



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

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

## Addendum to Mitigated Negative Declaration

*Addendum Date:* February 11, 2019  
*Case No.:* **2014.1305ENV**  
*Project Title:* **1001 Van Ness Avenue**  
2004.1305E, adopted September 29, 2016  
*Project Sponsor:* Oryx Partners, LLC  
Juan Carlos Wallace - (415) 902-5882  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Megan Calpin – (415) 575-9049  
megan.calpin@sfgov.org

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### 1.0 BACKGROUND

On August 17, 2016, the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the 1001 Van Ness Avenue project was published for public review. The Draft IS/MND was available for public comment until September 6, 2016. The Final Mitigated Negative Declaration (FMND) was published on September 29, 2016. On October 20, 2016, the San Francisco Planning Commission (Planning Commission) adopted the 1001 Van Ness Mitigated Negative Declaration (MND) and approved the original (previously analyzed) project. Planning Commission Motion No. 19761 details the conditions that applied to the previously analyzed project in the FMND and the approval of the conditional use authorization.<sup>1</sup>

The previously analyzed project would have included the demolition of the existing 113,000-square-foot, 71-foot-tall, four-story building on the project site at 1001 Van Ness Avenue (on a block bounded by Myrtle Street to the north, Van Ness Avenue to the east, O'Farrell Street to the south, and Franklin Street to the west) and the construction of a new 330,416-square-foot, 127-foot-tall, 14-story building containing 239 dwelling units and approximately 5,151 square feet of retail/restaurant space along Van Ness Avenue. The existing 89,550-square-foot building at the project site is primarily vacant, with approximately 5,000 square feet occupied for office use. Nearby construction projects leased a portion of the garage through August 2018. The last significant tenant occupied the ground, third, and fourth floors through November 2016.<sup>2</sup>

The residential units of the previously analyzed project would have included six three-story, three-bedroom townhouses along Myrtle Street; of the remaining 233 units, about 63 percent (or 147 units) would have been one-bedroom units and about 37 percent (or 92 units) would have been two- or three-bedroom units. The project sponsor intended that the previously proposed dwelling units would have been for-sale condominium units.

O'Farrell and Myrtle streets slope up toward the west with an approximately 10 percent slope. Thus, western portions of the previously analyzed project's ground and second floors would have been below-grade. The previously analyzed project proposed a single basement level and below-grade portions of the

<sup>1</sup> San Francisco City Planning Commission. Planning Commission Motion No. 19761. Hearing Date October 20, 2016.

This document (and all other documents cited in this report, unless otherwise noted) is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.1305ENV.

<sup>2</sup> Wallace, Juan Carlos, Oryx Partners, LLC, *Correspondence Regarding 1001 Van Ness*, December 18, 2018.

ground floor and second level of the 14-story building, which would have provided approximately 199 vehicle parking spaces, primarily in stackers, including two car-share spaces. The residential parking spaces would have been accessed via a Myrtle Street 20-foot curb cut and driveway. The commercial and car share garage would have been accessed via a 10-foot curb cut off O'Farrell Street. One additional 10-foot curb cut would have provided access to commercial loading trucks, also on O'Farrell Street. The previously analyzed project would have included 239 Class 1 bicycle parking spaces located in a bike room off O'Farrell Street and 24 Class 2 bicycle parking spaces.<sup>3</sup>

At the time the FMND was prepared, 1001 Van Ness Avenue was an office building and the former site of a TV studio. Currently, the 89,550-square-foot building at the project site is primarily vacant, with approximately 5,000 square feet occupied for office use. Nearby construction projects leased a portion of the garage through August 2018. The last significant tenant occupied the ground, third, and fourth floors through November 2016.<sup>4</sup>

Demolition of the existing building and construction of the proposed 127-foot-tall building was anticipated to include excavation of more than 37 feet below existing grade. Construction was anticipated to excavate approximately 43,400 cubic yards of soil and construction activities were expected to last 24 months.

## 2.0 PROPOSED MODIFICATIONS TO THE PROJECT

The proposed project was approved by the Planning Commission but was never constructed. A modified project is now being proposed by the same project sponsor. The proposed modified project (modified project) would also demolish the existing building (1001 Van Ness Avenue) and construct an approximately 267,350-square-foot, 127-foot-tall, 13-story mixed-use building that would include primarily institutional-residential care for the elderly (RCFE) uses with approximately 8,030 retail/restaurant uses on the ground and second floors. The RCFE use would operate 365-days-a-year, 24-hours, seven-days a week, and would employ a total of approximately 200 staff, split into three shifts.

The institutional RCFE facility would have 247 senior housing units, comprised of approximately 99 studio units, 121 one-bedroom units, 25 two-bedroom units, and two three-bedroom units. Although most units are anticipated to be occupied by a single older adult, each one-bedroom and two-bedroom unit could contain up to two residents, with a maximum capacity of 390 residents and an anticipated average occupancy of approximately 280 residents. Three of the two-bedroom units would contain a private bedroom for each respective resident with a shared bathroom. The two three-bedroom units would be the same style. All other units would contain private bathrooms. Approximately 14,480 square feet of common open space would be provided on levels 2, 3, 4, 10, 11, and the roof. An additional approximately 1,440 square feet of private open space would be provided for certain residences on floors 10 and 12.

The modified project would include the massing and appearance of three-story townhouses along Myrtle Street, which was analyzed in the FMND. Instead of private townhouses, however, this portion of the building would consist of a ground floor common area, three one-bedroom units, and eight two-bedroom

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<sup>3</sup> Class 1 bicycle parking spaces are spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage. Class 2 bicycle parking spaces are spaces located in a publicly accessible, highly visible location intended for transient or short-term use.

<sup>4</sup> Wallace, Juan Carlos, Orxy Partners, LLC, *Correspondence Regarding 1001 Van Ness*, December 18, 2018.

units on levels 1, 2, and 3, respectively (part of the 247 total unit count). These units would be entered from a common area accessible from inside the garage.

The ground floor would be at grade along Van Ness Avenue and up to two-stories below-grade at the western portion. The ground floor and second level of the 13-story modified project would provide 47 vehicle parking spaces, including one Americans-with-Disabilities-Act (ADA)-accessible standard car and two ADA-accessible vans, and one car share space. The remaining 43 spaces would be provided for resident, visitor, employee, or retail guests as valet parking. The below-grade portion of the ground floor would contain 38 valet parking spaces and a ramp up to the below-grade portion of the second floor. Thirty-six Class 1 bicycle parking spaces would be provided in a bicycle room on the ground floor accessible via a pedestrian entry off of Van Ness Avenue. The project sponsor would also provide 24 Class 2 bicycle spaces along the exterior of the building. The at-grade portion of the ground floor would include approximately 5,300 square feet of retail use for public use. This retail space would have up to three entrances fronting Van Ness Avenue. Retail trash, building storage, mechanical equipment, and employee break and locker rooms would make up the remaining floor area of the ground floor.

The second floor of the modified project would contain retail, parking, and RCFE uses. The main pedestrian entrance to the building would be on the second floor fronting Myrtle Street, with a patio leading to the recessed main lobby. The approximately 1,200-square-foot bistro, which would be open to the public as well as residents, would also be accessed via the Myrtle Street pedestrian entrance/patio. Operational functions for the RCFE use would be located on the second floor of the modified project, including a conference room and office spaces for staff members. Two, two-way vehicle entrances would be provided to access the garage (one approximately 19.5-foot-wide driveway along O'Farrell Street and one approximately 18-foot-wide driveway along Myrtle Street, with 19-foot and 21.5-foot wide curb cuts, respectively). Both entrances would service a *porte cochere* for resident pick-up and drop-off on a level surface. The remaining portion of the garage would include nine vehicle parking spaces, including the ADA-accessible standard car and two ADA-accessible vans, and the car share space. The common lobby area for the townhome-style units would be accessed via the garage interior. Additionally, an approximately 1,060-square-foot salon facing O'Farrell Street would serve both residents and the public. The salon would have one entrance along O'Farrell Street and would also be accessible from the main lobby. The emergency generator would also be in the below-grade portion of the second level. One 10-foot-wide, off-street service/loading dock able to accommodate 30-foot long trucks would be provided off of O'Farrell Street and one 60-foot-long on-street loading space would be provided on the north side of O'Farrell Street. The curb cut for the off-street loading space would be 15 feet wide.

The modified project's third floor would contain entirely RCFE uses, including common dining, kitchen, pre-dining bar, private dining room, wellness suite, activity center, a library, and shared living space. Approximately 3,350 square feet of common open space would be provided adjacent to the entrances to the townhome units. The fourth floor of the modified project would contain the RCFE's memory care units with secure areas for dining, activities, and a 575-square-foot terrace. Separately, in the townhome units fronting Myrtle Street, four units would be accessible via a separate elevator and walkway, connected to the townhome lobby on the second floor. The fifth floor would contain assisted living units with a shared trash and laundry room. The modified project would also contain three units in the townhome building and a common terrace for townhome use at this level. Levels six through 13 would consist of assisted living units, laundry, and some private terraces. Beginning at level 10, the building massing would be set back

gradually more on each level to form a tower at the corner of the O'Farrell Street and Van Ness Avenue. A pool enclosed in a solarium (sun room) would be provided on the 11<sup>th</sup> floor.

In addition to new curb cuts on O'Farrell and Myrtle streets discussed above, the project sponsor would extend a proposed sidewalk curb extension (bulb-out) 20 feet up O'Farrell Street. The project sponsor would also provide striping for the crosswalk across Myrtle Street at Van Ness Avenue. Five on-street parking spaces would be removed along the north side of O'Farrell Street to accommodate the new vehicle driveways and 60-foot-long on-street commercial loading zone.

Construction of the modified project would require excavation of up to 6,500 cubic yards to a depth of approximately 6 feet and construction activities would be expected to last 24 months.

**Table 1** summarizes the proposed changes between the 2016 FMND and the modified project. Figures are located in **Exhibit A. Figures 1 through 17** present the original project site and the modified project floor plans and elevations.

**Table 1. Comparison of previously analyzed project and the modified project**

Project Component	Previously Analyzed Project Gross Building Area	Modified Project Gross Building Area
Residential (incl. Townhouses)	256,819 sq. ft.	0 sq. ft.
Retail/Restaurant	5,151 sq. ft.	8,029 sq. ft.
Vehicle Parking <sup>a</sup>	48,405 sq. ft.	23,551 sq. ft.
Bicycle Parking	1,912 sq. ft.	524 sq. ft.
Residential care (RCFE)	--	233,281 sq. ft.
Bldg. Services	18,129 sq. ft.	9,824 sq. ft.
<b>TOTAL</b>	<b>330,416 sq. ft.</b>	<b>267,353 sq. ft.</b>
Residential Open Space commonly-accessible	11,310 sq. ft.	17,155 sq. ft.
privately accessible	504 sq. ft.	14,479 sq. ft. (RCFE) and 987 sq. ft. (TH) 1,441 sq. ft. (RCFE) and 248 sq. ft. (TH)
<sup>b</sup> (private & commonly-accessible)	11,304 sq. ft.	0 sq. ft.
Project Component	Previously Analyzed Project	Modified Project
<b>Dwelling Units (total)</b>	<b>239</b>	<b>--</b>
Jr. one-bedroom units	52	--
One-bedroom units	95	--
Two-bedroom units	77	--
Three-bedroom Townhouse units	15	--
<b>Residential Care Units</b>	<b>--</b>	<b>247</b>
<b>Parking Spaces</b>		
Auto <sup>c</sup>	199	47
Bicycle (Class 1)	239 (135 required)	36 (1 required)
Bicycle (Class 2)	20 (14 required)	24 (18 required)
Height of Building	127 feet <sup>d</sup>	127 feet <sup>d</sup>
<i>Permitted Height</i>	<i>130 feet</i>	<i>130 feet</i>
Number of Stories	14	13

<sup>a</sup> Includes ramp to garage and garage circulation space in the ground floor.

<sup>b</sup> Per *Planning Code* Section 135.

<sup>c</sup> Includes one car-shares space.

<sup>d</sup> Excludes elevator/stair penthouse, parapet, and various rooftop elements.

SOURCE: Oryx Partners, LLC, 2019.

### 3.0 CUMULATIVE SETTING

The FMND analyzed past, present and reasonably foreseeable cumulative development projects within a ¼-mile radius of the project site. The below table, **Table 2: Cumulative Projects within a ¼-Mile Radius of the Project Site**, is updated for the analysis conducted in this addendum. These cumulative projects are either the subject of an environmental review currently on file with the Planning Department or have been approved but are yet to start construction.

The FMND analyzed cumulative conditions for up to approximately 999 dwelling units, 9,700 gross square feet of community space, 46,994 gross square feet of commercial space, 740,000 gross square feet of hospital, and 393,730 gross square feet of office uses. Since the FMND analysis was conducted, several the previously considered cumulative projects have begun construction or are completely built and operational. The construction of the 1101 Van Ness Avenue (CPMP Hospital and Medical Office Building) was completed in 2018.

