



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 8, 2010

Date: April 1, 2010
Case No.: **2010.0065C**
Project Address: **1800 VAN NESS AVENUE (and 1754 Clay Street)**
Zoning: RC-4 (Residential-Commercial Combined, High Density) District
80-D Height and Bulk District
Block/Lots: 0619/009 & 010
Project Sponsor: Sunrise Clay Street Senior Living, LLC
c/o Reuben and Junius, LLP
Attn: Tuija Catalano
1 Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Glenn Cabreros – (415) 558-6169
glenn.cabreros@sfgov.org
Recommendation: **Approval with Conditions**

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 project proposes to extend the performance period of a previously approved Conditional Use Authorization (Motion No. 17364, Case No. 2004.0339C) an additional 24 months from the date of approval of the motion for the subject case (Case No. 2010.0065C). On January 25, 2007, the Planning Commission approved the following project per Motion No. 17364, Case No. 2004.0339C: demolition of the existing two-story commercial building and new construction of an 80-foot tall, 8-story, 62-unit mixed-use building with approximately 5,100 square feet of ground-floor commercial space and up to 73 parking spaces within two basement levels in an RC-4 (Residential, Commercial Combined, High Density) District, the Van Ness Special Use District and a 80-D Height and Bulk District.

SITE DESCRIPTION AND PRESENT USE

The project site is at 1800 Van Ness Avenue, on the northeast corner of Van Ness Avenue and Clay Street. The project site includes 1754 Clay Street, which is a through lot also having frontage on Washington Street. The project site is within an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and an 80-D Height and Bulk District. The project encompasses two lots; Lots 009 and 010 in Assessor's Block 0619, totaling approximately 25,820 square feet. The project site contains a two-story commercial building at the corner of Van Ness Avenue and Clay Street, which formerly housed Kinko's Copies. The remainder of the site is devoted to surface parking lots.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is in a high-density residential district with nearby residential, commercial, mixed-use and religious institutional uses. Along Van Ness Avenue, the lot north and directly adjacent to the proposed project contains a four-story, mixed-use building with eight apartments over a ground floor commercial space. Across Van Ness Avenue, at the northwest corner of Van Ness Avenue and Clay Street, is a two-story commercial building currently occupied by Citibank with an adjacent surface parking lot. Along Clay Street, the lot east and directly adjacent to the project is a two-story building housing the California Club. Across Clay Street, at the southeast corner of Van Ness Avenue and Clay Street, is St. Luke's Church. The project site is at the western edge of the Nob Hill neighborhood.

ENVIRONMENTAL REVIEW

The original Project was reviewed pursuant to the California Environmental Quality Act ("CEQA"), On September 21, 2005, a Final Mitigated Negative Declaration, Case No. 2004.0339E, was adopted and issued for the proposal per CEQA Guidelines. On January 25, 2007, the San Francisco Planning Commission (hereinafter "Commission") reviewed and affirmed the decision to issue a Mitigated Negative Declaration. On March 25, 2010, the Major Environmental Analysis Division of the Planning Department issued a note to Case File No. 2004.0339E that no additional environmental review would be required for the requested Conditional Use extension, as there are no changes to the project from the original proposal analyzed in the 2005 Mitigated Negative Declaration. On April 8, 2010, the Commission concurred with said determination.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 20, 2010	March 17, 2010	23 days
Posted Notice	20 days	March 20, 2010	March 20, 2010	20 days
Mailed Notice	10 days	March 30, 2010	April 6, 2006	20 days

PUBLIC COMMENT

- The Department is not aware of any opposition to this project.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow for a 24-month extension for the project previously approved under Motion No. 17364, Case No. 2004.0339C.

BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The extension of the performance period will grant additional time for financing and construction of a project that is necessary and desirable—per Motion No. 17364—during an extremely challenging economic period of unknown length and severity in the city, state, and nation. The District is well served by transit, therefore customers should not impact traffic.
- The project provides 62 units to the City's housing stock.
- The project is well designed. The proposed building has a shape, size and use that are consistent with the existing surrounding development, particularly development along Van Ness Avenue.
- The proposed Project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approval with Conditions
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Attachments:

Parcel Map

Sanborn Map

Aerial Photographs

Zoning Map

Memo to Case File No. 2004.0339E, March 25, 2010

Project sponsor submittal including:

Final Mitigated Negative Declaration

Project Plans/Renderings

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input checked="" type="checkbox"/> Project Rendering / Illustrations |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139) | <input type="checkbox"/> Other |

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Suite 400
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Planning Commission Draft Motion

HEARING DATE: APRIL 8, 2010

Date: April 1, 2010
Case No.: **2010.0065C**
Project Address: **1800 VAN NESS AVENUE (and 1754 Clay Street)**
Zoning: RC-4 (Residential-Commercial Combined, High Density) District
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San Francisco, CA 94104
Staff Contact: Glenn Cabrerros – (415) 558-6169
glenn.cabreros@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE MODIFICATION OF CONDITIONS OF A CONDITIONAL USE AUTHORIZATION APPROVED BY PLANNING COMMISSION MOTION NO. 17364 TO ALLOW AN EXTENSION OF AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT TO ALLOW CONSTRUCTION OF A BUILDING GREATER THAN 40 FEET IN HEIGHT IN THE VAN NESS SPECIAL USE DISTRICT AND TO EXCEED THE PRESCRIBED BULK LIMITS. THE PROJECT IS AN 80-FOOT TALL, 62-UNIT MIXED-USE BUILDING WITH UP TO 73 PARKING SPACES AND APPROXIMATELY 5,100 SQUARE FEET OF GROUND-FLOOR COMMERCIAL SPACE IN AN RC-4 (RESIDENTIAL, COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT, THE VAN NESS SPECIAL USE DISTRICT AND AN 80-D HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 2, 2010, Reuben and Junius LLP for Sunrise Clay Street Senior Living, LLC (hereinafter "Project Sponsor") filed Application No. 2010.0065C (hereinafter "Application") with the Planning Department (hereinafter "Department") for the modification of condition No. 12 of Motion No. 17364, Case No. 2004.0339C, per Planning Code Section 303(e) to add an additional 24 months to the

performance period. The project approved in Motion No. 17364 included authorization of a Planned Unit Development to construct a building greater than 40 feet in height in the Van Ness Special Use District and to exceed the prescribed bulk limits pursuant to Planning Code Sections 253.2, 303, 304 and 306. The project proposes demolition of a two-story commercial building and new construction of an 80-foot tall, 62-unit mixed-use building with up to 73 parking spaces and approximately 5,100 square feet of ground-floor commercial space in an RC-4 (Residential, Commercial Combined, High Density) District, the Van Ness Special Use District and a 80-D Height and Bulk District.

The original Project was reviewed pursuant to the California Environmental Quality Act ("CEQA"), On September 21, 2005, a Final Mitigated Negative Declaration, Case No. 2004.0339E, was adopted and issued for the proposal per CEQA Guidelines. On January 25, 2007, the San Francisco Planning Commission (hereinafter "Commission") reviewed and affirmed the decision to issue a Mitigated Negative Declaration. On March 25, 2010, the Major Environmental Analysis Division of the Planning Department issued a note to Case File No. 2004.0339E that no additional environmental review would be required for the requested Conditional Use extension, as there are no changes to the project from the original proposal analyzed in the 2005 Mitigated Negative Declaration. On April 8, 2010, the Commission concurred with said determination.

On April 8, 2010, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0065C and granted an extension of the Conditional Use Authorization per Motion No. 17364 for a 24-month period from the time of approval of Case No. 2010.0065C.

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 modification of conditions of Motion No. 17364 requested in Application No. 2010.0065C, 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 at 1800 Van Ness Avenue, on the northeast corner of Van Ness Avenue and Clay Street. The project site includes 1754 Clay Street, which is a through lot also having frontage on Washington Street. The project site is within an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and an 80-D Height and Bulk District. The project encompasses two lots; Lots 009 and 010 in Assessor's Block 0619, totaling approximately 25,820 square feet. The project site contains a two-story commercial building at the corner of Van Ness Avenue and

Clay Street, which formerly housed Kinko's Copies. The remainder of the site is devoted to surface parking lots.

3. **Surrounding Properties and Neighborhood.** The subject property is in a high-density residential district with nearby residential, commercial, mixed-use and religious institutional uses. Along Van Ness Avenue, the lot north and directly adjacent to the proposed project contains a four-story, mixed-use building with eight apartments over a ground floor commercial space. Across Van Ness Avenue, at the northwest corner of Van Ness Avenue and Clay Street, is a two-story commercial building currently occupied by Citibank with an adjacent surface parking lot. Along Clay Street, the lot east and directly adjacent to the project is a two-story building housing the California Club. Across Clay Street, at the southeast corner of Van Ness Avenue and Clay Street, is St. Luke's Church. The project site is at the western edge of the Nob Hill neighborhood.
4. **Past Actions and Project Description.** On January 25, 2007, the Planning Commission approved the following project per Motion No. 17364:; demolition of the existing two-story commercial building and new construction of an 80-foot tall, 8-story, 62-unit mixed-use building with approximately 5,100 square feet of ground-floor commercial space and up to 73 parking spaces within two basement levels.
5. **Proposal.** The project proposes to extend the performance period an additional 24 months from the approval of Case No. 2010.0065C per Motion No. _____.
6. **Public Comment.** The Department received no public comment for this project.
7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval, which the Commission also considers when modifying conditions to the Conditional Use approval. On balance, the proposal to extend the performance period 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 extension of the performance period will grant additional time for financing and construction of a project that is necessary and desirable—per Motion No. 17364—during an extremely challenging economic period of unknown length and severity in the city, state, and nation. The proposal to construct an 80-foot tall, 62-unit mixed-use building would add 62 market-rate dwelling units to the City's housing stock. The proposed building scale and dwelling unit density are compatible with the prescribed zoning districts and the neighborhood.
 - 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 original approval found that the proposed building has a shape, size and use that are consistent with the existing surrounding development, particularly development along Van Ness Avenue. The location of the trash and loading areas within the basement level, to contain such noxious uses, is consistent with promoting or creating positive general welfare for the persons residing or working in the vicinity particularly to existing adjacent buildings. The quality of the open space provided is inviting and barrier-free and encourages recreational uses by the tenants and residents of the building.

- 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 original approval allowed for 73 independently-accessible spaces within two basement levels. Seventy-two parking spaces for the project are required. The amount of proposed parking spaces was found to be acceptable.

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

The original approval found that noxious or offensive emissions such as noise, glare, dust and odor are typically not associated with residential and commercial uses. The original approval found the location of the trash and loading areas within the basement level to effectively mitigate the potential adverse impacts of noxious uses and offensive emissions to the rear yard and mid-block open space areas.

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

The original approval found the rear yard open space to be well-designed. The proposed rear yard open space was designed to be more barrier-free, which visually enlarges the amount of useable open space perceived by residents of the project. The proposed rear yard is accessible from common areas of the building, i.e. a common hallway or lobby, which also encourages use of the open space by building residents. The project also proposes street trees along Van Ness Avenue, Clay Street and Washington Street, and the vehicular access points along Clay and Washington Streets are proposed to be landscaped.

- 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 proposed performance period extension complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan.

8. **Findings Under the California Environmental Quality Act (CEQA).** After considering the 2005 Final Mitigated Negative Declaration (Case No. 2004.0339E) and other information in the record, the Commission hereby makes the following findings:
 - A. The Commission has independently reviewed and analyzed the 2005 Final Mitigated Negative Declaration (Case No. 2004.0339E), the findings contained in Motion No. 17364, and the other information in the record and has considered the information contained therein and hereby finds that no additional environmental review is required for the Project for the following reasons:
 - (1) No changes have been made to the Project that constitute substantial changes requiring major revisions in the 2005 Final Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase of the severity of previously identified effects;
 - (2) Substantial changes have not occurred with respect to the circumstances under which the Project will be undertaken which require major revisions to the 2005 Final Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
 - (3) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 2005 Final Mitigated Negative Declaration was issued.
 - B. The Commission has reviewed and considered the 2005 Final Mitigated Negative Declaration and record as a whole, finds that the 2005 Final Mitigated Negative Declaration is adequate for its use as the decision-making body for the action taken herein and incorporates the CEQA findings contained in Motion No. 17364, including adoption of a Mitigation Measures and Improvement Measures.
9. The findings of the original approval, as established in Motion No. 17364, are hereby incorporated by reference.
10. The proposed performance period extension 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 positively contribute to the character and stability of the neighborhood and would constitute a beneficial development to the City as a whole.
11. The Commission hereby finds that approval of the request for extension 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. 2010.0065C** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

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. _____. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 8, 2010.

Linda D. Avery
Commission Secretary

Ayes:

Nays:

Absent:

ADOPTED: April 8, 2010

Exhibit A

Conditions of Approval

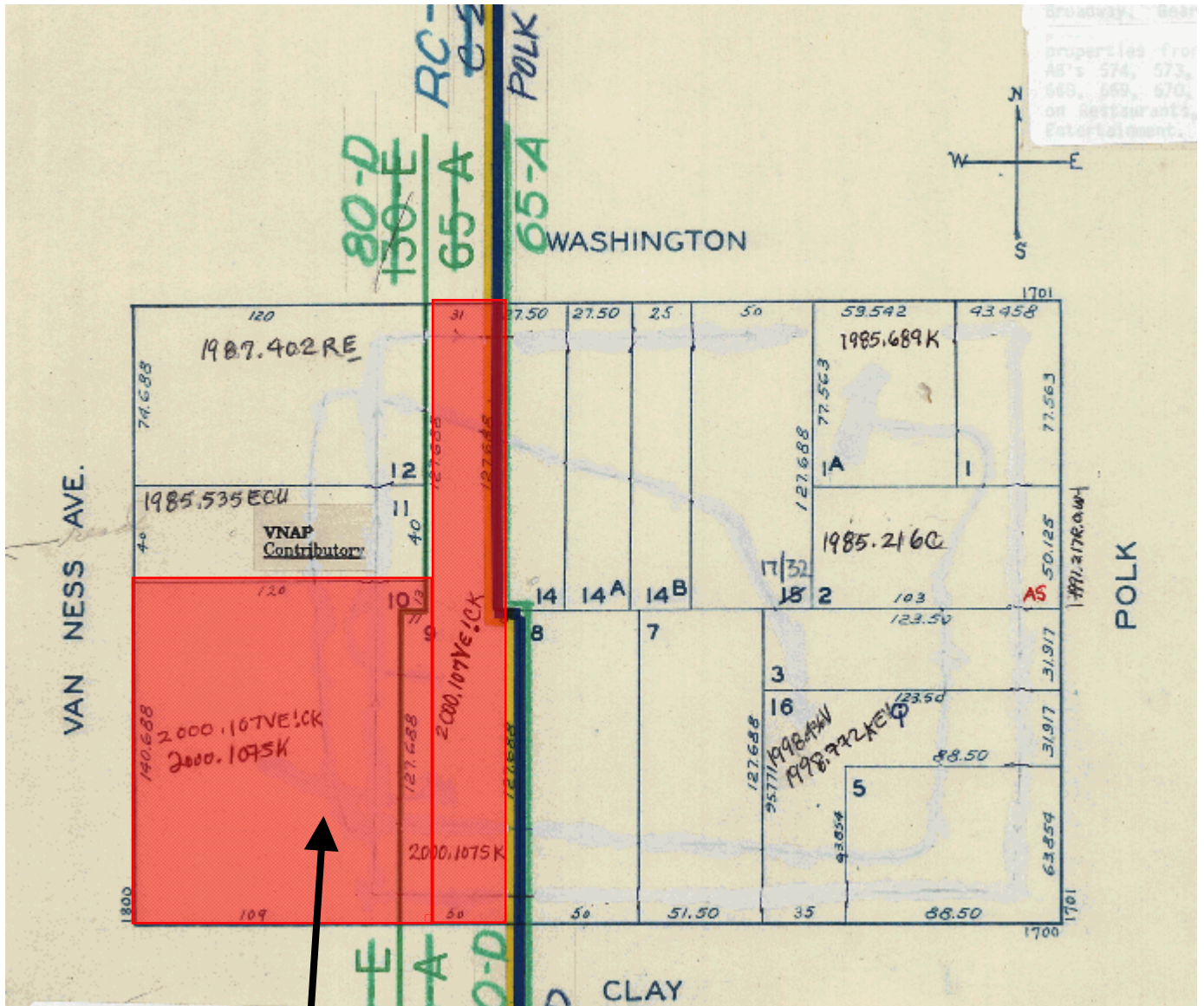
Whenever "Project Sponsor" is used in the following conditions, the conditions shall also bind any successor to the Project or other persons having an interest in the Project or underlying property.

This approval is pursuant to Sections 303(e) to modify Condition No. 12 of Motion No. 17364 to add an additional 24 months to the performance period from the date of approval of Motion No. _____. The original proposal included authorization of a Planned Unit Development to construct a building greater than 40 feet in height in the Van Ness Special Use District, and to exceed the prescribed bulk limits pursuant to Planning Code Sections 253.2, 303, 304 and 306. The project proposes demolition of a two-story commercial building and new construction of an 80-foot tall, 62-unit mixed-use building with up to 73 parking spaces and approximately 5,100 square feet of ground-floor commercial space in an RC-4 (Residential, Commercial Combined, High Density) District, the Van Ness Special Use District and a 80-D Height and Bulk District. All previously granted exceptions and Conditions of Approval would remain and are attached as Exhibit B. The amendment extends the approval to April 8, 2012.

GENERAL CONDITIONS

1. Performance. This extension is valid for a period of 2 years. The new expiration date is April 8, 2012.
2. Recordation. Prior to the issuance of any building or site permit for the construction of 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, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied, and record said writing if requested.

Parcel Map

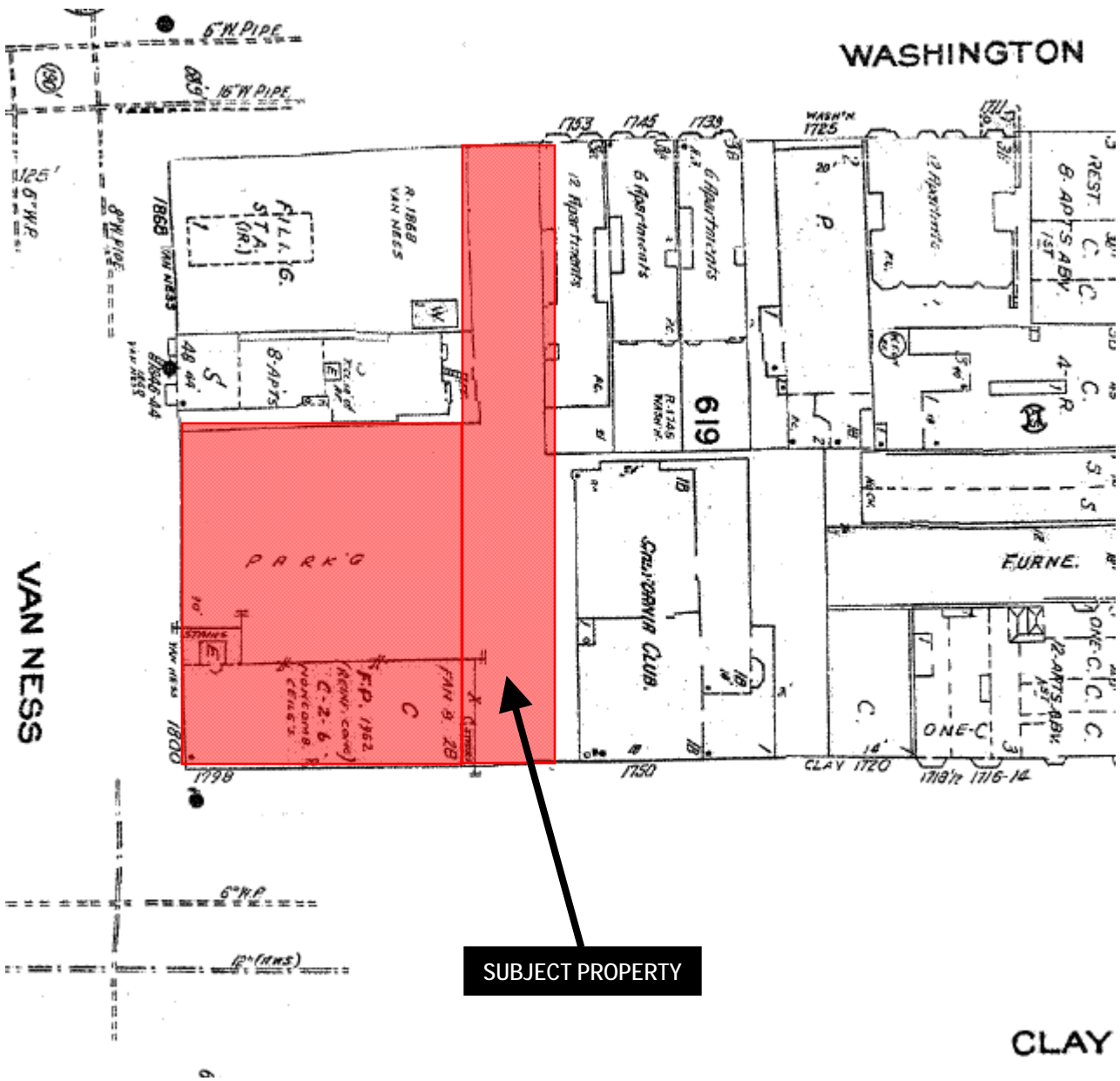


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0065C
1800 Van Ness (and 1754 Clay Street)

Sanborn Map*



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



Conditional Use Hearing
 Case Number 2010.0065C
 1800 Van Ness (and 1754 Clay Street)

Aerial Photo 1



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0065C
1800 Van Ness (and 1754 Clay Street)

