

File No. 140031

Committee Item No. 5

Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date February 10, 2014

Board of Supervisors Meeting Date 3/25/14


Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
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- Grant Budget
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- Form 126 – Ethics Commission
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OTHER (Use back side if additional space is needed)

- Department of Public Works – Order No. 182055
- Department of Public Works – SUR Map
- Planning Department – General Plan
- _____
- _____

Completed by: Andrea Ausberry Date February 7, 2014

Completed by:  Date 2.12.14

1 [Street Vacation Order - Hunters View Phase 2 - West Point Road]

2
3 **Ordinance ordering the vacation of a portion of West Point Road and various public**
4 **service easements for the Hunters View Phase 2 development; quitclaiming the**
5 **City's interest in the vacation areas to the San Francisco Housing Authority;**
6 **reserving easement rights for the benefit of the City for its utilities; accepting a**
7 **Department of Public Works Order concerning the street vacation; and authorizing**
8 **official acts in connection with this Ordinance making environmental findings and**
9 **findings of consistency with the General Plan, and the eight priority policies of**
10 **Planning Code, Section 101.1.**

11 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
12 **Additions to Codes** are in *single-underline italics Times New Roman font*.
13 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
14 **Board amendment additions** are in double-underlined Arial font.
15 **Board amendment deletions** are in ~~Arial font~~.
16 **Asterisks (* * * *)** indicate the omission of unchanged Code
17 subsections or parts of tables.

18 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. Findings.

20 (a) On _____, the Board of Supervisors adopted Resolution No.
21 140029, a copy of which is on file with the Clerk of the Board of Supervisors in File No.
22 140029, being a Resolution declaring its intention to order the vacation of a portion of
23 West Point Road and various public service easements (collectively the "Vacation Area");
24 reserving an easement for the benefit of the City for various utilities. The location and
25 extent of the Vacation Area and Reservation is shown on the Department of Public Works'
SUR Map No. 2013-02, dated December 31, 2013, copy of said map is on file with the

1 Clerk of the Board of Supervisors in File No. 140031 and is incorporated herein by
2 reference.

3 (b) The Clerk of the Board of Supervisors did transmit to the Director of the
4 Department of Public Works a certified copy of the Resolution of Intention, and the Director
5 of the Department of Public Works did cause notice of adoption of such Resolution to be
6 posted and published in the manner required by law.

7 (c) When such matter was considered as scheduled by the Board of Supervisors at
8 its regular meeting held in the City Hall, San Francisco, on March 18, 2014, at 3:00 P.M.,
9 the Board heard all persons interested in such vacation.

10 (d) The vacation of the Vacation Area is part of an action to implement the Hunters
11 View Phase 2 Project. The Hunters View Phase 2 Project will subdivide land into 5
12 developable lots with new public streets and will provide 377 residential units and 1
13 commercial unit.

14 (e) In accordance with the actions contemplated herein, this Board adopted
15 Resolution No. 140029, concerning findings pursuant to the California Environmental
16 Quality Act (California Public Resources Code sections 21000 et seq.). A copy of said
17 Resolution is on file with the Clerk of the Board of Supervisors in File No. 140029 and is
18 incorporated herein by reference.

19 (f) In a letter dated July 5, 2013 (the "Planning letter"), the City Planning
20 Department determined that the proposed vacation and other actions contemplated herein
21 are consistent with the General Plan and the priority policies of Planning Code Section
22 101.1. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No.
23 140031 and is incorporated by reference as though fully set forth herein. The Board of
24 Supervisors adopts as its own the consistency findings of the Planning Letter.

1 (g) In DPW Order No. 182,055, dated December 24, 2013, a copy of which is on
2 file with the Clerk of the Board of Supervisors in File No. 140031, the Director of the
3 Department of Public Works determined: (1) the Vacation Area is no longer necessary for
4 the City's present or prospective future public street and sidewalk purposes; (2) in
5 accordance with Streets and Highways Code Section 892 and 8314, the right-of-way and
6 parts thereof proposed for vacation are no longer useful as a nonmotorized transportation
7 facility, as defined in Section 887, because the design of the Hunters View Project
8 contains new facilities for bicycle and pedestrian movement that are equal to or in excess
9 of what may currently exist; (3) the proposed quitclaim of public right-of-way is consistent
10 with the Hunters View Project; (4) the value of such exchange for future public right-of-way
11 and other public benefits is equal to or in favor of the City; and (5) there are no physical
12 public or private utility facilities within the Vacation Area except for Pacific Gas and Electric
13 Company (PG&E) for power transmission purposes and other City utilities . A copy of the
14 DPW Order is on file with the Clerk of the Board of Supervisors in File No. 140031. The
15 Board of Supervisors adopts as its own and incorporates by reference herein as if fully set
16 forth, the recommendations of the Director of the Department of Public Works as set forth
17 in DPW Order No. 182,055 concerning the vacation of the Vacation Area, reservation of
18 easements, and other actions in furtherance thereof.