**Table 2. Cumulative Projects Within a ¼-Mile Radius of The Project Site**

	Address*	Case File No.	Dwelling Units (net new)	Community (gsf)	Commercial (gsf)	Office (gsf)
1	1033 Polk Street*	2014.0914E	9		1,300	1,875
2	1333 Gough Street/1481 Post Street*	2005.0679E	262			
3	950 Gough Street*	2012.0506E	95	9,700	4,886	
4	1433 Bush Street*	2015-009279ENV	47		1,110	
5	1145 Polk Street*	2014-001674ENV	54		6,990	
6	1200 Van Ness Avenue*	2014.1616E	95		28,704	109,045
7	830 Eddy Street*	2015-009460ENV	126		4,940	29,810
8	807 Franklin Street*	2013.1224E	44			
9	851 O'Farrell Street	2016-012404PRJ	5			
10	781 O'Farrell Street	2017-000286PRJ	2			
11	1440 Sutter Street	2018-004005PRJ	4			
12	600 Van Ness Avenue	2015-012729ENV	168		6,250	
13	677 Ellis St	2018-007848PRJ	2			
14	799 Van Ness Avenue	2018-001936ENV			5,400	
<b>Total</b>			<b>904</b>	<b>9,700</b>	<b>59,580</b>	<b>140,730</b>

SOURCE: San Francisco Planning Department Property Information Database and Active Permits in My Neighborhood Map. Available online at <http://propertymap.sfplanning.org/>. Accessed November 29, 2018.

\* Indicates projects that were previously discussed in the PMND.

As shown in Table 2, the cumulative setting for the modified project includes construction of up to approximately 904 dwelling units, approximately 9,700 gross square feet (GSF) of community space, approximately 59,580 gsf of commercial space, and approximately 140,730 gsf of office uses developed within ¼-mile radius of the project site.

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

- **Van Ness Avenue Bus Rapid Transit (BRT) Project:** This under construction project is implementing 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 under construction project is implementing 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.

#### 4.0 PURPOSE OF THE ADDENDUM

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of the California Environmental Quality Act (CEQA), that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter." In addition, CEQA section 21166 and CEQA Guidelines sections 15162-15164 provide that when an MND has been adopted for a project, no subsequent or supplemental Environmental Impact Report shall be required unless one or more of the following events occurs: (1) Substantial changes are proposed in the project which will require major revisions of the Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes occur with respect to the circumstances under which the project is being undertaken will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known at the time the Negative Declaration was adopted, becomes available. The lead agency shall prepare an addendum to a previously adopted MND if some changes or additions are necessary, but none of these conditions has occurred.

This addendum evaluates the potential environmental effects of the previously analyzed project changes of the modified project described above.

This addendum also analyzes mitigation and improvement measures that were imposed at the time of project approval for which the City or other agencies have either adopted comprehensive regulations that address the same impacts or the City has developed additional guidance to facilitate mitigation measure implementation. The analysis evaluates whether the regulations, which will apply to the project, would provide the same or more effective mitigation than that provided by the adopted mitigation measures and improvement measures. The proposed revised Mitigation and Monitoring and Reporting Program for Case Number 2014.1305ENV.

This addendum will be used to support the following project approvals by City agencies needed for implementation of the 1001 Van Ness Avenue Project:

- **Conditional Use Authorization** (*Planning Commission*). The proposed building would exceed the 50-foot height for new construction in the RC-4 District and Van Ness Special Use District. Therefore, a Conditional Use Authorization would be required to permit the proposed 130-foot-tall building height. Approval of a Planned Unit Development (PUD), would be required to permit application of a 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 7.62 proposed). The PUD also requires a Conditional Use Authorization pursuant to sections 243(c)(15) and 303 for an exception to the ground-level wind currents requirement because the building would not eliminate all existing exceedances of the wind comfort criteria. A conditional use authorization is also required for the construction of a residential care facility for the elderly (RCFE) for more than seven residents.
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

## 5.0 ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS

The FMND found that the previously analyzed 14-story-over-two-basement-levels project would result in impacts that were either less than significant or less than significant with mitigation. As described above, the modified project proposes a 13-story building with institutional and retail uses. Taking into account these changes, as documented in this section, the modified project would have similar effects to the original project.

As described further below, the modified project would not result in new or different environmental impacts, substantially increase the severity of the previously identified environmental impacts, nor require new mitigation measures, and no new information has emerged that would materially change the analyses or conclusions set forth in the FMND. Therefore, the modified project would not change the analysis or conclusions reached in the FMND.

### Land Use and Land Use Planning

The FMND found that the previously analyzed project would have been incorporated into the existing street configuration, and that it would not have altered the established street grid or permanently closed any streets or impeded pedestrian or other travel through the neighborhood. The previously analyzed project would not have constructed a physical barrier to neighborhood access or remove an existing means of access. The FMND determined that the previously analyzed project would have had no impact with respect to physically dividing an existing community. The FMND found that the previously analyzed project would not have obviously or substantially conflicted with applicable plans, policies, or regulations such that an adverse physical change would result. The FMND found that the previously analyzed project would not have had a substantial impact upon the existing character of the vicinity, as it would have been constructed on an already developed site in a dense urban environment, with land uses compatible with other existing uses in the area.

The modified project would include a slightly reduced floor plate and one less story from what was previously analyzed under the FMND. The modified project would also be considered an infill development and would not disrupt or physically divide an established community. The modified project would not obviously or substantially conflict with any such adopted environmental plan or policy, such as the BAAQMD 2010 *Clean Air Plan*. BAAQMD published an updated *Clean Air Plan* in 2017, which has since superseded the 2010 *Clean Air Plan*.<sup>5</sup> The previously analyzed project was considered in the context of the 2010 *Clean Air Plan*, and thus the modified project was also considered in that regulatory context. However, the modified project would not obviously or substantially conflict with either version of the clean air plan. While the previously analyzed project would have established a residential land use, the modified project's proposed institutional use—specifically, as a residential care for the elderly (RCFE)—would be similar to and compatible with other land uses in the area.

Though the modified project would result in a different land use than the previously analyzed project, the land use impacts would remain less than significant and the conclusions of the FMND stand.

### Population and Housing

According to the FMND, the project site is in the Downtown-Van Ness-Geary Priority Development Area of *Plan Bay Area*.<sup>6</sup> The previously analyzed project proposed 239 residential units with a projected increase of 339 residents to the area.<sup>7</sup> The FMND found that the increase in population would be less than significant due to the low percentage of new residents that would be added to the Census tract and the planned growth for San Francisco. The FMND also found that the previously analyzed project would not indirectly induce substantial growth in the project area because it would be located on an infill site in an urbanized area, not requiring the extension of area roads or other infrastructure to enable the development.

The previously analyzed project's new retail uses would have employed 15 people and these jobs would not have generated a substantial demand for new housing for these potential employees. Additionally, employment in San Francisco is projected to increase by 34 percent (191,740 jobs) between 2010 and 2040, thus the small number of new jobs potentially generated by the previously analyzed project would have been negligible and accommodated within the planned employment growth in San Francisco.<sup>8</sup>

The modified project proposes 247 assisted living units for seniors, ranging in size from studio, one-bedroom, two-bedroom and three-bedroom. One-, two- and three-bedroom units could accommodate two residents, respectively.<sup>9</sup> Thus, the minimum number of residents would be 247 residents and the maximum

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<sup>5</sup> Bay Area Air Quality Management District, *Final 2017 Clean Air Plan*, adopted April 19, 2017.

<sup>6</sup> ABAG, *Plan Bay Area*, Priority Development Area Showcase. Available online at <http://gis.abag.ca.gov/website/PDAShowcase/>, accessed May 20, 2016.

<sup>7</sup> The project site is 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.

<sup>8</sup> 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](http://www.planbayarea.org/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf). Accessed May 20, 2016.

<sup>9</sup> Wallace, Juan Carlos, Orxy Partners, LLC, *Response to Environmental Planning Data Request, MND Addendum, 1001 Van Ness Ave*, August 28, 2018.

number of residents possible in the modified project would be 390.<sup>10</sup> The estimated average occupancy for the modified project is approximately 280 residents. While the maximum number of projected residents is greater than previously analyzed project's projected population, the potential difference would be a negligible portion of the overall projected increase in San Francisco's population by 2040. Furthermore, due to the institutional use of the modified project, it is likely that many of the residents would already be residents of San Francisco, transitioning to senior assisted living. According to the project sponsor, the proposed RCFE operator typically has approximately 50 to 60 percent of resident inquiries come from a 7-10 mile radius. In more urban locations, the radius is closer to 3 to 5 miles.<sup>11</sup> Additionally, the retail and institutional uses of the modified project are anticipated to employ approximately 223 employees (23 for the retail use and 200 for the institutional use).<sup>12</sup> These employee numbers are greater than the previously analyzed project's, but are a small percentage of the overall projected increase in jobs for San Francisco between 2010 and 2040, as noted above.

Based on the above, implementation of the modified project would not directly induce substantial population growth, and the impact would remain less than significant.

#### Cultural and Paleontological Resources.

The existing primarily vacant building was once an office and TV studio. The FMND analysis determined that the building is not a historic resource under CEQA and is ineligible for listing on the California Register as an individual resource or as a contributor to a historic district. The FMND found that the previously analyzed project would not result in a substantial adverse change in the significance of a historical resource. Thus, this less-than-significant conclusion is the same for the modified project.

The FMND found that the previously analyzed project would have had less-than-significant impacts with mitigation on archaeological resources. The modified project would have included a decrease in depth of excavation for building foundations. The modified project proposes excavation to a maximum depth of 6 feet and up to approximately 6,500 cubic yards of soil excavation, whereas the project analyzed in the FMND would have excavated to a depth of 37 feet with up to 43,400 cubic yards of soil excavation. The modified project would have substantially less excavation, resulting in less potential impact on archeological resources. Nonetheless, the impact would still be considered less than significant with mitigation, 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. Accidental Discovery would remain as **Project Mitigation Measure 1**, same as under the previously analyzed project.

The FMND also found that the previously analyzed project would have a less-than-significant impact with mitigation on the disturbance of human remains, including those interred outside of formal cemeteries. With the implementation of **Mitigation Measure CR-2 (Project Mitigation Measure 1)**, the modified project would also have a less-than-significant impact on previously unknown human remains.

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<sup>10</sup> The modified project would include 247 residential care for the elderly units. There would be 99 studio units, 121 one-bedroom units, 25 two-bedroom units, and two three-bedroom units.

<sup>11</sup> Wallace, Juan Carlos, Orxy Partners, LLC, *Correspondence per 1001 Van Ness Ave*, December 7, 2018.

<sup>12</sup> Wallace, *Response to Environmental Planning*, August 28, 2018. The RCFE use would employ 200 people daily and the approximately 8,170 square feet of retail use in the modified project is projected to employ up to 23 people.

The previously analyzed project would not have resulted in a substantial adverse change in the significance of a tribal cultural resource. During the analysis of the previously analyzed project, 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.<sup>13</sup> During the 30-day comment period—which began October 6, 2015—no comments were received. Excavation proposed by both the previously analyzed project and the modified project would represent a potentially significant impact on tribal cultural resources. Implementation of **Mitigation Measure CR-3, Tribal Cultural Resources Interpretive Program**, would reduce potential adverse effects on tribal cultural resources to a less-than-significant level. As with the previously analyzed project, Mitigation Measure 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. This mitigation measure would be considered **Project Mitigation Measure 2**. As with the previously analyzed project, if the modified project's 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 modified project would have had a less-than-significant impact on previously unknown tribal cultural resources.

The FMND also analyzed the cumulative impacts of the previously analyzed project. Project-related impacts on archeological resources and human remains are site-specific and generally limited to a project's construction area. The FMND determined that cumulative impacts of the project were less than significant with mitigation. As the modified project proposes less soil disturbance and excavation than the previously analyzed project, the modified project would likewise result in less-than-significant cumulative impacts with the incorporation of aforementioned mitigation measures, **Project Mitigation Measures 1 and 2**.

#### Transportation and Circulation

*Localized Trip Generation.* The FMND found that the previously analyzed project would have generated an estimated 5,258 average daily person-trips, including about 799 p.m. peak-hour daily person-trips. Compared to the prior office use at the project site, the previously analyzed project would have generated 3,628 net new trips and 661 net new p.m. peak hour trips.<sup>14</sup> The FMND found that these 611 p.m. peak-hour person-trips would have been distributed among various modes of transportation, including 314 net new automobile person-trips, 211 net new public transit trips, and 146 net new walking/other trips, including bicycling and motorcycles, compared to the previous office use at the project site. The FMND found that the previously analyzed residential and retail uses would have generated approximately 309 vehicle-trips during the p.m. peak-hour, of which 265 vehicle-trips would be net new.

The modified project would result in an overall reduction in daily person-trips and p.m. peak-hour trips. Trip generation analysis for residents of the RCFE was conducted using the senior housing trip generation

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<sup>13</sup> San Francisco Planning Department, *Tribal Notification Regarding Tribal Cultural Resources and CEQA, 1001 Van Ness Avenue*, September 29, 2015.

<sup>14</sup> Fehr & Peers, *Final 1001 Van Ness Avenue Transportation Impact Study*, February 2016.

rates outlined in the Planning Department’s October 2002 *Transportation Impact Analysis Guidelines*.<sup>15</sup> This estimation of resident trips is conservative, as residents of assisted living facilities generally have less mobility independence and thus would generate fewer trips than standard senior housing, on which the calculation rate was determined. The modified project proposes approximately 3,000 square feet of additional retail use than the previously analyzed project. Even with this slight increase in retail space, and therefore potentially more retail employees and customers, the modified project would nevertheless generate a decreased number of overall trips than the previously analyzed project.

