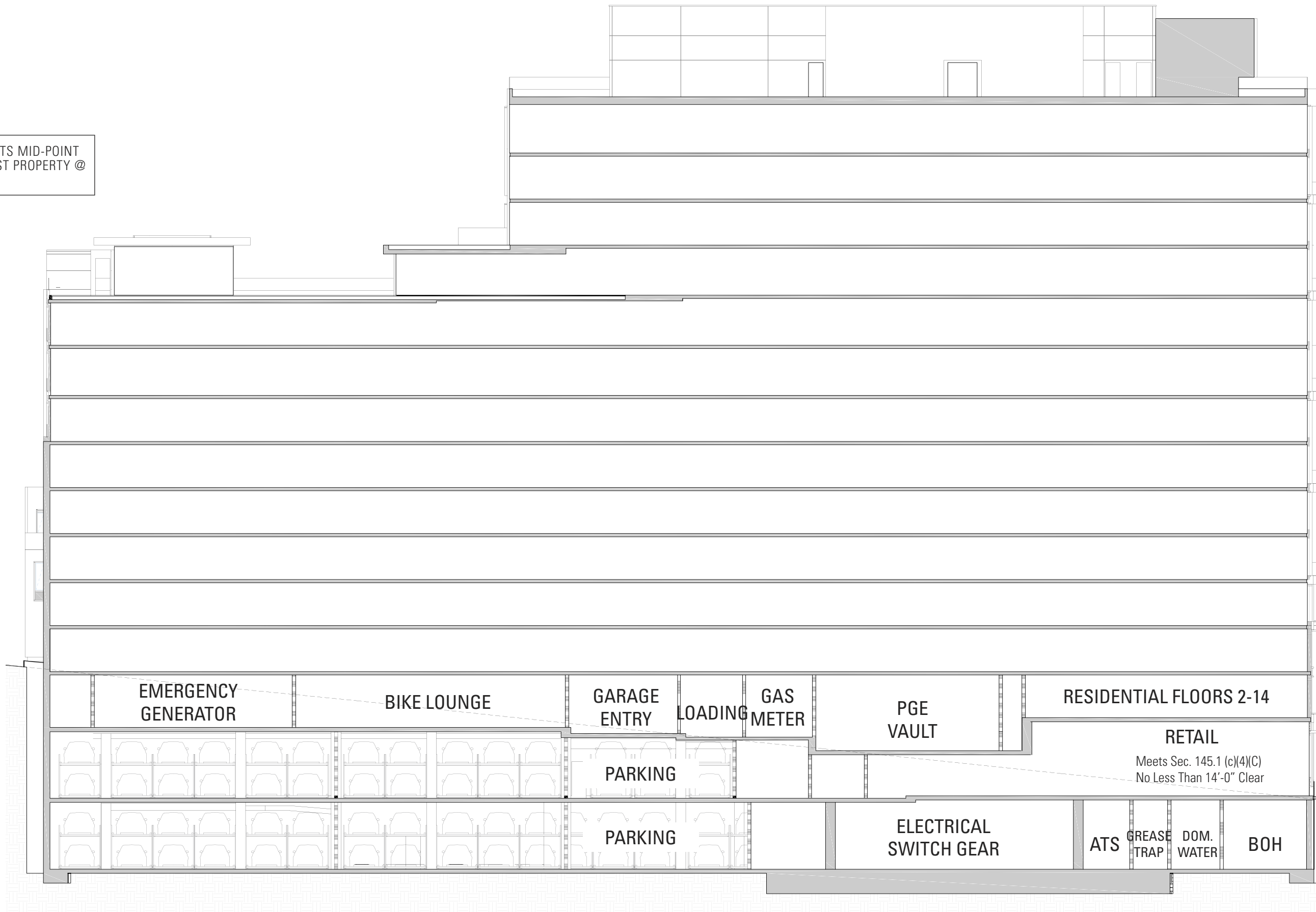
0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

ROOF
EL. 127'-0"

LEVEL 11
EL. 86'-5"

LEVEL 2
EL. 0'-0"

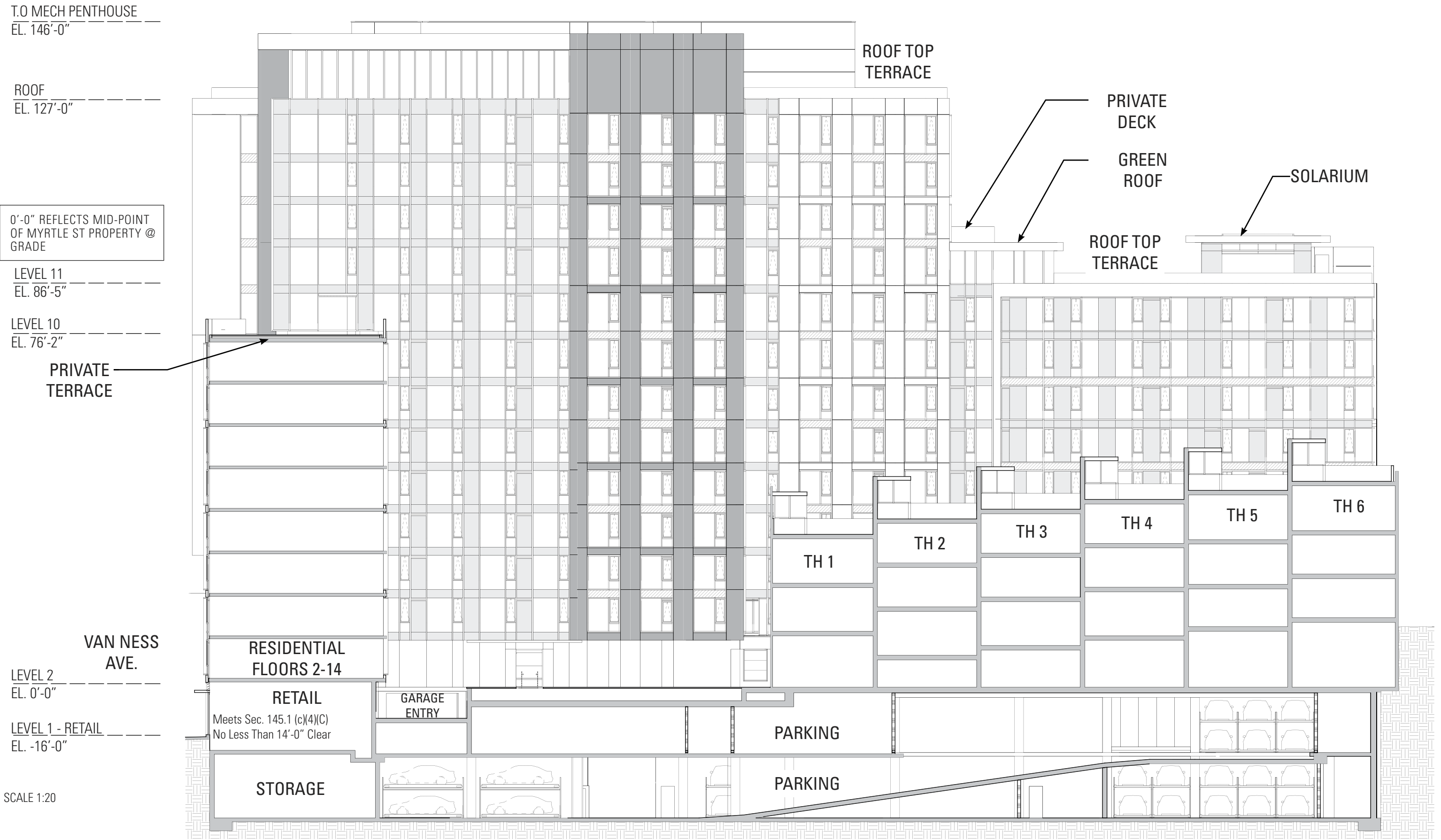
LEVEL 1
EL. -16'-0"



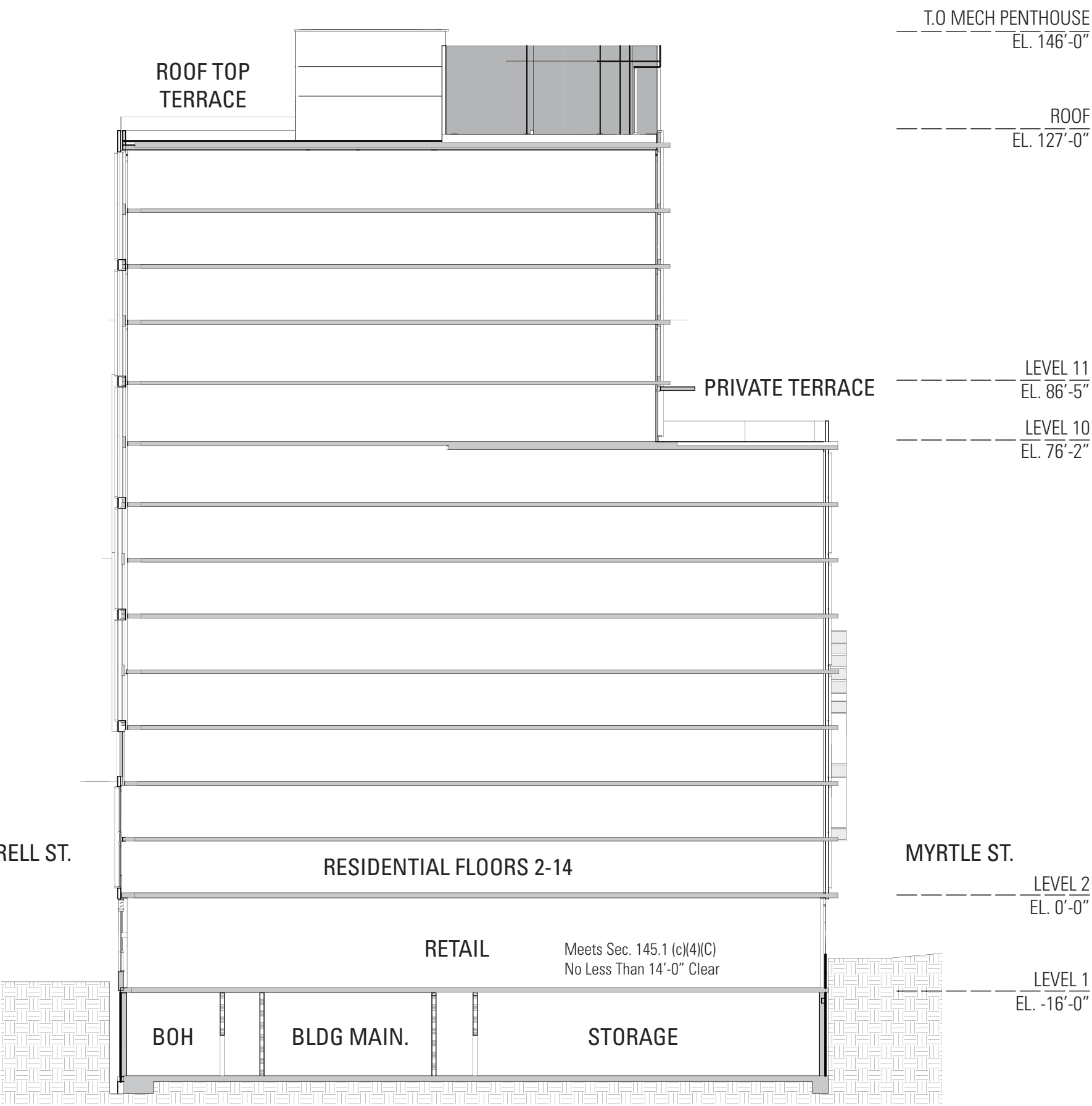
VAN NESS
AVE.