19 (h) The vacation of the Vacation Area is being taken pursuant to California Streets
20 and Highways Code sections 8300 et seq. and Public Works Code section 787(a).

21 (i) From all the evidence submitted at the public hearing noticed in the Resolution
22 No. 140029 and the associated materials on file with the Clerk of the Board in File No.
23 140031, the Board of Supervisors finds that the Vacation Area, as described in said
24 Resolution, is no longer necessary for the City's use for public streets or as bicycle
25 transportation facilities as defined in Streets and Highways Code Sections 890, et seq.,

1 subject to the existing easement rights in favor of PG&E and the City's reservation of rights
2 for City utilities and other conditions described in this Ordinance.

3 (j) The public interest, convenience and necessity require that the City reserve from
4 the vacation of the Vacation Area a non-exclusive easement for City utilities in, upon, and
5 over that certain portion of the Vacation Area, in which their respective in-place and
6 functioning facilities are located, to the extent necessary to maintain, operate, repair and
7 remove existing lines of pipe, conduits, cables, wires, poles, and other convenient
8 structures, equipment and fixtures for various City utilities, together with reasonable
9 access to the foregoing facilities for the purposes set forth above. The public interest,
10 convenience and necessity, does not require that the City reserve from the vacation of the
11 Vacation Area any other easements except as mentioned above. The existing PG&E
12 Easement is unaffected by the vacation of the Vacation Area and will remain in effect until
13 such time PG&E quitclaims its rights to the easement.

14 (k) The public interest and convenience require that the vacation be done as
15 declared in the Resolution No. 140029.

16
17 Section 2. Except as set forth in Section 3 below, the Vacation Area, as shown on
18 SUR Map No. 2013-02 is hereby ordered vacated in the manner described in the
19 Resolution No. 140029, as modified herein, and pursuant to California Streets and
20 Highways Code Sections 8300 et seq. and Public Works Code section 787(a).

21
22 Section 3. The vacation of the Vacation Area is conditioned upon retaining the
23 existing PG&E easement for its facilities and the reservation of the non-exclusive
24 easement for the benefit of the City for utilities, in, upon, and over that certain portion of
25 the Vacation Area, in which its in-place and functioning facilities are located, to the extent

1 necessary to maintain, operate, repair and remove existing lines of pipe, conduits, cables,
2 wires, poles, and other convenient structures, equipment and fixtures for the operation of
3 various City utilities, together with reasonable access to the foregoing facilities for the
4 purposes set forth above and shall terminate with the dedication and acceptance of
5 replacement facilities. The PG&E easement shall remain in effect according to its terms.
6

7 Section 4. The Board of Supervisors hereby authorizes the Director of Property to
8 execute a City quitclaim deed to the San Francisco Housing Authority for the Vacation
9 Area, including therein the reservation of the non-exclusive easement for the benefit of the
10 City for utilities and acknowledgement of the existing PG&E Easement subject to the terms
11 and conditions set forth herein.
12

13 Section 5. The Board of Supervisors hereby directs the Clerk of the Board of
14 Supervisors to transmit to the Director of Public Works a certified copy of this Ordinance,
15 and the Board of Supervisors hereby urges the Director of Public Works to proceed in the
16 manner required by law. The Clerk of the Board also is hereby directed to transmit to the
17 Director of Public Works a certified copy of this Ordinance so that this Ordinance may be
18 recorded together with any other documents necessary to effectuate this Ordinance.
19

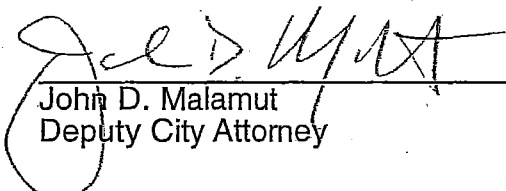
20 Section 6. The Board of Supervisors hereby authorize and direct the Clerk of the
21 Board, Director of Property, and Director of Public to take any and all actions which they or
22 the City Attorney may deem necessary or advisable in order to effectuate the purpose and
23 intent of this Ordinance (including, without limitation, the filing of the Ordinance in the
24 Official Records of the City and County of San Francisco and confirmation of satisfaction
25 of any of the conditions to the effectiveness of the vacation of the Vacation Area hereunder

1 of any of the conditions to the effectiveness of the vacation of the Vacation Area hereunder
2 and confirmation of the granting of the easement(s) reserved hereunder pursuant to
3 Section 3 of this Ordinance and execution and delivery of any evidence of the same, which
4 shall be conclusive as to the satisfaction of such conditions upon signature by any such
5 City official or his or her designee).