The modified project’s institutional use would employ approximately 200 people daily, over the course of three shifts.<sup>16</sup> Potential RCFE employees would be estimated to make four trips daily: one trip to work, one trip home from work, and one combined in/out trip for a mid-shift break. For the purposes of providing a conservative analysis, this mid-shift break was estimated to coincide with the p.m. peak hour for 90 of the 200 employees, and therefore would result in 180 p.m. peak hour person trips. These trips’ mode splits were estimated utilizing Table E-18 from Appendix E of the *Transportation Impact Analysis Guidelines*. **Table 3. P.M. Peak Hour Mode Split** shows the overall decrease in p.m. peak hour trips across all modes.

**Table 3. P.M. Peak Hour Mode Split**

	Previously Analyzed Project*	Modified Project
P.M. Peak Hour Person Trips	661	362
Auto	314	120
Transit	211	83
Walk	123	151
Other	13	9
Vehicle trips	265	72

\*Net new compared to previous office use of the building, as previously analyzed by Fehr & Peers, *1001 Van Ness Avenue, Transportation Impact Study*, February 2016.

Overall, the trip generation rate and the p.m. peak-hour person-trips associated with the modified project would be less than the previously analyzed project’s trips. As the previously analyzed project was found to have less-than-significant impacts on transportation and circulation, the modified project would also have less-than-significant impact on transportation and circulation and the conclusions of the FMND remain. Additionally, VMT analysis is provided below.

The modified project’s proposed land uses include institutional and retail uses. For the purposes of VMT analysis, the institutional portion of the project is split between the residential and office VMT screening criteria. Specifically, the residential VMT screening criteria is used to calculate VMT associated with

<sup>15</sup> San Francisco Planning Department, *Transportation Impact Analysis Guidelines*, October 2002. [http://default.sfplanning.org/publications\\_reports/Transportation\\_Impact\\_Analysis\\_Guidelines.pdf](http://default.sfplanning.org/publications_reports/Transportation_Impact_Analysis_Guidelines.pdf). Accessed November 16, 2018.

<sup>16</sup> Wallace, Juan Carlos, Oryx Partners, LLC, project sponsor, *Response to Environmental Planning Data Request, MND Addendum, 1001 Van Ness Ave*, August 28, 2018. Per communication with project sponsor, the institutional use would employ 200 staff daily over three shifts: approximately 90 staff present from 7 a.m. to 3 p.m., approximately 90 staff present from 3 p.m. to 11 p.m., and approximately 20 staff present from 11 p.m. to 7 a.m.

potential residents of the RCFE facility, while the office VMT screening criteria is used to calculate VMT for staff that would be employed on a daily or weekly basis at the project site. Additionally, the retail VMT screening criteria is used to calculate VMT impacts associated with proposed retail uses, as further discussed below.

*Vehicle Miles Traveled Analysis – Residential.* As discussed in the FMND, the existing average daily VMT per capita for residential uses is 2.9 miles for the transportation analysis zone (TAZ) the project site is located in, 318. This is 83 percent below the existing regional average daily VMT per capita of 17.2 miles for residential development. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, neither the previously analyzed project's nor the modified project's residential use would result in substantial additional VMT and either project's impacts would be less than significant. Future 2040 average daily VMT per capita for residential uses for TAZ 318 is 2.6 miles. This is 84 percent below the future 2040 regional average daily VMT per capita of 16.1. Also, the project site meets the Proximity to Transit Stations screening criterion, which was determined in the FMND.<sup>17</sup> The modified project consists of a majority institutional use; for the purposes of VMT analysis, the RCFE use is considered residential.<sup>18</sup>

*Vehicle Miles Traveled Analysis – Office.* The previously analyzed project did not include any proposed office uses and therefore VMT analysis for office was not included in the FMND. The institutional RCFE use is considered "office" for the purposes of calculating worker trips and is therefore shown here for VMT analysis. Existing average daily VMT per office employee is 7.8 for TAZ 318. This is 59 percent below the existing regional average daily VMT per retail employee of 19.1. Future 2040 average daily VMT per office employee is 7 for TAZ 318. This is 59 percent below the future 2040 regional average daily work-related VMT per retail employee of 17.1. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the modified project's office use trips would meet the Map-Based Screening for Office Projects criterion and would not result in substantial additional VMT; impacts would be less than significant.

*Vehicle Miles Traveled Analysis – Retail.* As discussed in the FMND, existing average daily VMT per retail employee is 7.6 for TAZ 318. This is 49 percent below the existing regional average daily VMT per retail employee 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 modified project's retail and restaurant uses would meet the Map-Based Screening for Retail 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 was true for the previously analyzed project and now the modified project. Thus, the proposed retail uses would not cause substantial additional VMT and the impacts would be less than significant.<sup>19</sup>

The previously analyzed project included **Improvement Measure I-TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips**. In 2017, the San Francisco Board of Supervisors adopted a Transportation Demand Management (TDM) Program for new

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<sup>17</sup> San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1001 Van Ness Avenue*. January 15, 2019.

<sup>18</sup> *Ibid.*, Attachment A.

<sup>19</sup> *Ibid.*

developments. The TDM Program requires developers to provide on-site amenities or services that support sustainable transportation choices for site users to reduce the need to drive.<sup>20</sup> Due to this update in legislation, this improvement measure has been removed from the Mitigation Monitoring and Reporting Program and the remaining improvement measures have been renumbered.

The previously analyzed project proposed 199 vehicle parking spaces. The modified project would include 47 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.<sup>21</sup> Accordingly, if fewer vehicle parking spaces were included, a portion of the person trips generated by the modified 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 modified project.

*Induced Automobile Travel Analysis.* The previously analyzed project was not considered a transportation project. However, the previously analyzed project included features that would have altered the transportation network. These features included a 60-foot on-street commercial loading zone, new or expanded curb cuts for access to the parking garage and loading space, increased on-site parking capacity, extending a bulbout 20 feet to the west of the intersection of O'Farrell and Van Ness Avenue, as well as pedestrian safety strategies identified in **Improvement Measures I-TR-1: Improve Pedestrian Crossings across Myrtle Street**, involving the installation of crosswalks across Myrtle Street at Van Ness Avenue and Franklin Street, and **I-TR-2: Install Audible Warning Devices at Proposed Garage Entrances**, to improve pedestrian awareness and ADA-accessibility near the proposed garage entrances on O'Farrell and Myrtle streets. The previously analyzed project would have removed a 62-space parking use at the site, and would have added 199 new parking spaces; a net increase in off-street parking. The previously analyzed project was determined to have less than a significant impact on induced automobile travel analysis.

The modified project would include the same transportation network alterations analyzed in the FMND. The modified project would also add 47 new parking spaces to the site, a net decrease from both the existing conditions and the previously analyzed project. The FMND concluded that the previously analyzed project would have had less-than-significant impacts on the transportation network. As the modified project would decrease the overall parking provided at the project site and the alterations to the transportation network are similar to the previously analyzed project's alterations, this impact would be less than significant. The modified project would have less-than-significant impacts on VMT and no further analysis is required.

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<sup>20</sup> San Francisco Planning Department. Transportation Demand Management FAQs. Accessed January 15, 2019. <https://sf-planning.org/tdm-faqs>.

<sup>21</sup> 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](http://default.sfplanning.org/plans-and-programs/emerging_issues/tsp/TDM_Technical_Justification_AdminDraft-071416.pdf), accessed August 9, 2016.

*Vehicle Queuing Analysis.* The FMND discussed the vehicle queues at the previously analyzed project's driveways into the public right-of-way as subject to abatement through the Planning Department's Conditions of Approval. The previously analyzed project included vehicle driveways entering the right-of-way along O'Farrell and Myrtle streets. The modified project would also include driveways along these streets. The FMND determined these queues may interfere with bicycle, pedestrian or vehicular movements along those two streets. The project sponsor agreed to implement **Improvement Measure I-TR-3: Queue Abatement** as part of the FMND and the project sponsor recommits to the improvement measure as part of this addendum. In addition, the modified project's proposed *porte cochere* on the second level, with access from both O'Farrell Street and Myrtle Street, is anticipated to further reduce any queuing by providing internal space for resident and visitor pick up and drop off. The previously analyzed project was determined to have a less-than-significant impact on vehicle queuing and the modified project would have the same, less-than-significant impact.

*Transit.* The project site is located in an area well-served by transit, as previously discussed in the FMND. The modified project would generate less transit ridership during p.m. peak-hours than the previously analyzed project (83 compared to 211, respectively). Existing transit facilities would be able to accommodate added ridership associated with the modified project. The installation of the Van Ness Bus Rapid Transit network and the Geary Bus Rapid Transit network would serve this site and the modified project's design would not interfere with the proposed changes to the street network along Van Ness Avenue or O'Farrell Street. Therefore, no significant impacts to transit would occur as a result of the modified project.

*Pedestrians.* The project site is adjacent to sidewalks on O'Farrell Street, Myrtle Street, and Van Ness Avenue. Van Ness Avenue is part of the city's Vision Zero High Injury Network. The previously analyzed project would have generated approximately 123 walk trips during the p.m. peak hour. The modified project would generate 151 p.m. peak-hour walk trips, which is slightly more than previously analyzed. Under the previously analyzed project, the project sponsor agreed to make 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. The project sponsor agrees to similar improvements as part of the modified project.

The modified project would induce less vehicular traffic but greater pedestrian traffic to the streets and sidewalks surrounding the project site. Compared to the project analyzed in the FMND, the modified project proposes slightly larger curb cuts for the passenger and service loading driveways along O'Farrell and Myrtle streets, but the Myrtle Street curb cut is located further away from the Van Ness corner and the project provides drop-off areas internal to the building which would potentially reduce impacts to pedestrians on the sidewalks. Therefore, no significant impacts to pedestrians would occur as a result of the modified project.

*Bicycles.* None of the streets adjacent to the project site are designated bicycle routes. The closest bicycle routes are 500 feet to the north along Post Street and 500 feet to the east along Polk Street. Since the publication of the FMND, a Ford GoBike (previously Bay Area Bike Share) bicycle share station was added at Myrtle Street and Polk Street.<sup>22</sup> The previously analyzed project proposed 239 Class 1 bicycle parking spaces and 20 Class 2 bicycle parking spaces. The FMND concluded that the previously analyzed project's impact to bicycle facilities and circulation would be less than significant, due to the estimated low impact of 15 p.m. peak hour "other" trips generated (13 net new trips). The "other" trips category includes bicycle trips.

The modified project would provide 36 Class 1 bicycle spaces and 24 Class 2 bicycle spaces and is estimated to add 9 p.m. peak hour "other" trips to the transportation network. Given the existing bicycle infrastructure nearby and the minor increase in p.m. peak hour "other" trips, the modified project would not increase bicycle traffic to a level that would adversely affect existing bicycle facilities; nor would the modified project create a new hazard or substantial conflict to bicycling. Therefore, the findings of the FMND remain the same for the modified project: the impact to bicycle facilities and circulation would be considered less than significant.

Additionally, as part of the Transportation Sustainability Program, the Board of Supervisors approved amendments to the City Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>23</sup> The Transportation Sustainability Fee updated, expanded, and replaced the prior Transit Impact Development Fee. The modified project would be subject to the Transportation Sustainability Fee.

*Loading.* The FMND found that the previously analyzed 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 the Planning Code section 152.1, the residential component of the previously analyzed project would have been 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 previously analyzed project sought the 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 proposal was for one on-site/off-street loading space accessed from O'Farrell Street and the conversion of an existing 100-foot-long passenger loading zone on the north side of O'Farrell Street to a 60-foot-long commercial loading zone through the SFMTA's Color Curb Program.

Since delivery/service trucks were not expected to include large semi tractor-trailers or to be concentrated during the peak morning or evening commute hours at the previously analyzed project, it was anticipated in the FMND that delays to existing traffic due to commercial vehicle in and out of the loading docks for the previously analyzed project would be minimal.

The modified project proposes one on-site/off-street loading dock, accessed via a 16-foot-wide curb cut on O'Farrell Street in the same location as in the previously analyzed project and the same 60-foot-long on-

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<sup>22</sup> Ford GoBike, *Station Map*, <https://member.fordgobike.com/map/>. Accessed November 16, 2018.

<sup>23</sup> Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

street loading space proposed under the previously analyzed project. The FMND found that the service loading would create a less-than-significant impact to the transportation network.

*Passenger loading.* The FMND analyzed passenger loading along Myrtle Street and determined the impacts to be less than significant. The modified project proposes that most of the RCFE's passenger loading would be internal to the building in the form of the proposed *porte cochere*. The previously analyzed project included passenger loading and service loading via the same 20-foot curb cut on O'Farrell Street. In order to accommodate the proposed senior residential care facility, the modified project proposes separating the two uses, proposing a 16-foot service curb cut and a 19-foot drop-off and parking access curb cut off O'Farrell Street. A 21-foot-6-inch curb cut along Myrtle Street would provide entrance and exit for vehicles as well. The *porte cochere* would be utilized by visitors, employees, and residents, including the vans to be provided by the RCFE. Passenger loading for the modified project may also occur along Myrtle Street and Van Ness Avenue.

The modified project would be less-than-significant with regard to passenger loading impacts.

*Construction Traffic.* The previously analyzed project was found to have a less-than-significant impact due to construction activities. Although no construction impacts were determined, the following Improvement Measures were identified in the FMND: **Improvement Measure I-TR-4: Non-Peak Construction Traffic Hours**, which would minimize the construction-related disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods, and **Improvement Measure I-TR-5: Construction Management Plan Additions**, which would reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site. The project sponsor previously agreed to implement these Improvement Measures.