Aerial Photo 2

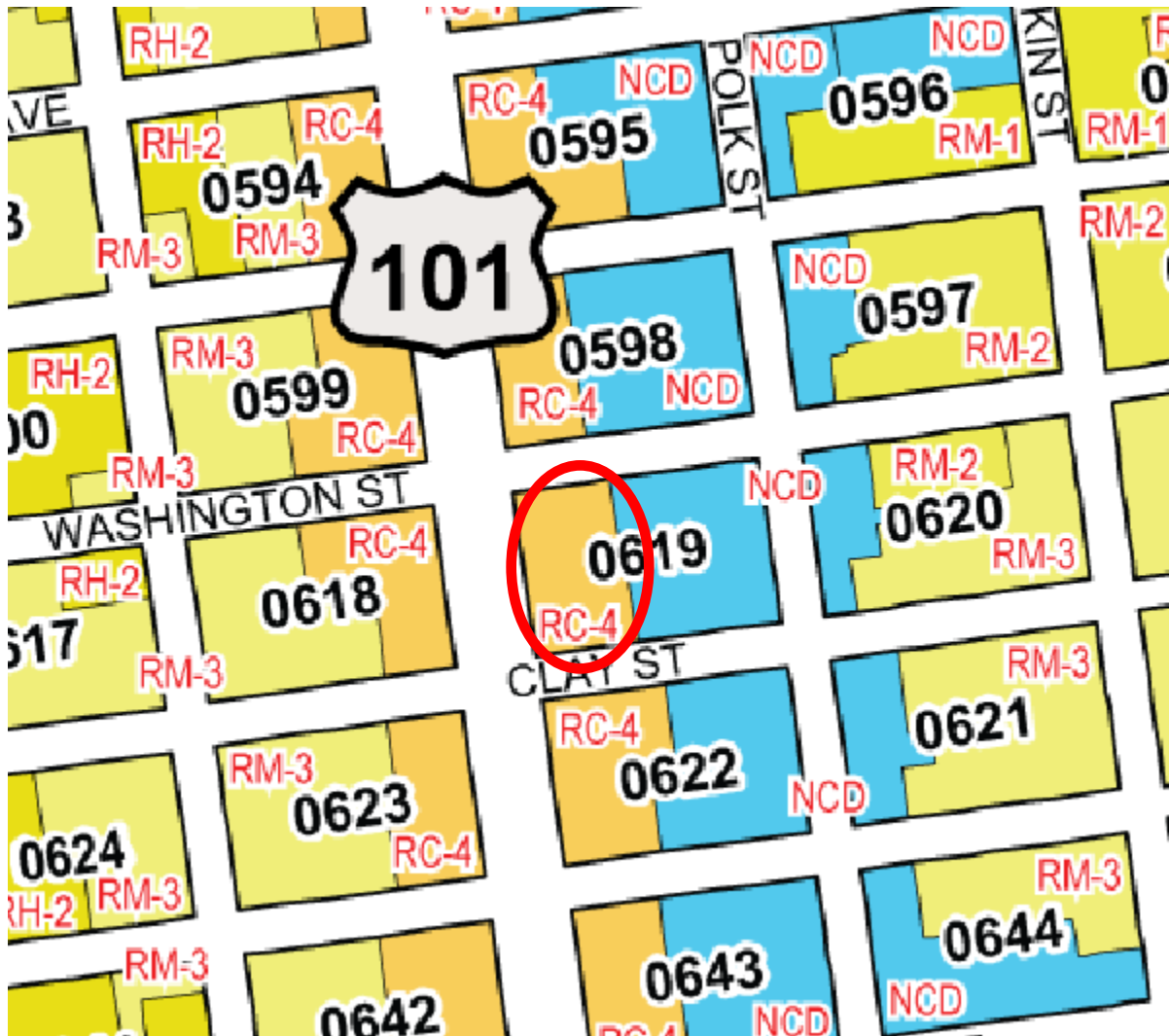


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0065C
1800 Van Ness (and 1754 Clay Street)

Zoning Map



Conditional Use Hearing
Case Number 2010.0065C
1800 Van Ness (and 1754 Clay Street)



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: March 25, 2010
TO: Case File No. 2004.0339E,
1800 Van Ness Avenue (and 1754 Clay Street)
FROM: Jeanie Poling, Environmental Planner
RE: Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The original proposal for the project at 1800 Van Ness Avenue/1749 Clay Street (Assessor's Block 619, Lots 9 and 10) was analyzed in a Mitigated Negative Declaration that was published on August 27, 2005, and finalized on September 21, 2005. The proposed project involves the construction of an eight-story, 80-foot-high, approximately 116,200 square foot (sf) building. The project would contain 62 senior housing units, 5,100 sf of ground-floor retail, and a two-level underground parking garage, on a 25,817 sf site located on the northeast corner of Van Ness Avenue and Clay Street in the Nob Hill neighborhood. The ground floor would contain retail space, a residential lobby, and vehicular entrances on Clay and Washington Streets leading to an off-street loading space and ramps to an 83-space garage for residents and commercial uses. The second through eighth floors would contain 62 senior residential units that would be accessed via elevators from a lobby on Clay Street. There would be about 5,000 sf of private usable open space and 4,500 sf of common usable open space. The site is currently occupied by a two-story, 9,514 sf commercial building and two surface parking lots containing a total of approximately 60 spaces, all of which would be demolished. The project site is located in an RC-4 (Residential-Commercial Combined, High Density) District, an 80-D Height and Bulk District, and the Van Ness Avenue Special Use District. There are no changes to the project from the original proposal analyzed in the 2005 Mitigated Negative Declaration (MND).

The potential environmental impacts of the proposed project are described in the 2005 MND. The MND contains mitigation for all potentially significant environmental effects, which involve construction air quality, investigations for contaminated soil and underground storage tanks, and potential impacts to archeological resources. The applicable mitigation measures from the MND would be required for the project as currently proposed. With the proposed mitigation measures, the project at 1800 Van Ness Avenue/1749 Clay Street would not have a significant impact on the environment, and no additional environmental review is required for the conditional use extension.

cc: Glenn Cabreros, Neighborhood Planner

MITIGATED NEGATIVE DECLARATION

Date of Publication of Preliminary Mitigated Negative Declaration: August 27, 2005

Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street, Suite 500, San Francisco, CA 94103
Agency Contact Person: Rana Ahmadi **Telephone:** (415) 558-5966

Project Title: 2004.0339E – 1800 Van Ness Ave **Telephone:** (650) 938-2249
Project Sponsor/Contact: Daniel F Zemanek

Project Address: 1800 Van Ness Ave
Assessor's Block and Lot: Block 0619, Lot 9
City and County: San Francisco

Project Description: The proposed project is the construction of an eight-story, 80-foot-high, approximately 116,200-gross-square-foot (sq. ft.) building. The project would contain 62 senior housing units, 5,100 sq. ft. of ground-floor retail, and a two-level underground parking garage, on a 25,817 sq. ft. site located on the northeast corner of Van Ness Avenue and Clay Street in the Nob Hill neighborhood. The ground floor would contain retail space, a residential lobby, and vehicular entrances on Clay and Washington Streets leading to an off-street loading space and ramps to an 83-space garage for residents and commercial uses. The second through eighth floors would contain 62 senior residential units that would be accessed via elevators from a lobby on Clay Street. There would be about 5,000 sq. ft. of private usable open space and 4,500 sq. ft. of common usable open space. The site is currently occupied by a two-story 9,514-sq. ft. commercial building and two surface parking lots containing a total of approximately 60 spaces, all of which would be demolished. The project site is located in an RC-4 (Residential-Commercial Combined, High Density) District, an 80-D Height and Bulk District, and the Van Ness Avenue Special Use District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for parking spaces exceeding the maximum requirements, minimum rear yard depth, and bulk restrictions.

Building Permit Application Number(s), if Applicable: Not Applicable

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.

-Over-

Mitigation measures, if any, included in this project to avoid potentially significant effects: See page 55

Final Mitigated Negative Declaration adopted and issued on September 21, 2005

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


PAUL E. MALTZER
Environmental Review Officer

cc: Daniel F. Zemanek, Project Sponsor
Jared Eigerman, Project Attorney
Glenn Cabrerros, Planning Department
Supervisor Aaron Peskin, District 3
Bulletin Board
Fernandez/Master Decision File

20040339E



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER (415) 558-6378	DIRECTOR'S OFFICE PHONE: 558-6411 4TH FLOOR FAX: 558-6426	ZONING ADMINISTRATOR PHONE: 558-6350 5TH FLOOR FAX: 558-6409	PLANNING INFORMATION PHONE: 558-6377 MAJOR ENVIRONMENTAL FAX: 558-5991	COMMISSION CALENDAR INFO: 558-6422 INTERNET WEB SITE WWW.SFGOV.ORG/PLANNING
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PRELIMINARY MITIGATED NEGATIVE DECLARATION

Date of this Notice: August 27, 2005

Lead Agency: San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103-2414

Agency Contact Person: Rana Ahmadi

Telephone: (415) 558-5966

Project Title: 2004.0339E 1800 Van Ness Avenue/1756 Clay Street

Project Sponsor: Sunrise Development, Inc.

Project Contact Person: Daniel F. Zemanek

Telephone: (650) 938-2249

Project Address: 1800 Van Ness Avenue

Assessor's Block and Lot: Block 0619, Lots 009 and 010

City and County: San Francisco

Project Description: The proposed project is the construction of an eight-story, 80-foot-high, approximately 116,200-gross-square-foot (sq.ft.) building at 1800 Van Ness Avenue/1756 Clay Street (Lots 9 and 10 of Assessor's Block 619). The project would contain 62 senior housing units, 5,100 square feet of ground-floor retail, and a two-level underground parking garage, on a 25,817 sq.ft. site located on the northeast corner of Van Ness Avenue and Clay Street in the Nob Hill neighborhood of San Francisco. The ground floor would contain retail space, a residential lobby, and vehicular entrances on Clay and Washington Streets leading to an off-street loading space and ramps to an 83-space garage for residents and commercial uses. The second through eighth floors would contain 62 senior residential units that would be accessed via elevators from a lobby on Clay Street. There would be about 5,000 sq.ft. of private usable open space and 4,500 sq.ft. of common usable open space. The site is currently occupied by a two-story, 9,514-square-foot commercial building and two surface parking lots containing a total of approximately 60 spaces, all of which would be demolished. The project site is located in an RC-4 (Residential-Commercial Combined, High Density) District, an 80-D Height and Bulk District, and the Van Ness Avenue Special Use District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for parking spaces exceeding the maximum requirements, minimum rear yard depth, and bulk restrictions.

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:

-Over-

Mitigation measures, if any, included in this project to avoid potentially significant effects: Pages 55 to 62

cc: San Francisco Planning Commission; Daniel F. Zemanek, Project Sponsor; Jared Eigerman, Project Attorney; Glenn Cabrerros, Planning Department; Sue Hestor; Distribution List; Supervisor Aaron Peskin, District 3; Maria Oropeza/Bulletin Board; Master Decision File

INITIAL STUDY

2004.0339E – 1800 Van Ness Avenue/1756 Clay Street

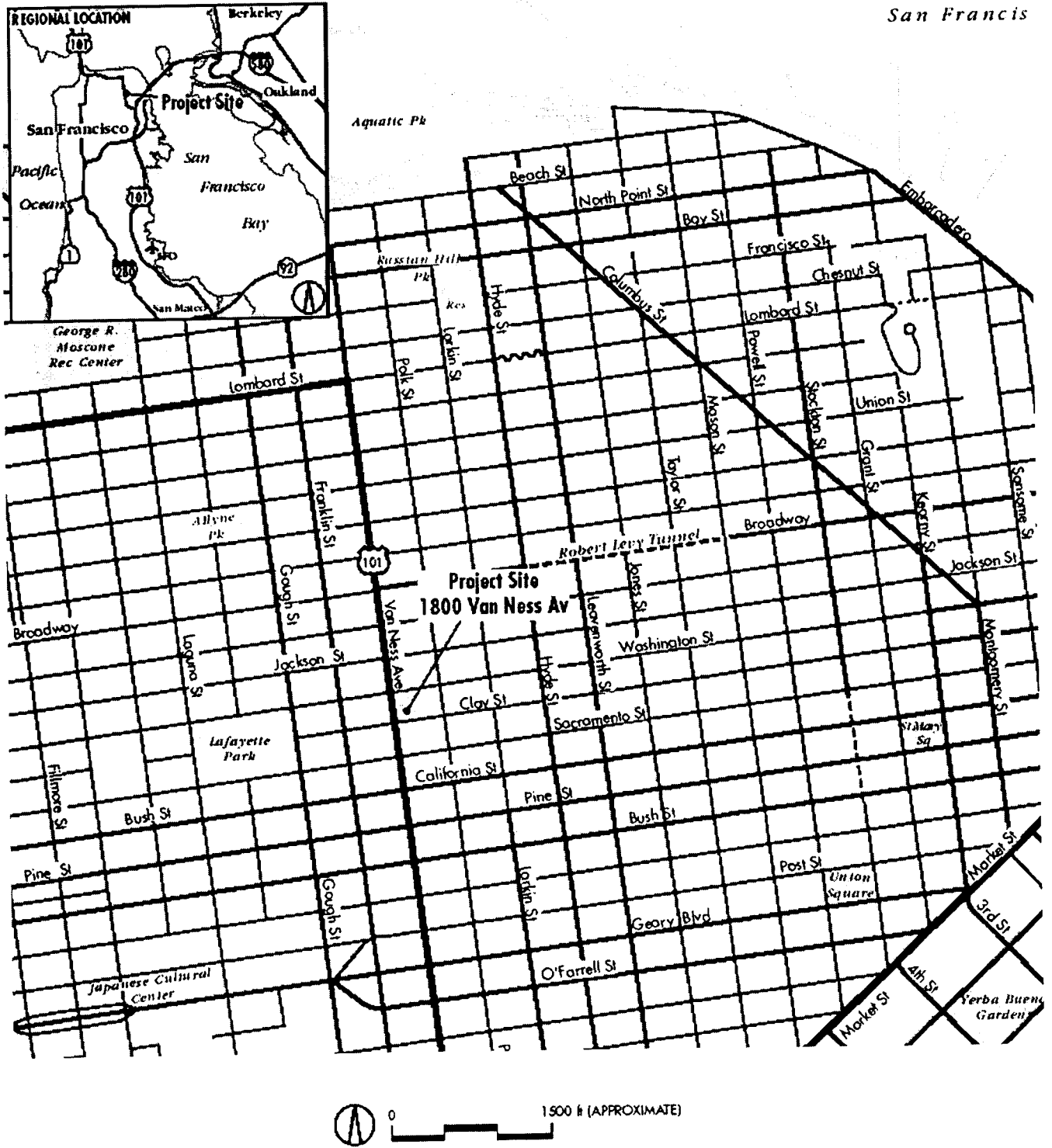
I. PROJECT SETTING AND DESCRIPTION

A. PROJECT SETTING

The project site is L-shaped, with the main portion located on the northeast corner of Clay Street and Van Ness Avenue (1800 Van Ness Avenue/1756 Clay Street), and a narrower strip extending north to Washington Street (Assessor's Block 619, Lots 9 and 10). The site is located in the block bounded by Van Ness Avenue and Clay, Washington, and Polk Streets, in the Nob Hill neighborhood along the Van Ness Avenue corridor of San Francisco (see Figure 1, page 2). The southwest portion of the site contains a two-story, 9,514-square-foot commercial building with an approximately 4,775 square-foot copy store on the ground floor and about 4,740 square feet (sq.ft.) of office uses on the second floor. North of the commercial building, in the main portion of the site, is a surface parking lot with approximately 32 spaces. The strip extending north to Washington Street is also paved and used for surface parking with about 28 spaces. The project site is essentially flat and has a slight downward slope to the east. The surrounding area also generally slopes downward from west to east.

In the vicinity of the site, Van Ness Avenue (U.S. Highway 101, with three travel lanes in each direction, is the primary north/south transportation corridor. Nearby land uses include residential, office, retail, restaurant, bar, auto service, church, hotel, and parking. There is a variety of building types, sizes, and ages, with building heights varying from one to 12 stories in the immediate project vicinity. The 23-story Holiday Inn building is located two and one-half blocks south of the project site on Van Ness Avenue.

On the east side of Van Ness Avenue, immediately north of the site in the project block, is a four-story apartment building converted to office suites, with ground-floor retail. Farther north, at the southeast corner of Washington Street and Van Ness Avenue, is a former gasoline service station. East of Van Ness Avenue, Washington Street has buildings of one to five stories, occupied by residential, church, retail, and auto service uses. Clay Street between Van Ness Avenue and Polk Street is occupied by surface parking and buildings of one to five stories including residential, office,



Source: During Associates

5-25-05

Project Location Figure 1

auto service, church, bar, and private club uses. Farther east of the project site, Polk Street is lined with two- to six-story buildings occupied by office, retail, and residential uses.

Van Ness Avenue north of Washington Street has buildings of one to nine stories, with residential, office, restaurant, and auto service uses, including the Pacific Place residential project, which consists of a nine-story tower at the northwest corner of Van Ness Avenue and Washington Street, and an eight-story tower farther north at Van Ness Avenue and Jackson Street. The west side of Van Ness Avenue between Washington and Clay Streets, facing the project site, has surface parking and two- to four-story buildings occupied by office and retail uses. Van Ness Avenue south of Clay Street has buildings of one to seven stories, with residential, office, retail, and church uses.

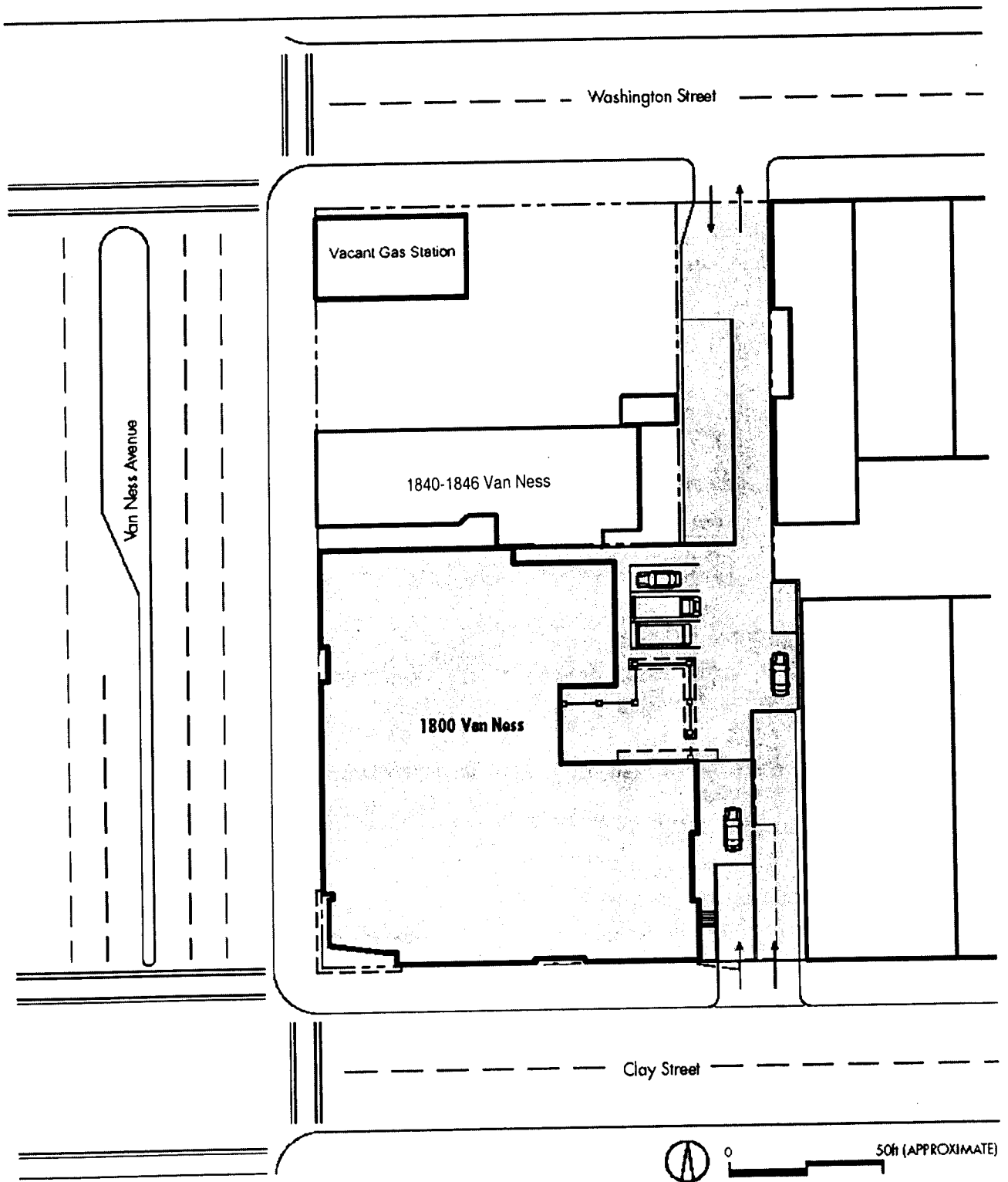
Washington Street west of Van Ness Avenue is occupied by buildings of one to 11 stories, with residential, office, and retail uses. Clay Street west of Van Ness Avenue is occupied by residential buildings of one to 12 stories in height.

Lafayette Park is located two blocks west of the project site, in the area bounded by Gough, Washington, Sacramento, and Laguna Streets. The Washington-Hyde Mini-Park is located approximately three blocks northeast of the site on the north side of Washington Street near Hyde Street. Helen Wills Playground is located approximately three and one-half blocks north of the site, at the southwest corner of Broadway and Larkin Street.

The project site is located in an RC-4 (Residential-Commercial Combined, High Density) District, an 80-D Height and Bulk District, and the Van Ness Avenue Special Use District.