6
7 Section 7. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the
10 Board of Supervisors overrides the Mayor's veto of the ordinance.

11
12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By:


16 John D. Malamut
17 Deputy City Attorney
18
19
20
21
22
23
24
25

LEGISLATIVE DIGEST

[Hunters View Phase 2 - Street Vacation Order - West Point Road]

Ordinance ordering the vacation of a portion of West Point Road and various public service easements for the Hunters View Phase 2 development; quitclaiming the City's interest in the vacation areas to the San Francisco Housing Authority; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

California Streets and Highways Code sections 8300 et seq. and Public Works Code section 787(a) govern the process for the vacation of City streets and public service easements.

Amendments to Current Law

This legislation would vacate a portion of West Point Road and various public service easements, all in accordance with applicable State and local laws, as it relates to the Hunters View development project. This legislation would quitclaim the City's interest to the San Francisco Housing Authority and reserve a non-exclusive easement for the benefit of the City for public utilities purposes, which shall terminate upon improvement and acceptance of new facilities. This Ordinance would make certain findings related to the legislation, including environmental findings and findings that the legislation is consistent with the Hunters View Project Documents, the General Plan, and the priority policy findings of the Planning Code Section 101.1. The Ordinance also would adopt the determination of the Director of the Department of Public Works.

Background

This Ordinance would accommodate the proposed lot and street layout as shown on the Tentative Subdivision Map for the Hunters View Project, submitted on April 2, 2013. This vacation will help correct the geometry of City blocks, thereby creating uniform building lines and dedication of compatible right-of-way for street purposes with the Hunters View Phase 2 Project.



GENERAL - DIRECTOR'S OFFICE
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.sfdpw.org



Edwin M. Lee, Mayor
Mohammed Nuru, Director

DPW Order No: 182055

RE: DETERMINATION TO RECOMMEND VACATION OF A PORTION OF WEST POINT ROAD IN THE HUNTERS VIEW PHASE 2 PROJECT ALONG WITH PUBLIC SERVICE EASEMENTS PURSUANT TO CALIFORNIA STREETS AND HIGHWAYS CODE SECTIONS 8300 ET SEQ. AND SECTION 787(a) OF THE SAN FRANCISCO PUBLIC WORKS CODE, SUBJECT TO CERTAIN RESERVATIONS.

WHEREAS, San Francisco Housing Authority acquired fee title to the lands described in those certain Deeds recorded on July 12, 1943 in Book 3989, at Pages 397 through 401, Official Records, and Deeds recorded on July 12, 1943 in Book 3996, at Pages 75 through 77, Official Records; and

WHEREAS, On February 24, 1950, the San Francisco Housing Authority (SFHA) and the City and County of San Francisco (CCSF) entered into an agreement known as the "Municipal Cooperation Agreement." The SFHA agreed to dedicate for public purposes land which may be owned by SFHA and which it determines to use for streets and alleys within the boundaries of the affordable housing project or for the purposes of providing ingress and egress; and

WHEREAS, On July 31, 1961, SFHA, by its Resolution No. 1325, authorized the dedication of certain lands to CCSF as public streets and execution of a deed in connection with the development of the Hunters View Project CAL 1-18(3); and

WHEREAS, On January 22, 1962, the Board of Supervisors adopted Resolution No. 36-62 approving that certain map entitled "Map showing Opening of Middle Point Road, West Point Road, Wills Street and Hare Street" approved by the Department of Public Works Order No. 60,009 on December 13, 1961. Said Map was filed for record on February 7, 1962 in Book T of Maps, at Page 34, Official Records of the City and County of San Francisco; and

WHEREAS, On February 7, 1962, SFHA granted fee title to CCSF the lands for public street purposes as described in that certain deed recorded in Book A378, at pages 300 through 310, Official Records. These lands correspond to the public streets known as Middle Point Road, West Point Road, Wills Street and Hare Street; and

WHEREAS, On August 18, 2009, the Board of Supervisors adopted Ordinance No. 192-09 ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements in the Hunters View Project; making environmental findings of consistency with the City's General Plan, Planning Code 101.1, and the Hunters View Project; quitclaiming



the City's interest in the vacation area, reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, easement holders of record and the City; accepting Department of Public Works Order No. 178,144; and authorizing official acts related to this Ordinance; and

WHEREAS, On December 10, 2010, CCSF quitclaimed in fee title the vacated portion of West Point Road to the SFHA per Quitclaim Deed recorded as Document No. 2010-J096686 in Reel K287, at Image 236, Official Records; and