SCALE 1:20

BUILDING SECTION



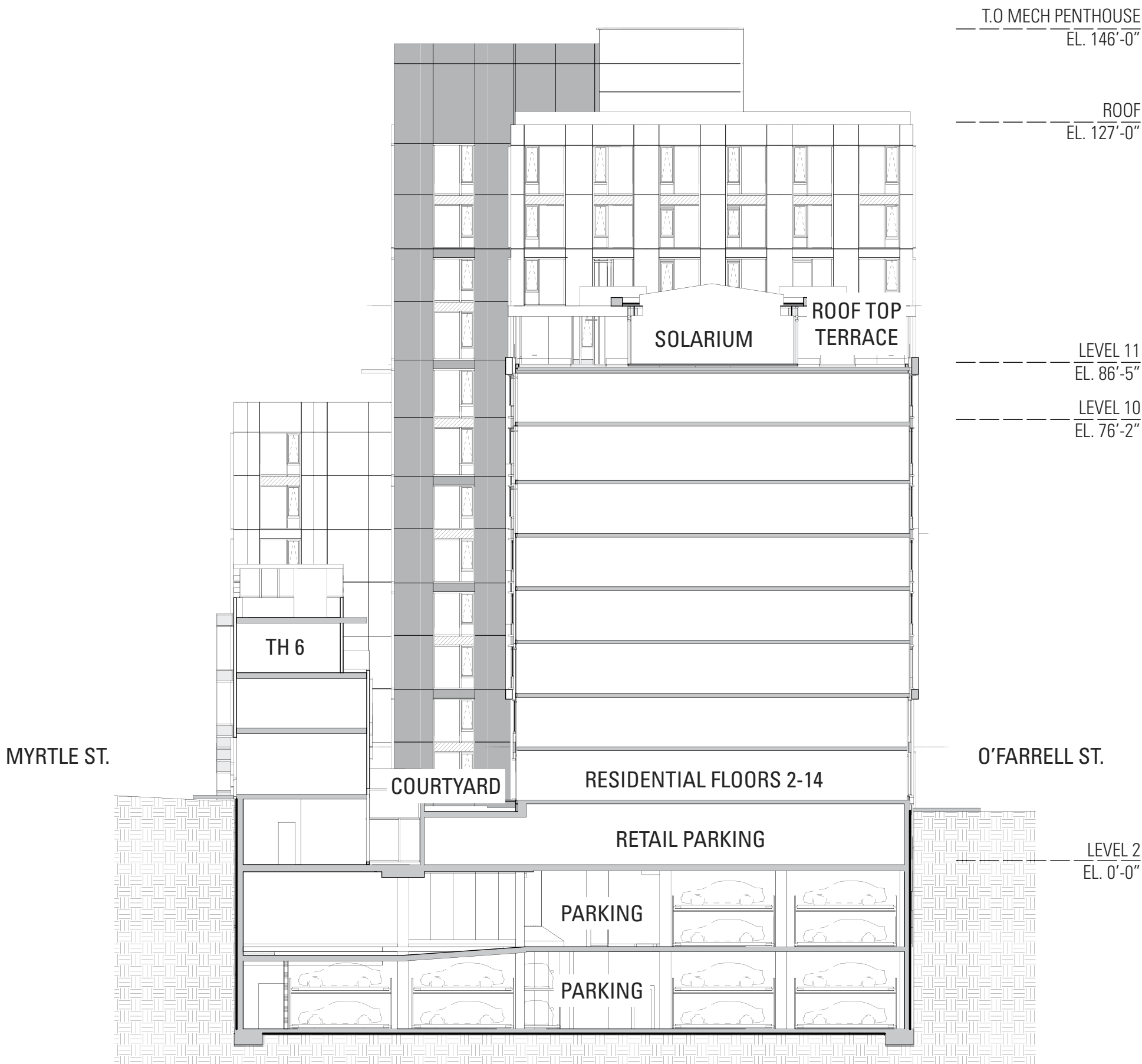
BUILDING SECTION



SCALE 1:20

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

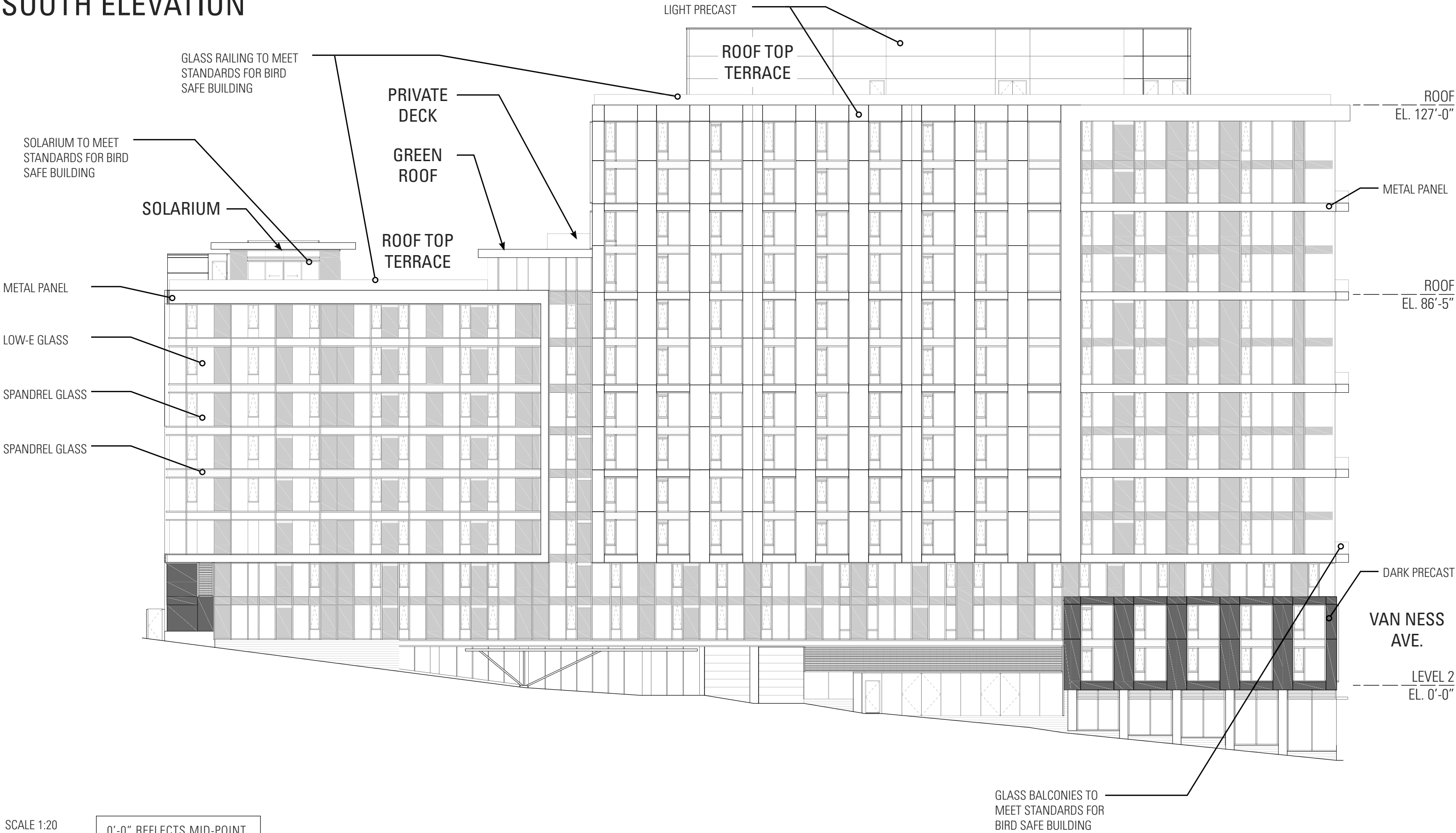
BUILDING SECTION



SCALE 1:20

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

SOUTH ELEVATION



SCALE 1:20

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

NORTH ELEVATION

T.O MECH PENTHOUSE
EL. 146'-0"

ROOF
EL. 127'-0"

LOW-E GLASS

PRIVATE
DECK

LEVEL 11
EL. 86'-5"

LEVEL 10
EL. 76'-2"

LIGHT PRECAST

METAL PANEL

SPANDREL
GLASS

VAN NESS
AVE.

LEVEL 2
EL. 0'-0"

LEVEL 1 - RETAIL
EL. -16'-0"

SCALE 1:20

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

PERFORATED METAL
SCREEN

DARK PRECAST

ROOF TOP
TERRACE

LIGHT PRECAST

PRIVATE
DECK

GREEN
ROOF

ROOF TOP
TERRACE

GLASS RAILING TO MEET
STANDARDS FOR BIRD
SAFE BUILDING

SOLARIUM TO MEET
STANDARDS FOR BIRD
SAFE BUILDING

SOLARIUM

METAL PANEL

GARAGE
ENTRY

CANOPY

ENTRY

TRELLIS

EAST ELEVATION

T.O MECH PENTHOUSE
EL. 146'-0"

ROOF
EL. 127'-0"

LEVEL 10
EL. 76'-2"

O'FARRELL ST.
LEVEL 2
EL. 0'-0"

LEVEL 1 - RETAIL
EL. -16'-0"

ROOF TOP
TERRACE

PRIVATE
DECK

GLASS RAILING TO MEET
STANDARDS FOR BIRD
SAFE BUILDING

PERFORATED METAL SCREEN

SPANDREL GLASS

LOW-E GLASS

GLASS BALCONIES TO
MEET STANDARDS FOR
BIRD SAFE BUILDING

LIGHT PRECAST

METAL PANEL

DARK PRECAST

METAL LOUVERS

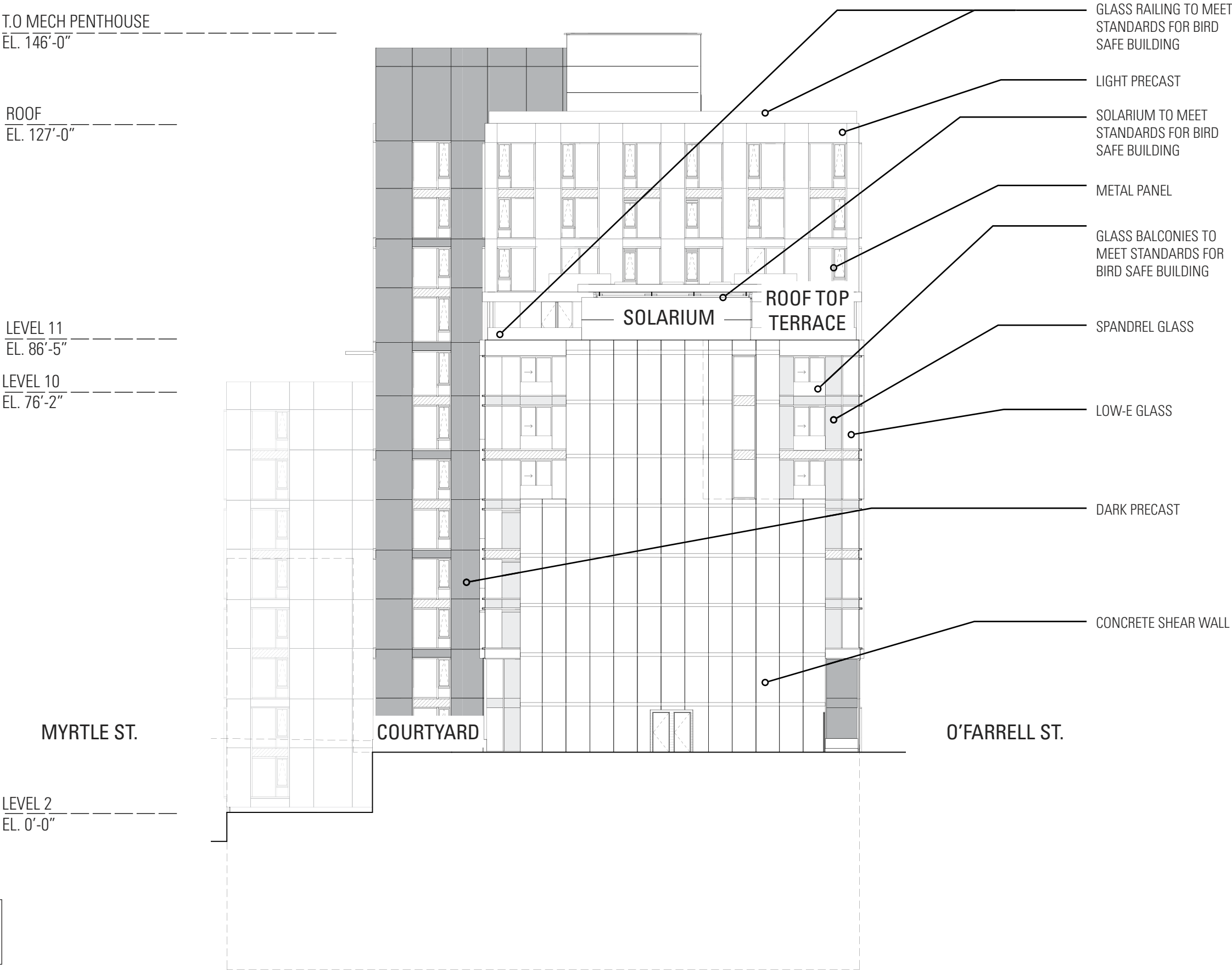
METAL C-CHANNEL

MYRTLE ST.