The modified project's construction is also estimated to take 24 months and would result in less excavation than the previously analyzed project. The construction impacts of the modified project on the transportation system would remain less than significant, as determined in the FMND for the previously analyzed project. The project sponsor of the modified project has also agreed to implement **Improvement Measure TR-4: Non-Peak Construction Traffic Hours** and **Improvement Measure TR-5: Construction Management Plan Additions**. Construction staging would be similar to that proposed by the previously analyzed project and discussed in the FMND. Construction staging for the modified project would be subject to review and approval by Public Works and the San Francisco Municipal Transportation Agency (SFMTA). The addition of worker-related vehicle or transit trips would not substantially affect these roadways or local streets near the project site. Construction workers who drive to the site would cause a temporary increase in traffic volume and demand for on-street parking. Overall construction activities would result in a small incremental increase in traffic (worker vehicles and equipment) and only slightly reduce the availability of on-street parking during working hours. Due to the temporary nature of construction activities, construction-related traffic impacts of the modified project would be less than significant.

Cumulatively, the modified project's transportation impacts would be similar to or less than that of the previously analyzed project's impacts. Furthermore, the cumulative construction traffic impacts would be reduced under the modified project (as compared to the previously analyzed project) as substantial construction projects associated with the CPMC Hospital and Medical Office Building will be finalized by the time of construction of the modified project. Thus, the cumulative transportation impacts remain less than significant.

Noise.

The FMND found that the previously analyzed project would have less-than-significant impacts related to noise. The modified project's duration of temporary, noise-generating construction activities associated with the use of construction equipment and vehicles for the excavation and construction would be consistent with that analyzed in the FMND. Construction noise would remain within the noise levels established in the San Francisco Noise Ordinance, anticipated construction duration would be similar between the FMND and the modified project (24 months), and the noise impacts of the modified project would be less than significant.

Consistent with the previously analyzed project, the modified project would include mechanical equipment that could produce operational noise. Operation of mechanical equipment would be subject to the provisions of Section 2909 of the Noise Ordinance. Compliance with Section 2909 of the Noise Ordinance, Fixed Residential Interior Noise Limits, would minimize noise from building operations.

Compared to the previously analyzed project, the modified project would not result in change with respect to the project's operational noise; therefore, it would not substantially change the FMND noise analysis or conclusions associated with the original project and these impacts would remain less than significant. Similarly, the cumulative noise impacts of the modified project would remain less than significant.

Air Quality.

The FMND found the previously analyzed project would have less-than-significant impacts related to conflicting with or obstructing implementation of an air quality plan, resulting in a cumulatively considerable net increases of criteria pollutants, or creating objectionable odors. The modified project would similarly not conflict with or obstruct implementation of an air quality plan and operation would not include activities considered to create objectionable odors.

*Construction.* The Bay Area Air Quality Management District's (BAAQMD) CEQA Air Quality Guidelines (May 2011) presented screening criteria to determine if projects would 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 San Francisco Bay Area Air Basin. Using the BAAQMD Guidelines' analytical approach to assessing construction emissions, the FMND found that although on-road, heavy-duty diesel vehicles and off-road equipment would be used during the 24-month construction period, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants.<sup>24</sup> The project sponsor proposes similar construction methods to those analyzed in the 2016 FMND and therefore emissions of criteria air pollutants during the construction phase would be similarly considered less than significant. Furthermore, the modified project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptor exposure to temporary and variable diesel particulate matter emissions.

If a project meets the BAAQMD screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality

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<sup>24</sup> Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2011. Available on the internet at <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines%20May%202011.ashx?la=en>, accessed November 20, 2018.

assessment to determine whether criteria air pollutant (CAP) emissions would exceed significance thresholds. The previously analyzed project exceeded the screening criteria and thus an Air Quality Memorandum was prepared for the FMND.<sup>25</sup> The memorandum described the previously analyzed project's construction-related CAPs emissions and determined that the previously analyzed project's unmitigated daily construction-related CAP emissions would not exceed BAAQMD thresholds of significance. Thus, the previously analyzed project's construction-related air quality impacts were determined to be less than significant in the FMND. The modified project's construction would be similar to the previously analyzed project's and thus would not exceed criteria air pollutant emissions during construction, same as the findings in the FMND.<sup>26</sup> Furthermore, the memorandum prepared for the FMND analyzed 256 dwelling units. The modified project proposes fewer units (247 RCFE units) with less intensive uses.

Additionally, the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) discussed in the FMND would similarly apply to the modified project. The modified project would comply with the Dust Control Ordinance requirements and the project sponsor shall submit a Dust Control Plan for approval by the San Francisco Department of Public Health. Additionally, the modified project proposes less excavation than the previously analyzed project, thus some aspects of the construction dust would be reduced compared to the previously proposed project.

Given that the project site is not located within the Air Pollutant Exposure Zone and because construction activities would be temporary and variable over the 24-month construction period, toxic air contaminant emissions would result in a less-than-significant impact to sensitive receptors.

*Operation.* The FMND found that the previously analyzed project would not result in significant air quality impacts due to building operation and vehicular emissions because the project would not exceed the BAAQMD's thresholds of 320 single-family or 510 multi-family units and generation of 2,000 or more daily vehicle trips. As the modified project would produce fewer vehicle trips on a daily and p.m. peak-hour basis, the modified project would also have a less-than-significant impact due to vehicular emissions.

The previously analyzed project proposed a backup emergency generator, emissions from which were found to be less than significant with respect to exposing sensitive receptors to substantial air pollutant concentrations. Emergency generators are regulated by the BAAQMD through its New Source Review (Regulation 2, Rule 5) permitting process. The FMND discussed the process by which the project sponsor would have been required to obtain applicable permits to operate an emergency generator from the BAAQMD. The modified project also proposes one backup emergency generator and the project sponsor shall follow the same steps of obtaining a permit from the BAAQMD prior to the installation or operation of the generator. Thus, the less-than-significant FMND conclusion regarding air pollutant emission from the proposed generator would likewise apply to the modified project. The modified project would not site sensitive receptors in the Air Pollutant Exposure Zone nor would the modified project create objectionable odors that would affect a substantial number of people.

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<sup>25</sup> Sanchez, Chris, ESA Associates, *Air Quality Memorandum, 1001 Van Ness Avenue*, November 13, 2015.

<sup>26</sup> *Ibid.*

Based on the above, the modified project's impacts on air quality would be less than significant, both on a project-specific level and cumulatively, similar to the findings of the previously analyzed project in the FMND.

#### Greenhouse Gases.

The FMND found that state and local policies and ordinances included measures to decrease the amount of greenhouse gas (GHG) emitted into the atmosphere and decrease San Francisco's overall contribution to climate change. The FMND found that the project would increase the activity onsite and would contribute to long-term increases in GHGs as a result of traffic increases (mobile sources) and residential and commercial operations associated with heating, energy use and solid waste disposal (area source).

Since adoption of the FMND, the Planning Department released a 2017 update to the 2010 San Francisco's *Strategies to Address Greenhouse Gas Emissions*,<sup>27</sup> which presents an updated, comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. The previously analyzed project was studied under the 2010 *Strategies to Address Greenhouse Gas Emissions in San Francisco* and the modified project was similarly considered under those regulations. These GHG reduction actions have resulted in a 30 percent reduction in GHG emissions in 2016 compared to 1990 levels,<sup>28</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,<sup>29</sup> Executive Order S-3-05,<sup>30</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>31,32</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>33</sup> and B-30-15.<sup>34,35</sup> Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would

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<sup>27</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016. San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, July 2017. Available at [http://sfmea.sfplanning.org/GHG/GHG\\_Strategy\\_October2017.pdf](http://sfmea.sfplanning.org/GHG/GHG_Strategy_October2017.pdf), accessed November 14, 2018.

<sup>28</sup> Department of the Environment, San Francisco's Carbon Footprint, <https://sfenvironment.org/carbon-footprint>, accessed on January 15, 2019.

<sup>29</sup> Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

<sup>30</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>31</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>32</sup> 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.

<sup>33</sup> 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 MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>34</sup> 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 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>35</sup> 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;

not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations. The previously analyzed project was determined to be consistent with San Francisco's GHG reduction strategy and impacts to GHGs would be less than significant.<sup>36</sup> The project sponsor submitted a new checklist based on the modified project's greenhouse gas emissions and the impact was also determined to be less than significant.<sup>37</sup>

Compliance with the City's Commuter Benefits Program, Transportation Sustainability Fee, Jobs-Housing Linkage Program, bicycle parking, and car sharing requirements would reduce the modified 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 modified project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, and Water Efficient Irrigation Ordinance, which would promote energy and water efficiency, thereby reducing the modified project's energy-related GHG emissions.<sup>38</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The modified project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting 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 energy<sup>39</sup> and reducing the energy required to produce new materials.

Thus, the modified project was determined to be consistent with San Francisco's GHG reduction strategy and impacts to GHGs would be less than significant.<sup>40</sup>

#### Wind and Shadow.

*Wind.* As described in the FMND, the project site is located in the Van Ness Special Use District and subject to San Francisco Planning Code section 243(c)(15), Reduction of Ground-Level Wind Currents. The planning code outlines 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 FMND found that the project would have less-than-significant impacts related to wind impacts for a 130-foot tall building for which a wind analysis was

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(iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

<sup>36</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1001 Van Ness Avenue*, September 17, 2015.

<sup>37</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1001 Van Ness Avenue*, November 14, 2018.

<sup>38</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>39</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>40</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1001 Van Ness Avenue*, November 14, 2018.

prepared and evaluated for the previously analyzed project.<sup>41</sup> Wind tunnel tests were conducted for the existing and proposed configuration of the previously analyzed project in December 2015 and further updated with mitigation measures in October 2016. The final report and the FMND concluded that the previously analyzed project would not create adverse wind conditions in the form of hazard exceedances and would result in less-than-significant impacts on wind in public areas.<sup>42</sup> The modified project would be equal in height and the massing would be slightly reduced. An August 16, 2018 wind memorandum regarding the minor exterior design changes proposed in the modified project was submitted by the original wind consultant.<sup>43</sup> The memorandum concluded that the revisions identified in the modified project are not expected to alter the anticipated wind conditions, largely due to it having similar massing to the previously analyzed project. Thus, the conclusions reached in the FMND that wind impacts would be less than significant also apply to the modified project.

*Shadow.* The FMND found that the previously analyzed project would have less-than-significant effects related to shadow impacts associated with the proposed 127-foot tall building. A preliminary shadow fan was prepared for the 2014 Preliminary Project Assessment and indicated that project shadows would not cast new shadows on Sergeant John Macaulay Park, Jefferson Square Park, or any other properties under the Recreation and Park Commission's jurisdiction protected by Section 295 of the Planning Code.<sup>44</sup> A consultant-prepared shadow memo confirmed that the modified project could not cast new shadow on public open space under the jurisdiction of the Recreation and Park Commission, specifically Sergeant John Macaulay Park, due to intervening buildings.<sup>45</sup> The modified project, like the project analyzed in the FMND, would not shade publicly accessible open space but would shade portions of nearby streets and buildings at times. Consistent with the project analyzed in the FMND, the modified project would result in new shadows but those would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA.

The previously analyzed project's cumulative wind and shadow conditions were found to be less than significant in the FMND. As described above, neither the previously analyzed project nor the modified project would cast any net new shadow on any park protected by Planning Code section 295. Thus, neither the previously analyzed project nor the modified project would contribute considerably to any cumulative shadow effects, and the cumulative effect with respect to shadow would be less than significant.

Wind tunnel testing was conducted for cumulative conditions of the previously analyzed project and concluded that the addition of the 1001 Van Ness Avenue project would not introduce any new exceedances of the wind hazard criterion. Therefore, project-related wind impacts were considered less than significant in the FMND and would not result in a considerable contribution to any cumulative effect. The modified project would similarly not result in any cumulatively considerable impacts and the wind impacts would be less than significant.

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<sup>41</sup> RWDI, *1001 Van Ness Project Report, Pedestrian Wind Conditions Consultation and Wind Tunnel Tests*, December 21, 2015.

<sup>42</sup> *Ibid.*

<sup>43</sup> RWDI, *Design Changes, 1001 Van Ness, RWDI Reference No. 1502751*, August 16, 2018.

<sup>44</sup> San Francisco Planning Department, *1001 Van Ness Avenue Shadow Fan*, October 20, 2014.

<sup>45</sup> Adam Phillips, *1001 Van Ness Avenue findings of no net new shadow on publicly-accessible open spaces*, January 23, 2019.

Based on the above, the proposed changes to the project would not result in any new or substantially more severe wind or shadow effects. Consistent with the FMND, the modified project's impacts on wind and shadow would remain less than significant.

Geology and Soils. A geotechnical investigation was submitted as part of the application for the previously analyzed project.<sup>46</sup> As stated in the FMND, the project site would be connected to the existing sewer system and would not require use of septic systems. The site and soil conditions at the project site are as previously described in the FMND. The previously analyzed project was found to have less than significant impacts related to exposing people or structures to potential substantial adverse effects due to rupture of an earthquake fault, strong seismic ground shaking, or seismic-related ground failure. The previously analyzed project was found to have no impact related to exposing people or structures to landslides as well as no impact to topography or any unique geological or physical features at the site. The FMND determined that the previously analyzed project would have a less than significant impact related to substantial soil erosion or the loss of top soil; locating a structure on a geologic unit or soil that is unstable; locating a structure on expansive soil; or directly or indirectly destroying a unique paleontological resource.