WHEREAS, On December 23, 2010, the Hunters View Phase 1-entitled "Final Map No. 5461" was filed for record in Book DD of Survey Maps, At Pages 90 through 97, Official Records of the City and County of San Francisco; and

WHEREAS, On April 2, 2013, the Department of Public Works received an application to vacate a portion of West Point Road and public service easement as part of the Hunters View Phase 2 Project; and

WHEREAS, On April 3, 2013, the Department of Public Works received the Hunters View Phase 2 Tentative Map application; and

WHEREAS, On July 5, 2013, the City Planning Department determined that the actions contemplated herein are in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) and the Hunters View Redevelopment Project Environmental Impact Report, which was certified on June 12, 2008, and that the proposed vacations and other actions contemplated herein are consistent with the General Plan and the priority policies of Planning Code Section 101.1; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

Section 787(a) of the San Francisco Public Works Code.

There are no physical public or private utility facilities within the Vacation Area except PG&E power transmission lines and various City utilities.

In regard to these utilities the Director recommends that the City reserve a temporary easement for City utilities that will terminate upon the improvement and acceptance of new replacement facilities.

The existing PG&E Easement shall be unaffected by this streetvacation and remain in full force and effect until such time that PG&E, at its sole discretion, quitclaims its rights to the easement.

NOW THEREFORE BE IT ORDERED THAT,

a. The Director recommends the approval of all the following documents attached hereto:



1. Ordinance of Vacation for the Street;
2. Vacation Area SUR Map No. 2013-02

b. The Director further recommends the Board of Supervisors move forward with the legislation to vacate said Streets and public service easements.

c. The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the City with respect to this vacation and authorize the Director of Property to execute any quitclaim deed(s), and reservation of easements on behalf of the City for its utilities.

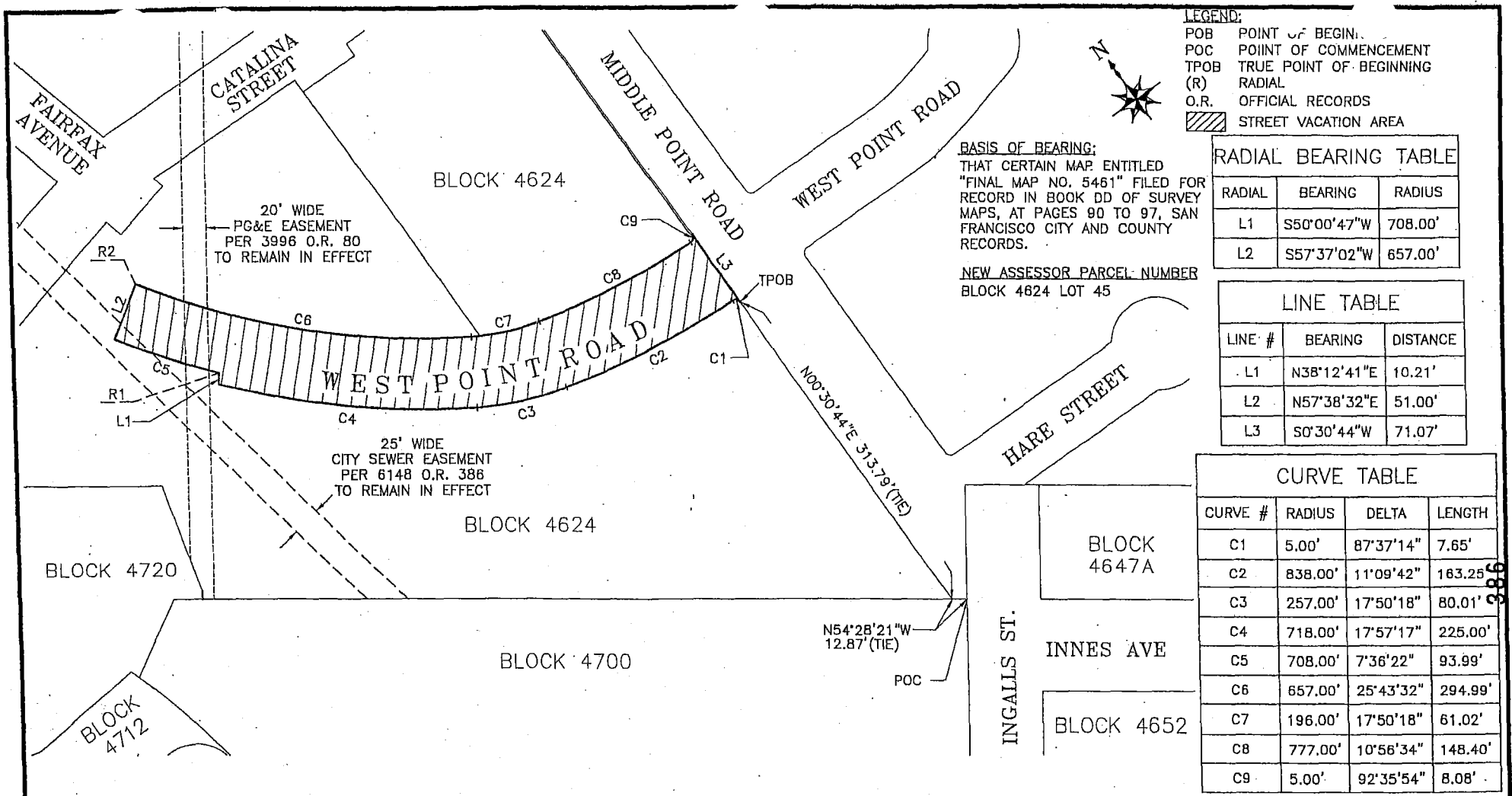
d. The Director further recommends the Board of Supervisors to authorize and direct the Clerk of the Board, Director of Property and Director of Public Works to take any and all actions they or the City Attorney may deem necessary or advisable in order to effectuate the purposes of the Ordinance for Street Vacation.