SCALE 1:20

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

WEST ELEVATION



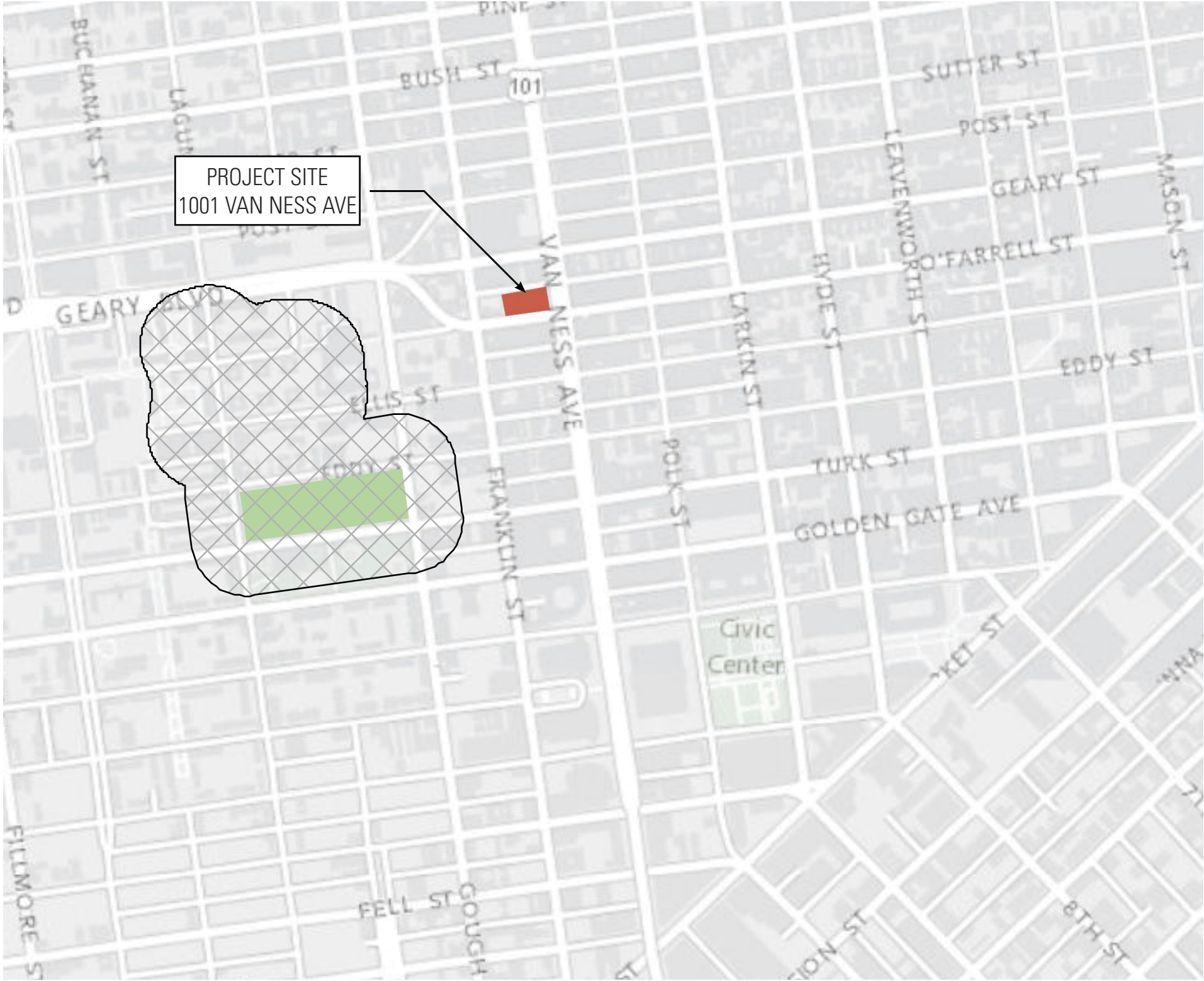
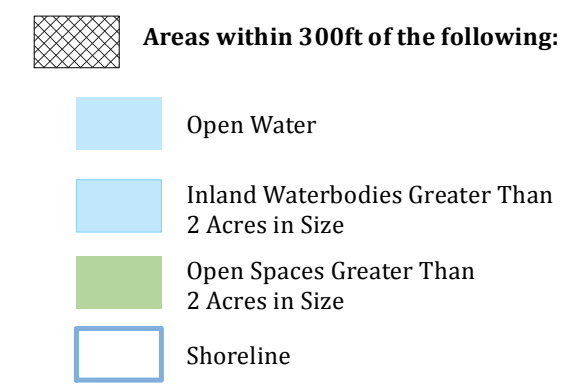
SCALE 1:20