The previously analyzed project proposed excavation up to 37 feet deep with up to approximately 43,400 cubic yards of excavation. The modified project proposes a reduced depth of excavation (maximum 6 feet) and up to 6,500 cubic yards of excavation.

A geotechnical investigation (report) was submitted as part of the application for the modified project.<sup>47</sup> This 2018 report was based on the subsurface information collected for the 2015 report, with updated conclusions and recommendations on the proposed foundation type. Additionally, the geotechnical engineer provided two letters of confirmation affirming that the April 2018 report was still valid for the modified building's proposed concept presented in the May 2018 and January 2019 environmental evaluation application.<sup>48,49</sup> The report concluded that the site can be developed as proposed in the modified project, provided the recommendations presented in the report are implemented in the design and construction of the building.

Consistent with the FMND, the modified project's impacts on geology and soils would remain less than significant.

Other Environmental Topics. The modified project would have similar, less-than-significant impacts related to Recreation; Utilities and Service Systems; Public Services; Biological Resources; Hydrology and Water Quality; Hazards and Hazardous Materials; Mineral and Energy Resources; and Agricultural Resources. The modified project, including the proposed reduction in building bulk and number of stories, reduction in excavation amount, and change in use from mixed-use residential to mixed-use institutional (residential care for elderly facility), would neither increase the severity of these impacts associated with

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<sup>46</sup> Rockridge Geotechnical, *Geotechnical Investigation Proposed Residential Building 1001 Van Ness Avenue, San Francisco, CA*, August 7, 2015.

<sup>47</sup> Rockridge Geotechnical, *Geotechnical Investigation Proposed Senior Living Building 1001 Van Ness Avenue, San Francisco, CA*, April 24, 2018.

<sup>48</sup> Rockridge Geotechnical, *Letter of Confirmation Proposed Senior Living Building 1001 Van Ness Avenue, San Francisco, CA*, May 30, 2018.

<sup>49</sup> Rockridge Geotechnical, *Letter of Confirmation Proposed Senior Living Building 1001 Van Ness Avenue, San Francisco, CA*, January 2, 2019.

the project or result in new or substantially different environmental effects, either on a project-specific level or cumulatively. Thus, these topics do not warrant further discussion.

Mitigation and Improvement Measures. Mitigation measures established in the 2016 FMND would still apply to the modified project. A revised MMRP for the project describing the two mitigation measures, implementing and reporting responsibilities was generated for this addendum under the Case Number 2014.1305ENV. In addition, the MMRP also identifies the five improvement measures.

## 6.0 CONCLUSION

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the FMND adopted by the Planning Commission on October 20, 2016, remain valid. The proposed revisions to the previously analyzed project would not cause new significant impacts not identified in the FMND, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the modified project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum.

Date of Determination:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

February 11, 2019

  
Lisa Gibson  
Environmental Review Officer

cc: JC Wallace, Oryx Partners, LLC, Project Sponsor  
Mary Cheung-Woods, Current Planner

Bulletin Board / Master Decision File  
Distribution List

### Exhibits

Exhibit A. Modified Project Plans, January 7, 2019.

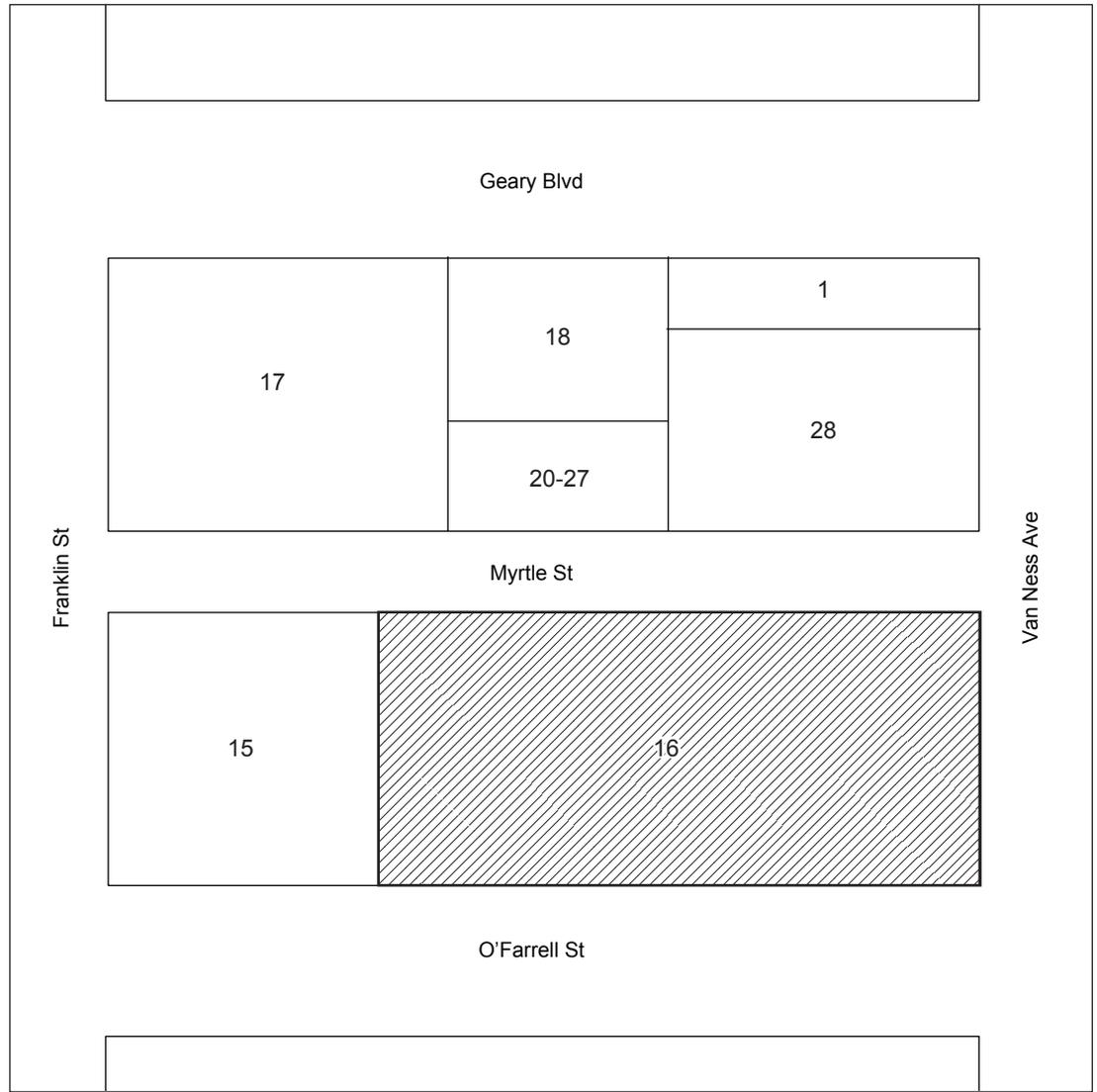
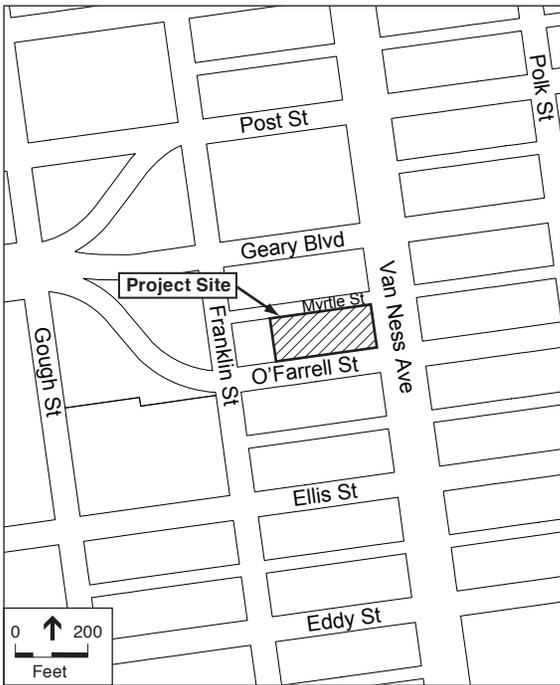
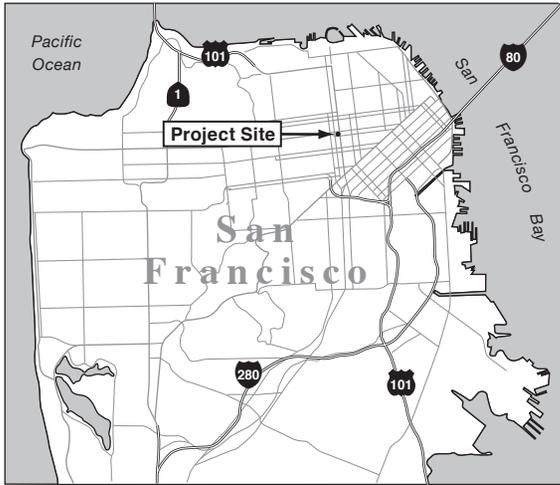
## EXHIBIT A: MODIFIED PROJECT PLANS

1001 Van Ness Avenue

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<b>Figure 5</b>	<b>Floor Plan – L3 – Common Amenities</b>
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<b>Figure 7</b>	<b>Floor Plan – L5 – Assisted Living Units</b>
<b>Figure 8</b>	<b>Typical Floor Plan – L6-9 – Assisted Living Units</b>
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<b>Figure 17</b>	<b>West Elevation</b>

**Figure 1**  
Project Location



- Project Site
- 16 Lot Number
- 714 Assessor's Block

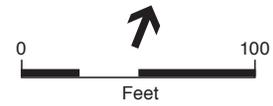
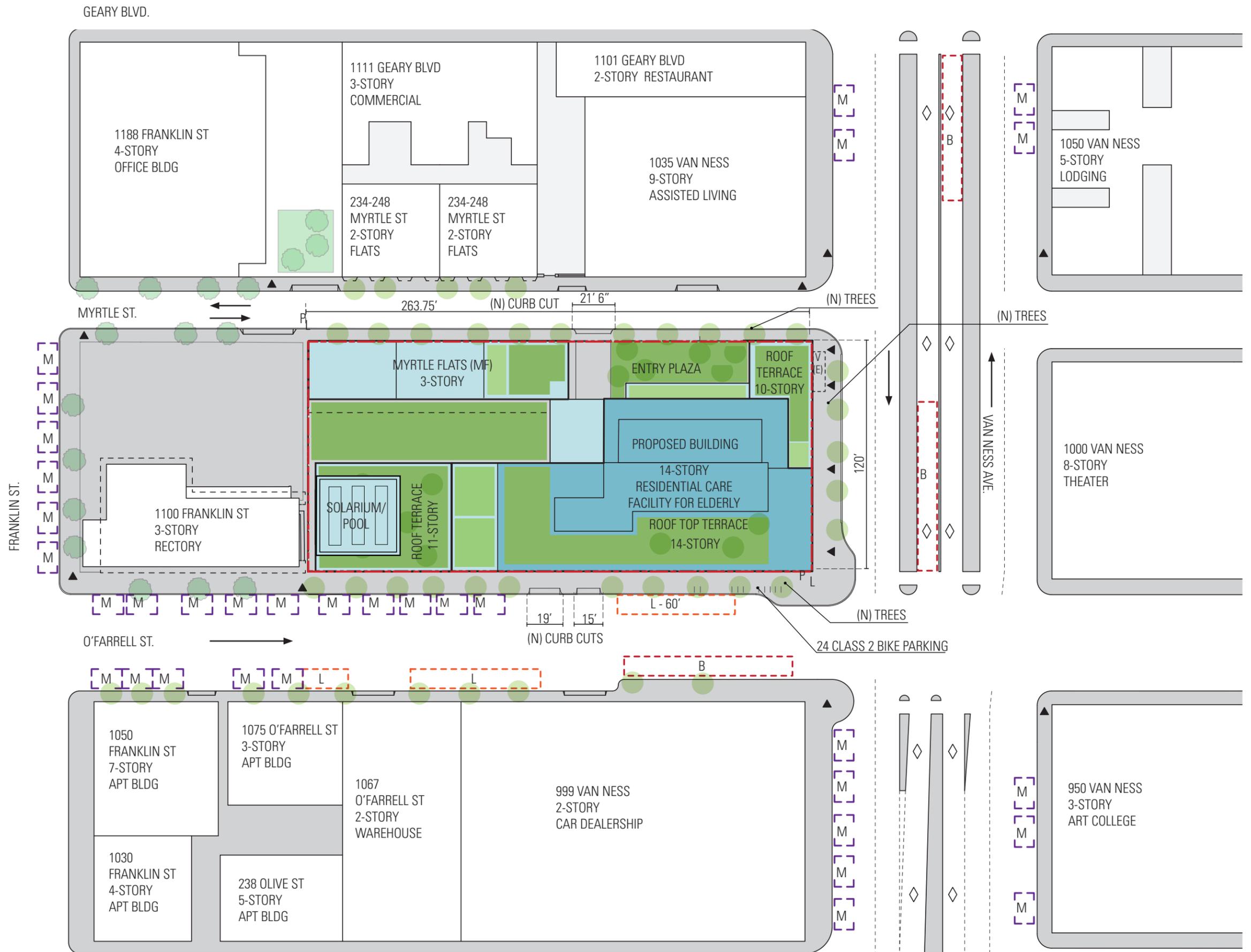


Figure 2  
**SITE PLAN  
 (PROPOSED)**



**LEGEND**

- B BUS STOP
- L LOADING ZONE
- M METERED PARKING
- HC HANDICAP
- V (E) PG&E VAULT (VAN NESS UCD VAULT)
- TREE
- ▲ STREET LAMP