12/24/2013

X Mohammed Nuru

Nuru, Mohammed
Director-DPW





LEGEND:
 POB POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 TPOB TRUE POINT OF BEGINNING
 (R) RADIAL
 O.R. OFFICIAL RECORDS
 [Hatched Box] STREET VACATION AREA



BASIS OF BEARING:
 THAT CERTAIN MAP ENTITLED
 "FINAL MAP NO. 5461" FILED FOR
 RECORD IN BOOK DD OF SURVEY
 MAPS, AT PAGES 90 TO 97, SAN
 FRANCISCO CITY AND COUNTY
 RECORDS.

NEW ASSESSOR PARCEL NUMBER
 BLOCK 4624 LOT 45

RADIAL BEARING TABLE

RADIAL	BEARING	RADIUS
L1	S50°00'47"W	708.00'
L2	S57°37'02"W	657.00'

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N38°12'41"E	10.21'
L2	N57°38'32"E	51.00'
L3	S0°30'44"W	71.07'

CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH
C1	5.00'	87°37'14"	7.65'
C2	838.00'	11°09'42"	163.25'
C3	257.00'	17°50'18"	80.01'
C4	718.00'	17°57'17"	225.00'
C5	708.00'	7°36'22"	93.99'
C6	657.00'	25°43'32"	294.99'
C7	196.00'	17°50'18"	61.02'
C8	777.00'	10°56'34"	148.40'
C9	5.00'	92°35'54"	8.08'

REFERENCES:
 DD MAPS 90-97
 SUR MAP NO. 1009

APPROVED:

 BRUCE R. STORRS
 CITY & COUNTY SURVEYOR
 DATE: 12/31/13

BY		DATE
DRAWN	PJ	12/18/13
CHECKED		
APPROVED		

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
STREET VACATION OF A PORTION OF WEST POINT ROAD
 SCALE: 1"=80'
 SHEET: 1 OF 1
 FILE: SUR 2013-02
 CHANGE



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: July 5, 2013

Case No. Case No. 2013.0696R

**HUNTERS VIEW- 227-229 WEST POINT ROAD
TENTATIVE MAP, FINAL MAP, STREET VACATION, AND
ACCEPTANCE OF LAND AND FACILITIES**

Block/Lot No.: 4624/029, 031

Project Sponsor: Barbara Moy,
San Francisco Department of Public Works
30 Van Ness Ave. 4th Floor
San Francisco, CA 94102

Applicant: Same as Above

Staff Contact: David Winslow – (415) 575-9159
david.winslow@sfgov.org

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

*Recommended
By:* 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

Hunters View is located in the Bayview Hunters Point neighborhood, around the intersection of West Point Road and Middle Point Road, and contains Assessor's Block 4624, Lots 003, 004, 009; 4720, 027. The revitalization of Hunters View includes the demolition of all existing housing units and community facilities; and the development of up to 800 new housing units, including one-to-one replacement of the existing 267 public housing units. The project will result in a mixed-use, mixed income development which will also include the creation of new streets, walkways, open spaces and community facilities. The project would vacate a section of West Point Road and establish two new rights of way and associated horizontal infrastructure.

The Planning Commission approved the program for Hunters View on June 12, 2008 by Motion Number 17621. This action was followed by Board of Supervisors approval on August 4, 2008 by Ordinance Number 00-08.