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE

DIAGRAMS

BIRD REFUGE DIAGRAM

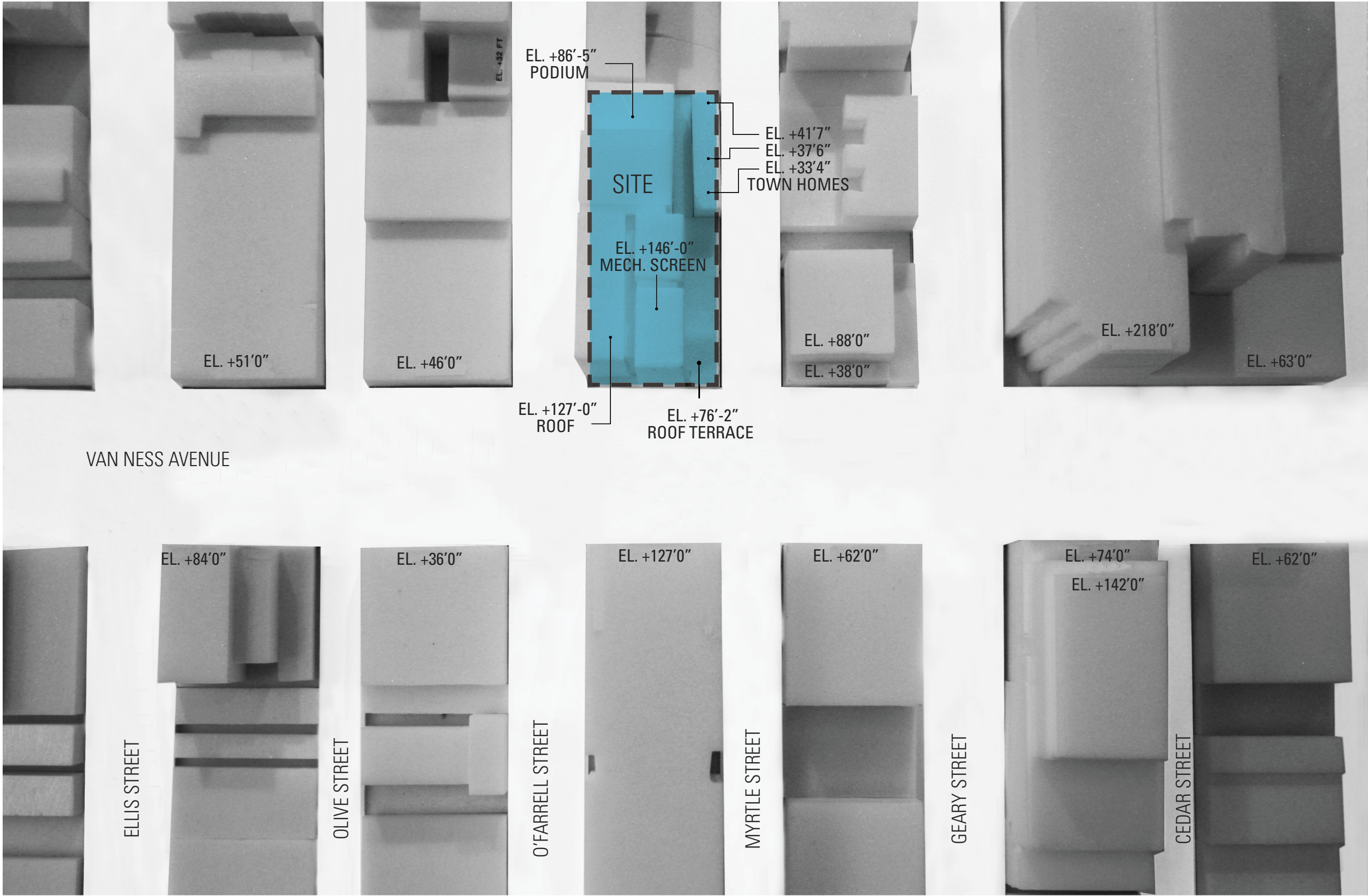
Urban Bird Refuge *



Per the San Francisco Planning Department
Urban Bird Refuge Map

STREET WALL HEIGHT OF BUILDINGS ALONG VAN NESS AVENUE WITHIN TWO BLOCKS

0'-0" REFLECTS MID-POINT
OF MYRTLE ST PROPERTY @
GRADE



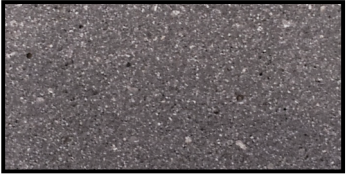
BUILDING MATERIALS



1. Light Precast



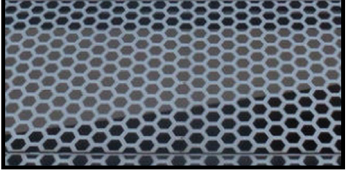
2. Dark Precast



3. Aluminium Mullions



4. Perforated Metal Screen



5. Dark Architectural Grille



6. Stone Veneer



7. Low E Glass



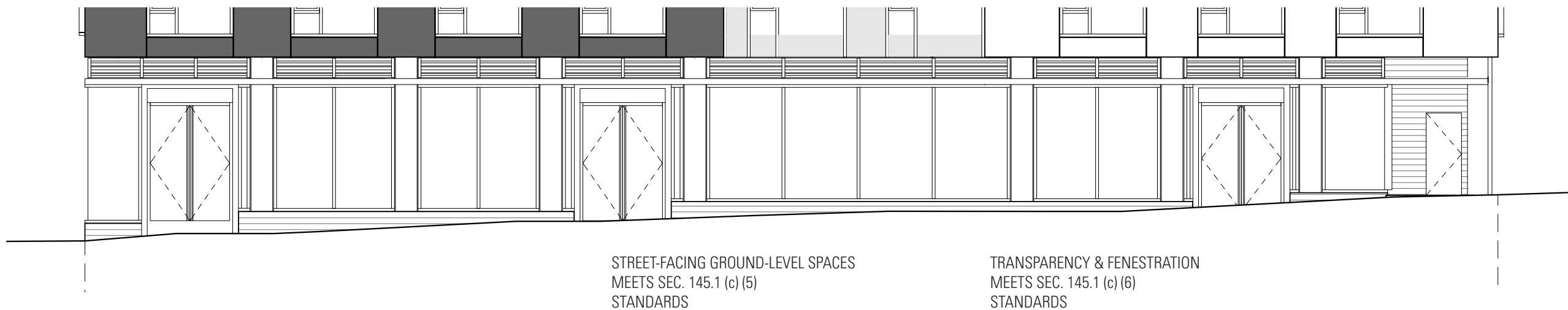
8. Spandrel Glass



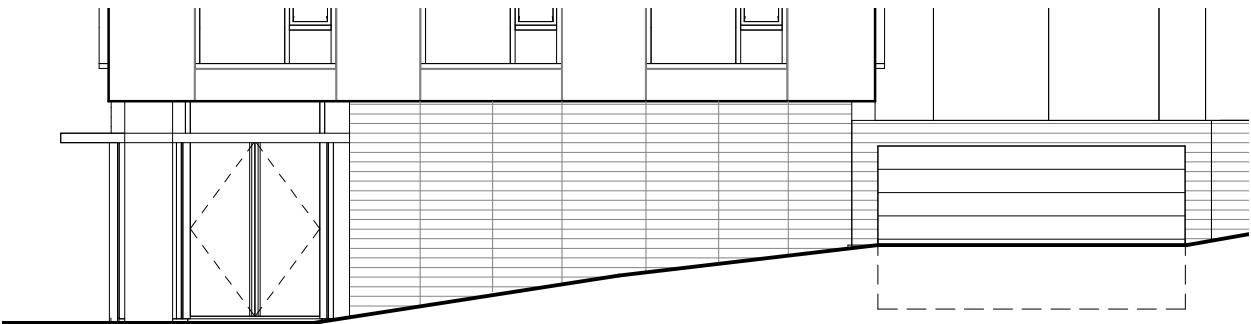
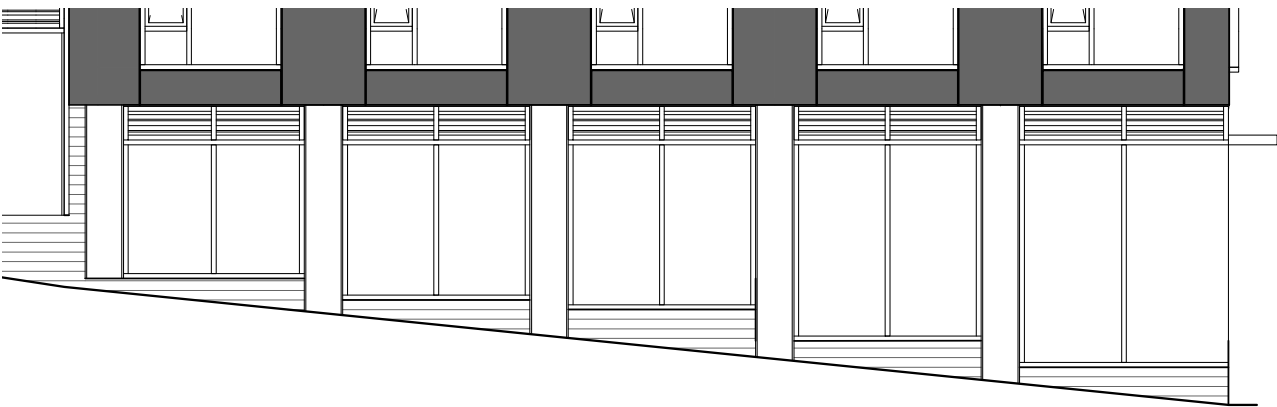
9. Metal Panel