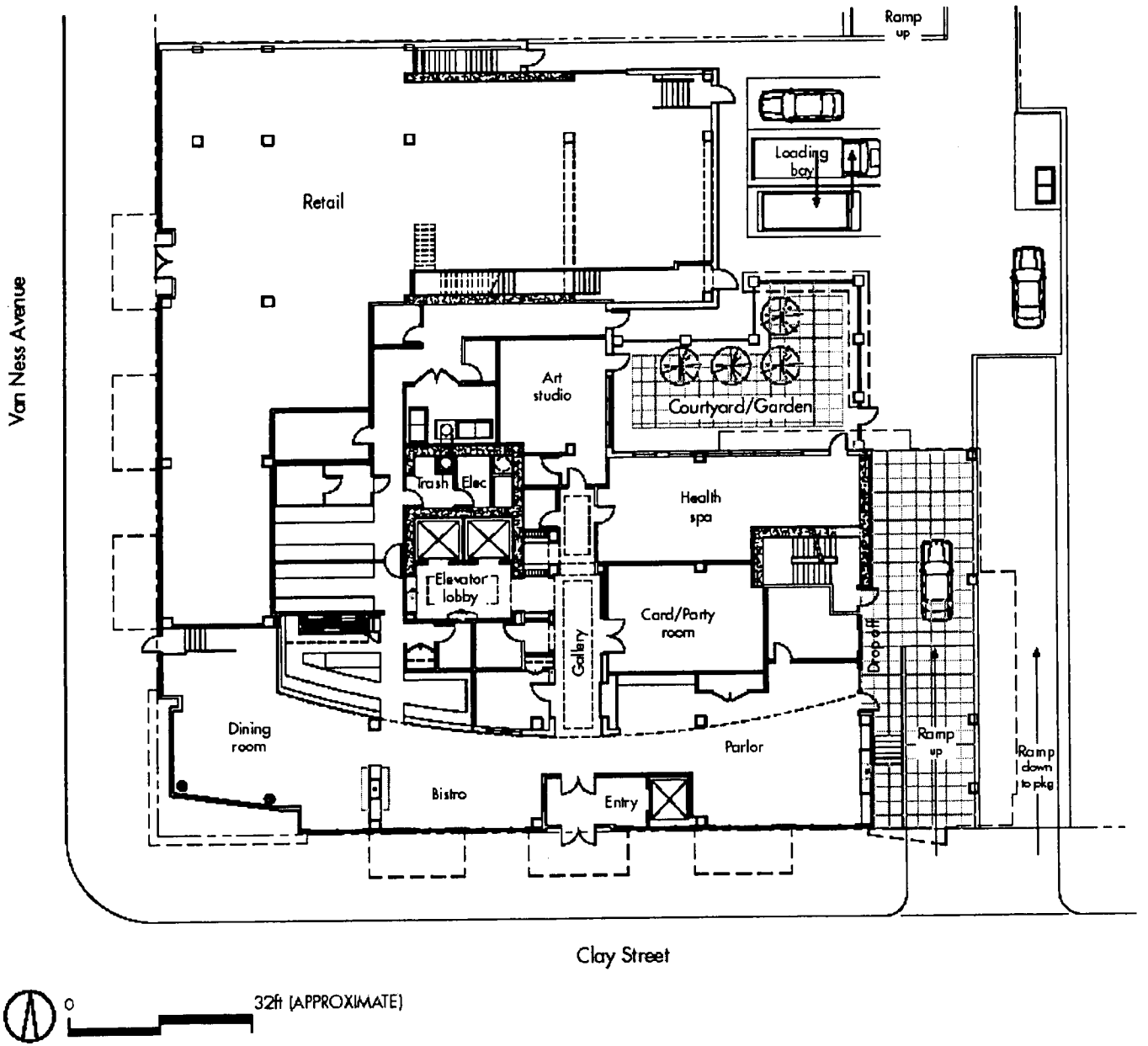
B. PROJECT DESCRIPTION

The proposed project is the construction of an eight-story, 80-foot-high, 116,200-gross-square-foot (gsf) building. The building would contain approximately 62 senior housing units occupying about 111,100 sq.ft, 5,100 sq.ft. of ground-floor retail space, and a two-level underground garage. (See Figures 2 through 8, pages 4 to 10). The existing two-story retail building and a surface parking lot on the project site would be demolished. The ground floor of the proposed building would contain retail space, which would be accessed from Van Ness Avenue, and a residential lobby with elevators, accessed from Clay Street. Vehicular entrances on Clay and Washington Streets would lead to an



Source: Mihun Architects + designers + planners
 5/2/05

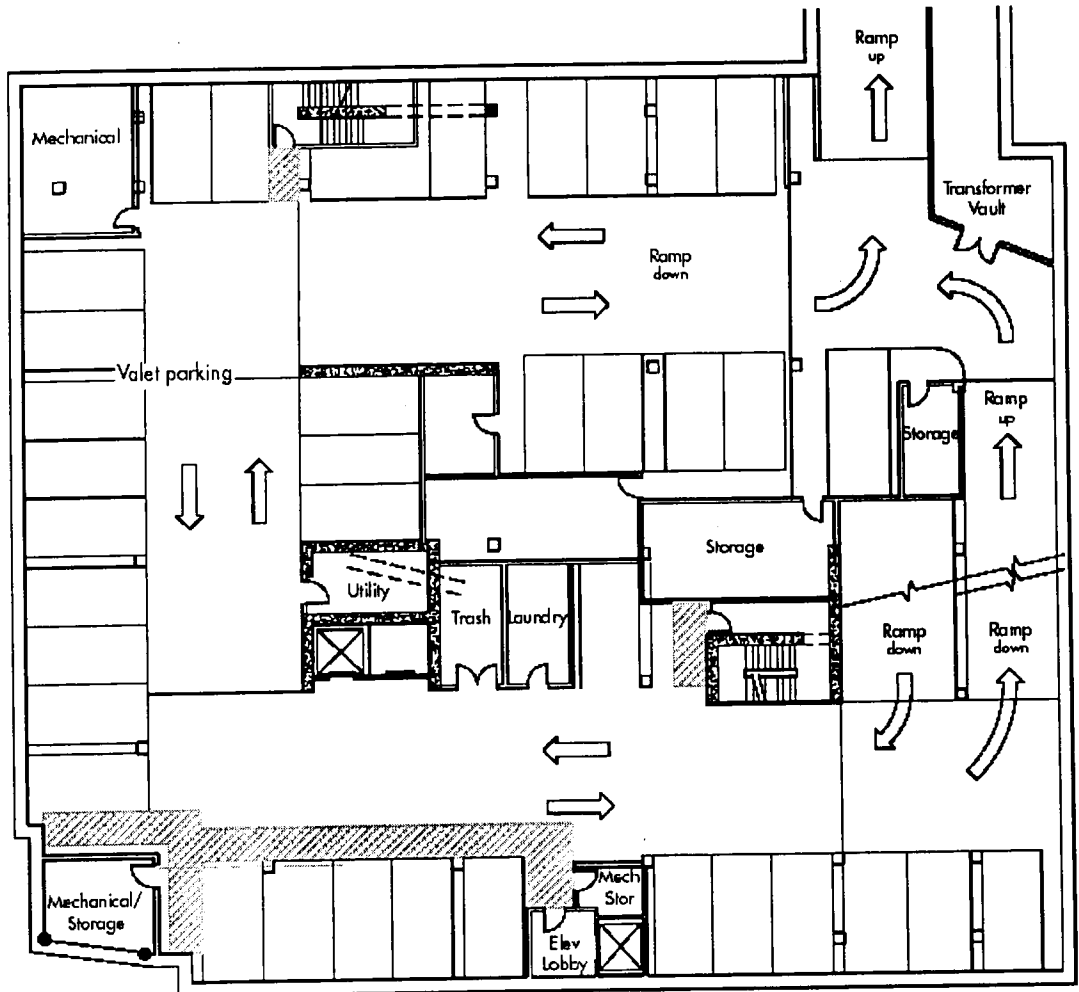
Proposed Site Plan Figure 2



Source: Mithun Architects + designers + planners
 5-21-05

Proposed Ground Floor Plan Figure 3

Van Ness Avenue



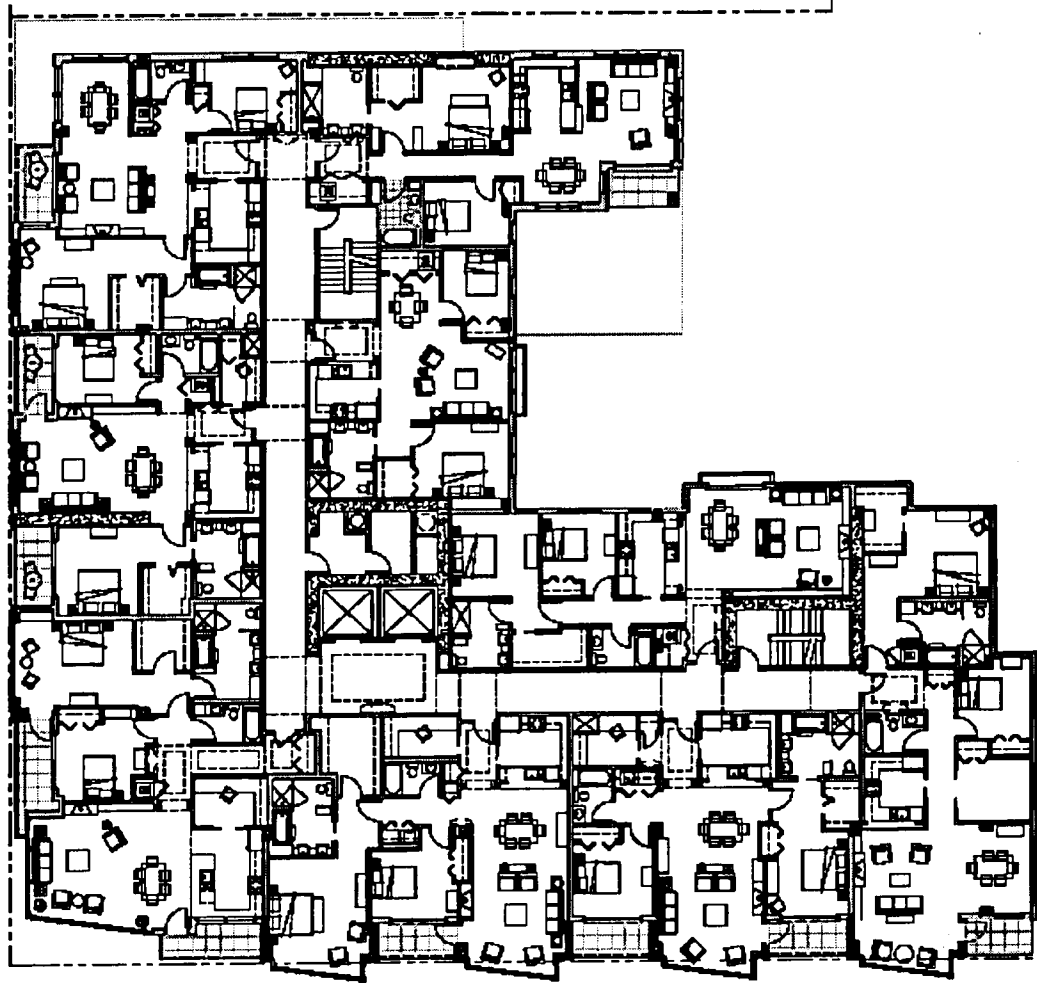
Clay Street



Source: Milbun Architects + designers + planners
5-21-05

Proposed Parking Plan—Level P1 Figure 4

Van Ness Avenue

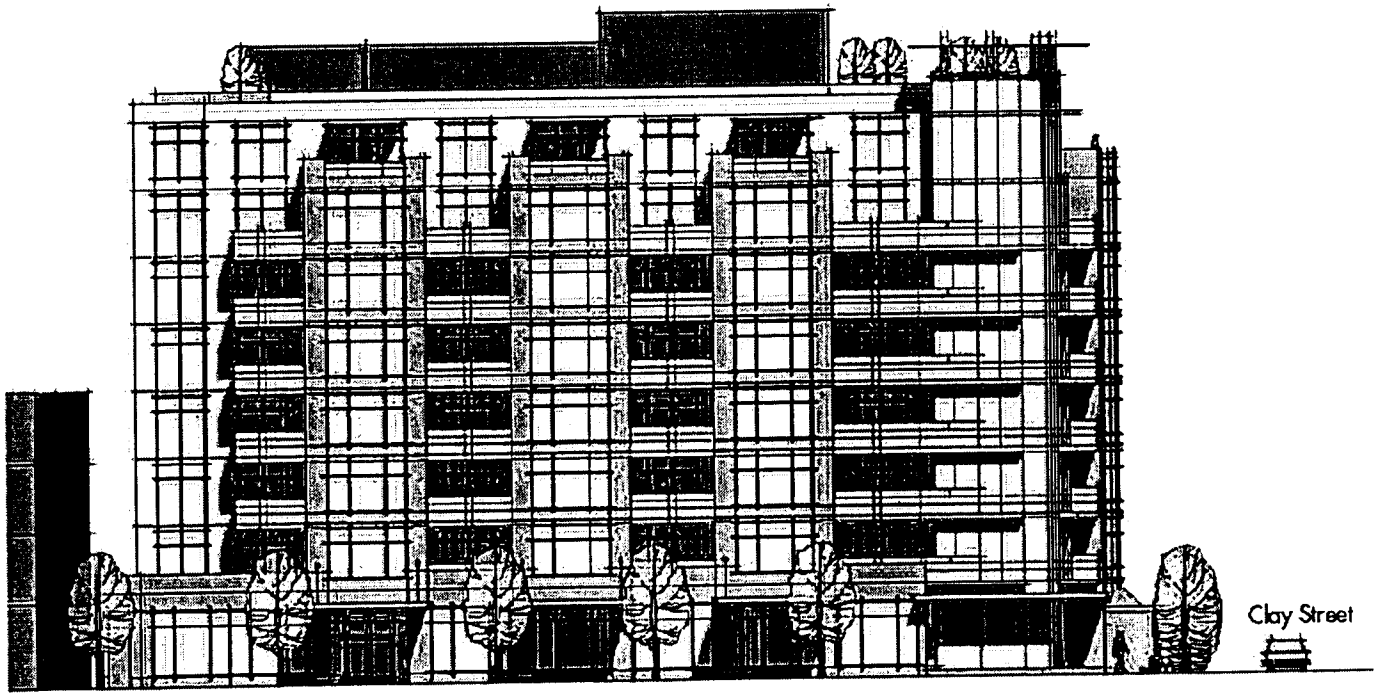


Clay Street



Source: Milham Architects + designers + planners
12-22-01

Proposed Residential Levels 2-7 Figure 5



Van Ness Avenue

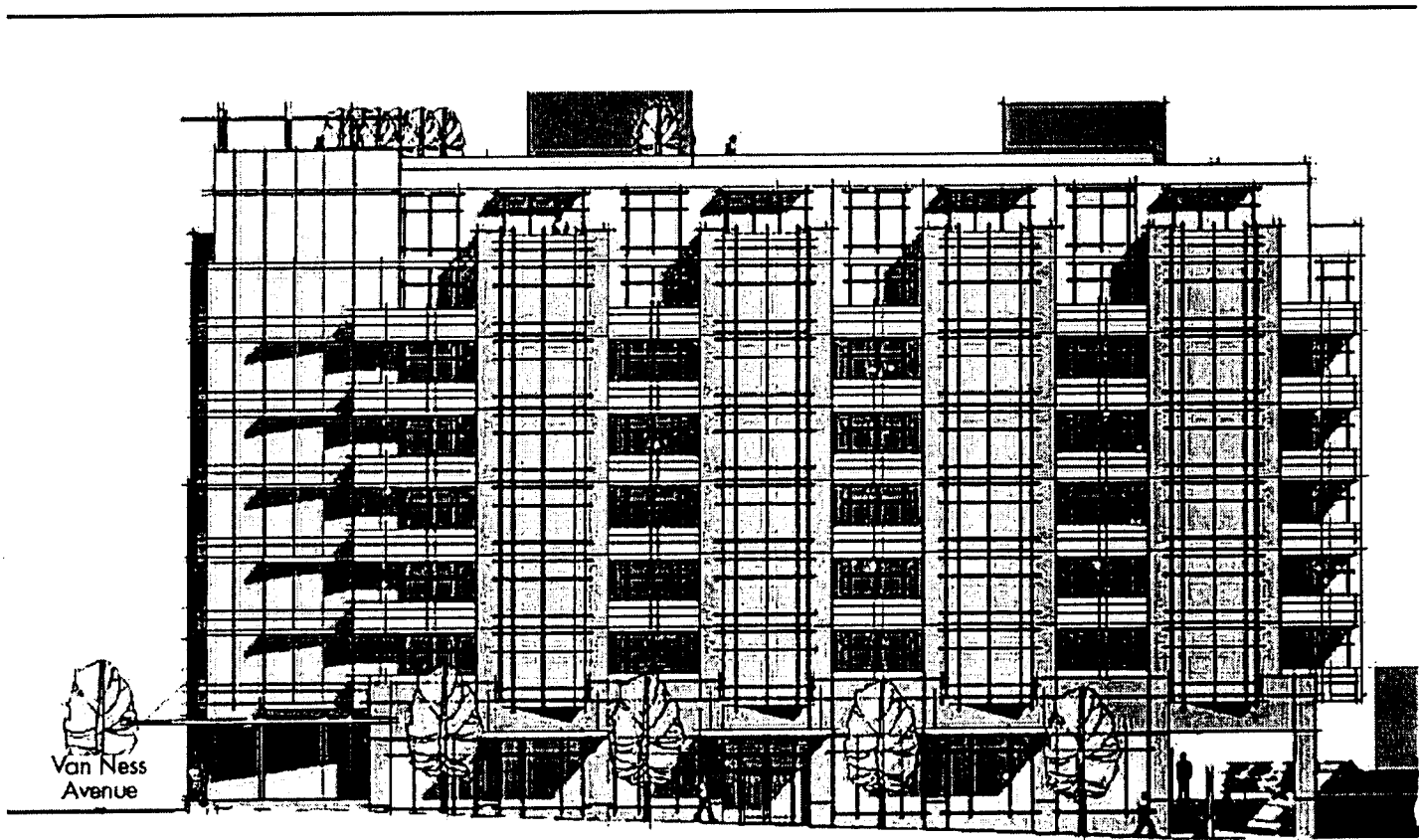
0 32ft (APPROXIMATE)

Clay Street

Source: Mithun Architects + designers + planners

5/24/05

Proposed Van Ness Avenue Elevation Figure 6

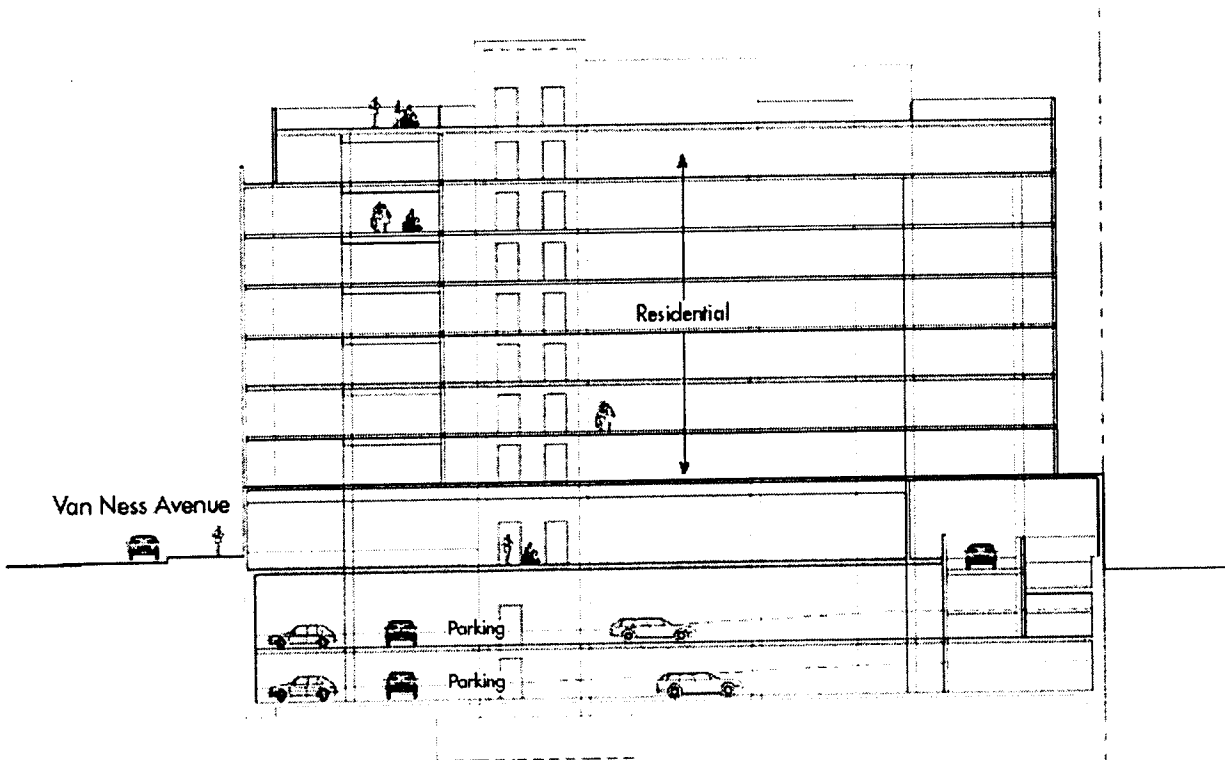


Clay Street

0 32ft (APPROXIMATE)

Source: Mithun Architects + designers + planners
5/2/05

Proposed Clay Street Elevation Figure 7



0 32ft (APPROXIMATE)

Source: Mithun Architects + designers + planners
12.22.09

Proposed Project Section Figure 8

off-street loading space at the rear of the building, and ramps to an 83-space garage, including three handicap-accessible spaces, in two below-grade levels. Approximately 62 of the spaces would be for the senior residents and 21 spaces would be available for public parking at times when it is not needed for the ground floor retail space. There would be a ground-floor pedestrian drop-off on the east side of the building under the second level. Vehicles would enter from Clay Street and load/unload passengers with direct access to the lobby and concierge desk. The second through eighth floors would contain 62 senior residential units. The project would have 5,000 sq.ft. of private usable open space and 4,500 sq.ft. of common usable open space.

Both the Van Ness Avenue and Clay Street facades would be articulated by balconies and bay windows, and would have exterior treatments consisting of contrasting colors relieved by windows.

The proposed project would remove five existing trees on the site, with trunk diameters that range from 6 to 12 inches, and would include planting of street trees every 20 feet along Van Ness Avenue and Clay Street.

Construction of the proposed project would involve excavation to an average depth of approximately 26 feet in the western portion of the site, and excavation varying from about one to ten feet in the narrow eastern portion of the site. Approximately 23,500 cubic yards of soil would be excavated, and would be removed from the site.

The project sponsor is Sunrise Development, Inc., and the project architects are Patri Merker Architects and Mithun Architects + Designers + Planners. The estimated cost of construction is \$17.4 million.

Construction of the project would continue for about 18 months. Assuming that construction would begin in the third quarter of 2005, the project would be ready for occupancy by early 2007.