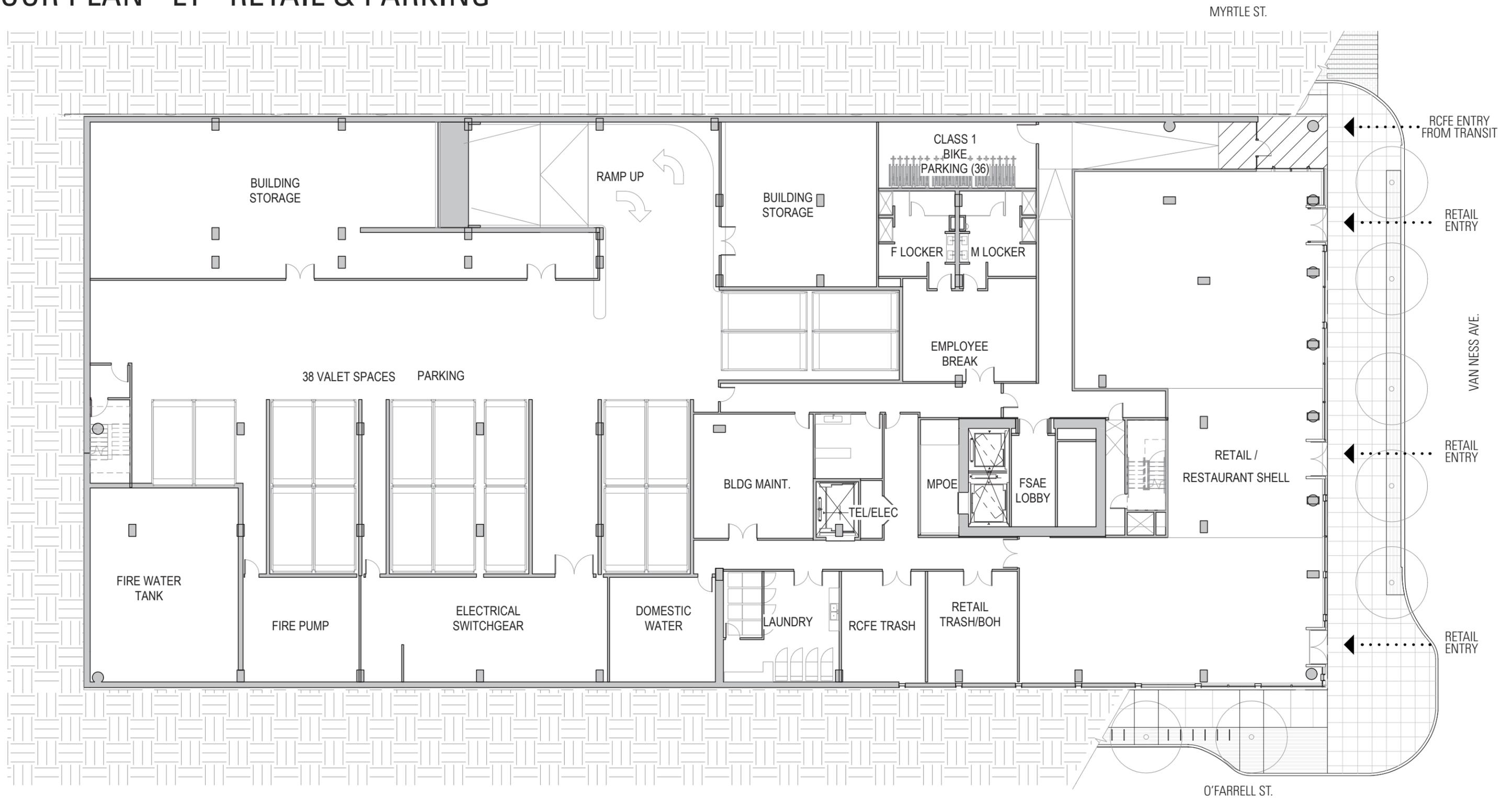
NORTH



0 50' 100'

Figure 3

# FLOOR PLAN - L1 - RETAIL & PARKING



SCALE 1" = 20'-0"



Figure 4  
**FLOOR PLAN - L2 - MAIN LOBBY**

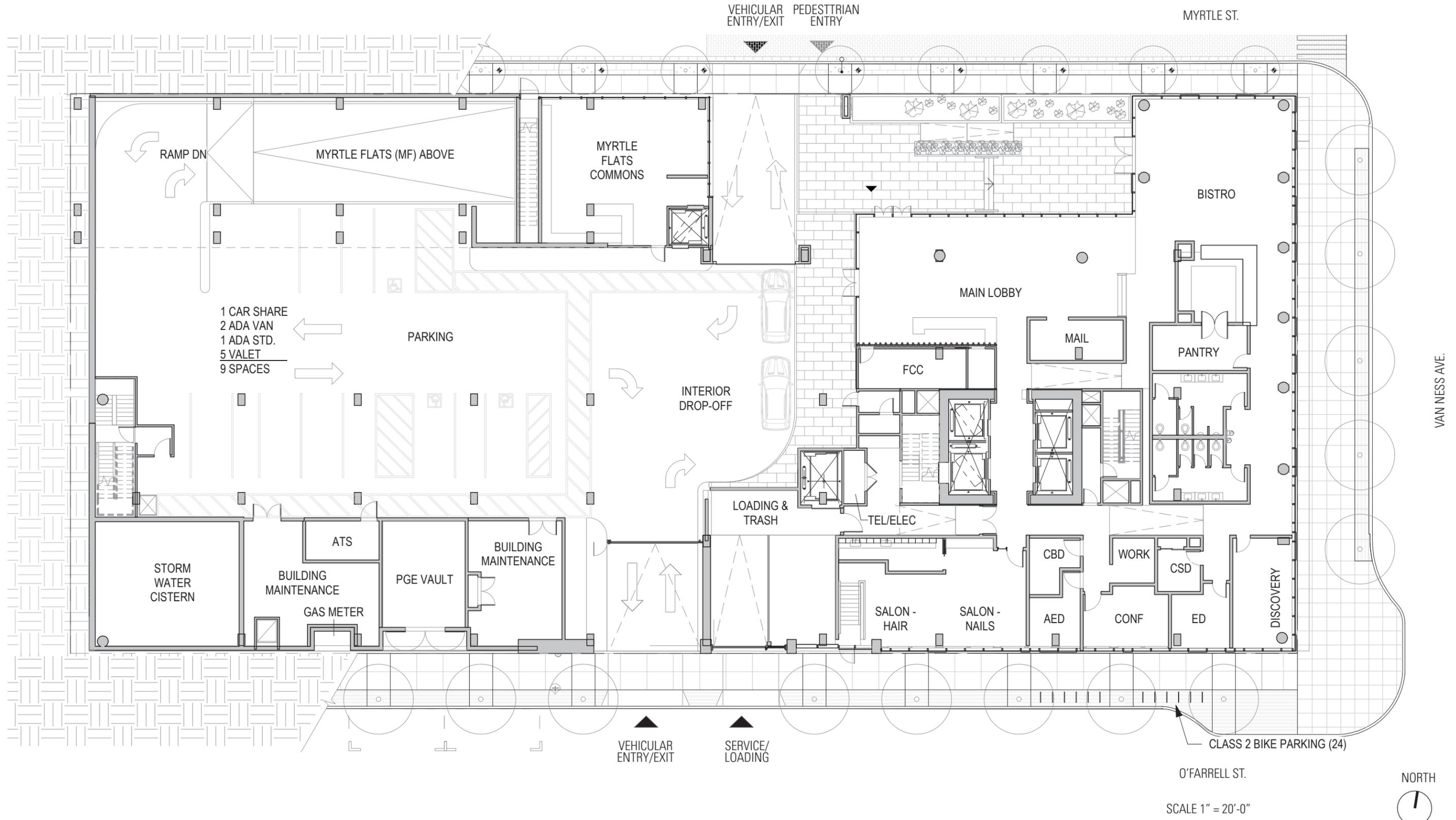
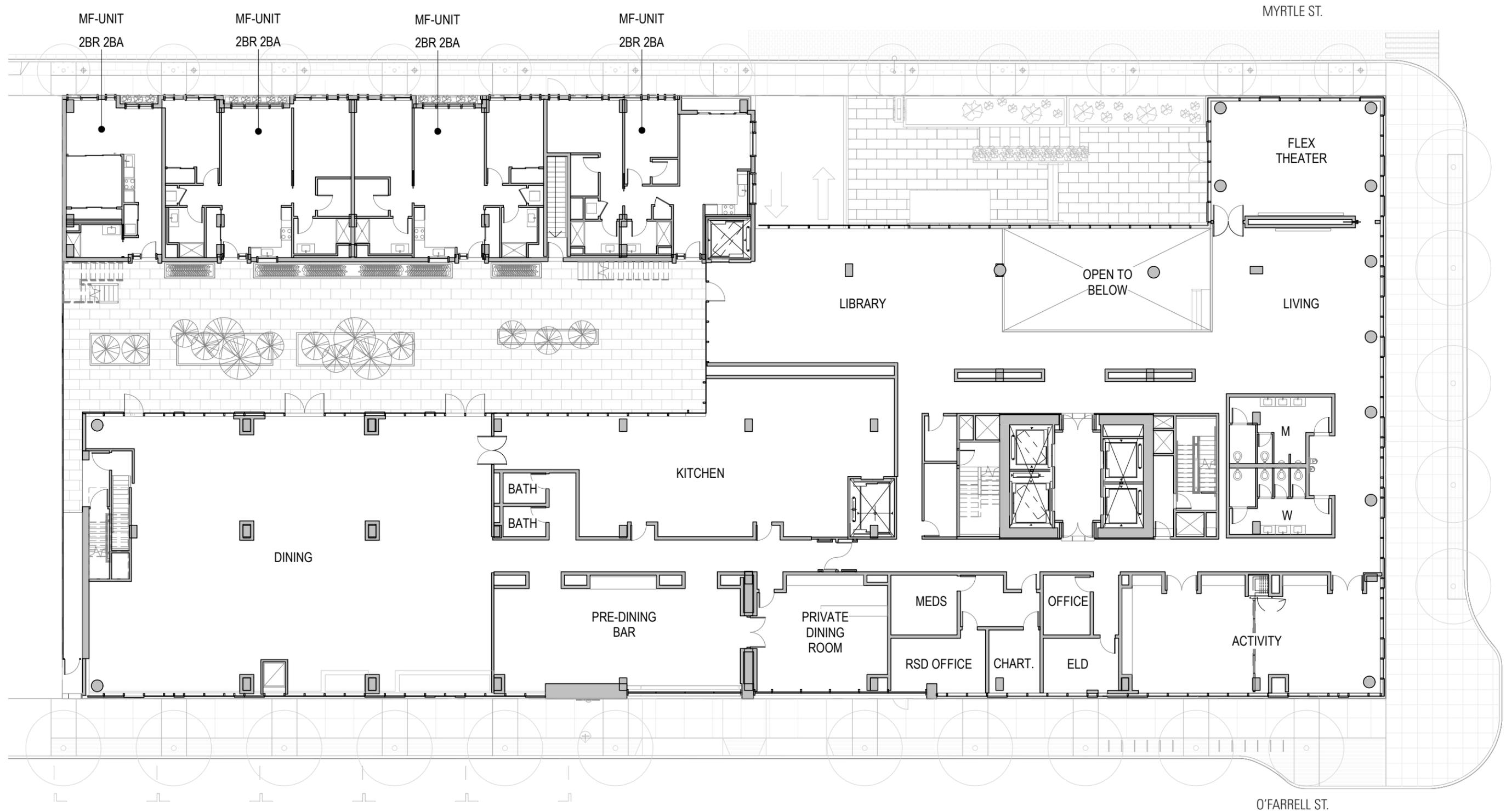


Figure 5  
**FLOOR PLAN - L3 - COMMON AMENITIES**



SCALE 1" = 20'-0"



Figure 6

# FLOOR PLAN - L4 - MEMORY CARE UNITS



NORTH



SCALE 1" = 20'-0"