ENLARGED ELEVATIONS



RETAIL - EAST ELEVATION ALONG VAN NESS AVENUE



RETAIL - SOUTH ELEVATION ALONG O'FARRELL STREET

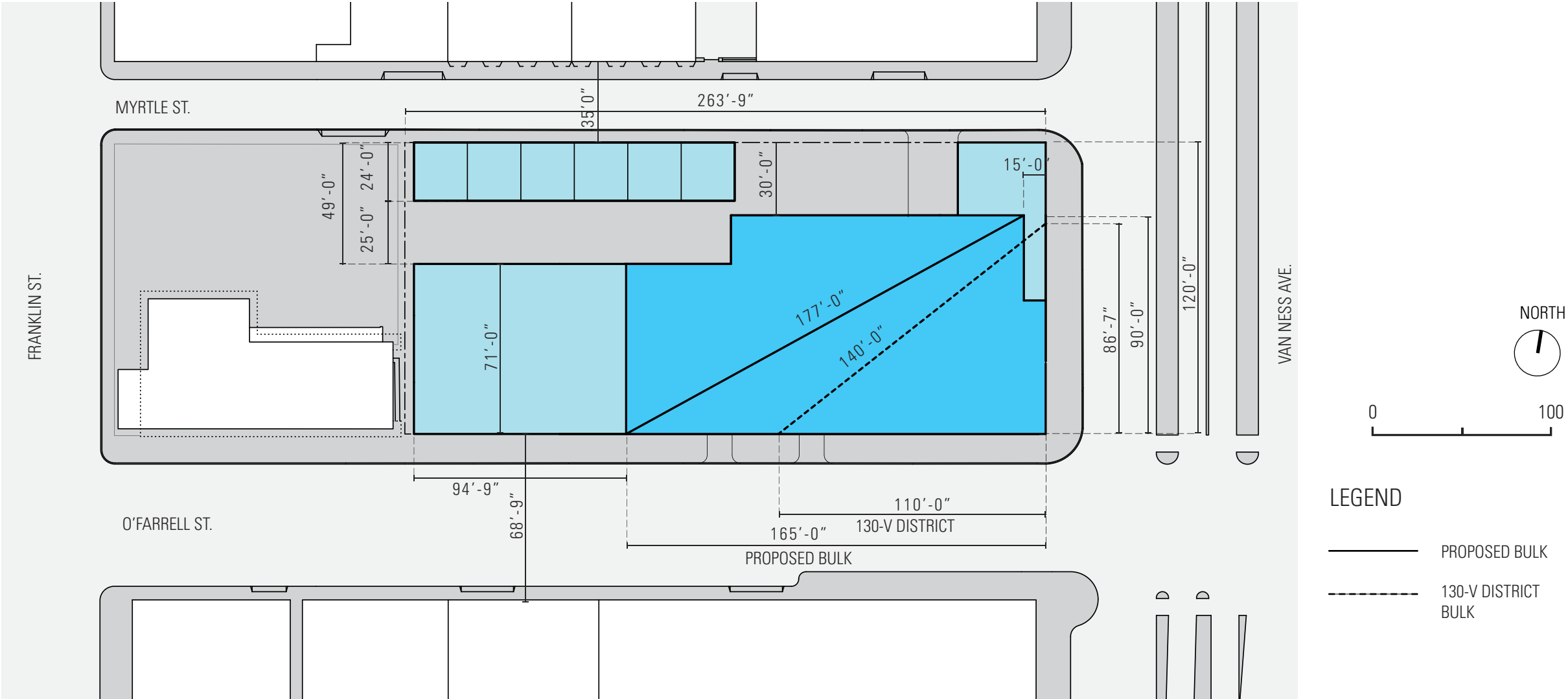
RETAIL - NORTH ELEVATION ALONG MYRTLE STREET



BIKE LOUNGE - SOUTH ELEVATION ALONG O'FARRELL STREET

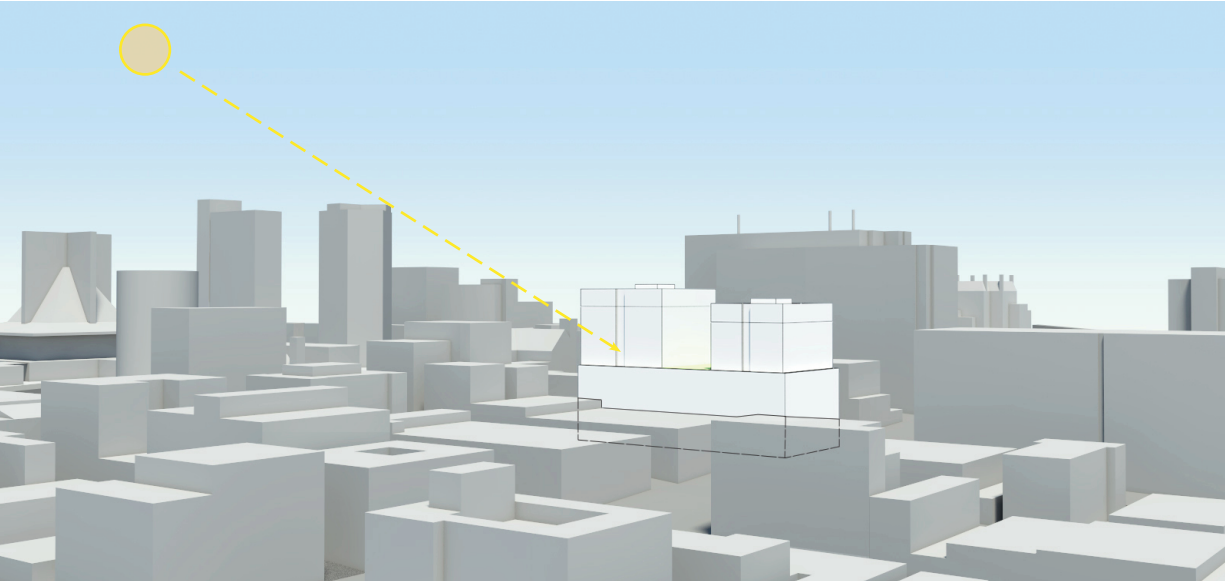
SCALE 1:10

BULK DIAGRAM



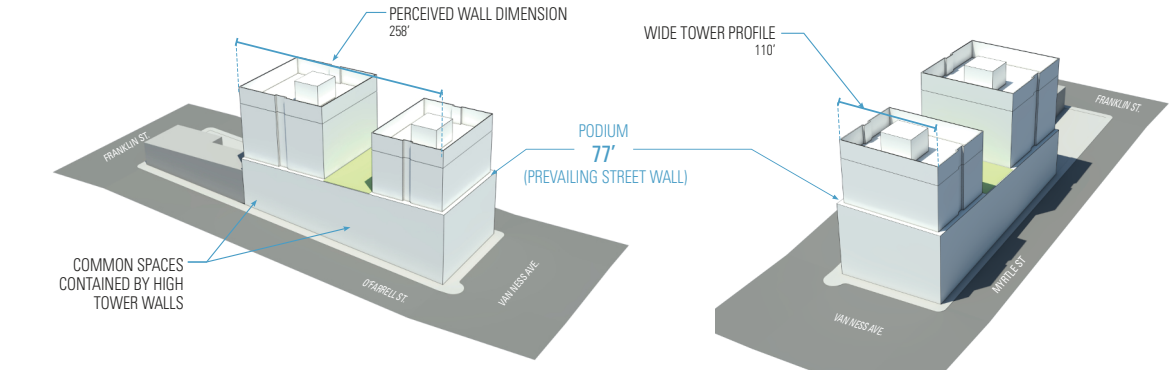
BULK COMPARISON DIAGRAM

BULK COMPLIANT - TWO TOWER SCHEME



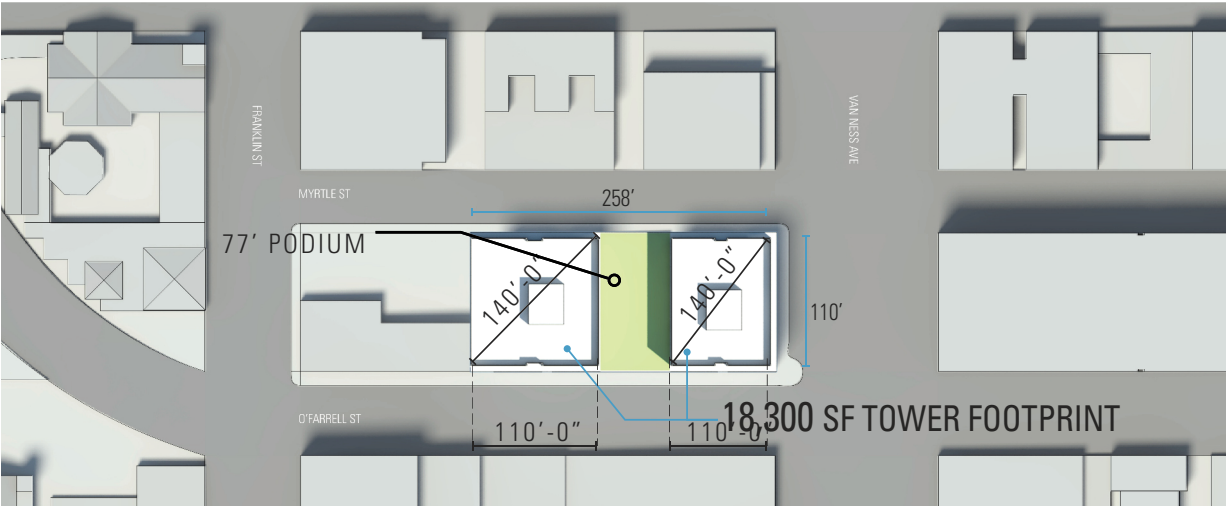
SCHEME A - PERSPECTIVE LOOKING NORTHWEST

PROPOSED DESIGN - SINGLE TOWER/TOWN HOMES

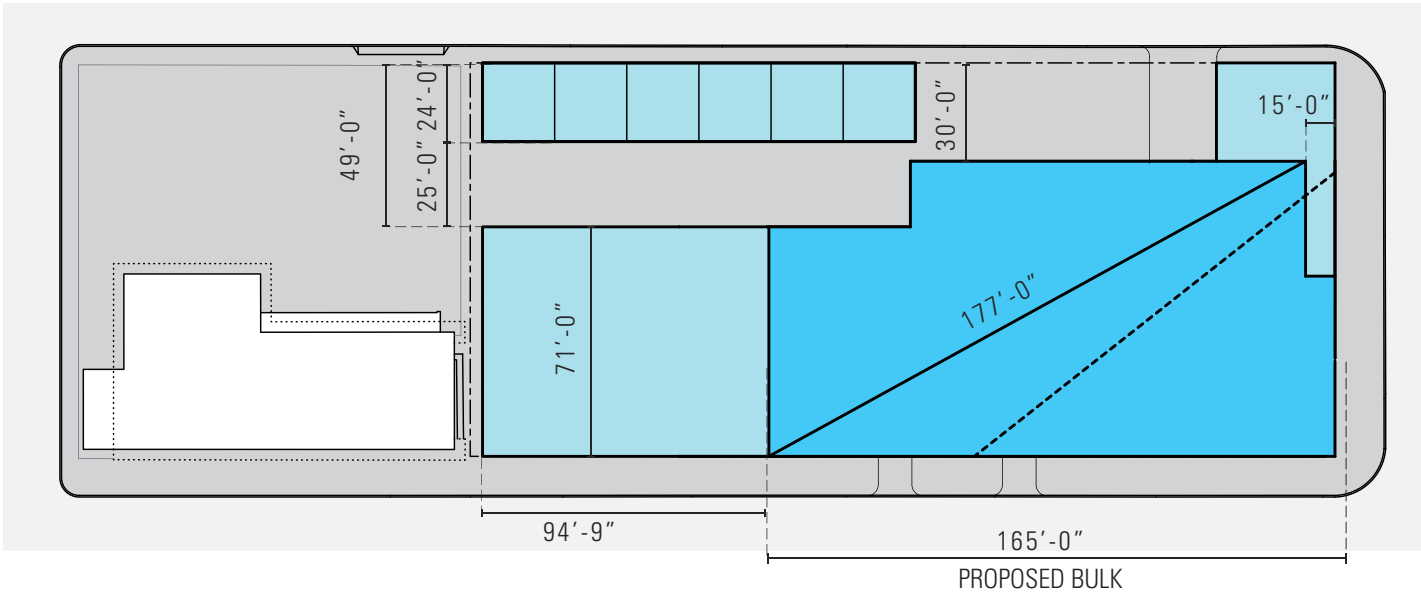


SCHEME A - AXON VIEW FROM O'FARRELL ST

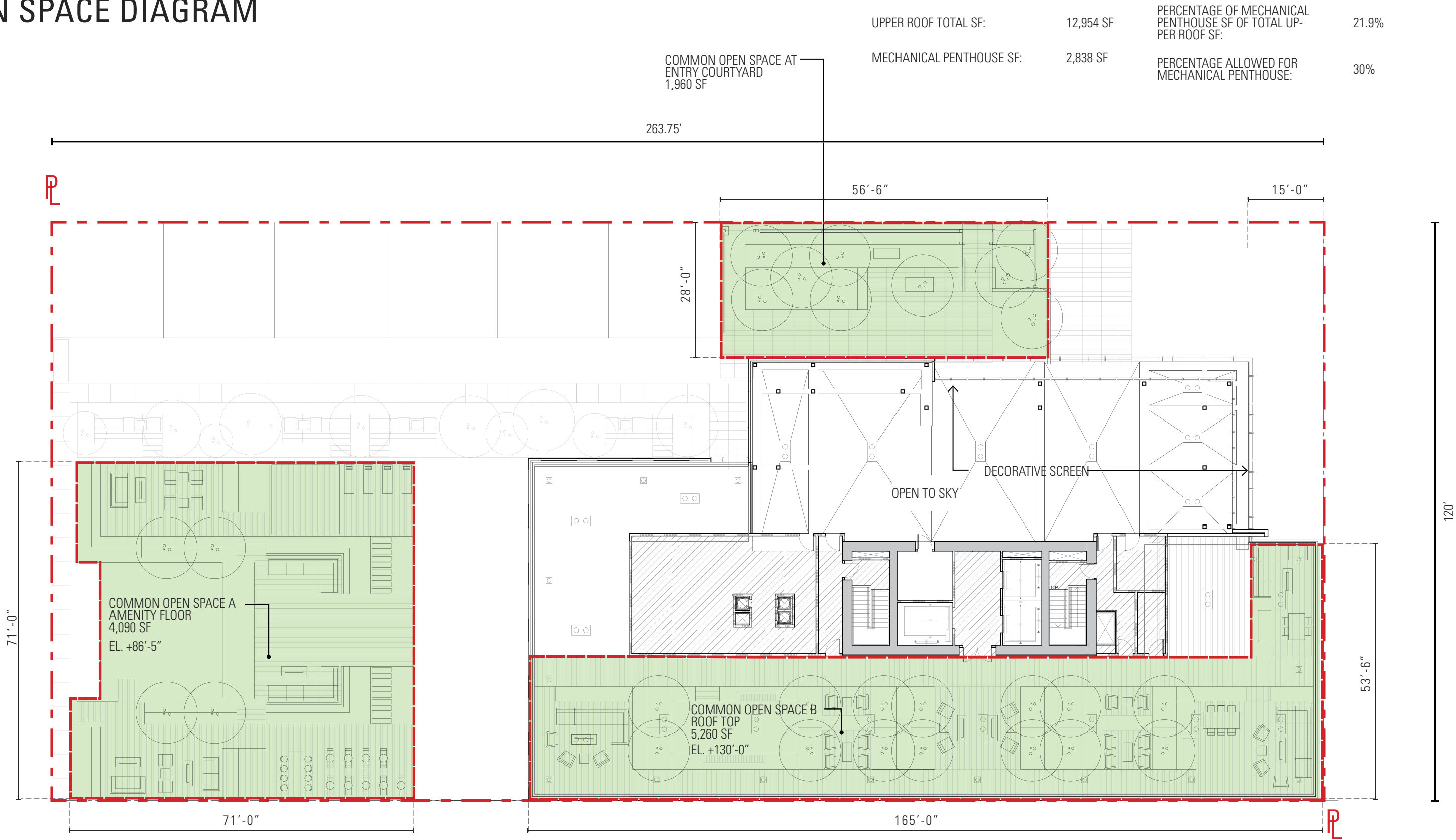
SCHEME A - AXON VIEW FROM MYRTLE ST



SCHEME A - ROOF PLAN

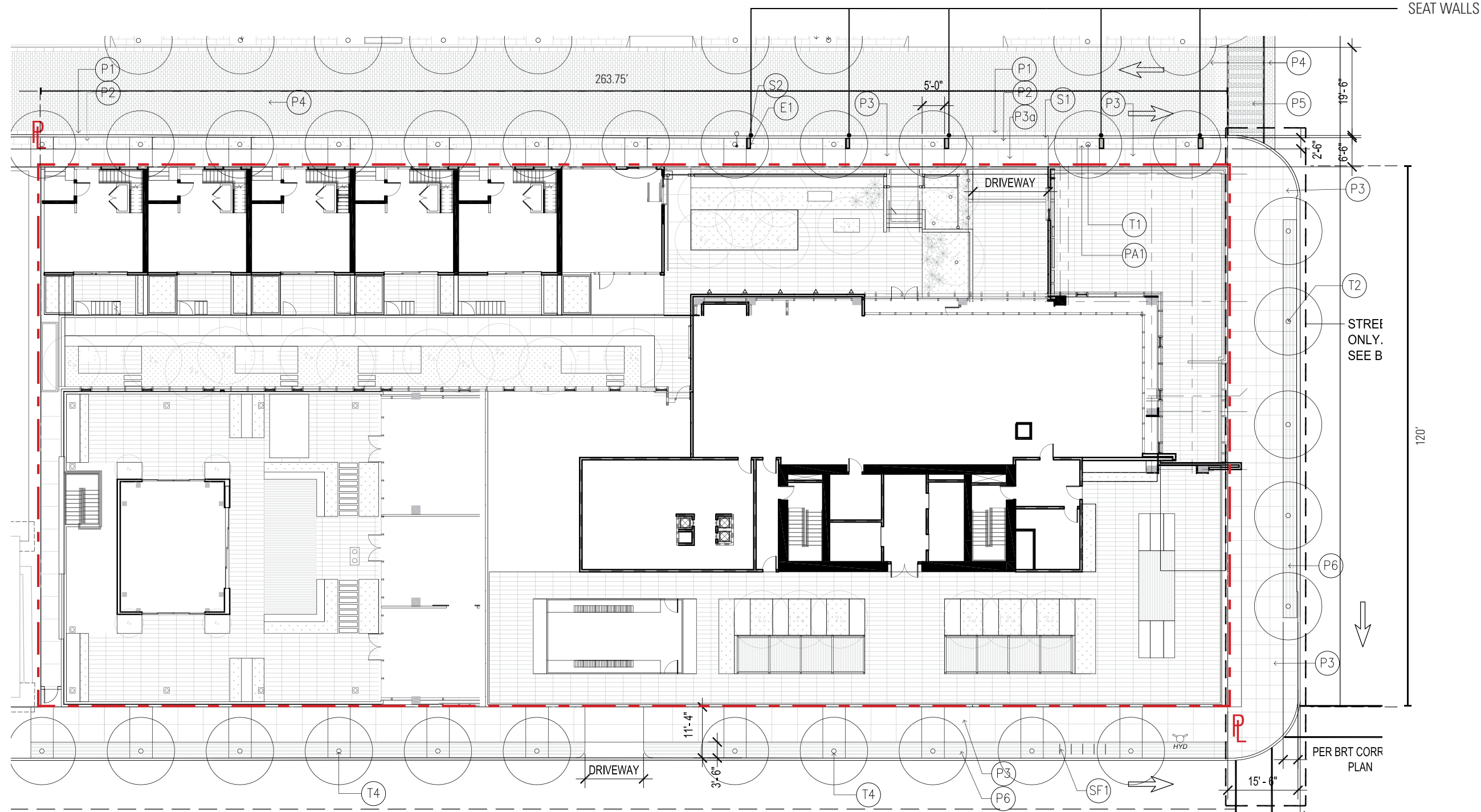


OPEN SPACE DIAGRAM



SCALE 1'-0" = 20'-0"

BETTER STREET PLAN OVERVIEW



PROPOSED STREETScape ELEMENTS-1001 VANNES

SYMBOL:	DESCRIPTION:	PRODUCTS/ITEM #:	FINISH/COLOR:	SOURCE:
PAVING, CURB & RAMP				
P1	PRECAST CONCRETE PAVER-VEH.	12"x24"x2"-MORTAR SET	CHARCOAL GREY, SHOT BLAST	STEPSTONE PAVERS
P2	PRECAST CONCRETE PAVER-PED.	18"x36"x2"-SAND SET	CHARCOAL GREY, SHOT BLAST	STEPSTONE PAVERS
P3	4" CONCRETE PAVING-PED (CITY SIDEWALK)	POUR IN PLACE, REINFORCED	NATURAL GREY, SANDBLAST/NC	SEE CITY STANDARDS
P3a	6" CONCRETE PAVING-VEH.	POUR IN PLACE, REINFORCED	NATURAL GREY, SANDBLAST/NC	SEE CITY STANDARDS
P4	PRECAST CONCRETE PAVER-VEH. TYPE-2	6"x12"x3.25"-SAND SET	CHARCOAL GREY, SHOTBLAST	STEPSTONE PAVERS
P5	PRECAST CONCRETE PAVER-VEH. TYPE-3	6"x6"x3.25"-SAND SET	GRANADA WHITE, SHOTBLAST	STEPSTONE PAVERS
P6	PRECAST CONCRETE PAV-PED. TYPE 2 (VANNES B.O.C.)	SEE BRT DRAWINGS		