The project site is located in an RC-4 (Residential-Commercial Combined, High Density) District, an 80-D Height and Bulk District, and the Van Ness Avenue Special Use District (VNSUD). The proposed project would require approval of a conditional use authorization (CU) for a planned unit development (PUD) because it is in the VNSUD and exceeds 40 feet in height; and would require

exceptions for parking spaces exceeding the limit permitted by the *Planning Code*, minimum rear yard depth, and bulk restrictions. The project would also require approval by the Department of Building Inspection and Department of Public Works for demolition and site permits.

II. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH ZONING, PLANS, AND POLICIES

	<u>N/A</u>	<u>Discussed</u>
1. Discuss any variances, special authorizations, changes proposed to the City <i>Planning Code</i> or Zoning Map, if applicable.	<input type="checkbox"/>	■
2. Discuss any conflicts with any other adopted environmental plans and goals of the City or Region, if applicable.	■	■

San Francisco Planning Code

The San Francisco *Planning Code*, which incorporates the City's Zoning Maps, implements the *San Francisco General Plan* and governs permitted uses, densities, and configuration of buildings within the City. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless: (1) the proposed project conforms to the Code, (2) an allowable exception is granted pursuant to provisions of the Code, or (3) amendments to the Code are included as part of the project.

The site is zoned RC-4 (Residential-Commercial Combined Districts, High Density). RC-4 use districts provide for a mixture of high-density dwellings (one unit per 200 sq.ft. or lot area) similar to those in RM-4 (Residential, Mixed Districts, High Density) with supporting commercial uses. However, because the project is in the VNSUD, the RC-4 densities would not apply (per *Planning Code* Section 243(c)(2)). The commercial uses permitted in the VNSUD would be the same as RC-4 which allows all of the uses permitted under C-2 (Community Business Districts), located in or below the ground story in most instances, and excluding automobile-oriented establishments as per Section 209.8C of the *Planning Code*. Open spaces are required for dwellings in the same manner as in RM-4 Districts (36 sq.ft. per unit for private open space, 48 sq.ft. per unit for common useable open space), except that rear yards need not be at ground level and front setback areas are not required. The high-density and mixed-use nature of these districts is recognized by certain reductions in off-street parking requirements.

The VNSUD imposes special controls tailored to implement the objectives and policies of the Van Ness Avenue Plan, a part of the *General Plan*, which include: (1) creation of a mix of residential and commercial uses on the boulevard, (2) preservation and enhancement of the pedestrian environment, (3) encouragement of the retention and appropriate alteration of architecturally and historically significant and contributory buildings, (4) conservation of the existing housing stock, and (5) enhancement of the visual and urban design quality of the street. Residential uses are encouraged in the Van Ness Avenue Special Use District.

The project site is located in an 80-D Height and Bulk District. Within the 80-foot height district portion of the VNSUD, the only applicable residential density limitation is the Floor Area Ratio (FAR) of 4.5:1 (*Planning Code* Section 243(c)(1)), which would allow up to approximately 116,200 gross square feet of development on the 25,817-square-foot site. The proposed building would have a total of 116,200 sq.ft, which is within the applicable FAR.

Required Approvals

The proposed project would require PUD (Planned Unit Development) and CU (Conditional Use) approval by the Planning Commission under Sections 304 and 303 of the *Planning Code*.

1. **Planned Unit Development.** The project is proposed as a Planned Unit Development (PUD) pursuant to *Planning Code* Section 304 which provides for Planning Commission review and approval. PUD is intended for projects on large sites (generally more than 0.50 an acre) developed as integrated units where outstanding design responsive to the surrounding environment may merit modification of certain provisions contained elsewhere in the *Planning Code*. The project site is approximately 0.59 of an acre and thereby is eligible for a PUD. The project requires PUD approval for the following:

The project would not conform to the rear yard requirements of *Planning Code* Section 134. In RC-4 Districts, Section 134 requires rear yard depth to be a minimum of 25 percent of the total lot depth, and in no case fewer than 15 feet deep. Although, the proposed project includes usable open space, it would not conform to the rear yard requirement.

2. **Conditional Use.** The project would require CU approval from the Planning Commission for additional parking under Sections 303, 157, and 151 of the *Planning Code*. *Planning Code*

Section 151 requires minimum one off-street parking space per 5 senior housing units, which results in a total of 13 spaces for the 62 units of the project. The 5,100 sq.ft. of retail space would require 10 off-street parking spaces under the *Planning Code*. The project's total parking requirement would be 23 spaces. The project would include 83 below-grade parking spaces. Because this exceeds the parking requirement by 150 percent (34 spaces), it must be approved as a CU pursuant to *Planning Code* of Section 157.

The building exceeding 40 feet in height in the VNSUD requires Conditional Use authorization by the Planning commission as per Section 253.2(a) of the *Planning Code*. The project would be 80 feet high.

It would not comply with bulk requirements. Within the D bulk districts, buildings are limited to maximum plan dimensions of 110 feet and maximum diagonal dimensions of 140 feet, per *Planning Code* Section 270(a). The proposed project would have a length of 141 feet on Van Ness Avenue and 150.5 feet on Clay Street, and an average diagonal dimension above 40 feet of 164 feet.

The project would also require approval by the Department of Building Inspection and Department of Public Works for demolition and site permits.

Plans and Policies

The San Francisco *General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The compatibility of the project with *General Plan* policies 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 and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

Environmental plans and policies are those, like the Bay Area Air Quality Plan, which directly address physical environmental issues and/or contain targets or standards which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *City Planning Code* to establish eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action that 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. The Priority Policies, which provide general policies and objectives to guide certain land use decisions, contain some policies that relate to physical environmental issues. The current project would not obviously or substantially conflict with any such policy. The case report for the Conditional Use authorization and/or subsequent motion for the Planning Commission will contain the analysis determining whether the proposed project would be in compliance with the eight Priority Policies.

B. ENVIRONMENTAL EFFECTS (Initial Study Checklist)

All items on the Initial Study Checklist have been checked “No,” indicating that Planning Department staff has determined that the proposed project could not have a significant adverse environmental effect. Several of those Checklist items have also been checked “Discussed,” indicating that the Initial Study text includes discussion about those particular issues. For all of the items checked “No” 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 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 Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

1. <u>Land Use</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Disrupt or divide the physical arrangement of an established community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have any substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The project site has two parking lots with approximately 60 parking spaces and a two-story, approximately 9,514 sq.-ft commercial building. The site is in a block bounded by Washington Street on the north, Polk Street to the east, Clay Street to the south and Van Ness Avenue to the west. The area is primarily characterized by residential uses with pedestrian level commercial uses along Van Ness Avenue including offices, restaurants, bars, small grocery stores, retail shops, auto services, churches and parking.

Immediately north of the project site is a four-story residential building converted to offices with a ground-floor grocery store (1840-46 Van Ness Avenue). At the southeast corner of Van Ness Avenue and Washington Street (1868 Van Ness Avenue) is a former gasoline service station used for temporary parking (36-spaces). Across the street on the northeast corner is furniture store (1900 Van Ness Avenue and a restaurant (1906 Van Ness Avenue) that uses a portion of the east parking lot on the project site for valet parking. Further east along both sides of Washington Street are residential apartment buildings. Land uses along Polk Street are primarily commercial.

Adjacent to the project along Clay Street is a private club (1750 Clay Street) and to the south on Clay Street is an auto service (1745 Clay). The St. John’s Episcopal Church is located at the southeast corner of Van Ness Avenue and Clay Street. To the west across Van Ness Avenue from the project block is an office building with a ground floor bank at the northwest corner of Clay Street and Van Ness Avenue (1801 Van Ness Avenue), parking lot and a commercial building at the southwest corner of Washington and Van Ness Avenue (1825 Van Ness Avenue).

The proposed project would replace the existing retail building and parking lot on the project site with a residential and retail building with below-grade parking, introducing a new residential use on the project site. The RC-4 (Residential-Commercial Combined, High Density) zoning of the area permits residential uses. The proposed project would not introduce a new type of use to the project vicinity, as multi-family residential, retail, and parking uses already exist in the surrounding area.

Although the project would intensify use of the site, the proposed residential, retail, and parking uses would be compatible with the existing mixed-use character of the project vicinity, which includes both residential and retail uses. The project would be compatible with recreational use of nearby parks including Lafayette Park, Washington-Hyde Mini-Park, and Helen Wills Playground, and the residential and non-residential uses along Van Ness Avenue and Clay and Washington Streets.

The building heights in the project vicinity generally range from one to twelve stories, with the exception of one 23-story hotel about 1 ½ blocks to the south of the project site. The proposed eight-story, 80-foot high project would be within the allowable height limit. It would be the highest building on the project block where buildings range from one to four stories in height. However, the project building would be similar in height to the existing buildings on the opposite corners of the project block facing Van Ness Avenue (1901 Van Ness Avenue, a nine-story building on the northwest corner of Washington Street and Van Ness Avenue, and 1735 Van Ness Avenue, a eight-story building on the southwest corner of Clay Street and Van Ness Avenue).

The project would not divide the physical arrangement of its block or the surrounding general area. It would be incorporated within the established street plan and would create no impediment to the passage of persons or vehicles.

The project would have no significant adverse impact on the character of the vicinity. It would not introduce a new or incompatible land use to the area, and the nature and intensity of proposed land uses with the project would be consistent with the size, character and uses of the structures in the general area. The proposed project’s impacts relating to land use are considered less than significant under CEQA, for the reasons discussed above.

2. <u>Visual Quality</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Have a substantial, demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially degrade or obstruct any scenic view or vista now observed from public areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Generate obtrusive light or glare substantially impacting other properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Aesthetic Effect

The project site currently has an urban and developed visual character. The southwestern portion of the mostly flat project site is currently occupied by a two-story commercial building that is relatively contemporary in design and rectilinear in form, and the remainder of the site consists of paved parking areas. There are several mature street trees located along Van Ness Avenue between the northwest corner of the commercial building and the site's northern border at Van Ness Avenue. These trees are widely spaced and have limited crowns and, as a result, screen views of only a relatively small portion of the site. There are no street trees along the site's Clay Street frontage

The project site is located in an area of mixed residential, office, retail, restaurant, bar, auto service, church, hotel, and parking uses, providing an urban and developed visual character consistent with that of the project site. Due to the relatively flat topography and extensive urbanization of the immediate site vicinity, the built environment, especially the seven to nine-story nearby buildings, is the predominant influence on the visual character of the area. There is a variety of building types, sizes, and ages, with building heights varying from one to twelve stories. A 23-story high-rise Holiday Inn is located two and one-half blocks south of the project site on Van Ness Avenue. The buildings immediately adjacent to the project site are one to four stories. West of the project site on Van Ness Avenue at the corners of Clay and Washington are apartment buildings ranging from seven to nine stories.

Immediately to the north of the project site, on Van Ness Avenue, is a rectilinear four-story building of early twentieth century design containing office suites and ground-floor retail. Farther north, at the southeast corner of Van Ness Avenue and Washington Street, is former gasoline service station proposed for replacement with an eight-story apartment building (1868 Van Ness). East of Van Ness Avenue, on the north and south sides of Washington Street are buildings of one to five stories, occupied by residential, church, retail, and auto service uses, the majority of which date from the early twentieth century. On both north and south sides of Clay Street between Van Ness Avenue and Polk Street are surface parking and buildings of one to five stories that contain residential uses, office uses, auto service uses, a church, a bar, and a private club. These buildings, which include an early twentieth century church, have varying ages and a mixture of styles. The west side of Van Ness Avenue between Washington and Clay Streets, facing the project site, has surface parking and two-

to four-story buildings, with rectilinear massing and contemporary style, occupied by office and retail uses.

Prominent buildings in the project vicinity include the 23-story Holiday Inn of contemporary design noted above; the Pacific Place residential project west of Van Ness Avenue and north of the project site, which is also of contemporary design and consists of eight- and nine-story towers; and the rectilinear 11-story Clay Park Towers residential building, of early twentieth century design, located one block west of the project site at the northeast corner of Clay and Franklin Streets.

Lafayette Park, an open urban park with grass slopes and landscaping and vistas to the east and south of the City, is located two blocks west of the project site, in the area bounded by Gough, Washington, Sacramento, and Laguna Streets. The Washington-Hyde Mini-Park is located approximately three blocks northeast of the site on the north side of Washington Street near Hyde Street. Helen Wills Playground is located approximately three and one-half blocks north of the site, at the southwest corner of Broadway and Larkin Street. These parks provide green space in an urban residential neighborhood.

The proposed project would replace the existing two-story commercial building and parking areas on the site with an eight-story, 80-foot-high, residential building with ground-floor retail. The visual character of the proposed project would be distinctly urban. The design of the building would be contemporary in character, with rectilinear form and massing, and would be built to the lot lines on Van Ness Avenue and Clay Street, similar to most existing buildings in the neighborhood. Both the Van Ness Avenue and Clay Street facades would be articulated by balconies and bay windows. Exterior treatments would consist of contrasting colors, relieved by windows. Although the proposed building would be taller than the majority of buildings in the immediate vicinity, its height would not exceed that of the largest buildings in the vicinity. The visual character and massing of the proposed project would not be aesthetically inconsistent with the mixed-use urban form of the project vicinity and existing neighborhood.

Approximately five existing trees on the site, with trunk diameters that range from 6 to 12 inches, would be removed as part of the project. These trees are common decorative street trees with no unique features, and are not considered scenic trees. The proposed project would include

landscaping and planting of trees in conformity with *Planning Code* and Department of Public Works requirements, which include street trees every 20 feet.

Design and aesthetics are, by definition, subjective and open to interpretation by decision-makers and members of the public. A proposed project would therefore be considered to have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change. The proposed project would not cause such a change. The project would change the visual character of the project site, by replacing a two-story commercial building and parking areas with an eight-story residential building including ground-floor retail. The project would occur in an urbanized, mixed-use neighborhood that includes residential uses and buildings of a height similar to the proposed project, but would not add a new or visually inconsistent use. While intensifying the development of the site, the proposed project would not significantly change the prevailing mixed-use visual character of the site vicinity. For these reasons, the proposed residential and retail development would not cause a substantial and demonstrable negative change, or disrupt the existing visual character of the project vicinity.

Scenic Views from Public Areas

There are limited scenic views from public areas in the project vicinity, which consist primarily of public streets and sidewalks, Lafayette Park, Washington-Hyde Mini-Park, and Helen Wills Playground. Views of the project site are generally obscured from these public areas. There are no scenic corridors near the project site.

The proposed building would be visible from nearby portions of Van Ness Avenue and Clay and Washington Streets, but most views of the project site from more distant street-level points are screened by intervening buildings. The project would not obstruct views along these corridors as it would be built within the existing street pattern. From Clay and Washington Streets near the project site, transient public views to the west toward Lafayette Park are almost entirely obstructed by the visual barrier created by existing buildings between Van Ness Avenue and Gough Street. The proposed building would not add substantial obstruction of these transient views.

Lafayette Park is located two blocks west of the project site, and the eastern portion of the park slopes upward to the west from Gough Street. The park provides public scene vistas to the east and

south of the City. The eastern portion of the park faces toward the project site, but views of the project building from almost all of Lafayette Park would be screened by the three- and four-story buildings on the east side of Gough Street, the 11-story Clay Park Towers on the northeast corner of Clay and Franklin Streets, and mature trees within Lafayette Park itself. Portions of the proposed building may be visible from limited areas of Lafayette Park that abut the western terminus of Clay Street at Gough Street, but the overall effect of the project on views eastward along Clay Street from the park would be small and insignificant because of the existing buildings along Clay Street between the park and Van Ness Avenue, including the 11-story Clay Park Towers.

Intervening buildings would also screen views of the project building from the Washington-Hyde Mini-Park, located approximately three blocks northeast of the site on the north side of Washington Street near Hyde Street, and the Helen Wills Playground, located approximately three and one-half blocks north of the site, at the southwest corner of Broadway and Larkin Street. The project would not have a substantial effect on views from the Washington-Hyde Mini-Park or the Helen Wills Playground.

In summary, the proposed project would not substantially degrade or obstruct any scenic view or vista now observed from public areas.

Views from Private Residences

The upper portion of the proposed building would be visible from portions of residential buildings in the area, including the upper floors of residential buildings along the north side of Washington Street east of Van Ness Avenue (six to eight units), the side and rear windows of residential buildings along the south side of Washington Street east of Van Ness Avenue (three to four units), south- and east-facing residences in the upper floors of Pacific Place (1901 Van Ness Avenue) (possibly eight to twelve units) on the west side of Van Ness Avenue north of Washington Street, east-facing windows on the upper floors of residences along Van Ness Avenue in the block south of Clay Street (1735 Van Ness Avenue) (possibly six to eight units), and the 23-story Holiday Inn located two and one-half blocks south of the project site on Van Ness Avenue. The proposed building could block views of a portion of the sky or views that existed across the project site from some of the northeast corner apartments in 1735 Van Ness Avenue building; some of the apartments facing south or east in the 1901 Van Ness Avenue building, and from the residential units in the project block east of the project

site. The reduced private views would be an undesirable change for those individuals whose views would be blocked by the proposed building. However, the reduction of private views and the view change from private residences due to a project are a consequence of living in an urban environment where the permitted height is 80 feet and new development is a common occurrence. The change in private views would be considered to be a less-than-significant environmental visual impact.

Light and Glare

The project site is occupied by a commercial building and a surface parking area. Illumination from these existing uses is similar to that of other commercial uses in the vicinity. The proposed project would replace these uses with an eight-story residential building with ground-floor retail, which would include outdoor lighting typical of other retail and multi-unit residential uses in the project vicinity. The project would obstruct light access on the south side of the office building immediately adjacent to the proposed building on the northern property line. The project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. For these reasons, the proposed project would not generate obtrusive light or glare that would substantially impact other properties.

Conclusion

The proposed project would not have a substantial, demonstrable negative aesthetic effect; would not substantially degrade or obstruct any scenic vista observed from public areas; and would not generate obtrusive light and glare. Therefore the project would have a less-than-significant impact on visual resources.

3. <u>Population</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Induce substantial growth or concentration of population?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace a large number of people (involving either housing or employment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

San Francisco is the central city (and most urban place) in an attractive region and consistently ranks as one of the most expensive housing markets in the United States. The San Francisco Bay Area is

known for its agreeable climate, open space, recreational opportunities, cultural amenities, a strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support a strong demand for housing in San Francisco. Providing new housing to meet this strong demand is particularly difficult because the amount of land available is limited, and land and development costs are relatively high.

During the period of 1990-2000, the number of new housing units completed citywide ranged from a low of about 379 units (1993) to a high of about 2,065 units (1990) per year. The citywide annual average over that 11-year period was about 1,130 units.¹

In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination 1999-2006 allocation. The jurisdictional need of the City between 1999 and 2006 is 20,372 dwelling units, or an average yearly need of 2,547 net new dwelling units (for an eight-year period).² The proposed project would add about 62 residential units to the City's housing stock, helping meet this need.

Based on the household density factor for San Francisco Census Tract 110 of 2.05 persons per unit, the proposed development, which includes 62 senior housing units, would house approximately 127 people.³ There would be an estimated 10 to 15 employees of the senior housing facility⁴, and the proposed 5,100 sq.ft. of ground-floor retail would accommodate approximately 15 retail employees at 350 sq.ft. per employee,⁵ for a total daily population of up to 157 with the proposed project. Currently, the existing 9,514-square-foot retail building on the site has an estimated 27 workers, and

¹ San Francisco Planning Department, *Data and Needs Analysis - Part 1 of the 2001 Housing Element Revision, Proposal for Adoption*, May 2004, pages 37 and 40.

² San Francisco Planning Department, *Housing Element, an Element of the San Francisco General Plan*, Adopted May 13, 2004, page 1.

³ Census Tract 110, San Francisco County, California, Table QT-H3. Household Population and Household Type by Tenure: 2000 Census summary File 1 (SF1) 100-Percent Data. The estimate may be high as senior housing occupancy would likely be lower. A copy of this table is available for review, by appointment, at the Planning Department, 1660 Mission, Suite 500, in the files for Case No. 2004.0339E.

⁴ Dan Zemanek, Sunrise Senior Living, e-mail communication with Stu During, During Associates, May 30, 2005.

⁵ City and County of San Francisco, Department of City Planning, Table C-1, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

the parking lot has two valet attendants for a total of 29 workers. Thus, there would be an increase of up to approximately 128 in the site's daily population, which may be noticeable to nearby residents, employees, and visitors. It would not, however, substantially increase the area-wide population, and the resulting density would not exceed levels that are common and accepted in high-density urban areas such as San Francisco. Therefore, the project's population increase would not be a significant effect.

The existing building on the project site contains no dwelling units, and no residents or dwelling units would be displaced. If the existing copy business on the project site ceases operations, approximately 27 employees would be displaced, but this loss would be offset by the creation of approximately 25 to 30 new jobs on the site.⁶ If the existing copy business relocates elsewhere in San Francisco or the Bay Area, the new retail jobs on the site would generate an increased demand for housing of up to approximately 20 dwelling units (at a ratio of 1.5 employees per household⁷). This demand for housing would be small relative to the existing San Francisco housing stock and vacancy rate, and would be less than the new housing units that would be provided by the proposed project.

Based on the above analysis, no significant physical environmental effects on housing demand or population would occur due to the project.

4. <u>Transportation/Circulation</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

⁶ The project sponsor has indicated that the existing copy business may be able to occupy the new retail space in the proposed project; however, no arrangement has been made at the time of this report.

⁷ The ratio of 1.5 employees per household for the Bay Area was taken from the Data and Needs Analysis - Part 1 of the 2001 Housing Element Revision, Proposal for Adoption, May 2004, Table 1-11: Average Number of Workers per Household Trends and Projections, 1990-2025, page 21. The sources for this table are cited as U.S. Census Bureau and ABAG Projections 2002.

The main portion of the project site is located on the northeast corner of Van Ness Avenue and Clay Street, and a narrower strip extends north to Washington Street (between Van Ness Avenue and Polk Street).

In the project vicinity, Van Ness Avenue is a two-way, north-south roadway with three travel lanes in each direction and parking on both sides of the street. Clay Street is a two-lane, east-west roadway with on-street parking on both sides of the street. West of Van Ness Avenue, Clay Street is two-way, and east of Van Ness Avenue, Clay Street is one-way eastbound. In the vicinity of the project site, Washington Street is a one-way, two-lane eastbound street with on-street parking on both sides. Polk Street is a two-way, two-lane north-south street in the vicinity of the project, with parking on both sides of the street.