**GENERAL PLAN REFERRAL
PROPOSED VACATION
OF A PORTION OF WEST POINT STREET**

CASE NO. 2013.0696R

The improvements are within the Bayview Hunters Point Area Plan which was adopted by the Board of Supervisors and became effective July 20, 1995 by Resolution No. 13917.

1. Street Vacation

The objectives of the Street Vacation for Hunters View Phase 2 are to remove portions of existing streets from the City street system to make way for the project. Access to new development will be by either existing streets or new streets. The following streets are proposed to be vacated:

- **West Point Road:** Abandon all of the City's interest in the sixty foot (60') wide right-of-way of existing West Point Road, approximately six hundred forty feet (640') in length.

2. Tentative Map/Final Map

The Hunters View Phase 2 Tentative Map will be the basis for the Final Map. The Tentative Map prepared by Carlile-Macy dated March 2013, (Exhibit B) provides the following information about the project:

- 379 residential condominium units within 5 lots
- **Middle Point Road:** Construct approximately seven hundred forty feet (740') in length of existing Middle Point Road, fifty-eight and a half feet (58'-6") in width together with new utilities, including mid-block widening for bust stops.
- **Fairfax Avenue:** Construct approximately six hundred feet (600') in length of new public right-of-way, varying from fifty-eight feet (58') to sixty-six feet (66') in width together with new utilities, including corner bulb-outs at the intersections of Middle Point Road and Ironwood way.
- **Ironwood Way:** Construct approximately five hundred thirty five feet (530') in length of right-of-way, fifty-eight feet (58') in width, together with utilities.

3. Acceptance of Horizontal Public Infrastructure

After DPW determines that the facilities have been constructed in accordance with the Plans and Specifications and are ready for their intended use, the Developer (Hunter's View Associates, LP) is obligated to dedicate the Horizontal Infrastructure to the City. The Dedication will be for improvements located on portions of Middle Point Road, and future, Fairfax Avenue, and Ironwood Way and will include the following: streets; curbs, gutters, sidewalks landscaping, street lights, sewer, low pressure water and reclaimed water systems; storm drain, joint utility trench traffic striping and signs as shown on the excerpts of the Improvement Plans attached in Exhibit D. The process for the Acceptance of Facilities will be as follows:

- When the Board of Supervisors (Board) acts on the Final Map it will include approved Improvements Plans (Plans) and a Project Improvement Agreement (PIA).
- The project includes a Public Improvement Agreement (PIA). The City requires a PIA with the project sponsor in case the proposed horizontal public infrastructure is not constructed prior to the Board acting on the Final Map. It allows sale, lease or finance of the lots prior to the completion of the infrastructure. The PIA defines the work by referencing the

GENERAL PLAN REFERRAL
PROPOSED VACATION
OF A PORTION OF WEST POINT STREET

CASE NO. 2013.0696R

improvement plans and requires the posting of a security bond to insure the Developer completes the work. It also provides time limits for completion and provisions for reducing the bonds as the construction proceeds.

- The Plans and PIA specify the scope of the improvements to be constructed and require the developer to post a security bond for faithful performance, labor, materials, and costs to successfully complete the project in accordance with the plans.
- The approval of the final project will be based on the Consistency with the Approved Tentative Map.
- The Department of Public Works will monitor the construction and provide a Completeness Determination: that will state that the work is complete per the approved plans and ready for intended use.
- The Board Acceptance of the Facilities (outlined in the Section on Tentative and Final Map) will be based on the Board's previously approved Plans and the Director of Public Works' "Completeness Determination," based on those Plans.
- After the Final Map is approved, there are no changes to the project that would affect the General Plan Referral Determination. A separate General Plan Referral will be required if the project is revised.
- The development requirements and design guidelines described in the Hunters View Design for Development approved by the Planning Commission by Motion Number 17621 shall be followed for the above mentioned facilities.

SITE DESCRIPTION AND PRESENT USE

ENVIRONMENTAL REVIEW

On 07/03/13, the Environmental Planning Division of the Planning Department determined that the project is Categorically Exempt from Environmental Review. The project was cleared under Department Case 2007.0168E: 227 – 229 West Point Road Environmental Impact Report issued on 03/01/08 and certified on 06/12/08 by Planning Commission Motion 17618.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The project has been reviewed for consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1 and the findings are below.

Note: General Plan Objectives and Policies in **Bold font**;

General Plan text is in regular font.

Staff comments are in *italic text*.

GENERAL PLAN CONSIDERATIONS

General Plan Objectives, Policies, and Principles are in **bold font**, and staff comments are in *italic font*.

HOUSING ELEMENT

OBJECTIVE 1

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

OBJECTIVE 3

ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

The project includes construction of new, modern housing that will replace deteriorating housing units while preserving affordable in rental and ownership dwelling units.