Figure 8

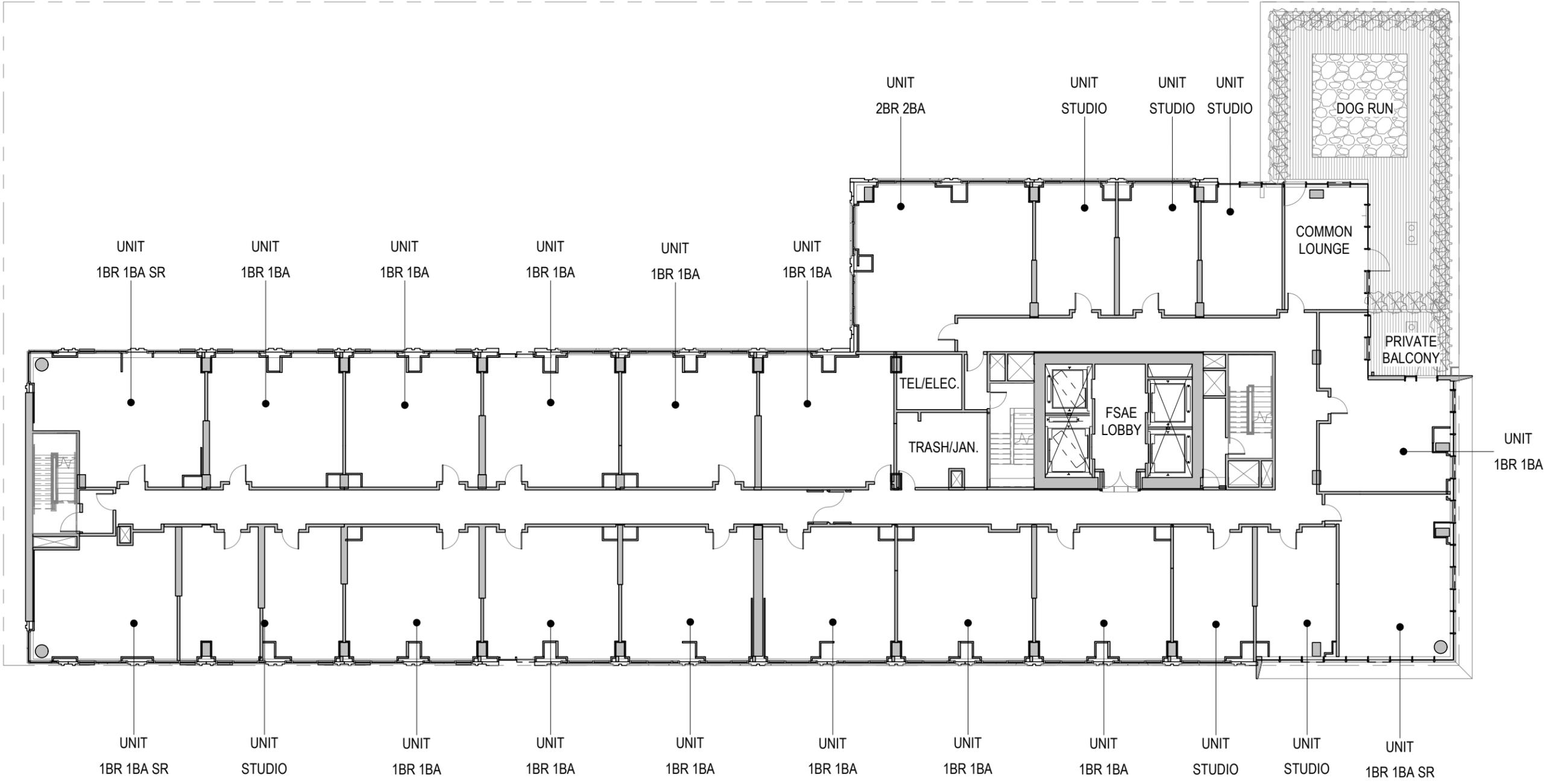
# TYPICAL FLOOR PLAN - L6-9 - ASSISTED LIVING UNITS



SCALE 1" = 20'-0"



Figure 9  
**FLOOR PLAN - L10 - ASSISTED LIVING UNITS**



SCALE 1" = 20'-0"



Figure 10

# FLOOR PLAN - L11 - COMMON AMENITIES & ASSISTED LIVING UNITS



SCALE 1" = 20'-0"



Figure 11

# TYPICAL FLOOR PLAN - L12-13 - ASSISTED LIVING UNITS

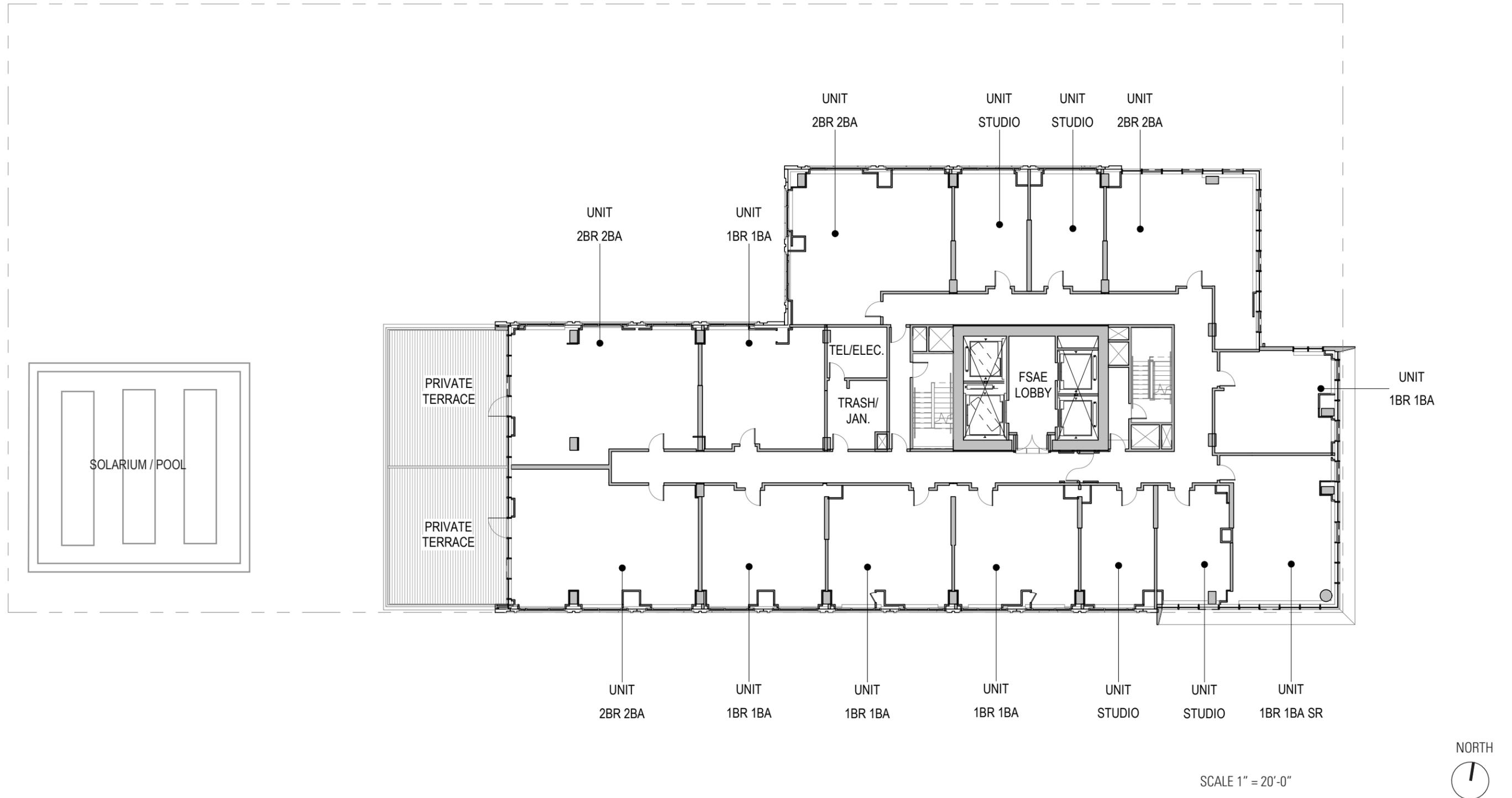


Figure 12  
FLOOR PLAN - ROOF



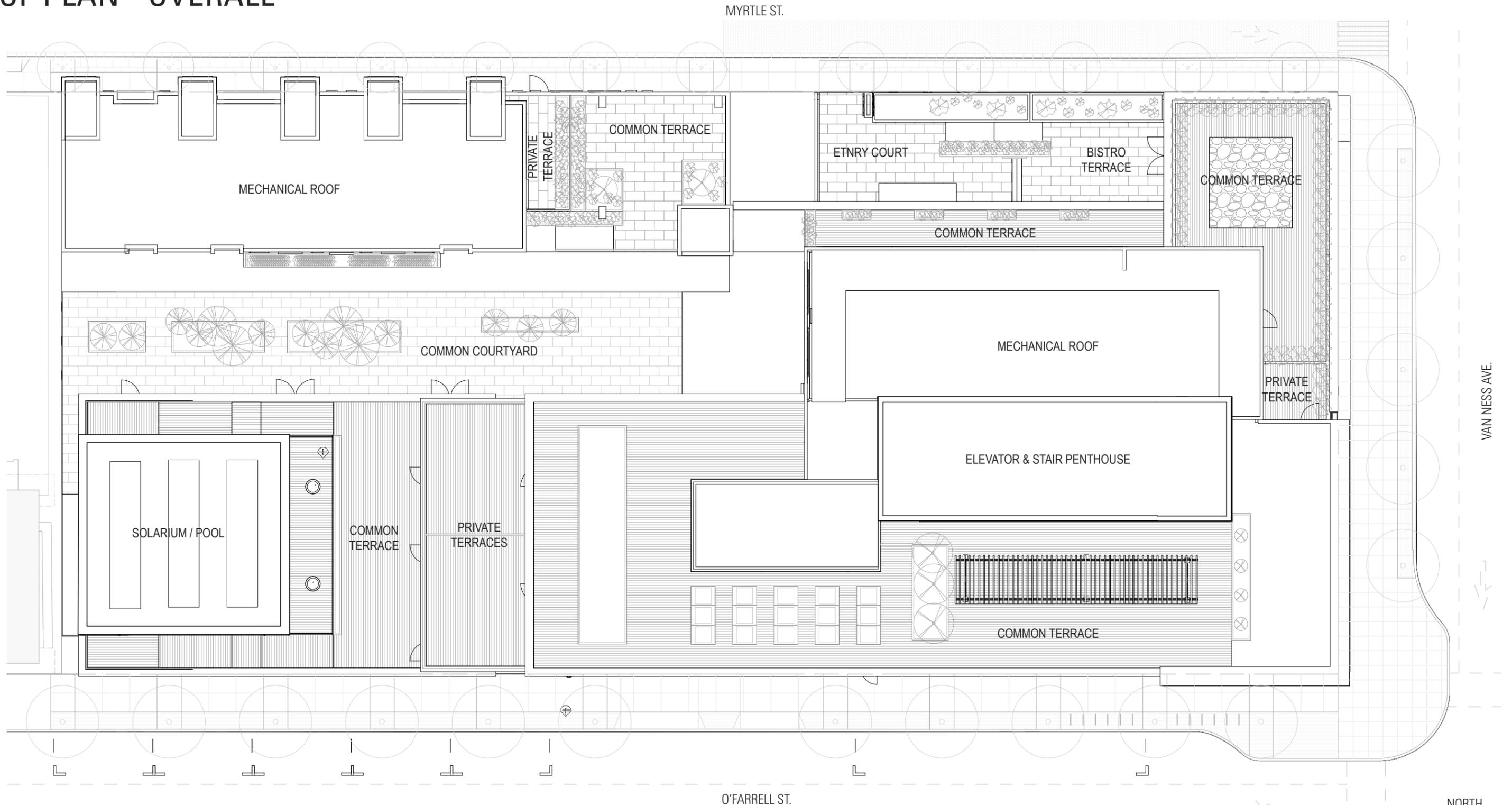
SCALE 1" = 20'-0"

NORTH



Figure 13

# ROOF PLAN - OVERALL

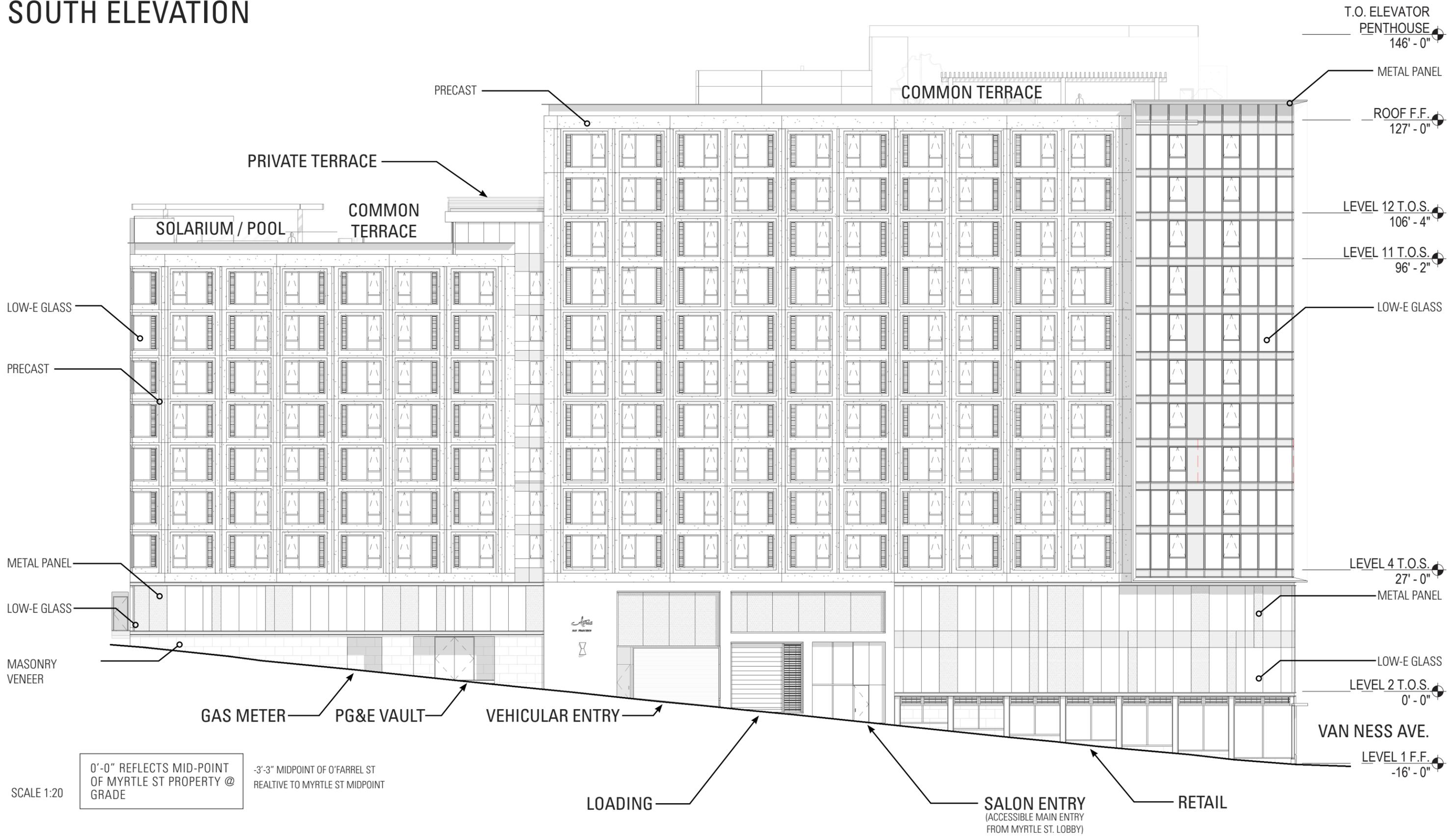


O'FARRELL ST.