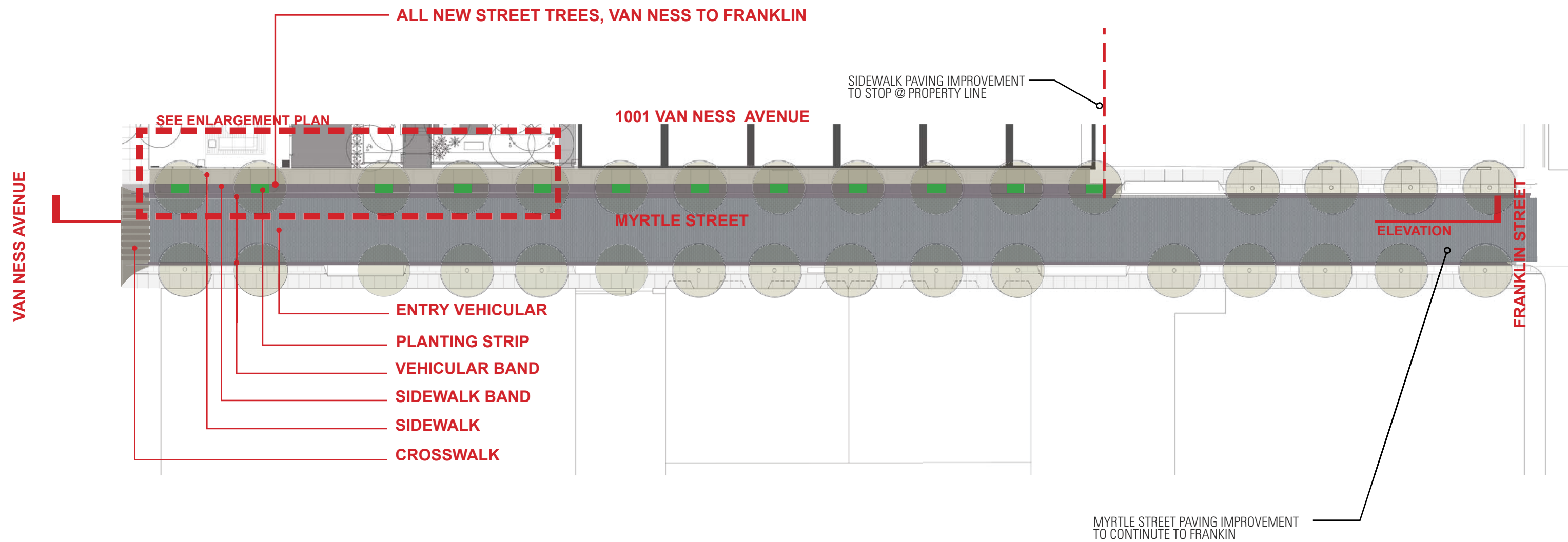
STAIR, WALL & CURBS					
S1	SITE CURB	S.C.D.	POUR IN PLACE, REINFORCED	NATURAL GREY, SANDBLAST/NC	SEE CITY STANDARDS
S2	CONCRETE SEAT		POUR IN PLACE, REINFORCED	NATURAL GREY, ACID WASH/NC	N/A
SITE FURNISHINGS					
SF1	BIKE RACKS		CITY STANDARD	STAINLESS STEEL	LANDSCAPE FORMS
LIGHTING					
E1	RECESSED WALL LIGHT		LED	STAINLESS STEEL	BEGA

PLANT SCHEDULE- 1001 VANNES

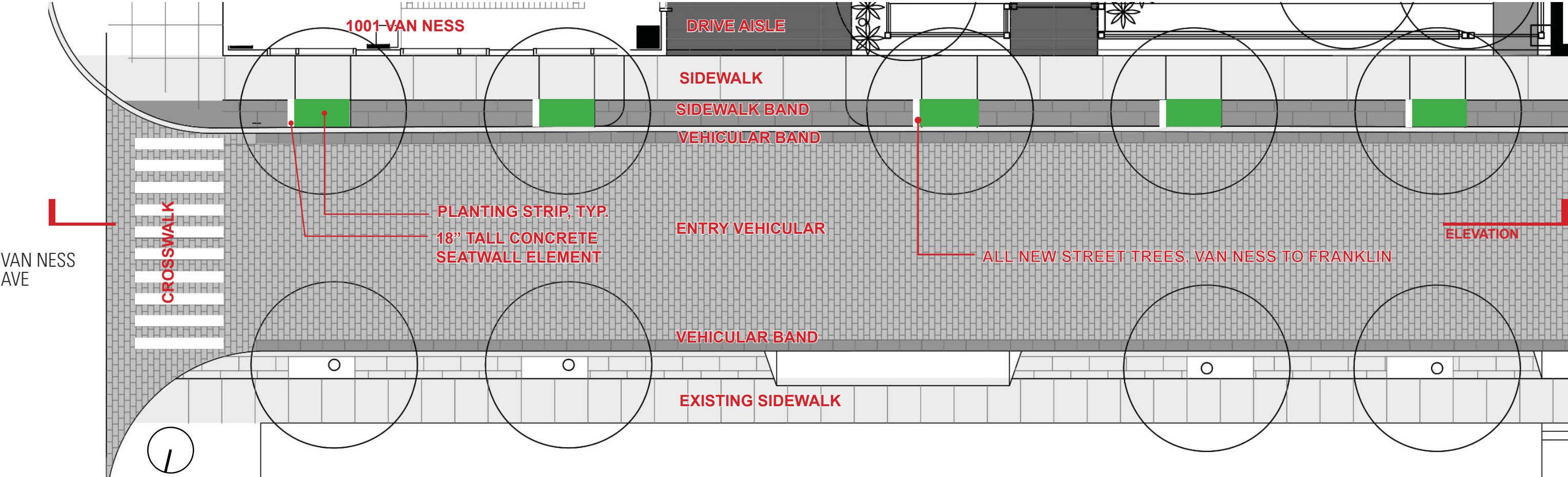
SIZE	ID	BOTANICAL NAME	COMMON NAME	SPACING	WUCOL
TREES					
24" Box	T-1	Ulmus parvifolia	Evergreen Elm	Per Plan	--
24" Box	T-2	BRT GUIDELINES	--	Per Plan	--
N/A	T-3	EXISTING STREET TREE	VARIES	Per Plan	--
24" Box	T-4	Platanus acerifolia 'Columbia'	Sycamore	Per Plan	--
SIZE	ID	BOTANICAL NAME	COMMON NAME	SPACING	WUCOL
SHRUBS/PERENNIALS/SUCCULENTS/GROUNDCOVERS					
1 Gal.	PA-1	Perennial/Grasses/Groundcover	--	18"oc	--