In the San Francisco *General Plan*, Van Ness Avenue is designated a Major Arterial, Metropolitan Transportation System (MTS) Street, Neighborhood Commercial Street, and a Transit Important Street. Clay Street is designated a Secondary Transit Street, Clay Street east of Polk Street is designated a Neighborhood Commercial Street, and Clay Street west of Van Ness Avenue is designated a Neighborhood Network Connection Street. Washington Street east of Polk Street is designated a Neighborhood Commercial Street. Polk Street is designated a Neighborhood Commercial Street and a Citywide Bicycle Route.

Traffic

Based on the trip rate for residential use in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002), the proposed project would generate an estimated average daily 1,075 person-trips, including about 87 daily person-trips during the p.m. peak hour. These 87 p.m. peak-hour person-trips would be distributed among various modes of transportation, including 31 automobile person-trips, 21 public transit trips, 27 walking trips, and 8 trips by other means that include bicycling and motorcycles. Mode split data for residential use were obtained from the 2000 Census "Journey to Work" figures. Using vehicle occupancy rates from the 2000 Census applicable to the senior housing and retail-related trips, the proposed residential and retail uses would generate approximately 16 vehicle-trips during the p.m. peak-hour.

The estimated project-generated increase of 16 vehicle-trips during the p.m. peak hour would not be considered a substantial traffic increase relative to the existing capacity of the local street system. The 16 trips would at inbound and outbound direction and would be distributed to the intersections around the project site. The change in traffic in the project area as a result of the proposed project would be undetectable to most drivers, although it could be noticeable to those immediately adjacent to the project. The proposed project would add a small increment to the cumulative long-term traffic increase on the local roadway network in the neighborhood caused by other land use and development changes in the region.

Transit

The San Francisco Municipal Railway's (MUNI) transit lines 1-California, 12-Folsom, 19-Polk, 27-Bryant, 47-Van Ness, 49-Van Ness-Mission, and 76-Marin Headlands all pass within two blocks of the project site. In addition, Golden Gate Transit buses run along Van Ness Avenue.

The estimated 21 p.m. peak-hour project trips utilizing public transit would be distributed among the public transit lines in the inbound and outbound directions providing service to the vicinity of the project site, and would yield an average increase of less than one new rider per transit vehicle. The increase in transit demand associated with the proposed project would not have a significant or noticeable impact upon transit services in the project area or affect transit operations.

Parking

Currently, parking is allowed on both sides of Van Ness Avenue and Clay and Washington Streets, with certain times designated for street cleaning. There are approximately 60 parking spaces on the project site that are used by the employees and customers of the businesses on the site and the adjacent building (1840-1846 Van Ness Avenue), nearby residents and guests, and valet parking for a restaurant at 1906 Van Ness Avenue. These 60 spaces would be displaced by the project.

Planning Code Section 151 requires a minimum of one off-street parking space per 5 senior housing units, which results in a total of 13 spaces for the 62 units of the project. The 5,100 sq.ft. of retail space would require 10 off-street parking spaces under the *Planning Code*, for a total of 23 required spaces. The proposed project would provide 83 below- grade off-street parking spaces. and this would exceed the requirement of 23 spaces by 60 parking spaces. (As discussed in Compatibility

with Zoning, Plans, and Policies, Required Approvals, above, the project requires Conditional Use authorization under the standards of Section 157 because it exceeds the parking requirement by 150 percent). Approximately 38 spaces would be reserved for residents on the lower parking level and 24 spaces reserved on the upper parking level of the below-grade garage. The remaining 21 spaces would be used for the project retail customers and for the public at non-business hours. Vehicles would enter the project on Clay Street and Washington Streets and exit on Washington Street.

The proposed residential and retail uses would create a total parking demand of about 25 daily spaces and displace 60 spaces. The project would meet the parking demand and would have a surplus of 58 spaces and not create a parking deficit or adversely affect the area-wide parking situation.

Loading

The proposed project would generate an estimated 4.3 service vehicle stops per day. Average hour loading demand for the proposed project would be 0.20 space, and peak hour loading demand (occurring in the 10:00 a.m. to 1:00 p.m. peak period) would be 0.25 space. One off-street freight loading space would be required for the project's residential uses, and none would be required for the retail uses, pursuant to *Planning Code* Section 152.1, Table 152. One off-street loading space is proposed as part of the project, which would meet both the *Planning Code* requirement and the project's projected loading demand.

Pedestrian and Bicycle Conditions

Sidewalks in the project vicinity have substantial excess capacity at present. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or that would result in safety concerns.

In the vicinity of the project site, Polk Street is designated as a Citywide Bicycle Route. With the current bicycle and traffic volumes on streets in the project vicinity, bicycle travel generally occurs without major impedances or safety problems. The proposed project would result in an increase in the number of vehicles in the vicinity of the project site. However, this increase (16 vehicle-trips during the p.m. peak-hour) would not be substantial enough to affect bicycle travel in the area or create hazardous conditions for bicyclists.

Construction Impacts

Construction of the proposed project might temporarily affect traffic and parking conditions in the vicinity of the project site. During the estimated 18-month construction period, temporary and intermittent traffic and transit 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 with traffic and transit operations 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. Construction-period traffic impacts resulting from the proposed project are considered short term and would be less than significant. However, limiting construction-related truck traffic during peak periods would lessen construction period impacts (see Improvement Measure 1, on page 63).

The project sponsor does not anticipate closures of any traffic lanes on Van Ness Avenue or Clay Street during construction, but may request temporary closures of the sidewalks and/or parking lanes abutting the project. Temporary closures of any traffic lane, parking lane or sidewalk would require review and approval by the Department of Public Works (DPW) and the City's Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT). If it is determined that temporary Muni bus stop relocation would be needed, the relocations would be coordinated with Muni's Street Operations/Special Events office.

Assuming approximately 60 construction workers, there would be a peak construction worker parking demand for up to 30 parking spaces. Construction workers would need to find parking in the nearby streets or the project sponsor would have to arrange for off-street parking spaces in the area for construction workers until completion of the underground parking levels, when construction worker parking demand could be accommodated onsite. However, this anticipated temporary parking deficit would be considered a less-than-significant impact.

Based on the analysis above, no significant physical environmental effects on Traffic/Circulation would occur.

Cumulative Impacts

There are several residential projects proposed in the project area: approximately 35 units at 1868 Van Ness Avenue on the northwest corner of the project block, and 26 units at 1840 Washington between Franklin Street and Van Ness Avenue (about a half a block from the proposed project). There would be approximately 58 vehicle trips generated by all three projects (the proposed project, 1868 Van Ness Avenue and 1840 Washington Street) during the p.m. peak hour. The additional 58 vehicles trips (less than one vehicle per minute) in the in-bound and out-bound directions would be distributed on the streets around the project site and would not be considered a substantial traffic increase relative to the existing capacity of the local street system. The cumulative increase on transit ridership, parking demand, loading, pedestrian and bicycle conditions due to the overall small demand generated by these projects would not be significant. Based on the above discussion, the project would not cause significant cumulative transportation impacts.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
5. <u>Noise</u> – Could the project:			
a. Increase substantially the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate Title 24 Noise Insulation Standards, if applicable?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be substantially impacted by existing noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Effects on Ambient Noise Levels

Traffic is the existing noise source that makes the greatest contribution to ambient noise levels throughout most of San Francisco. Traffic volumes in an area would have to approximately double before the attendant increase in ambient noise levels would be noticeable to most people. The project would add up to 1,075 person-trips per day to adjacent streets, 204 of which are anticipated to be new vehicle trips. The project’s contribution to traffic volumes would be a small fraction of the existing traffic in the project vicinity. Therefore, the project would not cause traffic volumes to double at any study location, and it would not have a noticeable effect on ambient noise levels in the project vicinity.

The proposed project may include mechanical equipment, such as forced air mechanical ventilation, which could produce operational noise. These operations would be subject to the San Francisco Noise Ordinance, Article 29, Section 2909, which limits noise from building operations. Substantial increases in the ambient noise level due to building equipment noise would not be anticipated. The

new retail space and residential units would generate noise similar to that generated by the nearby existing residential, retail, and other uses, and would not result in significant noise impacts. At the project location, operational noise would not be expected to be noticeable, given background noise levels along Van Ness Avenue and Clay Street.

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 dBA⁸ at a distance of 100 feet from the source. Impact tools, such as jackhammers and impact wrenches, must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. 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 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. The project demolition and construction operations would comply with the Noise Ordinance requirements, and construction is not expected to occur after 8:00 p.m.

Foundation construction could involve piles for the building perimeter with a spread footing/mat foundation for the interior. The piles would be pre-drilled cast-in-place to minimize construction noise impacts.

The proposed development would consist primarily of residential uses. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects. For areas with background noise levels between 60 and 70 decibels, the San Francisco General Plan states that “new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.”⁹ For areas with background noise levels greater than 70 decibels, “new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.” (There are no special noise insulation requirements for background noise

⁸ dBA is the symbol for decibels using the A-weighted scale. A decibel is a unit of measurement for sound loudness (amplitude). The A-weighted scale is a logarithmic scale that approximates the sensitivity of the human ear.

⁹ San Francisco General Plan, Environmental Protection Element, Land Use Compatibility Chart for Community Noise.

levels below 60 decibels.) The Department of Building Inspection (DBI) would review the final building plans to insure that the building wall and floor/ceiling assemblies meet state standards regarding sound transmission. Because the proposed development would comply with Title 24 noise insulation requirements, the existing noise environment would not significantly affect occupant use.

In summary, project-related noise including traffic, construction, operational, and interior noise would be less than significant.

6. <u>Air Quality/Climate</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Permeate its vicinity with objectionable odors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Effects on Ambient Air Quality

Construction Emissions

Demolition, excavation, grading, foundation construction, and other ground-disturbing construction activity would temporarily affect localized air quality for up to about nine months during project construction, causing temporary and intermittent increases in particulate dust and other pollutants. Excavation and movement of heavy equipment could create fugitive dust and emit nitrogen oxides (NO_x), carbon monoxide (CO), sulphur dioxide (SO₂), reactive organic gases or hydrocarbons (ROG or HC), and particulate matter with a diameter of less than 10 microns (PM₁₀) as a result of diesel fuel combustion. Fugitive dust is made up of particulate matter including PM₁₀ and PM_{2.5}. Soil movement for foundation excavation and site grading would create the potential for wind-blown dust to add to the particulate matter in the local atmosphere while open soil is exposed.

While construction emissions would occur in short-term, temporary phases, they could cause adverse effects on local air quality. The Bay Area Air Quality Management District (BAAQMD), in its *CEQA Guidelines*, has developed an analytical approach that obviates the need to quantitatively estimate these emissions. The BAAQMD has also identified a set of feasible PM₁₀ and PM_{2.5} control

measures for construction activities. Soil movement for foundation excavation and site grading would create the potential for wind-blown dust to add to the particulate matter in the local atmosphere while open soil is exposed. In order to reduce the quantity of dust generated during site preparation and construction, the project sponsor has agreed to implement Mitigation Measure 1 listing the BAAQMD PM₁₀ control measures. (See Mitigation Measure 1, page 55) The project would include this measure to reduce the effects of construction activities to a less-than-significant level. With implementation of Mitigation Measure 1, the project would not have significant construction-related air quality impacts.

Traffic Emissions

The BAAQMD has established screening methods to determine whether development projects could exceed significance thresholds for air quality impacts of project operations and therefore require a detailed air quality analysis.¹⁰ The District generally does not recommend a detailed air quality analysis for residential projects with fewer than 320 single-family or 510 multi-family units, or for projects generating less than 2,000 vehicle trips per day. The proposed project would have 62 senior residential units and 5,100 sq.ft. of retail space, and would generate approximately 204 daily vehicle trips. Therefore, no detailed air quality analysis is needed, and no significant air quality impacts due to vehicular emissions would be generated by the proposed project.

Wind

A wind impact evaluation for the proposed project was performed by a qualified consulting meteorologist, the results of which are presented below.¹¹

Winds in San Francisco are generally from the west, off the Pacific Ocean. Wind speeds, in general, are greatest in the spring and summer, and least in fall. Daily variation in wind speed is evident, with the strongest wind in the late afternoon and lightest winds in the morning.

¹⁰ See BAAQMD CEQA Guidelines, April 1996, Revised December 1999, page 25.

¹¹ Donald Ballanti, Certified Consulting Meteorologist, Letter to Stu During of During Associates: Wind Impact Evaluation for the Proposed 1800 Van Ness Project, San Francisco, November 1, 2004. A copy of this letter is available for review, by appointment, at the Planning Department, 1660 Mission, Suite 500, in the files for Case No. 2004.0339E.

Ground-level wind accelerations near buildings are controlled by exposure, massing, and orientation. Exposure is a measure of the extent that the building extends above surrounding structures into the wind stream. A building that is surrounded by taller structures is not likely to cause adverse wind accelerations at ground level, while even a small building can cause wind problems if it is freestanding and exposed.

Massing is important in determining wind impact because it controls how much wind is intercepted by the structure and whether building-generated wind accelerations occur above ground or at ground level. In general, slab-shaped buildings have the greatest potential for wind problems. Buildings that have an unusual shape or utilize setbacks have a lesser effect. A general rule is that the more complex the building is geometrically, the lesser the probable wind impact at ground level.

Orientation determines how much wind is intercepted by the structure, a factor that directly determines wind acceleration. In general, buildings that are oriented with their wide axis across the prevailing wind direction will have a greater impact on ground-level winds than a building oriented with its long axis along the prevailing wind direction.

The project site is located on the northeast corner of Van Ness Avenue and Clay Street. Building heights near the project vary between two and eight stories, with larger structures located to the northwest, west, and southwest. The site currently is occupied by a two-story building and a parking lot.

The site is generally sheltered from prevailing winds. For northwesterly winds, an eight-story structure provides substantial shelter. Directly west across Van Ness Avenue are two- to four-story buildings, with a larger seven-story structure beyond to the west. An eight-story building occupies the block southwest of the project site on the opposite side of Van Ness Avenue. The terrain west of the site slopes up, which magnifies the sheltering effect of existing structures west of the project site.

The project would create an eight-story building on the site, which would have little potential to cause substantial wind accelerations at ground level. The site is substantially sheltered from prevailing winds, which limits the strength of any wind accelerations that would occur at ground level. Based on considerations of exposure, massing, and orientation, the independent consultant

does not expect the project to have the potential to cause significant changes to the wind environment in pedestrian areas adjacent to or near the site. Thus, the wind impacts of the proposed project would not be considered significant.

Shadow

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. *Planning Code* Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. To determine whether this project would comply with Section 295, a shadow fan analysis was prepared by the Planning Department, which concluded that project-generated shadow would not reach any Proposition K protected properties.¹² The project, however, would at times shade portions of the streets and sidewalks of Van Ness Avenue and Clay and Washington Streets, and nearby buildings, including residences. The new shadows created by the project would not exceed levels commonly expected in urban areas, and would not be considered significant.

7. <u>Utilities/Public Services</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Breach published national, state or local standards relating to solid waste or litter control?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Extend a sewer trunk line with capacity to serve new development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase demand for schools, recreation or other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Require major expansion of power, water, or communications facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would increase demand for and use of public services, but not in excess of amounts expected and provided for in this area.

¹² A copy of this report is available for review by appointment in Project File No. 2004.0339K at the Planning Department, 1660 Mission Street, Suite 500, San Francisco.

Solid Waste

San Francisco's solid waste is disposed of at the Altamont Landfill. A substantial expansion of the landfill was approved in 1997 that will be able to accommodate San Francisco's solid waste stream well into the future. The solid waste associated with the project construction and operation would not substantially affect the projected life of the Altamont Landfill, and this impact would be less than significant. The proposed project would consist of residential uses that would not breach published national, state or local standards relating to solid waste or litter control.

Sewer and Wastewater Treatment Plant Capacity

The project site is served by San Francisco's combined sewer system, which handles both sewage and storm water runoff. No major new sewer construction would be needed to serve the proposed project, and extension of a sewer trunk line with capacity to serve new development beyond the proposed project would not be required. Wastewater treatment for the east side of the City is provided primarily by the Southeast Water Pollution Control Plant. The project would meet wastewater pre-treatment requirements of the San Francisco Public Utilities Commission, as required by the San Francisco Industrial Waste Ordinance.¹³ The project would have little effect on the total wastewater volume discharged through the combined sewer system, since almost all of the project site is currently covered with impervious surfaces, and storm water runoff (as opposed to wastewater) contributes greatly to the total flow. The project would not result in a substantial increase in demand for wastewater treatment, and thus it would not result in an associated significant impact.

Public Services

Police and Fire Protection

The project site presently receives police and fire protection services, and the addition of a senior housing facility with 62 dwelling units and 5,100 sq.ft. of retail space, for a net increase of approximately 146 people on the site, could slightly increase the demand for fire and police services in the area. Police service to the site is provided by the Northern Station located at 1125 Fillmore Street (between Golden Gate Avenue and Turk Street). Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not

¹³ 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.

likely be substantial in light of the existing demand for police protection services in the Nob Hill area. The nearest fire stations are Station 3 at 1067 Post Street (near Polk Street), Station 38 at 2150 California Street (near Laguna Street), and Station 41, located at 1325 Leavenworth Street (near Jackson Street). Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not be substantial in light of the existing demand for fire protection services in the Nob Hill area. Furthermore, the increase in demand would not require the construction of any new police or fire prevention facilities, and thus would not result in an associated significant impact.

Schools and Recreation Facilities

The proposed project is a senior housing facility, and few if any of the residents are anticipated to be children of school age. The nearest elementary schools are Spring Valley Elementary School at 1451 Jackson Street and Redding Elementary School at 1421 Pine Street, the nearest middle school is the Marina Middle School at 3500 Fillmore Street, and the closest high schools are Newcomer High School at 2340 Jackson Street and Galileo Academy of Science and Technology at 1150 Francisco Street. The SFUSD is currently not a growth district, most facilities throughout the City and County are generally underutilized, and the District currently has more classrooms district-wide than it needs.¹⁴ However, the increase in number of charter schools, and the trend toward smaller schools, is anticipated to increase the demand for classroom space.¹⁵ The proposed senior housing facility is anticipated to generate few or no students, but would be assessed a school impact fee of \$1.72 per gross square foot of residential space. These funds could be used to rehabilitate underutilized schools to accommodate the students, if any, generated by the project. Therefore, the proposed project's impact on school facilities would be less than significant.

Power and Communications Facilities

The proposed project would require typical utility connections and would tap into existing power and communications grids. Any relocation would be completed without interruption of service to adjacent properties.

¹⁴ San Francisco Unified School District, *Facilities Master Plan*, 2003.

¹⁵ Sue Mock, Assistant to Chief Business Officer, Public Information Office, SFUSD, telephone conversion, March 23, 2004.

San Francisco consumers have recently experienced rising energy costs and uncertainties regarding the supply of electricity. The root causes of these conditions are under investigation and are the subject of much debate. Part of the problem is thought to be that the State does not generate sufficient energy to meet its demand and must import energy from outside sources. Another part of the problem may be the lack of cost controls as a result of deregulation. The California Energy Commission (CEC) is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area and elsewhere in the State. These facilities could supply additional energy to the power supply "grid" within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. The project would not be built and occupied until about 2007; therefore, additional generating facilities may have been completed by the time the project is in operation.

The project-generated demand for electricity would be small in the context of the overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. No new power or communications facilities would be necessary as a result of project implementation, and thus the proposed project would not result in an associated significant physical environmental effect.

Water Supply Facilities

The 62 senior residential units of the proposed project would generate an estimated demand for about 7,130 gallons of water per day, while the 5,100 sq.ft. of retail space are anticipated to use less water than the existing 9,514-square-foot retail building on the site.¹⁶ The proposed project would incrementally increase the demand for water in San Francisco. The new construction would be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the California State Building Code Section 402.0(c). The projected water consumption for the proposed project was accounted for in the development projections assumed in the San Francisco

¹⁶ Daniel Steiner, consulting engineer, *Estimated Water Use by 500 Dwellings*, February 26, 2002. The estimate of 115 gallons per day per household is consistent with water use assumption incorporated within the San Francisco Public Utility Commission's (SFPUC) Year 2000 Urban Water Management Plan (UWMP).
115 gallons x 62 units = 7,130 gallons per day.

Public Utilities Commission's *Urban Water Management Plan 2000* and an adequate water supply would be available for the project.¹⁷

Because project water demand could be accommodated by the existing supply, it would not result in a substantial increase in water use, and the impact would be less than significant.

8. Biology – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Substantially affect a rare or endangered species of animal or plant, or the habitat of the species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require removal of substantial numbers of mature, scenic trees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is within a developed area of the City, and it is almost completely covered by the impervious surfaces of the existing retail building and parking lot, with the exception of small areas landscaped with imported trees and shrubs. The site does not provide habitat for any rare or endangered plant or animal species, and the proposed project would not affect, or substantially diminish, plant or animal habitats. The project would not interfere with any resident or migratory species. There are approximately five mature street trees (Sweet Bay and Grecian Laurel) on the site, with trunk diameters that range from 6 to 12 inches, which would be removed as part of the project. These trees are common street trees in San Francisco and are neither unique nor scenic. They are not considered to be a habitat for any rare and endangered species. The project would include planting of street trees (15-gallon in size possibly a Linden or Sycamore as recommended in the Van Ness Avenue Area Plan) every 20 feet along Van Ness Avenue and Clay Street for a total of approximately 8 trees. In conclusion, the proposed project would not result in significant adverse impacts on biological resources.

¹⁷ The SFPUC's UWMP update 2000 is based on the ABAG Year 2000 Projections, which include all known or expected development projects in San Francisco through the Year 2020.

- | 9. <u>Geology/Topography</u> – Could the project: | <u>Yes</u> | <u>No</u> | <u>Discussed</u> |
|--|--------------------------|-------------------------------------|-------------------------------------|
| a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Change substantially the topography or any unique geologic or physical features of the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Introduction

The proposed project site is essentially flat, with a slight downward slope to the east. The surrounding area generally has a similar slope. A preliminary geotechnical report, including soil borings, was prepared by a California-licensed geotechnical engineer.¹⁸ The preliminary geotechnical report includes a site reconnaissance, testing and laboratory analysis of soil samples, a geologic and seismic hazard evaluation of the site, and a review of available subsurface information at the site and its vicinity. The purpose of the study was to evaluate subsurface conditions at the site and present preliminary geotechnical conclusions and recommendations for evaluating the feasibility of constructing an eight-story building on the project site. The conclusions of the geotechnical study are included in the discussion below.