POLICY 3.3

MAINTAIN AND IMPROVE THE CONDITION OF THE EXISTING SUPPLY OF PUBLIC HOUSING.

The project includes one-to-one replacement of the existing public housing units.

OBJECTIVE 4

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

The re-alignment of the street network allow a more efficient use of developable land that increases the capacity of housing.

POLICY 4.2

INCLUDE AFFORDABLE UNITS IN LARGER HOUSING PROJECTS.

The Project will create up to 800 units of new affordable and market-rate housing, including 267 replacement public housing units, including a mix of affordable rental units and up to 450 homeownership units, of which 10-15% will be affordable.

POLICY 8.1

ENCOURAGE SUFFICIENT AND SUITABLE RENTAL HOUSING OPPORTUNITIES AND EMPHASIZE PERMANENTLY AFFORDABLE UNITS WHEREVER POSSIBLE.

POLICY 8.4

ENCOURAGE GREATER ECONOMIC INTEGRATION WITHIN HOUSING PROJECTS AND THROUGHOUT SAN FRANCISCO.

This project proposes a mix of affordable rental and market rate ownership housing to achieve better economic integration.

OBJECTIVE 9

AVOID OR MITIGATE HARDSHIPS IMPOSED BY DISPLACEMENT

POLICY 9.1

MINIMIZE THE HARDSHIPS OF DISPLACEMENT BY PROVIDING ESSENTIAL RELOCATION SERVICES.

The project includes one-to-one replacement of all public housing units.

OBJECTIVE 11

IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO CONTINUE SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

The streets are designed to help create a sense of place in conjunction to the building design, and also to connect to public open spaces that are intended to do the same.

POLICY 11.1

USE NEW HOUSING DEVELOPMENT AS A MEANS TO ENHANCE NEIGHBORHOOD VITALITY AND DIVERSITY.

The project includes a revitalization of Hunter's View which will result in a mixed-income, mixed-use community.

TRANSPORTATION ELEMENT

POLICY 1.2

ENSURE THE SAFETY AND COMFORT OF PEDESTRIANS THROUGHOUT THE CITY.

Safety is a concern in the development and accommodation of any part of the transportation system, but safety for pedestrians (which includes disabled persons in wheelchairs and other ambulatory devices) should be given priority where conflicts exist with other modes of transportation.

The proposed street design includes elements that will improve pedestrian comfort and safety, such as bulb-outs at certain intersections, enhanced landscaping and paving, and raised crosswalks and curb ramps.

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

The project includes new landscaped sidewalks which will improve the pedestrian environment, maximizing these widths will greater improve the pedestrian realm.

URBAN DESIGN ELEMENT

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE AND A MEANS OF ORIENTATION.

The new configuration of the street grid will better serve to better connect to the existing pattern of streets and adjacent neighborhood.

POLICY 2.8

MAINTAIN A STRONG PRESUMPTION AGAINST THE GIVING UP OF STREET AREAS FOR PRIVATE OWNERSHIP OR USE, OR FOR CONSTRUCTION OF PUBLIC BUILDINGS.

Street areas have a variety of public values in addition to carrying vehicular traffic. They are important, among other things, in the perception of the city pattern, in regulating the scale and organization of building development, in creating views, in affording neighborhood open space and landscaping, and in providing light and air and access to properties.

The streets to be vacated will be replaced by streets that are designed appropriately for multiple uses: transit and private vehicles and pedestrians. Furthermore they will align better to existing streets to connect with the existing city pattern and scale, and terminate in places that will provide views and neighborhood open space.

POLICY 2.9

REVIEW PROPOSALS FOR THE GIVING UP OF STREET AREAS IN TERMS OF ALL THE PUBLIC VALUES THAT STREETS AFFORD.

Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permit or other means, shall be judged with the following criteria as the minimum basis for review:

a. No release of a street area shall be recommended which would result in:

- (1) Detriment to vehicular or pedestrian circulation;
- (2) Interference with the rights of access to any private property;
- (3) Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
- (4) Obstruction or diminishing of a significant view, or elimination of a viewpoint; industrial operations;

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(5) Elimination or reduction of open space which might feasibly be used for public recreation;

(6) Elimination of street space adjacent to a public facility, such as a park, where retention of the street might be of advantage to the public facility;

(7) Elimination of street space that has formed the basis for creation of any lot, or construction or occupancy of any building according to standards that would be violated by discontinuance of the street;

(8) Enlargement of a property that would result in (i) additional dwelling units in a multi-family area; (ii) excessive density for workers in a commercial area; or (iii) a building of excessive height or bulk;

(9) Reduction of street space in areas of high building intensity, without provision of new open space in the same area of equivalent amount and quality and reasonably accessible for public enjoyment;

(10) Removal of significant natural features, or detriment to the scale and character of surrounding development.