SCALE 1" = 20'-0"



Figure 14  
**SOUTH ELEVATION**



0'-0" REFLECTS MID-POINT OF MYRTLE ST PROPERTY @ GRADE  
 -3'-3" MIDPOINT OF O'FARREL ST REALTIVE TO MYRTLE ST MIDPOINT

SCALE 1:20

Figure 15  
**NORTH ELEVATION**

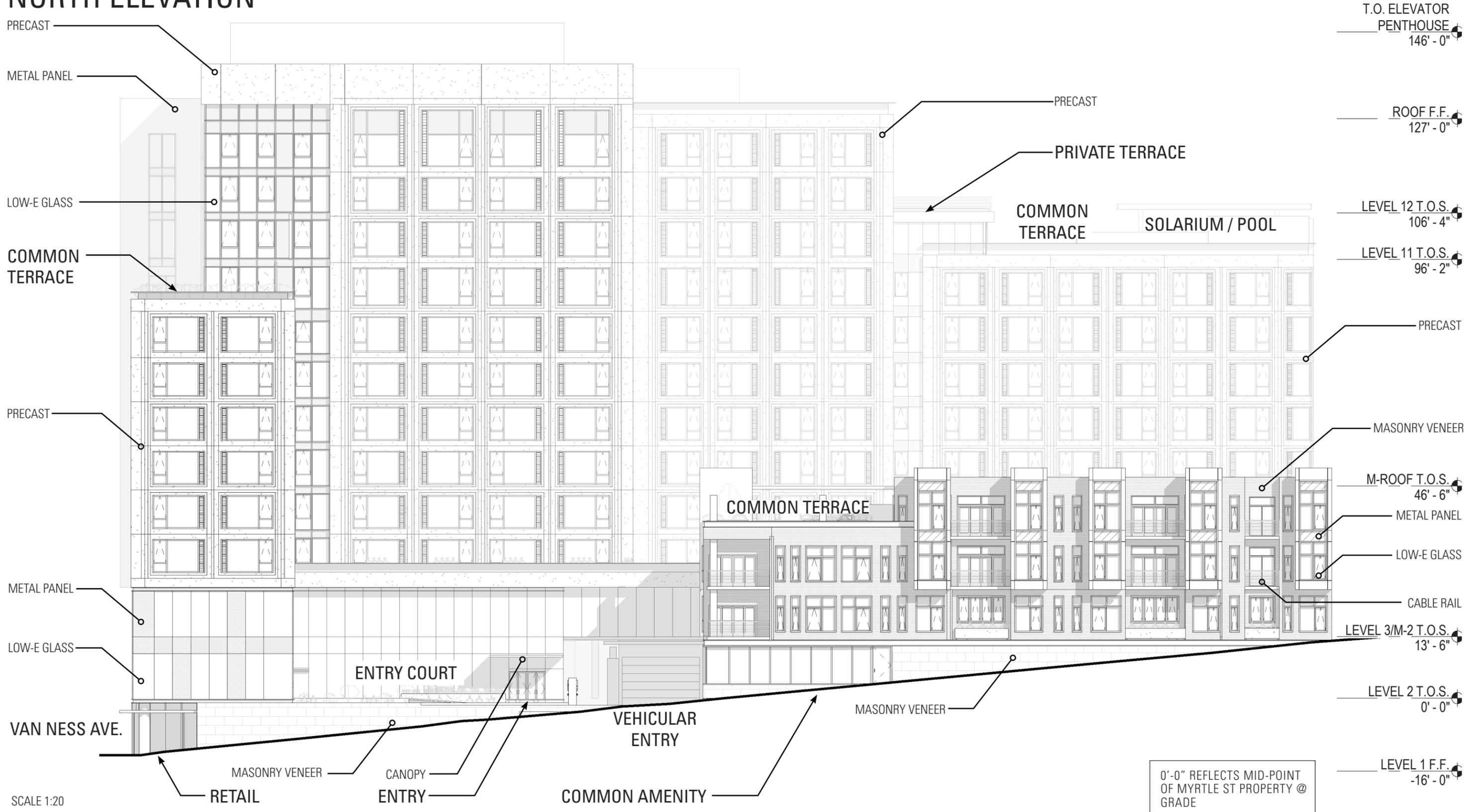
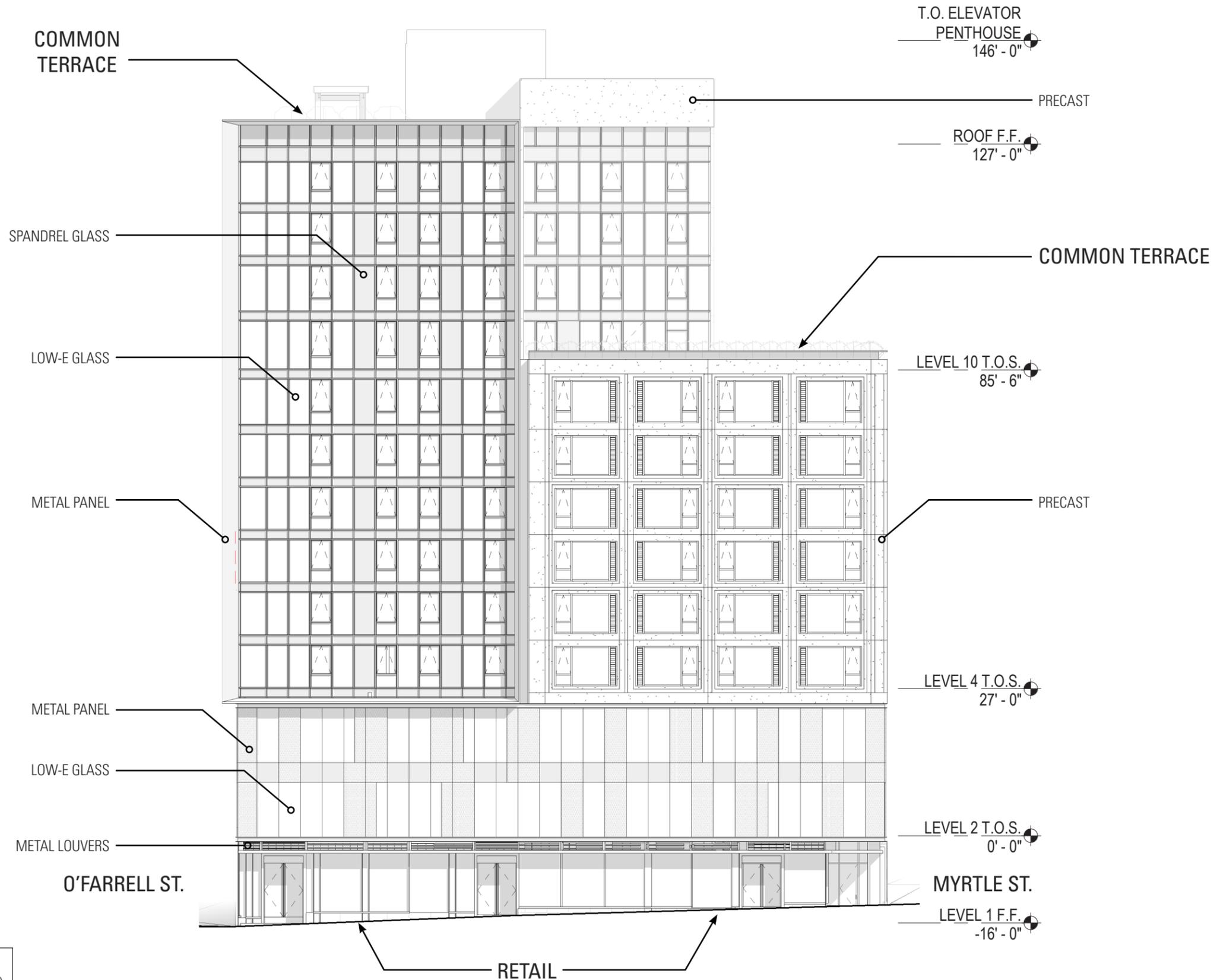


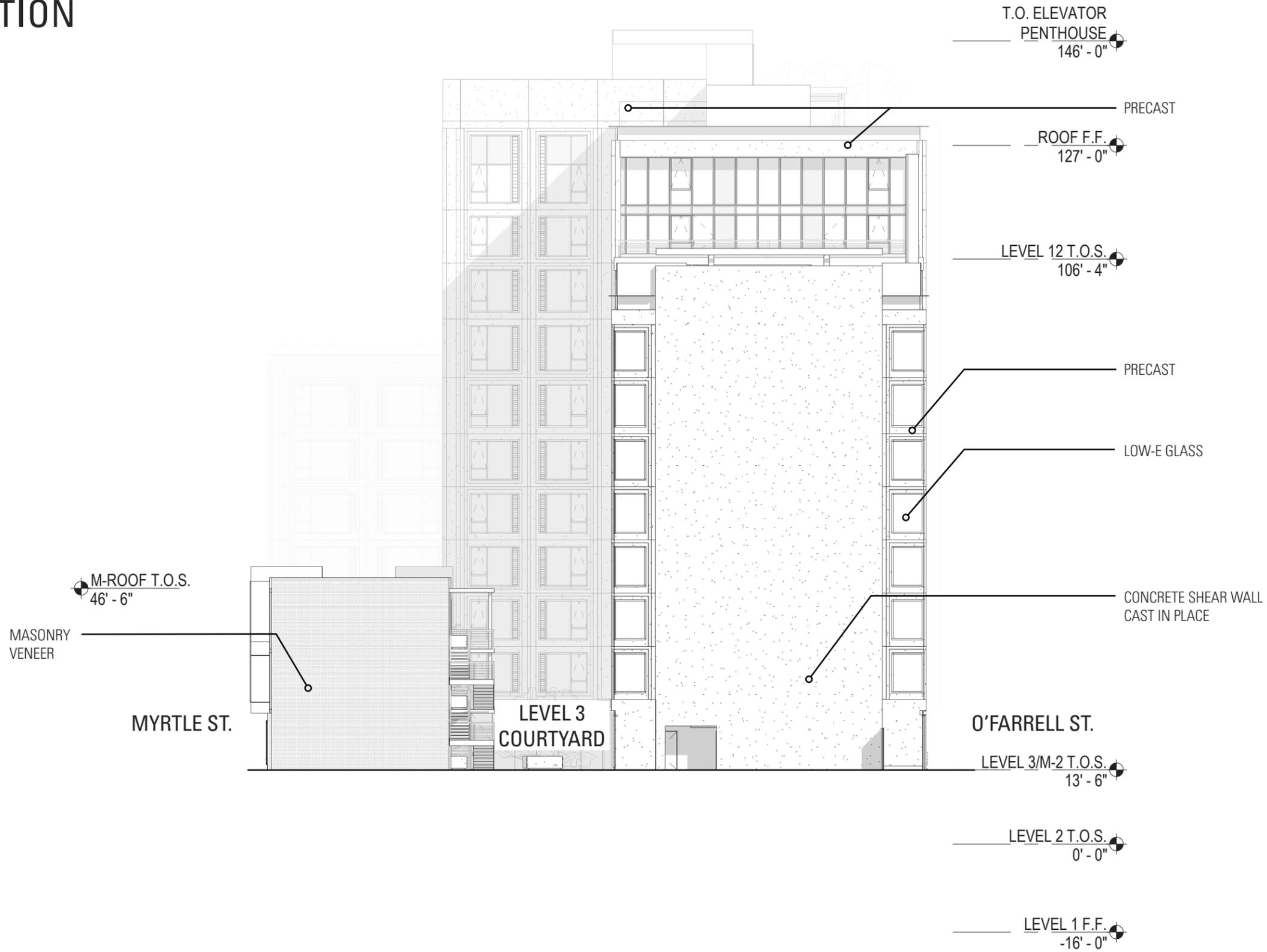
Figure 16  
**EAST ELEVATION**



SCALE 1:20

0'-0" REFLECTS MID-POINT  
 OF MYRTLE ST PROPERTY @  
 GRADE

Figure 17  
**WEST ELEVATION**



SCALE 1:20

0'-0" REFLECTS MID-POINT  
 OF MYRTLE ST PROPERTY @  
 GRADE