Site Conditions

The project site contains an asphalt-paved parking lot and a two story building. The pavement section consists of approximately three to four inches of asphalt concrete over approximately four to five inches of aggregate base.¹⁹ From the bottom of the base to a depth of approximately 60 feet, the site is underlain by Holocene dune and beach sand that generally consist of layers of poorly graded sand, silty sand and clayey sand, The sandy soils are medium dense to very dense in relative density, and generally increase in relative density with depth. Ground water may exist at depths of 55 to 66

¹⁸ Kleinfelder Inc., *Feasibility-Level Geotechnical Investigation, Proposed Sunrise Assisted Living Facility, 1800 Van Ness Avenue and 1754 Clay Street, San Francisco.*, August 15, 2003. This report was originally prepared for a proposed seven-story building with one-level or parking. Kleinfelder believes that the preliminary conclusions and geotechnical guidelines would be the same as for the proposed project (Catherine Ellis, Kleinfelder Inc, e-mail to Stu During, During Associates, July 8, 2005). This report is on file with the Planning Department, 1660 Mission Street, Suite 500, San Francisco, and is available for public review, by appointment, as part of in Project File No. 2004.0339E.

¹⁹ Ibid.

feet. The geotech report concluded that the construction of the proposed project would be feasible, providing the recommendations are implemented (see page 41).

Seismically-Induced Hazards

It is likely that the site will experience periodic minor earthquakes, and possibly a major (moment magnitude²⁰ [Mw] greater than 7) earthquake, on one or more of the nearby faults during the life of the proposed development. The project site is located approximately 12 kilometers from the San Andreas Fault, 17 kilometers from the San Gregorio North Fault, and 17 kilometers from the Hayward Fault. The Working Group for California Earthquake Probabilities estimated a 70 percent probability of an earthquake of Mw 6.7 or greater occurring on one of the major faults in the Bay Area within the next 30 years.

The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known fault or potentially active fault exists on the site. In a seismically active area, such as the San Francisco Bay area, the remote possibility exists for future faulting in areas where no faults previously existed. The geotechnical study found no evidence of active faulting on the site and concludes that the risk of surface faulting at the site is low. However, during an earthquake at any of the major area faults mentioned above, the ground at the proposed development site would experience very strong shaking. Strong shaking during an earthquake can result in ground failure associated with soil liquefaction,²¹ lateral spreading,²² and cyclic densification.²³

The project site is not within a Special Geologic Study Area as shown in the Community Safety Element of the *San Francisco General Plan* (Map 4), designated as potentially liquefiable on a map titled "Zones of Liquefaction Potential, City and County of San Francisco," published by the

²⁰ Moment magnitude is an energy-based scale and provides a physically meaningful measure of the size of a faulting event. Moment magnitude is directly related to average slip and fault rupture area.

²¹ Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

²² Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

²³ Cyclic densification is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

California Department of Conservation, Division of Mines and Geology. Based on the soil borings conducted at the site and records of borings at nearby sites, the geotechnical report found that the soils beneath the project site have a very low potential for liquefaction and lateral spreading. However, there is some loose sand above a depth of eight feet at the site that is susceptible to cyclic densification, a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement. This material would be removed during excavation for the basement; however, cyclic densification may occur beneath adjacent sidewalks and pavements, resulting in settlement up to approximately ½ inch.

The project site is not in an area subject to landslide, seiche, tsunami run-up, or reservoir inundation hazards (Maps 5, 6, and 7 in the Community Safety Element).²⁴

Geotechnical Recommendations

Relevant conclusions and recommendations of the geotechnical report are indicated below.²⁵

- A design-level geotechnical investigation is recommended for the design phase of the project when specific details regarding the building type, loads and dimensions have been finalized.
- Construction will require protection of the adjacent buildings which will include shoring of the basement excavation and underpinning of the adjacent structures. The basement excavation will require shoring or sloping of the side slopes in accordance with OSHA and Cal-OSHA requirements. Design installation, maintenance and removal of temporary shoring and bracing are the responsibility of the contractor and may involve soldier piles and lagging (with or without tiebacks), soil nails or other appropriate systems.
- The most economical building foundations may consist of a structural mat, but will depend on building loads and acceptable settlement for the building. The mat foundation system may be constructed on either competent undisturbed native soils or compacted engineered fill.
- Drilled pier foundations will require excavation in sandy soils which will require special construction techniques such as the use of steel casing. Drilled pier foundations may be designed to derive their vertical load carrying capacity either from skin friction between the pier shaft and the surrounding soils or from end bearing at the bottom of the piers.

²⁴ City and County of San Francisco, Community Safety Element, San Francisco *General Plan*, April 1997.

²⁵ Kleinfelder Inc., op cit

- Providing the adjacent buildings are properly under pinned, these buildings should not impose surcharge loads on the basement of the proposed building.
- Highly compressible material was not encountered in the geotechnical study.
- The liquefaction potential for the project site is relatively low.
- The need to dewater the site during construction and design the proposed building for hydrostatic uplift would be low. In either case however, protecting the basement walls and slab foundation from moisture would be necessary.

The report concluded that the site is suitable for the proposed project providing that the above recommendations are implemented. The project sponsor has agreed to implement the recommendations listed above.

Excavation

Construction of the two-level below-grade parking garage for the proposed project would require excavation of western portion of the site to an average depth of approximately 26 feet below ground surface (bgs). The eastern portion of the site would be excavated to depths of approximately one to ten feet. Approximately 23,500 cubic yards of soil would be excavated and removed from the project site. Soil removed from the site would be trucked to an appropriate landfill following testing pursuant to City and State requirements.

Surface and Groundwater

As discussed above, groundwater may exist at a depth of 60 feet below ground surface and it is unlikely that it would be encountered during excavation and project construction. As mentioned in Seismically-Induced Hazards, above, the project site is not in an area subject to seiche or tsunami run-up or reservoir hazards (Maps 6 and 7 in the Community Safety Element).

Conclusion

As discussed in Geotechnical Recommendations, above, the geotechnical investigation report found the site suitable for development of the proposed project providing that the recommendations included in the report were incorporated into the design and construction of the proposed development.

The final building plans of the currently proposed project, an eight-story building with two below-grade levels, would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspector's working knowledge of areas of special geologic concern. The above-referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed.

To ensure compliance with all San Francisco Building Code provisions regarding structural safety, when DBI reviews the geotechnical report and building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage to structures from groundshaking and liquefaction. Therefore, potential damage to structures from geologic hazards on a project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the Building Code. For all of the above reasons, the proposed project would not result in a significant impact related to geology and soils.

In view of the above, the project would not have a significant impact regarding geology, seismicity, soils, or dewatering.

10. <u>Water</u> – Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Substantially degrade water quality, or contaminate a public water supply?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Cause substantial flooding, erosion or siltation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Water Quality

The project would not substantially degrade water quality or contaminate a public water supply. All sanitary wastewater from the proposed buildings and storm water runoff from the project site would

flow into the City's combined sewer system, to be treated at the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Treatment would be provided pursuant to the effluent discharge limitations set by the Plant's National Pollutant Discharge Elimination System (NPDES) permit.

As discussed in 9. Geology/Topography, above, groundwater, which will likely fluctuate with the seasons, is estimated to occur at a depth of approximately 33 feet below ground surface, although some perched water may be encountered at shallower depths. The proposed project would involve excavation to as deep as 26 feet below the surface. The foundation and portions of the building below grade would be water tight to avoid the need to permanently pump and discharge water. Natural groundwater flow would continue under and around the site. While this is not anticipated to significantly affect groundwater flows, it is possible that dewatering could be required during excavation. Dewatering would be conducted as described in 9. Geology/Topography, Surface and Groundwater, above. Potential degradation of groundwater quality as a result of dewatering during project construction would not occur due to the requirement of the Bureau of System Planning, Environment, and Compliance (SPEAC) of the San Francisco Public Utilities Commission for retention of groundwater pumped from the project site in a holding tank, and analysis of the quality of this groundwater before it is discharged to the combined sanitary and storm drain sewer system. For these reasons, the project would not substantially alter existing groundwater quality or flow conditions.

Soil would be exposed during site preparation. During construction, requirements to reduce erosion would be implemented pursuant to Building Code Chapter 33, Excavation and Grading.

The site currently is almost completely covered by the impervious surfaces of the existing building and parking areas. With project development, there would be a small increase in the impervious surface coverage on the site, and a corresponding small decrease in infiltration and groundwater recharge. However, groundwater is not used as a drinking water supply in the City and County of San Francisco, and the project would not substantially affect a public water supply or water resource. There would also be a small increase in the quantity and rate of storm water runoff from the site, which would flow into the City's combined sewer system. Because storm water flows from the project could be accommodated by the existing combined sewer system, this would not cause

substantial flooding or erosion downstream. As discussed above, requirements to reduce erosion would be implemented during construction, which would prevent substantial siltation downstream.

Based on the information presented above, there would be no significant water quality, groundwater, flooding, or erosion impacts from the proposed project.

- | | <u>Yes</u> | <u>No</u> | <u>Discussed</u> |
|--|--------------------------|-------------------------------------|-------------------------------------|
| 11. <u>Energy/Natural Resources</u> – Could the project: | | | |
| a. 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project would consist of residential and retail uses. Development of these uses would not result in use of large amounts of fuel, water or energy. The project would meet or exceed current state and local standards regarding energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. For this reason, the project would not cause a wasteful use of energy, and would have a less-than-significant impact on energy and natural resources. No substantial environmental effects are expected from the proposed project.

Electric generation to serve the project would consume natural gas and coal fuel to generate electricity for the project. The project would not use substantial quantities of other non-renewable natural resources. It would not use fuel or water in an atypical or wasteful manner. Therefore, the project would not have a significant effect on the use, extraction, or depletion of a natural resource.

- | | <u>Yes</u> | <u>No</u> | <u>Discussed</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|
| 12. <u>Hazards</u> – Could the project: | | | |
| a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Interfere with emergency response plans or emergency evacuation plans? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Create a potentially substantial fire hazard? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Hazardous Materials Use

During operation, the proposed project would involve residential and retail land uses that would require relatively small quantities of hazardous materials for routine household and business purposes. The project would likely result in the use of common types of hazardous materials such as paints, cleaners, toners, solvents, and disinfectants. All of these products are labeled to inform users of risks, and to instruct them in proper disposal methods. Most of these materials are consumed or neutralized through use, resulting in little hazardous waste. Businesses are required by law to ensure employee safety by identifying hazardous materials, and adequately training workers. For these reasons, hazardous material use by the project would not pose a substantial public health or safety hazard.

Soil and Groundwater

Hazardous Waste Studies

Construction of the proposed project would require excavation of up to approximately 26 feet below the ground surface. Approximately 23,500 cubic yards of soil would be excavated. Phase I and Phase II Environmental Site Assessments (ESAs) were conducted for the proposed project site in October 2000 and are summarized below.²⁶

The site has been developed since the late 1800s, and several different buildings have occupied the property since that time. In 1886, there was a non-residential reinforced concrete and steel frame building on the site, but the site was vacant in 1913. A structure was built on the site in 1918 for use as retail stores and auto accessory sales. From the 1920s to 1961, the site was used for retail auto sales, storage, and repair, and there was an auto roof manufacturer on the site in 1929. The existing building was constructed in 1962, and has been occupied by several banks and other commercial tenants. Nearby uses have included apartment buildings, commercial enterprises, numerous automobile dealerships, and a gasoline service station, located northwest of the project site on the southeast corner of Van Ness Avenue and Washington Street.

²⁶ PES Environmental, Inc., *Phase I Environmental Site Assessment, Lead Paint and Asbestos Survey, Phase II Soil Sampling, 1800 Van Ness Avenue, San Francisco, California*, October 25, 2000. This report is available for public review by appointment in Project File No. 2004.0339E at the Planning Department, 1660 Mission Street, San Francisco, California.

Past Uses of Hazardous Materials

The site and the surrounding area were historically associated with automobile sales and apartment buildings that have used underground storage tanks for heating oil or automobile fuel, and regional contamination from petroleum hydrocarbons in both the soil and groundwater in the project vicinity has been identified. A search of public databases of hazardous materials releases was performed for the area within a 0.5- to one-mile radius of the site, depending on the database. The site itself was not listed in any of the databases. However, the San Francisco Department of Public Health (SFPDH) Environmental Health Section-Hazardous Waste Unit (EHS-HWU) states that underground storage tanks (USTs) may be present at the site as part of a Shell gasoline station and auto repair business.²⁷ Five nearby sites were listed, which were considered of potential concern to the project site; however, the sites are either closed, too distant to the project site to be of concern, or low risk. The project site's history of automobile repair, nearby land uses that are known to have used underground storage tanks for heating oil or automobile fueling, and the records of the listed sites discussed above suggest the possibility of groundwater and soil contamination at the project site.

Hazardous Wastes in Soil and Groundwater

In response to the potential sources of contamination identified above, the Phase II ESA presents the results of soil sampling and analyses at the project site. To assess soil conditions at the site, samples were collected from six borings made at accessible areas that may have been affected by past automobile repair activity. These borings were sampled from one foot to 3.4 feet below the surface of the site. Laboratory analysis of the soil samples found low concentrations of TPH-d in all the samples, with a maximum concentration of 35 milligrams per kilogram (mg/kg) in one sample. The analyses did not indicate the presence of TPH-g or BTEX at or above the respective laboratory reporting limits. The low concentrations of TPH-d (diesel range hydrocarbons) occurrence in all samples suggest that these results may be an artifact of shallow fill soils at the site or the overlying pavement. The SFPDH EHS-HWU concluded that the Phase II sampling was too shallow to determine the presence of any release from USTs. The EHS-HWU recommends that ground

²⁷ Rajiv Bhatia, MD, MPH, Director, Occupational and Environmental Health, San Francisco Department of Public Health, Environmental Health Section-Hazardous Waste Unit (EHS-HWU). Letter to During Associates, July 5, 2005. This letter is available for public review by appointment in Project File No. 2004.0339E at the Planning Department, 1660 Mission Street, San Francisco, California.

penetrating radar be used to determine if the site has USTs within the site or within the sidewalks surrounding the site and additional soil characterization should be conducted to determine land fill options for the excavation of the two-level garage.

The ESA and the EHS-HWU recommended preparation of a Site Mitigation Plan (SMP). The project sponsor has agreed to implement Mitigation Measure 2, pages 56 to 58, in the Mitigation Measures section of the Initial Study, which would ensure that any potential impacts due to the presence of petroleum hydrocarbons, heavy metals, or other hazardous materials in soils on the project site would be reduced to a less-than-significant level. With the implementation of this mitigation measure hazardous materials impacts would not be significant.

Storage Tanks

No evidence of USTs or aboveground storage tanks was observed during the site reconnaissance conducted as part of the Phase I ESA, or found in a search of the files of the San Francisco Fire Department and Department of Public Health, Environmental Management Division, or during Phase II ESA testing. However, based on the historical use of the site as an automotive sales and repair facility and after review of the Phase I and the Phase II Soil Sampling report, the SFDPH EHS-HWU concluded that there is a potential for undiscovered underground storage tanks at the site and recommended further study including the use of ground penetrating radar and additional soil characterization.²⁸ The project sponsor has agreed to implement Mitigation Measure 3, page 58, in the Mitigation Measures section of the Initial Study, which would ensure that any potential impacts due to the presence of underground storage tanks at the project site would be reduced to a less-than-significant level.

Hazards

An inspection of the site and the existing building, conducted as part of the Phase I ESA, found no evidence of use, storage, or disposal of hazardous materials beyond small amounts of cleaning supplies, paint, toner, binding materials, color imaging kits, and a compressed gas cylinder of helium. No hazardous chemicals or unidentified chemical/hazardous substance containers were observed. There were no transformers (which may contain PCBs) on the site.

²⁸ Ibid.

Based on anticipated low radon levels and observed site characteristics, the ESA does not recommend site-specific testing for radon gas.

Building Materials

Asbestos

The existing building on the site to be demolished was constructed in 1962. An asbestos cleanup was performed at the building on the site in December 1999, although a copy of the report of the cleanup was not available when the ESA was prepared. Nevertheless, a reconnaissance of the existing building on September 12, 2000, identified suspected ACM (asbestos-containing) materials, including those typical of structures built during the early 1960s. A separate survey for asbestos, conducted on September 23, 2000, also identified asbestos-containing materials in the building.²⁹

Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, 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 Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; descriptions and locations of the structures to be demolished/alterd including size, age, and prior use, and the approximate amounts of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation for which a complaint has been received.

²⁹ CTL Environmental Services, *Project Record Asbestos and Lead Survey, 1800 Van Ness Avenue, San Francisco, California*, October 25, 2000, reproduced as Appendix F of: PES Environmental, Inc., *Phase I Environmental Site Assessment, Lead Paint and Asbestos Survey, Phase II Soil Sampling, 1800 Van Ness Avenue, San Francisco, California*, October 25, 2000. This report is available for public review by appointment in Project File No. 2004.0339E at the Planning Department, 1660 Mission Street, San Francisco, California.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. 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 in Sacramento. 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 law, the Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Lead

A survey for lead-based paint conducted for the project site identified lead-based paint in the existing building, constructed in 1962 and proposed for demolition.³⁰ Demolition must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. 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 HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint

³⁰ Ibid.

contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has 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 Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non compliance with the requirements of the ordinance.

These regulations and procedures by the San Francisco Building Code would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. Existing buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as the Department of Building Inspection), in order to ensure conformance with these provisions. The proposed project would conform to these standards, which

(depending on building type) may also include development of an emergency procedure manual and an exit drill plan.

Occupants of the proposed building would contribute to congestion if an emergency evacuation of the Nob Hill area were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes which require additional life-safety protections for high-rise buildings.

In this way, potential fire hazards (including those associated with hydrant water pressure and emergency access) would be mitigated during the permit review process.

Conclusion

Potential public health and safety hazards related to the possible presence of contaminated soil, and USTs would be reduced to a less-than-significant level by Mitigation Measures 2 and 3, pages 56 to 58, in the Mitigation Measures section of the Initial Study.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
13. Cultural – Could the project:			
a. Disrupt or adversely affect a prehistoric or historic archeological site or a property of historic or cultural significance to a community, ethnic or social group; or a paleontological site except as a part of a scientific study?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with established recreational, educational, religious or scientific uses of the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with the preservation of buildings subject to the provisions of Article 10 or (proposed) Article 11 of the City <i>Planning Code</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

The building on the project site, constructed in 1962, is not included in, or determined eligible for inclusion in, any federal, state, or adopted local register of historic resources (including *Planning Code* Articles 10 and 11), pursuant to *CEQA Guidelines*, Section 15064.5(a)(1) and (2). In the

immediate vicinity of the project site, there are no historic resources listed in *Planning Code* Articles 10 or 11. The Paige Motor Car Company Building at 1699 Van Ness Avenue is listed in the National Register of Historic Places, but this historic building is a block south from the site and would not be significantly affected by the proposed project due to the distance from the site and the intervening buildings.

The project would not conflict with established recreational, educational, religious or scientific uses in the area, which would continue and would not be substantially affected by the proposed project.

Archeological Resources

An archeological resources evaluation of the project site was completed by an independent consultant and is summarized below.³¹ In its natural state, the project site was situated on a gentle slope, in a relatively low-lying area, directly adjacent to several massive, brush-covered sandhills. Such a setting might have represented a potentially favorable site for the establishment of a Native American settlement. A survey of documentary sources revealed that no prehistoric/protohistoric (up to 1775 A.D.) cultural resources had been recorded within the project site. This may be due to the fact that the site has never been the subject of archeological investigation. Several deeply buried, previously unrecorded prehistoric sites have been recently discovered in San Francisco. An assessment of the characteristics of these archeological sites and the project site suggests that similar prehistoric/protohistoric archeological deposits could possibly exist within or adjacent to the site.

It is unlikely that there was any regular activity on the project site or its immediate vicinity during the Spanish/Mexican or Early American eras (1776-1848), and little likelihood of recovering cultural resources from these eras.

By the early years of the California Gold Rush era, a single structure existed within the project area, and systematic development and topographic modification within the present project area started in the mid-to late 1860s. When the project site was graded, it appears that relatively little topographic alteration occurred.

³¹ Archeo-Tec Consulting Archaeologists, *Archival Cultural Resources Evaluation of the Proposed 1700 Clay Street/1800 Van Ness Avenue Development Project, City and County of San Francisco, California*, December 2000.

Nineteenth Century industrial or domestic archeological deposits cultural resources may be present within the project. If prehistoric or historical archeological resources are present, they may possess sufficient integrity to provide significant scientific information. It is expected that if prehistoric or historical archeological resources were present that they may qualify as historical resources under Criterion D of the CRHR as contributors to questions of scientific historical importance. Construction of the proposed project would require excavation of up to 20 feet below the existing grade, and as much as 23,500 cubic yards of soil. Thus, the proposed project has the potential for resulting in an adverse effect on legally-significant archeological resources. Implementation of Mitigation Measure 4 pages 58 to 62, which requires an archeological testing program, would reduce potential effects of the project to archeological resources to a less-than-significant level.

C. OTHER

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
1. Does the project require approval and/or permits from City Departments other than the Planning Department or Department of Building Inspection, or from Regional, State or Federal Agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

A discussion of approvals and permits necessary for the project is presented in Compatibility with Zoning, Plans, and Policies above, on pages 12 to 15. The proposed project would require approval of a conditional use authorization for a planned unit development and exceptions for parking requirements, minimum rear yard depths, and bulk requirements. The project would also require approval by the Department of Building Inspection and Department of Public Works for demolition and site permits.

Public Notice and Comment

On August 17, 2004, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the 1800 Van Ness Avenue project site, tenants on and adjacent to the site, and other potentially interested parties.

Groups and individuals commented and expressed concern regarding potential effects of the proposed project on its surroundings. Concern was expressed regarding the following environmental issues: (1) views; (2) traffic congestion; (3) parking; (4) public transit; (5) safety of senior pedestrians crossing Van Ness Avenue; (6) blockage of light and air; (7) scale of the proposed

project building; and (8) cumulative effects. Environmental issues identified in public comments, as noted above, are addressed in this Initial Study under applicable topics.

Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into the Initial Study as appropriate for CEQA analysis. Comments regarding merits of the project and those that expressed support for or opposition to the project are not relevant to CEQA analysis of environmental impacts, but may be taken into account by the Planning Commission and other decision-makers as part of the project approval process. While local concerns or other planning considerations may be grounds for modification or denial of the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

D. MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Discussed</u>
1. Could the project have significant effect if mitigation measures are not included in the project?	■	□	□	■
2. Are all mitigation measures necessary to eliminate significant effects included in the project?	■	□	□	■

The following measures are necessary to avoid potential significant effects of the project and have been agreed to by the project sponsor:

Mitigation Measure 1

Construction Air Quality

The project sponsor shall require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require that the contractor(s) obtain reclaimed water from the

Clean Water Program for this purpose. The project sponsors shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 2

Hazards (Contaminated Soil)

Step 1: Soil Testing

As required by the San Francisco Department of Public Health (SFDPH), the project sponsor shall, prior to approval of a building permit for the project, hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for total lead, petroleum hydrocarbons, and other contaminants. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil contaminants including testing for petroleum hydrocarbons that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples.

The project sponsor shall submit the report on the soil testing for contaminants, including petroleum hydrocarbons and a fee of \$425 in the form of a check payable to the San Francisco Department of Public Health (SFDPH), to the Hazardous Waste Program, Department of Public Health, 101 Grove Street, Room 214, San Francisco, California 94102. The fee of \$425 shall cover five hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first five hours, at a rate of \$85 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH shall review the soil testing report to determine to whether soils on the project site are contaminated with petroleum hydrocarbons at or above potentially hazardous levels.

Step 2: Preparation of Site Mitigation Plan

If, based on the results of the soil tests conducted, the San Francisco Department of Public Health (DPH) determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels; the DPH shall determine if preparation of a Site Mitigation Plan (SMP) is warranted. If such a plan is requested by the DPH, the SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

Step 3: Handling, Hauling, and Disposal of Contaminated Soils

(a) specific work practices: If based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated with lead or other contaminants at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations, including OSHA lead-safe work practices) when such soils are encountered on the site.

(b) dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 4: Preparation of Closure/Certification Report

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure 3

Hazards (Underground Storage Tanks)

Wherever ground-disturbing activities are proposed in areas where the Phase I and/or Phase II Environmental Site Assessment identified the potential presence of underground storage tanks or related piping, the project sponsor shall utilize ground-penetrating radar, magnetic surveys, or other appropriate methods to locate underground storage tanks. If any are identified, the project sponsor shall coordinate with the San Francisco Department of Public Health's Local Oversight Program to determine whether they must be removed or whether they may remain closed in place. This determination shall be made at the earliest extent feasible during the construction period. These surveys shall be completed by an REA or a similarly qualified individual.

Mitigation Measure 4

Archeology

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect

from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological Research Design/Testing Program: The archeological consultant shall prepare and submit to the ERO for review and approval an archeological research design/testing program (ARD/TP). Prior to undertaking the preparation of the ARD/TP, the archeological consultant shall meet and consult with the ERO on the scope of the ARD/TP. The archeological testing program shall be conducted in accordance with the approved ARD/TP. The ARD/TP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, evaluate the eligibility of expected archeological resources for listing in the CRHR, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological

monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program: If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be

terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program: The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.

- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects: The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report: The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/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.

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 Major Environmental Analysis division of the Planning Department shall receive 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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

E. IMPROVEMENT MEASURES

The project sponsor has agreed to implement the following improvement measures to reduce impacts of the project that were found in this Initial Study to be less than significant. Improvement measures identified in this Initial Study may be required by decision-makers as conditions of project approval.

Improvement Measure 1: Timing of Construction Truck Traffic

The following measure would minimize disruption of the general traffic flow on adjacent streets:

- To the extent possible, truck movements generated by the project during the construction period should be limited to the hours between 9:00 a.m. and 3:30 p.m.
- The project sponsor and construction contractor(s) would meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the project.

F. MANDATORY FINDINGS OF SIGNIFICANCE

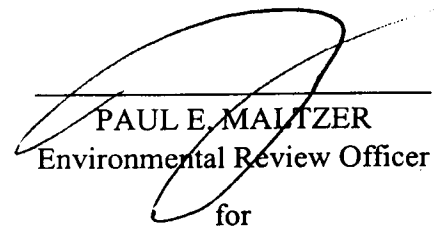
	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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 pre-history?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Cumulative analysis depends on a prediction of possible future environmental changes well beyond construction of the proposed project. There are several residential projects proposed in the project area: approximately 35 units at 1868 Van Ness on the northwest corner of the project block, and 26 units at 1840 Washington between Franklin Street and Van Ness Avenue (about a half a block from the proposed project). There would be approximately 58 vehicle trips generated by all three projects during the p.m. peak hour. The additional 58 vehicles trips (less than one vehicle per minute) would be distributed on the streets around the project site and would not be considered a substantial traffic increase relative to the existing capacity of the local street system. The cumulative increase on transit ridership, parking demand, loading, pedestrian and bicycle conditions would not be significant. The project would not be considered to contribute incrementally to cumulative regional air quality conditions, or to contribute to significant cumulative noise impacts. Similarly, the project would be generally consistent with the land use and height controls for the site and would not contribute to a cumulatively considerable land use or visual impact. There would also be a cumulative increase in the demand in residential population in the project area and an increase in the demand for public services and utilities, and energy consumption, however, this increase would not be significant. The project would further contribute to the cumulative change in the topography and geology of the area with additional excavation, but this change would not be considered significant. The project would contribute to the cumulative but not significant increase in stormwater runoff in the area. The additional street trees planted for the project would increase the cumulative biological resources. The removal of any contaminants on the project site would improve the cumulative hazardous materials condition in the project area. The project would not have a cumulative effect on any archaeological or historic architectural resources in the area. For reasons stated above, the project would not have unavoidable environmental effects that are cumulatively considerable.

G. ON THE BASIS OF THIS INITIAL STUDY:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the City Planning Department.
- 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 Mitigation Measures 1 through 4 in the discussion have been included as part of the proposed project. 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.

Date: August 27, 2005



PAUL E. MALTZER
Environmental Review Officer
for

Dean L. Macris
Director of Planning

REUBEN & JUNIUS^{LLP}

March 30, 2010

VIA HAND DELIVERY

Mr. Ron Miguel, President
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 1800 Van Ness Avenue - CU Entitlement Extension Request
Planning Department Case No. 2010.0065C
Building Permit No. 2005.09.28.4152
Hearing Date: April 8, 2010
Our File No.: 1052.01

Dear President Miguel and Commissioners:

Our office represents Sunrise Clay Street Senior Living, LLC ("Sunrise), the owner and project sponsor ("Project Sponsor") of the proposed construction at 1800 Van Ness Avenue (Block 0619, Lots 9 and 10) ("Property") consisting of a mixed-use project with up to 62 dwelling units and up to 5,100 square feet of ground floor retail space ("Project"). The Project was approved by the Planning Commission subject to a three-year performance condition. Due to the economic downturn and other circumstances, the Project Sponsor respectfully requests that the Planning Commission grant a two-year extension of the performance condition.

A. Project Description and Background

A Conditional Use/Planned Unit Development Application pursuant to Planning Code Sections 303, 304, 306 and 253.2, was filed for the Project on June 1, 2004, for the demolition of the existing two-story commercial building at the Property and construction of a planned unit development, consisting of a new 80-foot tall, mixed-use building containing up to 62 dwelling units, approximately 5,100 square feet of ground floor commercial space, and up to 73 parking spaces. The two parcels that make up the Project site would be merged into a single 25,820-sf parcel. The Planning Commission approved the Project by a vote of 6-0 on January 25, 2007, with Commissioner Alexander being absent, pursuant to Motion No. 17364. (*Copy of the Motion is attached as Exhibit A.*) An abbreviated set of the approved Project renderings and plans, including the increased setbacks on Clay Street presented to the Commission during an informational hearing on August 2, 2007, is attached as Exhibit B.

The Project was approved subject to a performance condition making the conditional use authorization valid for a period of three years from the date of approval, or until January 25, 2010. (*Motion No. 17364, Condition of Approval no. 12.*)

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Tuija I. Catalano | David Silverman | Sheryl Reuben¹ | Jay F. Drake
Daniel A. Frattin | Stephen R. Miller | Lindsay Petrone | John Kevlin | Alison L. Krumbain | John McInerney²

1. Also admitted in New York 2. Of Counsel

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

Sunrise diligently pursued the implementation of the approval after the January 25, 2007 Planning Commission hearing. Immediately after the Planning Commission hearing, pursuant to the Commission's direction, Sunrise and its architects continued to work with Planning Department staff to refine the building design. On August 2, 2007, an informational hearing was held before the Planning Commission on the revised building design, primarily regarding the increased setbacks on the Clay Street façade. The building permit application for the Project was signed off by the Planning Department on December 14, 2007, approximately 11 months after the Project approval by the Planning Commission. Thereafter the building permit was forwarded to DBI and other applicable agencies for their review and processing.

On August 2, 2007, Sunrise paid the \$2,698,706 affordable housing in lieu fee for the Project. As of today, the said monies have been held by the Mayor's Office of Housing for over 2 ½ years. Sunrise also worked to obtain other necessary approvals and agreements so that the Project could proceed, including without limitation; negotiation and execution of a shoring and tieback agreement with one of the neighbors in May 2008, and the filing (and continued processing) of a lot merger application with DPW for the merger of the two parcels that make up the Project Site in March 2008.

B. Project Sponsor Requests Two-Year Extension of Performance Condition

The Project approval's performance condition required construction to commence by January 25, 2010. Sunrise, similarly to many other project sponsors, has found itself in an economic environment that makes it impossible to move forward with the Project as of today. Sunrise respectfully requests that the Planning Commission grant a two-year extension of the Project approval pursuant to Planning Code Section 303(e). This would extend the performance condition to January 25, 2012. The extension is requested to provide additional time for financing and construction arrangements for the Project during an extremely challenging and uncertain economic period in San Francisco, California and the nation overall.

The Project Sponsor has and continues to monitor the site to ensure that it remains in a clean and safe condition. The existing building that covers a portion of the lot is locked and secured to prevent unauthorized access or use. The site is regularly monitored, at Project Sponsor's cost, for graffiti, trash and unauthorized use. Graffiti is very common and often a weekly occurrence at the Project site and at other sites along and near Van Ness Avenue. Project Sponsor has engaged personnel to monitor the site, and to promptly remove any graffiti and other undesirable activities.

C. Conclusion

As discussed above, the Project Sponsor has spent substantial time and monetary investment, including an over \$2.5M in lieu affordable housing payment to the City, pursuing the site permit for the Project after the January 25, 2007 approval so that the Project construction

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

REUBEN & JUNIUS, LLP

www.reubenlaw.com

President Miguel and Commissioners
March 30, 2010
Page 3

may be commenced once the economy improves. We respectfully request that the Commission approve the Project Sponsor's request to extend the performance condition on the Project by two years.

Very truly yours,

REUBEN & JUNIUS, LLP



Tuija I. Catalano

cc: Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Bill Lee
Commissioner Kathrin Moore
Commissioner Christina Olague
Commissioner Hisashi Sugaya
John Rahaim – Planning Director
Larry Badiner – Zoning Administrator
Linda Avery – Commission Secretary
Glenn Cabrerros – Project Planner
Sunrise Clay Street Senior Living, LLC

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

REUBEN & JUNIUS^{LLP}

www.reubenlaw.com

SUNRISE SENIOR LIVING - MIXED USE PROJECT

1800 VAN NESS AVENUE

MITHUN
Architects+Designers+Planners

Pier 56
1501 Alaskan Way
Suite 200
Seattle, WA 98101
TEL 206 633-3344
FAX 206 633-7005

SUNRISE
SENIOR LIVING

**VAN NESS
CONDOMINIUMS
MIXED-USE PROJECT**

1800 VAN NESS AVE
AT CLAY STREET
SAN FRANCISCO

PLANNING COMMISSION SUBMITTAL (REVISED)
JANUARY 25, 2007

PROJECT NO.

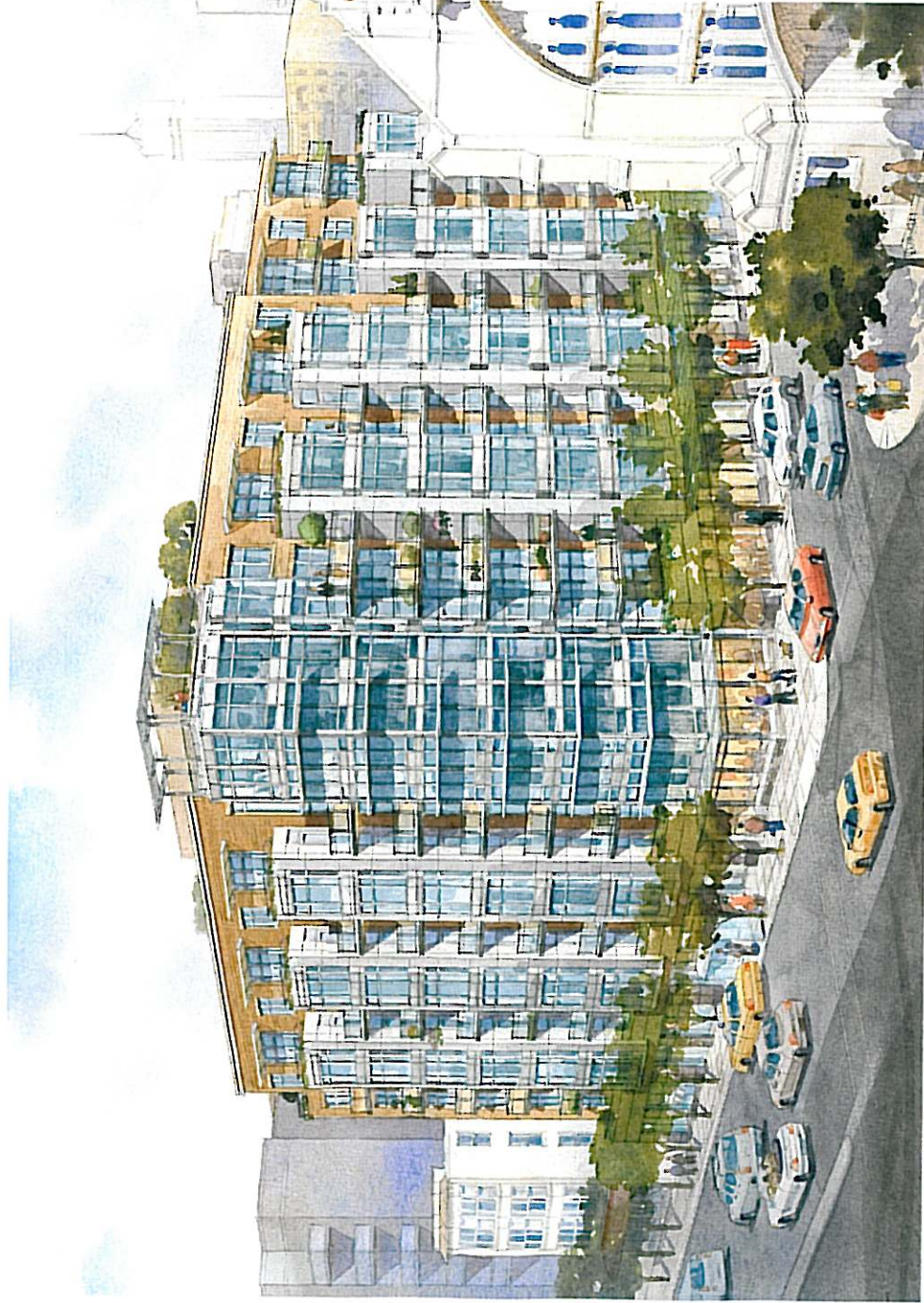
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JULY 31, 2007

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MITHUN
Architects + Designers + Planners

Pier 65
1301 Alaskan Way
Suite 200
Seattle, WA 98101
Tel. 206 633 3144
Fax 206 633 7005

SUNRISE
SENIOR LIVING

**VAN NESS
CONDOMINIUMS**
AGED-USE PROJECT

1800 VAN NESS AVE
AT CLAY STREET
SAN FRANCISCO

PLANNING COMMISSION SUBMITTAL

PROJECT NO.

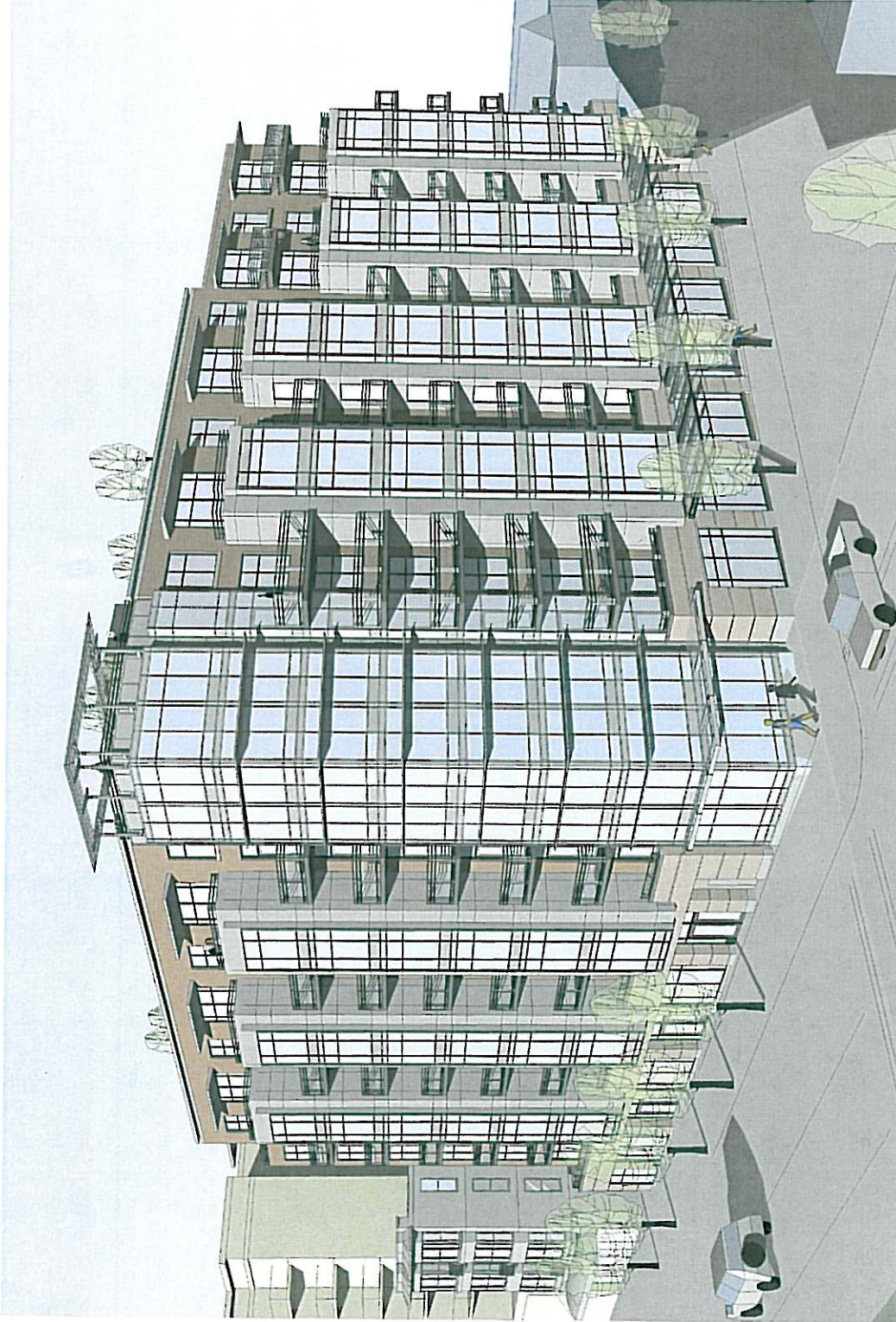
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Pier 56
1301 Alaskan Way
Suite 200
Seattle, WA 98101
TEL 206 633-3144
FAX 206 633-7005

SUNRISE
SENIOR LIVING

**VAN NESS
CONDOMINIUMS**
MIXED-USE PROJECT

1800 VAN NESS AVE
AT CLAY STREET
SAN FRANCISCO

PLANNING COMMISSION SUBMITTAL

PROJECT NO.

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Pier 56
1201 Alaskan Way
Suite 200
Seattle, WA 98101
TEL 206 633 3344
FAX 206 633 7005

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CONDOMINIUMS
MIXED-USE PROJECT

1800 VAN NESS AVE
AT CLAY STREET
SAN FRANCISCO

PLANNING COMMISSION SUBMITTAL

PROJECT NO.