SHRUB & UNDERSTORY PLANTING SYMBOLS

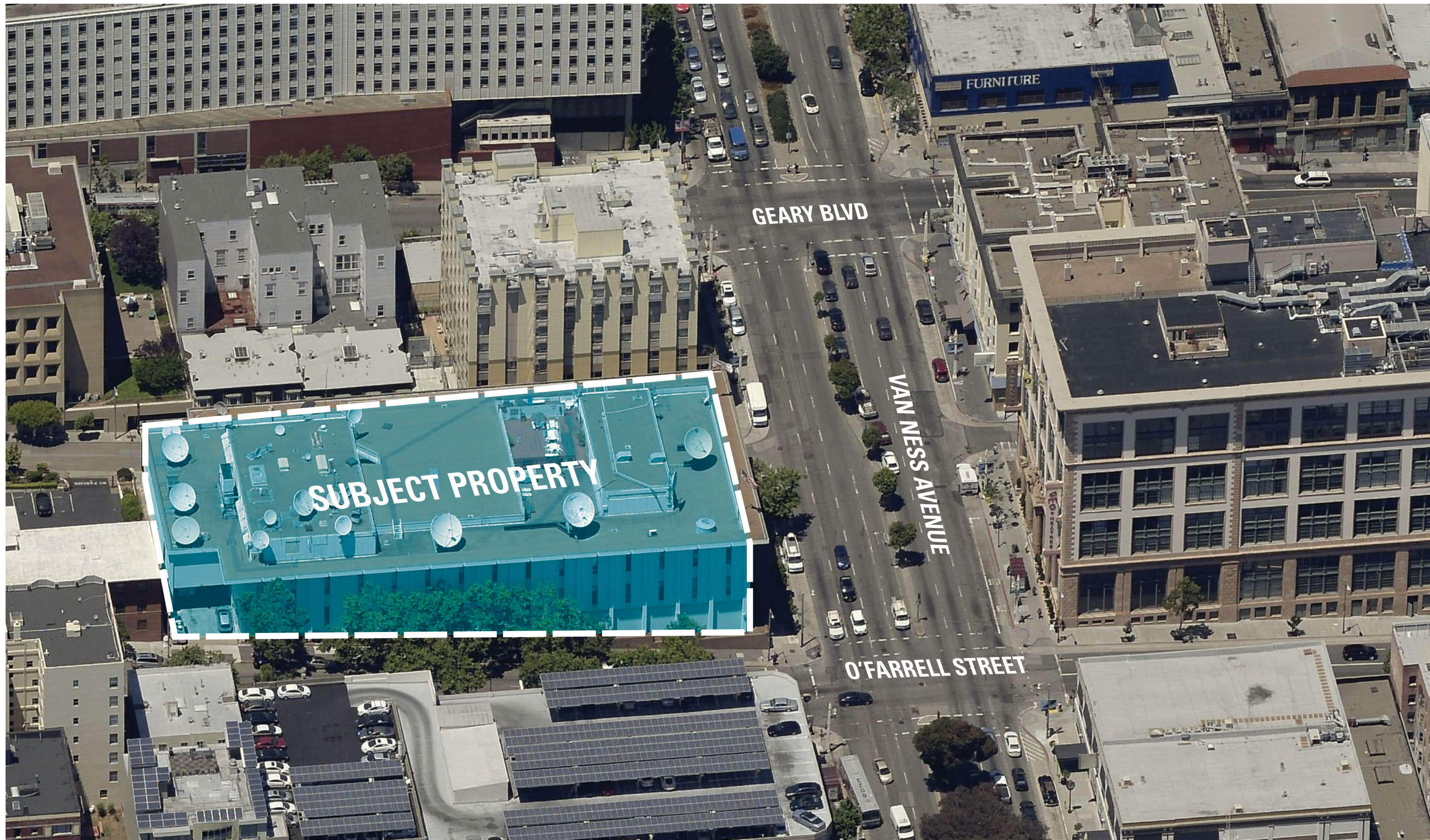
LANDSCAPE - MYRTLE STREET

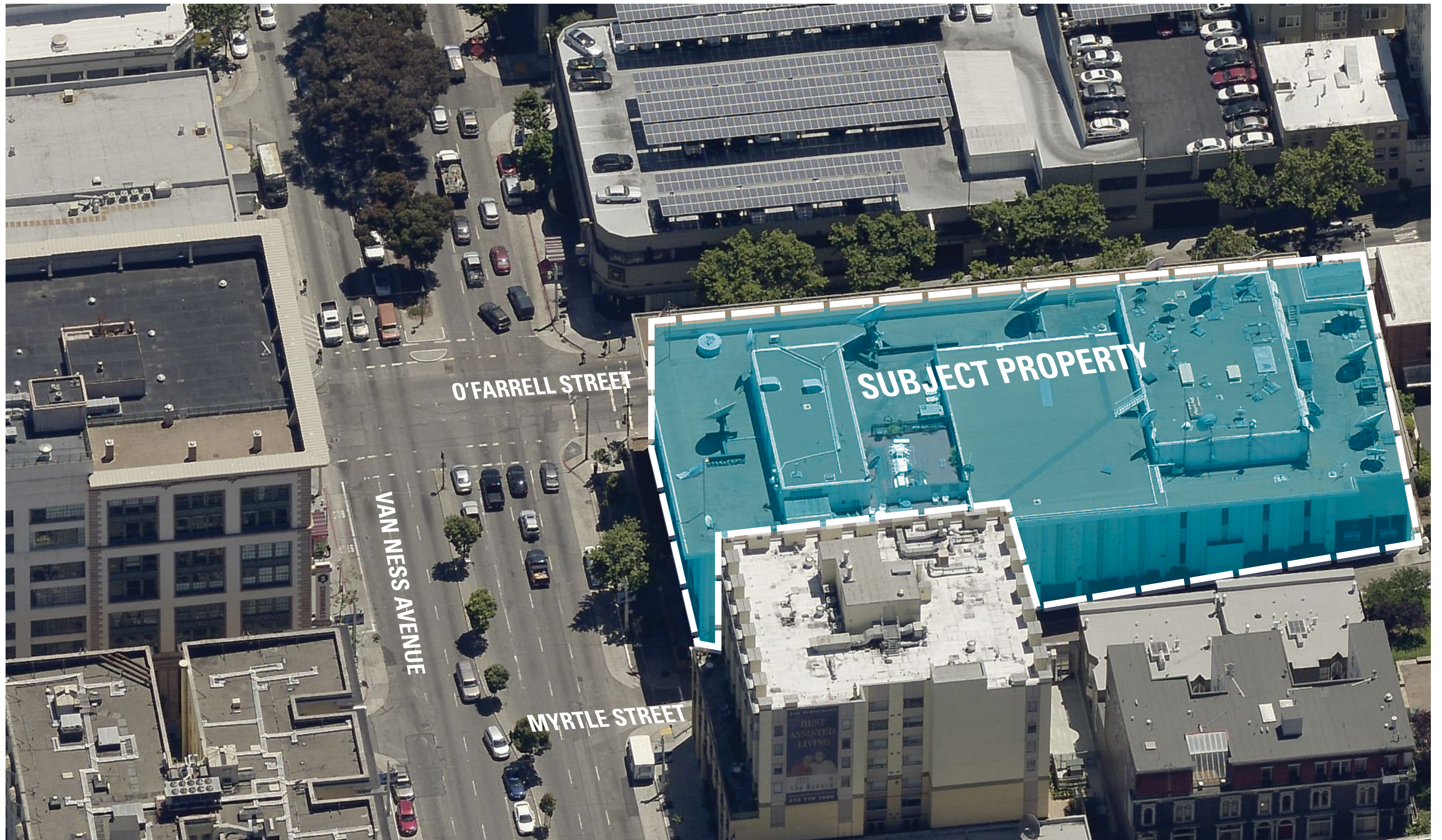


LANDSCAPE - MYRTLE STREET



NOT TO SCALE

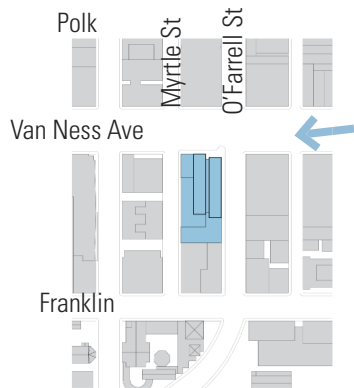




SUBJECT PROPERTY



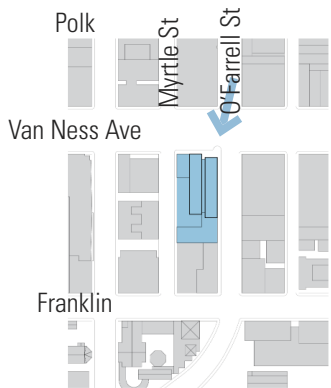
VAN NESS AVENUE
LOOKING NORTH



SUBJECT PROPERTY



VAN NESS AVENUE - O'FARRELL INTERSECTION
LOOKING WEST



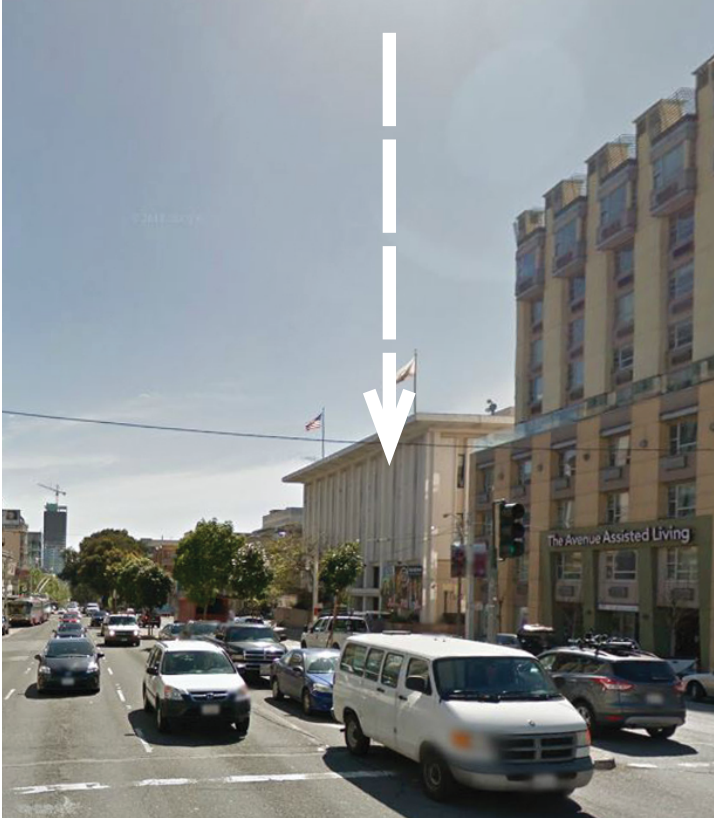
SUBJECT PROPERTY



MYRTLE STREET - VAN NESS AVENUE INTERSECTION
LOOKING WEST



SUBJECT PROPERTY



VAN NESS AVENUE
LOOKING SOUTH



SUBJECT PROPERTY



O'FARRELL STREET
LOOKING WEST

SUBJECT PROPERTY



VAN NESS AVENUE
LOOKING NORTHWEST

SUBJECT PROPERTY



VAN NESS AVENUE
LOOKING SOUTHWEST

SUBJECT PROPERTY



MYRTLE STREET
LOOKING WEST



VAN NESS AVE MONTAGE

NORTH

SOUTH



Geary St.

Myrtle St. /
Alice B Toklas

O'Farrell St.

VAN NESS AVENUE
LOOKING EAST

SOUTH

NORTH



O'Farrell St.

Myrtle St.

Geary St.

VAN NESS AVENUE
LOOKING WEST

O'FARRELL ST MONTAGE

WEST



EAST

O'FARRELL STREET
LOOKING NORTH

Van Ness Ave.

EAST



WEST

O'FARRELL STREET
LOOKING SOUTH

MYRTLE ST MONTAGE

WEST



MYRTLE STREET
LOOKING NORTH

EAST



EAST



MYRTLE STREET
LOOKING SOUTH

WEST





October 6, 2016

Hon. Rodney Fong, President
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 1001 Van Ness Avenue
Case No. 2014-001305 (Conditional Use Authorization)
Hearing Date: October 20, 2016

Dear President Fong and Commissioners:

I am writing on behalf of Oryx Partners, the project sponsor of the 1001 Van Ness Avenue project (the "Project"). The Project site is on the west side of Van Ness Avenue between O'Farrell Street and Myrtle Street, a narrow alley with low-scale residential development across from 1001 Van Ness. The site slopes upward at a 9% grade from Van Ness Avenue toward Franklin Street. It is currently occupied by the former KRON Television studio and office improvements built in the 1960's. KRON sold the building to Oryx in May 2014 and relocated to 900 Front Street in December 2014, and the building is now leased to various office tenants. The site is in the Van Ness Special Use District, an RC-4 zoning district, and the 130-V height and bulk district.

Project Description. The Project proposes to demolish the existing building and construct a 127-foot tall mixed-use building containing 239 dwelling units and 5,100 square feet of ground floor retail/restaurant space along Van Ness Avenue. The unit mix includes 15 three-bedroom units and 77 two-bedroom family sized units (39%). Six 3-story townhouses, a landscaped entry courtyard, and a 77-foot tall wing of the tower line the Myrtle Street frontage in deference to the lower scale of that street (the taller tower elements are at the corner of Van Ness and O'Farrell), and substantial streetscape improvements will be made to Myrtle Street. Below grade parking is provided for 178 residential parking spaces (a 0.74:1 ratio), 15 retail spaces and two car share spaces. The Project also provides 239 Class 1 and 20 Class 2 bike parking spaces, substantially more than required by the Planning Code, and one off-street loading space. Open space is provided in an entry court on Myrtle Street, several roof decks, a solarium, and private terraces.

Handel Architects is the Project designer, with Studio Five Design providing landscape design services. Your Commission packet contains renderings, plans, elevations, sections and the landscape design. The Project team worked diligently over the last year with Planning Department staff and community members to arrive at the modulated massing of the Project, differentiated elevations, and Myrtle Street setbacks and pedestrian scale. Handel studied two

massing alternatives that were presented to the community for early feedback, a two-tower scheme that complies with the V bulk controls and a single tower scheme. The single tower scheme allows for the significant setbacks on Myrtle Street, providing space for the town homes, entry courtyard and significantly greater light and air to reach the existing units across the street. The single tower scheme was strongly preferred by the community and was submitted by Oryx. The project team then worked with Planning staff to add further set-backs along a significant portion of the Van Ness frontage at a height of 77 feet and to setback the tower along the western frontage. Further differentiation in both materials and planar scale elements along both the O'Farrell and Van Ness frontages modulate the tower mass and serve to emphasize the visual cues and inspiration from St. Mary's Cathedral at the top of the hill.

Environmental Review. The Planning Department published a Preliminary Mitigated Negative Declaration (PMND) on August 17, 2016, determining that the Project will have no unmitigated environmental impacts. In particular, the PMND determined that the existing building is not an historic resource; that there will be no significant traffic or other transportation impacts; and no adverse shadow or wind impacts. Two Mitigation Measures to reduce archeological impacts to less than significant and several Transportation Improvement Measures were recommended in the PMND. No party appealed the PMND within the 20-day appeal period, and the Final MND, dated September 29, 2016, is in your Commission packet.

Community Engagement and Support. Oryx Partners has been working closely with the local community and neighborhood groups for over two years, including the Cathedral Hill Neighborhood Association and representatives from Mid-Polk, Lower Polk, Pacific Heights and Japantown neighborhoods. Oryx has also met regularly with neighbors on Myrtle Street, including the Myrtle Street Flats Association and the Avenues Assisted Living. These interactions have included a series of individual meetings, charrettes, and two large community meetings held on February 3, 2015 and September 21, 2016.

The neighborhood has been consistently supportive of the project, looking forward to 1) removal of the existing outdated building that has an imposing mass, presenting mostly blank walls to its neighbors, 2) an improved Myrtle Street that provides more openness and access to daylight as well as upgraded street improvements, landscaping and lighting and 3) activated O'Farrell and Van Ness frontages, including a bike lounge on O'Farrell and 5,100 square feet of ground floor retail on Van Ness Avenue. We will provide copies of letters of support from several of these groups prior to the hearing.

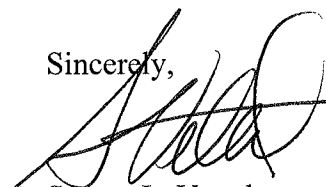
Small Site Acquisition/Affordable Housing Fee Contribution. The Project is contemplated to be for-sale condominiums and has elected to fulfill its inclusionary housing requirement by a combination of paying the in lieu Affordable Housing Fee and/or acquiring small sites to dedicate to a community land trust or a similar organization in order to convert small existing rent-controlled buildings into permanently affordable housing. Under Prop. C and the "trailing legislation," the Affordable Housing Fee/off-site requirement for pipeline buildings over 120 feet in height increased from 17% to 27.5% (an increase in the fee from approximately \$11 million to \$19 million), and for the first time sponsors may participate in MOHCD's small site acquisition program to fulfill all or part of their in lieu/off-site inclusionary obligation.

Conditional Use Authorization. The Project is consistent with the Van Ness Special Use District, RC-4 zoning and 130-foot height limit. It does require (1) a Conditional Use Authorization from the Commission for any building taller than 50 feet in height in an RC district, and (2) a Planned Unit Development to authorize several exceptions, as described in the draft motion. The exceptions are for rear yard configuration, to permit a corner FAR premium, a bulk exception (to construct a single modulated tower rather than two closely spaced towers), freight loading (two residential spaces required, one provided) and a residential parking ratio of 0.74 space per unit in a district where 0.5:1 is principally permitted and up to 0.75:1 is permitted with conditional use authorization. (Up to 26 commercial parking spaces are principally permitted, and the 15 commercial spaces proposed do not require conditional use authorization.) The Planning Department is in support of these exceptions, and we request your approval as well.