(11) Adverse effect upon any element of the General Plan or upon an area plan or other plan of the Department of City Planning; or

(12) Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.

No adverse effects listed above are anticipated by the proposed street vacation and replacement.

b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:

(3) Necessary for a significant public or semi-public use, or public assembly use, where the nature of the use and the character of the development proposed present strong justifications for occupying the street area rather than some other site;

(4) For the purpose of permitting a small-scale pedestrian crossing consistent with the principles and policies of The Urban Design Element; or

(5) In furtherance of the public values and purposes of streets as expressed in The Urban Design Element and elsewhere in the General Plan.

The proposed street pattern improves the above criteria.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

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

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

The proposed project is found to be consistent with the eight priority policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The proposed subdivision will not affect any existing neighborhood-serving retail uses because none currently exist on the subdivision site. However, the proposed subdivision will facilitate future opportunities for resident employment and ownership of the neighborhood serving retail uses that will be developed on the site. Small-scale, neighborhood-serving use is permitted in the RM-1 zone pursuant to a Planned Unit Development permit, complying with the Bayview Hunters Point Redevelopment Plan and will be beneficial to the neighborhood's residents.

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

The proposed subdivision will preserve and enhance existing housing and neighborhood character and preserve the economic and cultural diversity of San Francisco's neighborhood. Although 267 units of deteriorating public housing will be demolished, each public housing unit will be replaced on a one-to-one basis. In addition, the proposed subdivision will create at least an additional 83 affordable rental units and up to 450 home ownership units, of which 10-15% will be affordable to restricted income households. It is anticipated that the proposed revitalization of Hunters View will result in a mixed-ethnicity and mixed income community, with much greater housing variety and opportunity than currently exists.

3. That the City's supply of affordable housing be preserved and enhanced.

The proposed subdivision will preserve and existing the City's supply of affordable housing by replacing 267 existing public housing units and Hunters View with new, modern, affordable rental units and adding homeownership units that will be affordable to restricted income households.

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

The proposed subdivision will not result in commuter traffic that will impede MUNI's transit service, or overburden San Francisco's streets or neighborhood parking. Although the proposed subdivision could result in a net increases of up to 533 units I the Hunters View vicinity, this number falls well within the 700 net new units projected for this area that were analyzed in the Bayview Hunters Point Redevelopment Plan EIR. The Transportation Study indicates that the proposed subdivision will contribute to 1 project specific traffic impact at Evans and Third Street, and 5 cumulative (2025) significant traffic impacts, 2 of which can be mitigated to less than significant levels, and 3 of which will be significant unavoidable cumulative adverse traffic impacts. Whereas there is currently no off-street parking for the 267 existing units at this project site, the proposed subdivision will include up to 816 off-street spaces, with the current proposal of approximately 600 off-street parking spaces, so as not to overburden the street.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

The prosed subdivision will develop residential uses on a site that is currently completely devoted to residential uses. The proposed subdivision will not displace any industrial or service sector uses due to commercial office e development, as not industrial or service development exists on the site, and the proposed subdivision does not include commercial office space. The subdivision is entirely residential, except for community space and neighborhood-serving retail space, which offer potential opportunity for resident employment and ownership.

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

The existing deteriorating public housing on the site will be demolished and replaced with modern residential units built to current seismic standards.

7. That landmarks and historic buildings be preserved.

The proposed subdivision will have no effect on landmarks or historic buildings because none exist on the site. A Historic Structures Report for the existing structures has been completed and concluded that the existing public housing is not deemed eligible for listing on the California Historic Register of Historic Places.

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

The proposed subdivision will not affect the City's parks or open space or their access to sunlight and vistas. The new construction on the site will be 2-7 stories in height and a shadow study has been completed and concluded that the new buildings will not cast excessive shadow on any property under the jurisdiction of, or designated for acquisition by the Recreation and Parks Commission. The open space designed to be a part of the proposed subdivision will be privately owned and maintained.

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
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Attachments:

1. Exhibit A: Location Map
2. Exhibit B: Tentative Map
3. Exhibit C: Street Vacation Exhibits
4. Exhibit D: Public Improvement Plan Excerpts
5. Exhibit E: Planning Commission Motion No. 17618
6. Exhibit F: Planning Commission Motion No. 17621
7. Exhibit G: Ordinance No. 200-08
8. Exhibit H: Ordinance No. 201-08
9. Exhibit I: Ordinance No. 202-08
10. Exhibit J: Hunters View Phase 1 Final Map
11. Exhibit K: Hunters View Phase 1 DCP Consistency Determination