03377.20

DATE

JULY 31, 2007

A 8.3

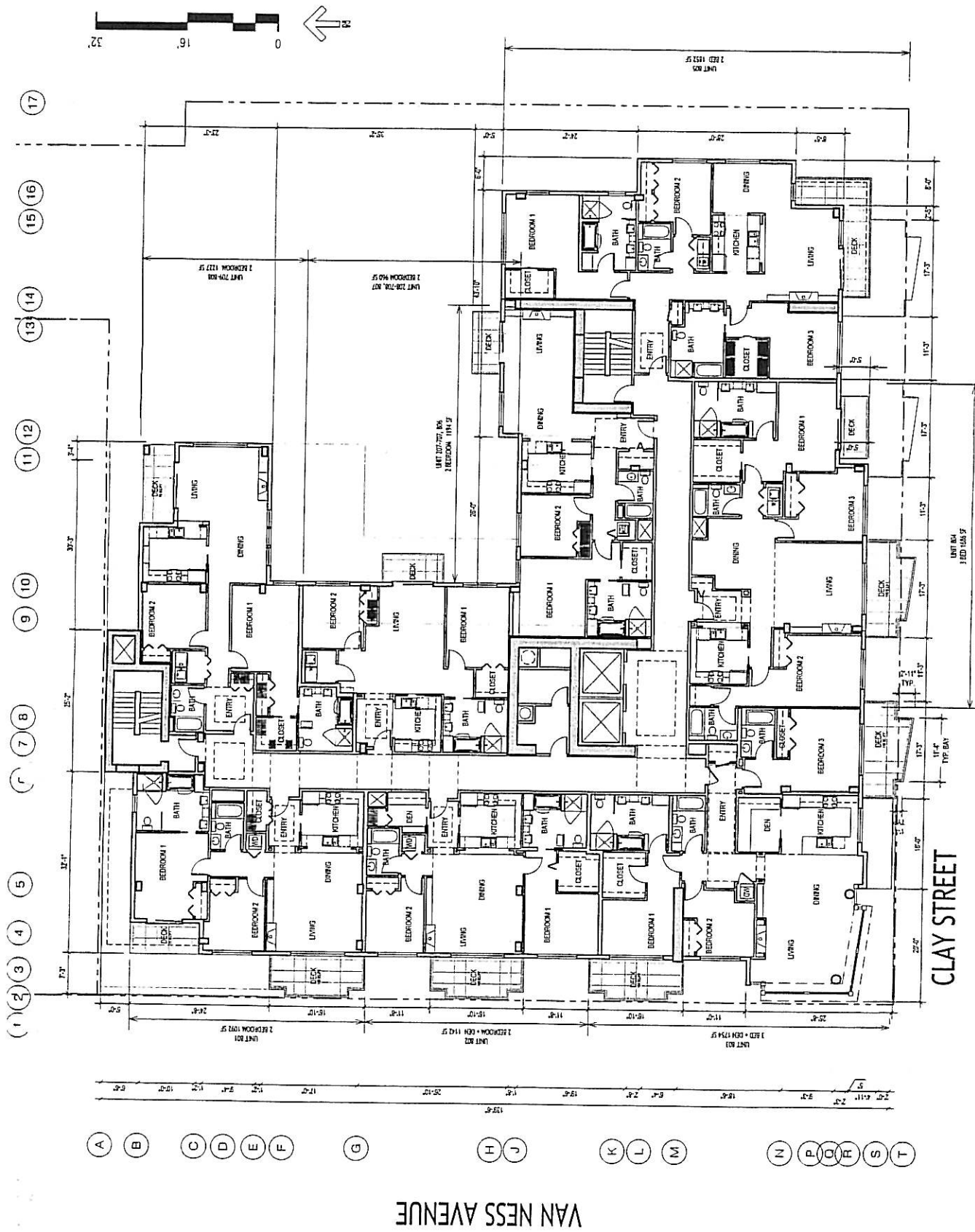
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GARAGE ENTRY PERSPECTIVE
NTS

"NOT FOR CONSTRUCTION"



VAN NESS AVENUE

CLAY STREET

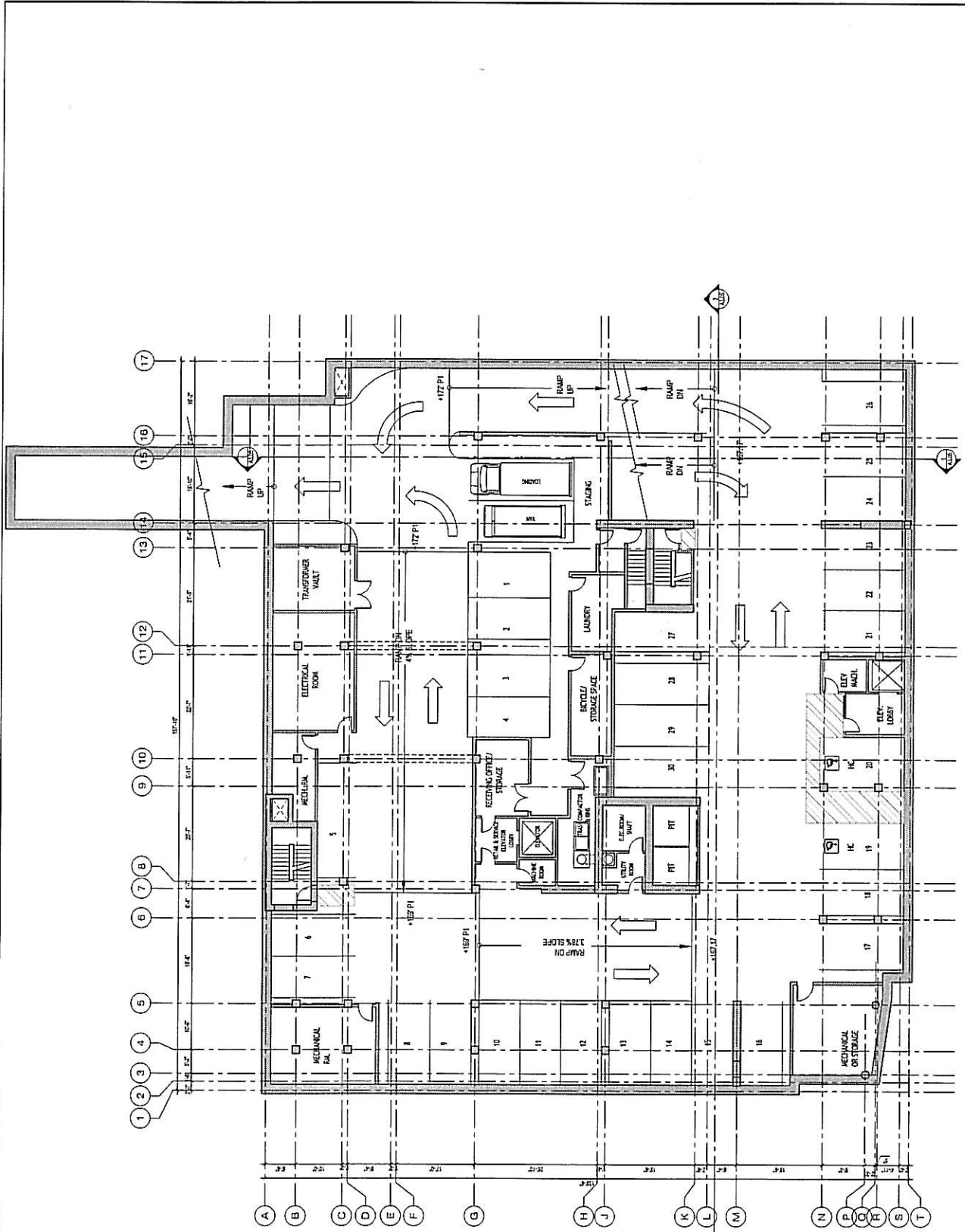
NO.	DATE	DESCRIPTION
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2	06/15/20	ISSUED FOR PERMITS
3	06/15/20	ISSUED FOR PERMITS
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PLANNING SUBMITTAL
 REVISIONS

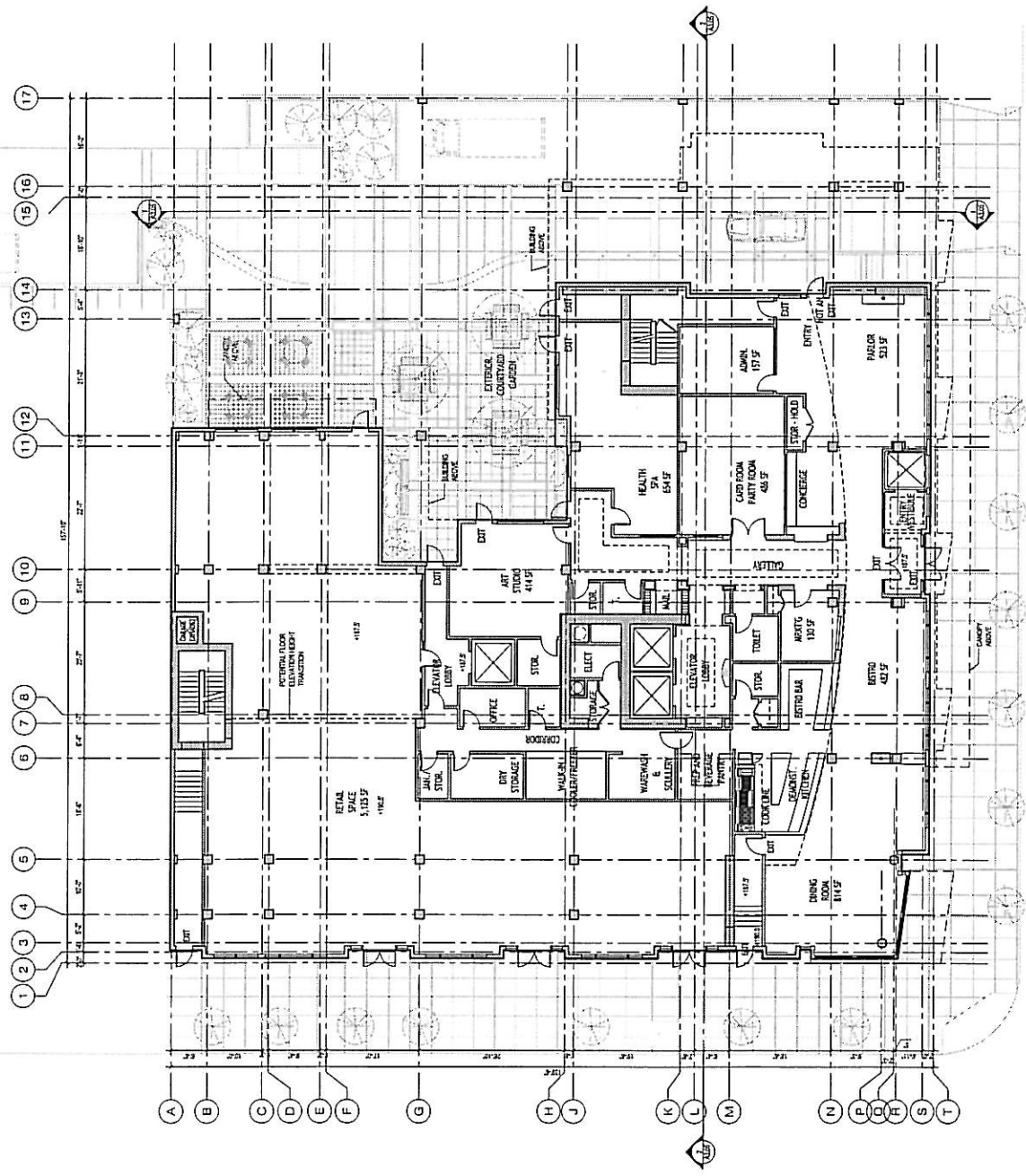
PARKING LEVEL P1
 FLOOR PLAN

DATE: 05/27/20
 PROJECT: 1800 VAN NESS
 SHEET: 51 - 2007-2013-2024-25
 DRAWN BY: AUSA/KELLY

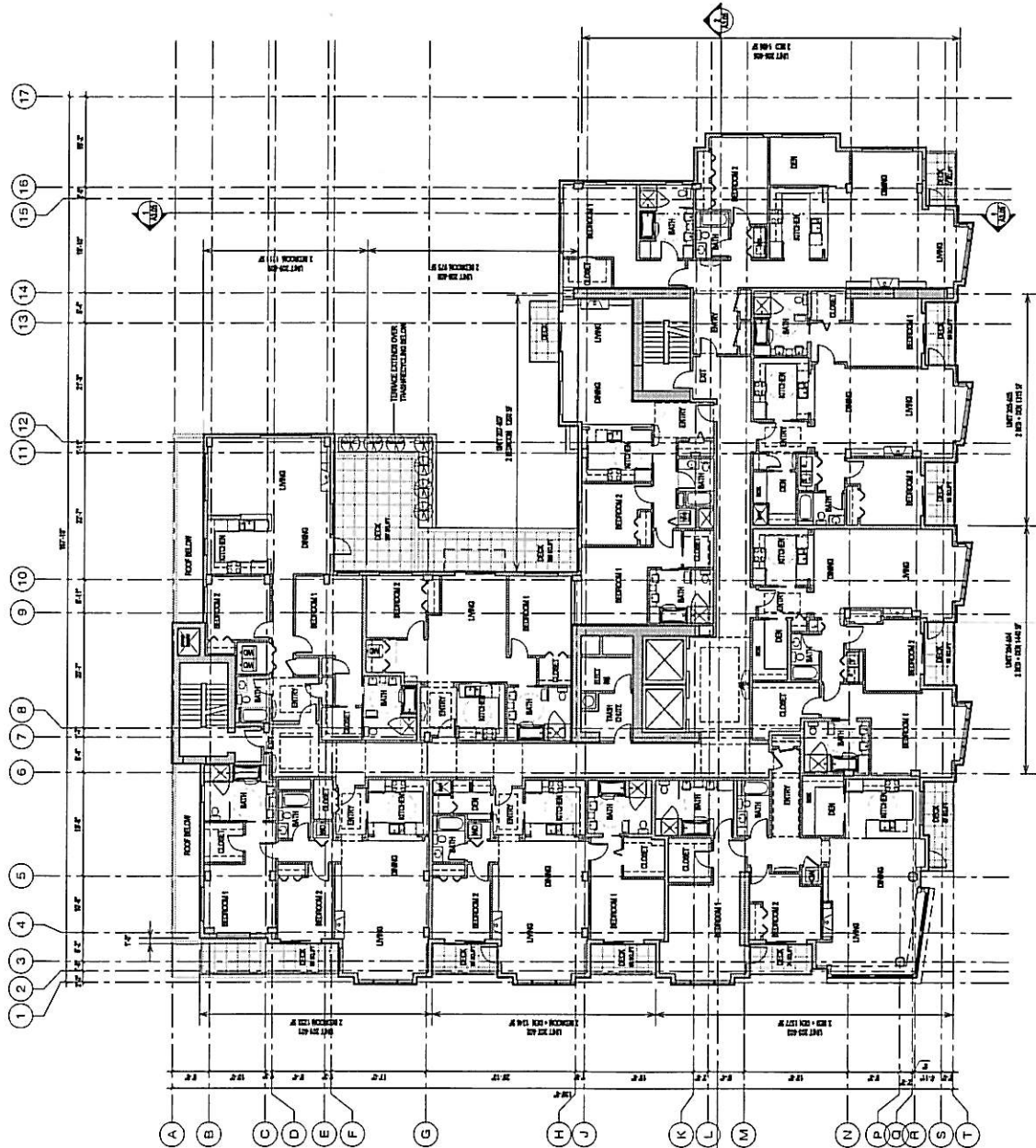
A2.02
 P1



1 LEVEL P1 FLOOR PLAN
 1/8" = 1'-0"



1 LEVEL 01 FLOOR PLAN
 1/8" = 1'-0"



CLAY STREET

VAN NESS AVENUE

1 LEVEL 02 FLOOR PLAN
1/8" = 1'-0"



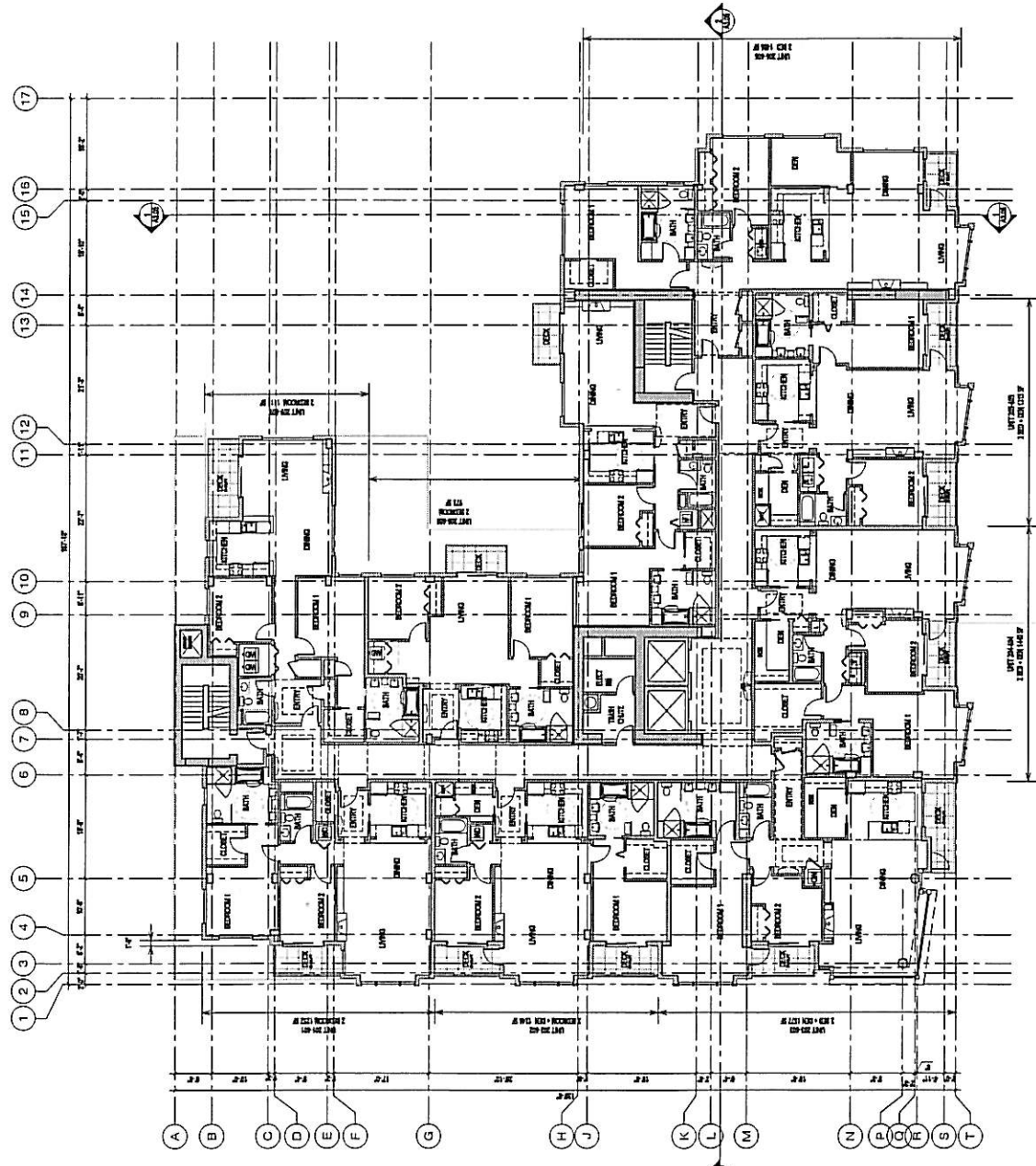
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DATE:	10.24.14
BY:	JL
APP.:	
DESCRIPTION:	
SCALE:	AS SHOWN
PROJECT NO.:	
CLIENT:	

PLANNING SUBMITTAL REVISIONS

NO.	1
DATE	09/22/15
BY	JL
DESCRIPTION	REVISIONS

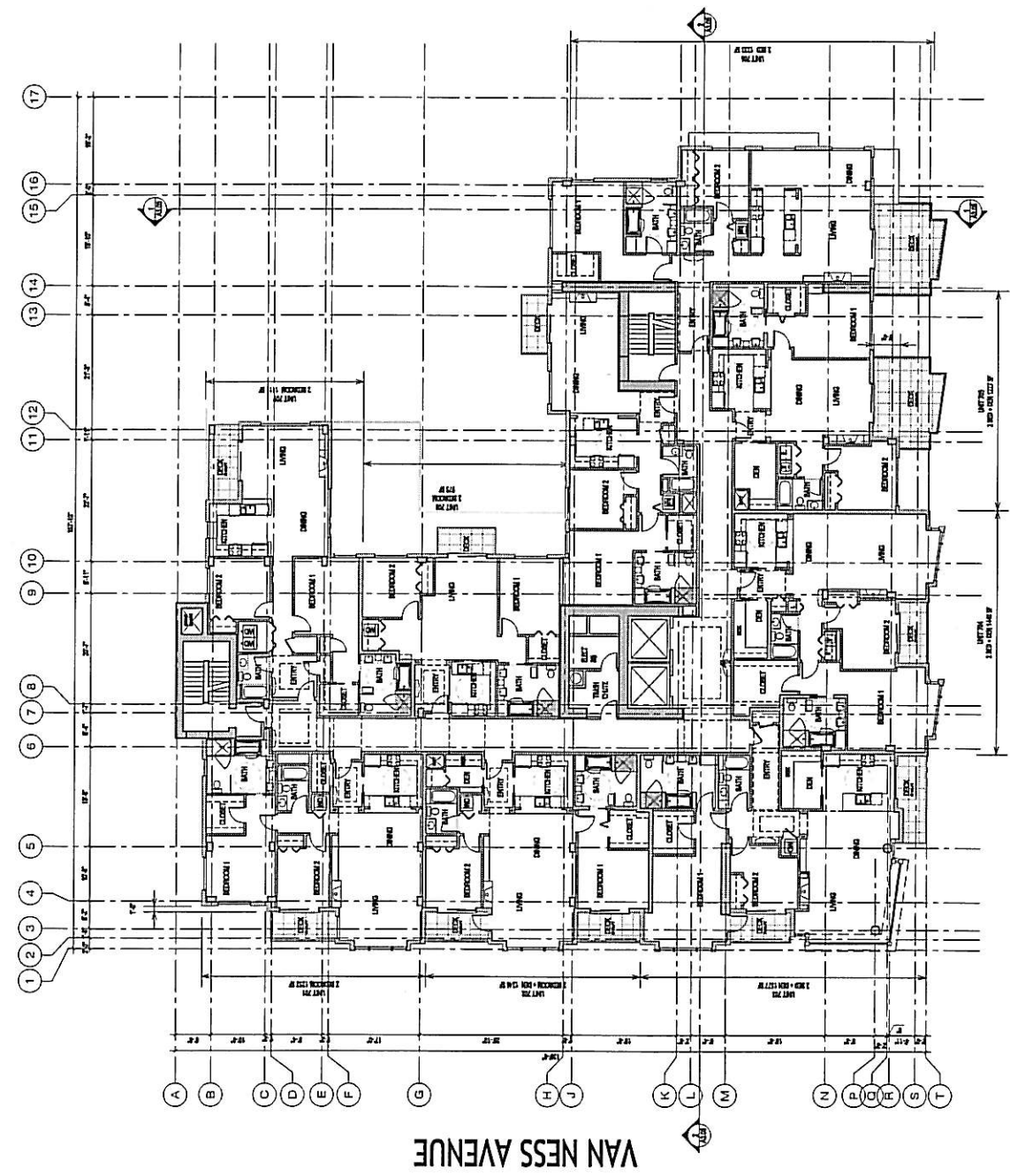
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CLAY STREET

VAN NESS AVENUE

1 LEVEL 03-05 FLOOR PLAN
 (1/4" = 1'-0")
 NORTH



CLAY STREET

VAN NESS AVENUE

1 LEVEL 07 FLOOR PLAN
1/8" = 1'-0"

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