We believe the proposed 0.74:1 residential parking ratio is appropriate here for several reasons. First, when the EE application for the Project was filed, the Code required a *minimum* of 1:1 parking. The Code was amended in 2015 to instead impose a maximum of 0.75 and conditional use authorization for parking ratios between 0.5 and 0.75. Oryx acquired the site in reliance on the prior 1:1 parking minimum, and as a market-rate condominium sponsor believes the Project's units (many of which are two- and three-bedroom units) would be difficult to market with only a 0.5:1 parking ratio. In addition, the Transportation Impact Study conducted to support the Negative Declaration determined the Project would create a demand for 432 parking spaces, far in excess of the 178 residential and 15 commercial proposed. Finally, all parking is located below grade on this upwardly sloping lot, mainly in stackers, such that the amount of parking proposed does not affect the urban design of the Project or interfere with transit, pedestrian or bicycle movement, as documented in the TIS and Negative Declaration.

We look forward to the October 20 hearing. Please contact me prior to the hearing if we can provide any additional information.

Sincerely,



Steven L. Vettel

cc: Mary Woods, Planner
J.C. Wallace, John Ramsbacher and Laura Billings, Oryx Partners
Handel Architects

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
John F. Ramsbacher	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
% Oryx Partners, LLC	(415) 235-9827
P.O.Box 14315	EMAIL:
San Francisco, CA 94114	jfr@oryxsf.com

APPLICANT'S NAME:	
Oryx Partners, LLC, Attn: J.C. Wallace, Principal	Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS:	TELEPHONE:
Oryx Partners, LLC	(415) 902-5882
P.O.Box 14315	EMAIL:
San Francisco, CA 94114	jcw@oryxsf.com

CONTACT FOR PROJECT INFORMATION:	
See Applicant	Same as Above <input checked="" type="checkbox"/>
ADDRESS:	TELEPHONE:
	()
	EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	
See Applicant	Same as Above <input checked="" type="checkbox"/>
ADDRESS:	TELEPHONE:
	()
	EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:
1001 Van Ness Avenue		94109
CROSS STREETS:		
O'Farrell Street & Myrtle Street		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0714 / 016	RC-4 and Van Ness SUD	130-V

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	None	239	239
<input checked="" type="checkbox"/> Demolition			
<input 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: 9/20/2016

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

John F. Ramsbacher, Owner

Owner / Authorized Agent (circle one)

PLANNING DEPARTMENT USE ONLY

PLANNING DEPARTMENT VERIFICATION:

- ☒ Anti-Discriminatory Housing Policy Form is **Complete**
☐ Anti-Discriminatory Housing Policy Form is **Incomplete**

Notification of Incomplete Information made:

To: _____ Date: _____

BUILDING PERMIT NUMBER(S):	DATE FILED:
2016.07.21.2945 (Demolition)	July 21, 2016
2016.07.14.2409 (New Construction)	July 14, 2016
RECORD NUMBER:	DATE FILED:
2014.1305	November 24, 2014
VERIFIED BY PLANNER:	
Signature: <u>Mary Woods</u>	Date: <u>October 6, 2016</u>
Printed Name: <u>Mary Woods</u>	Phone: <u>558-6315</u>
ROUTED TO HRC:	DATE:
<input checked="" type="checkbox"/> Emailed to: <u>mullane.ahern@sfgov.org</u>	<u>October 6, 2016</u>

Matthew.Oglander@sfgov.org

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



Date: August 16, 2016

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 if the developer chooses to commit to sell the new residential units rather than offer them as rental units. Projects may be eligible to provide rental affordable units if it demonstrates the affordable units are not subject to the Costa Hawkins Rental Housing Act. 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.

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 Affidavit is divided into two sections. This 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.

On June 7, 2016, Proposition C was passed by San Francisco voters to modify Affordable Housing Requirements and trailing legislation was passed by the Board of Supervisors (Ord No. 76-16 and File No. 160255) to implement the increased requirements. Please be aware that the inclusionary requirements may differ for projects depending on when a complete Environmental Evaluation Application (EEA) was submitted with the Department. Please also note that there are different requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached tables to determine the applicable requirement.

For new projects with complete EEA's accepted after January 12, 2016, the Inclusionary Affordable Housing Program includes provisions to allow for mixed income levels. Generally speaking, if the required number of units constructed on-site is 25%, a minimum of 15% of the units must be affordable to low-income households and 10% of the units affordable to low- or moderate/middle-income households. The Average Median Income (AMI) for low income is 55% for rental and 80% for ownership. The AMI for moderate/middle income units is 100% for rental and 120% for ownership.

Summary of requirements. Please determine what percentage 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) was submitted. Chart A applies throughout San Francisco whereas Chart B addresses UMU (Urban Mixed Use District) Zoning Districts.

The Project contains: 239 UNITS	The zoning of the property is: RC-4 and Van Ness SUD	Complete EEA was submitted on: November 24, 2014
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CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16	After 1/12/16
Fee or Off-site					
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects at or below 120'	20.0%	25.0%	27.5%	30.0%	33.0%
25+ unit projects over 120' in height *	20.0%	33.0%	33.0%	33.0%	33.0%
On-site					
10-24 unit projects	12.0%	12.0%	12.0%	12.0%	12.0%
25+ unit projects	12.0%	13.0%	13.5%	14.5%	25.0%

* 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.

CHART B: Inclusionary Requirements for UMU Districts. Please note that the Middle Income Incentive Alternative regulated in Planning Code Section 419 was not changed by Code amendment (Ord. No. 76-16). Also, certain projects in the SOMA Youth and Family SUD rely upon UMU requirements as stipulated by the Planning Code.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16	After 1/12/16
On-site UMU					
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%
Tier A 25+ unit projects	14.4%	15.4%	15.9%	16.4%	25.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	16.0%	17.0%	17.5%	18.0%	25.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	17.6%	18.6%	19.1%	19.6%	25.0%
Fee or Off-site UMU					
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	23.0%	28.0%	30.5%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	25.0%	30.0%	32.5%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	27.0%	32.0%	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%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier A 25+ unit > 30K	30.0%	35.0%	37.5%	40.0%	30.0%
Tier B 10-24 unit < 30K	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%
Tier B 25+ unit < 30K	40.0%	45.0%	47.5%	50.0%	40.0%
Tier B 25+ unit > 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier C 10-24 unit < 30K	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%
Tier C 25+ unit < 30K	45.0%	50.0%	52.5%	55.0%	45.0%
Tier C 25+ unit > 30K	40.0%	45.0%	47.5%	50.0%	40.0%

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415 & 419



**San Francisco
Planning**

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

September 9th, 2016

Date

I, John F. Ramsbacher,
do hereby declare as follows:

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

☐ Yes ☒ No

(If yes, please indicate Affordable Housing Tier)

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

1001 Van Ness Avenue, San Francisco, CA

Address

0714 / 016

Block / Lot

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

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

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

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

CUA #2014.1305

Planning Case Number

2016/07/14/2409

Building Permit Number

C 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):
☒ Small Sites Affordable Housing Alternative
☐ Land Dedication

This project requires the following approval:

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

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

Mary Woods

Planner Name

****For clarification, Sponsor will either (a)
pay the Affordable Housing Fee only, or
alternatively, (b) Sponsor may elect to
purchase and dedicate off-site affordable
housing units per Section 415.3(b)(2)(G)
(Small Site Acquisition program) set forth in
the Prop C trailing legislation to meet a
portion or all of the Inclusionary Affordable
Housing requirement off-site and meet the
remaining portion of the requirement (if any
remains) with a reduced Affordable Housing
Fee.**

D If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative.

- ☐ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ☐ **Rental.** Exemption from Costa Hawkins Rental Housing Act.¹ The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:
- ☐ Direct financial contribution from a public entity.
 - ☐ Development or density bonus, or other public form of assistance.
 - ☐ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

E The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing 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.

F Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:
--------------------------	---------------------	------------

No. of Affordable Units:	% Affordable Units:	AMI Level:
--------------------------	---------------------	------------

G The Project Sponsor must pay the Affordable Housing 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.

H 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.

Executed on this day in:

San Francisco, CA

Location

September 9th, 2016

Date

Sign Here



Signature

John F. Ramsbacher, Owner

Name (Print), Title

415-235-9827

Contact Phone Number

cc: Mayor's Office of Housing and
Community Development
Planning Department Case Docket

¹ California Civil Code Section 1954.50 and following.

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:
239	0	52	95	77	15

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below. If using more than one AMI to satisfy the requirement, please submit a separate sheet for each AMI level.

☐ **On-site Affordable Housing Alternative** Planning Code Section 415.6): calculated at % 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:

☒ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7): calculated at % 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:
Up to 66	0	Up to 15	Up to 26	Up to 21	Up to 4
Area of Dwellings in Principal Project (in sq. feet): 256,819 GFA per SFPD 102.9		Off-Site Project Address: TBD			
Area of Dwellings in Off-Site Project (in sq. feet): TBD					
Off-Site Block/Lot(s): TBD		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project: TBD	

☒ **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. Fee % of affordable housing requirement. Reduced from 100% if off-site Small Site Acquisition is pursued
2. On-Site % of affordable housing requirement.

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:

3. Off-Site % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS: TBD	SRO / Group Housing: 0	Studios: TBD	One-Bedroom Units: TBD	Two-Bedroom Units: TBD	Three (or more) Bedroom Units: TBD
Area of Dwellings in Principal Project (in sq. feet): TBD		Off-Site Project Address: Sponsor may elect to purchase and dedicate off-site affordable housing units per Section 415.3(b)(2)(G) (Small Site Acquisition program) set forth in the Prop C trailing legislation.			
Area of Dwellings in Off-Site Project (in sq. feet): TBD					
Off-Site Block/Lot(s): TBD		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project: TBD	

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

Oryx Partners, LLC

Company Name

Juan Carlos Wallace

Name (Print) of Contact Person

P.O.Box 14315

San Francisco, CA 94114

Address

415-902-5882

City, State, Zip

jcw@oryxsf.com

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:

Juan Carlos Wallace, Principal

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

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

1650 Mission Street, Suite 400 • San Francisco CA 94103-2479 • 415.558.6378 • <http://www.sfplanning.org>

Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
1001 Van Ness Ave, San Francisco, CA 94109		0714 / 016	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
2016/07/14/2409			
PROJECT SPONSOR	MAIN CONTACT	PHONE	
Oryx Partners, LLC	J.C. Wallace	415-902-5882	
ADDRESS			
P.O.Box 14315			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94114		jcw@oryxsf.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
239	5,100 (retail/restaurant)	14 stories	\$93,600,000
ANTICIPATED START DATE			
February 2017			

Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none">If you checked C, this project is <u>NOT</u> 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 <u>IS</u> 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.orgIf 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.	

Continued...

Section 3: 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	* See Note		10	Laborer			40
Boilermaker				Operating Engineer	* See Note	1	5
Bricklayer				Painter	* See Note	2	10
Carpenter	* See Note	6	30	Pile Driver			
Cement Mason	* See Note	1	5	Plasterer	* See Note	1	6
Drywall/Latherer	* See Note	4	20	Plumber and Pipefitter	* See Note	3	15
Electrician	* See Note	4	20	Roofer/Water proofer	* See Note	2	10
Elevator Constructor	* See Note	1	6	Sheet Metal Worker	* See Note	1	6
Floor Coverer	* See Note	2	10	Sprinkler Fitter	* See Note	1	4
Glazier	* See Note	4	20	Taper	* See Note	2	10
Heat & Frost Insulator	* See Note	1	4	Tile Layer/ Finisher	* See Note	2	10
Ironworker	* See Note	2	10	Other:			
		TOTAL:	135			TOTAL:	116

* Anticipated wage rates set per union requirements.

- | | | |
|--|-------------------------------------|--------------------------|
| | 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? Per Union Requirements | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established? Per Union Requirements | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired? | <u>65</u> | |

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
J.C. Wallace	jcw@oryxsf.com	415-902-5882
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.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		10/6/2016 (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		