



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Motion 17618

HEARING DATE: JUNE 12, 2008

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*Date:* June 12, 2008  
*Case No.:* **2007.0168CETZ**  
*Project Address:* **227 – 229 WEST POINT ROAD**  
*Zoning:* RH-2 (Residential, House Two Family)  
RM-1 (Residential, Mixed Low Density)  
NC-2 (Neighborhood Commercial, Small-Scale)  
M-1 (Light Industrial)  
40-X Height and Bulk District  
*Block/Lot:* 4624/003, 004, 009  
4720/027  
*Project Sponsor:* Hunter's View Associates, LP  
576 Sacramento Street, 7<sup>th</sup> Floor  
San Francisco, CA 94111  
*Staff Contact:* Mat Snyder – 415/575-6891  
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**ADOPTION OF CEQA FINDINGS RELATED TO THE FINAL ENVIRONMENTAL IMPACT REPORT AND PROPOSED PLANNING CODE MAP AMENDMENTS, PLANNING CODE TEXT AMENDMENTS, AND CONDITIONAL USE AUTHORIZATION TO ALLOW THE CONSTRUCTION OF APPROXIMATELY 6,400 SQUARE FEET OF RETAIL USE, 21,600 SQUARE FEET OF COMMUNITY SPACE, AND UP TO 800 DWELLING UNITS IN RM-1, RH-2, NC-2, AND M-1 ZONING DISTRICTS WITH A 40 X HEIGHT AND BULK DESIGNATION ON ASSESSOR'S BLOCK 4624, LOTS 3, 4 & 9 AND BLOCK 4720, LOT 27.**

### PREAMBLE

On February 1, 2007, pursuant to the provisions of the California Environmental Quality Act (Cal. Pub.Res. Code Section 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq., hereinafter CEQA "Guidelines"), and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31"), the Planning Department ("Department") received an Environmental Evaluation Application form for the Project, in order that it might conduct an initial evaluation to determine whether the Project might have a significant impact on the environment.

The Planning Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination and of a public scoping meeting by publication in a newspaper of general circulation on November 17, 2007.

On March 27, 2008, Hunters View Associates, L.P. (hereinafter "Project Sponsor") filed Application No. 2007.0168C (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use authorization per Planning Code Sections 303 and 304 to create a new Planned Unit Development (PUD) to allow the construction up to 800 dwelling units and including the

following exceptions: lot width and area (Planning Code Section 121), rear yards (Planning Code Section 134(a) and (c)), usable open space (Planning Code Section 135), allowable obstructions (Planning Code Section 136), spacing of street trees (Planning Code Section 143), parking (Planning Code Sections 150, 151, 154 and 155), bicycle parking (Planning Code Section 155.5), loading (Section 152), dwelling unit exposure (Section 140), measurement of height (Planning Code Sections 102..12 and 260(a)) and density (Planning Code Section 209.1).

The revitalization of Hunters View will include the demolition of all of the existing public housing units and other community facilities on the site, resulting in a mixed-income community that will include up to 800 new residential units and provide one-for-one replacement of the existing 267 public housing units. The current project proposal includes up to 800 total units, including a total of 350 affordable rental units (267 of which will be the replacement public housing units) and up to 450 home ownership units, of which 10-15% will be affordable and 17 of those will be developed by Habitat for Humanity. This new mixed-income development will result in a range of resident incomes from less than 10% to over 120% of AMI. Additionally, the net proceeds from the sale of the market-rate for-sale units will cross-subsidize a portion of the development costs of the public housing replacement units and affordable rental units.

On May 20, 2008, the Board of Supervisors initiated legislation to amend the Planning Code by adding Section 249.39 and 263.20 establishing the Hope SF Hunters View Special Use District ("SUD") and related Map Change Amendment; the legislation was subsequently transmitted to the Planning Commission for their action under Planning Code Section 302(c). The Planning Code Amendments would allow greater densities on some portions of the site (but not the site as a whole), and would allow some non-residential uses that are currently restricted, and heights greater than 40-feet with the condition that design guidelines or a "Design-for-Development" document be created as part of the Project's Conditional Use / Planned Unit Development approval;

On June 12, 2008, the Department certified the Final Environmental Impact Report for the Hunters View Redevelopment Project (State Clearinghouse No. SCH 2007112086) for the Project (the "Final EIR").

On June 12, 2008, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Map and Text Amendments and Conditional Use Application No. 2007.0168ECTZ.

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 adopts CEQA 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. Where feasible, all significant environmental impacts of the Project have been mitigated to a less than significant level, and to the extent that an environmental impact of the Project cannot feasibly be mitigated to a less than significant level, specific overriding economic, legal, social, technological and other benefits of the Project each independently outweigh these significant and unavoidable impacts and warrant approval of the Project, as stated in the Findings of Fact, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations which is attached hereto as "Attachment A" and incorporated by this reference.

**DECISION**

The Commission, after carefully balancing the competing public and private interests, and based upon the Recitals and Findings set forth above, in accordance with the standards specified in the Code, hereby adopts CEQA findings for the subject Project, which includes up to 800 dwelling units, approximately 6,400 square feet of retail use, approximately 21,600 square feet of community space, approximately 58,300 square feet of parks, and up to 816 off-street parking spaces, at 227-229 West Point Road in three construction phases.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on June 12, 2008.

Linda Avery  
Commission Secretary

AYES: Olague, Antonini, Miguel, Moore, Lee, Sugaya

NOES:

ABSENT:

ADOPTED: JUNE 12, 2008

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**ATTACHMENT A**  
**HUNTERS VIEW REDEVELOPMENT PROJECT**  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**  
**SAN FRANCISCO PLANNING COMMISSION**

**1. INTRODUCTION**

These Findings are made by the Planning Commission of the City and County of San Francisco (the "Planning Commission") pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq., ("CEQA") with respect to the Hunters View Redevelopment Project ("Project"), in light of substantial evidence in the record of Project proceedings, including but not limited to, the Hunters View Redevelopment Project Final Environmental Impact Report ("FEIR") prepared pursuant to CEQA, the State CEQA Guidelines, 14 California Code of Regulations Sections 15000 et seq., (the "CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

This document is organized as follows:

**Article 2** describes the Project.

**Article 3** describes the actions to be taken by the Planning Commission at this time.

**Article 4** provides the basis for approval of the Project, a description of each alternative, and the economic, legal, social, technological, and other considerations that lead to the rejection of alternatives as infeasible that were not incorporated into the Project.

**Article 5** sets forth Findings as to the disposition of each of the mitigation measures proposed in the FEIR.

**Article 6** identifies the unavoidable, significant adverse impacts of the Project that have not been mitigated to a level of insignificance by the adoption of mitigation measures as provided in Article 5.

**Article 7** contains a Statement of Overriding Considerations, setting forth specific reasons in support of the Planning Commission's approval actions for the Project in light of the significant unavoidable impacts discussed in Article 6.

**Exhibit 1**, attached, contains the Mitigation Monitoring and Reporting Program required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in Chapter IV of the FEIR that is required to reduce or avoid a significant adverse impact. Exhibit 1 also specifies the agency or entity responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

Finally, Chapter IV of the FEIR also contains a few measures that are not required to avoid or reduce significant adverse impacts but will reduce less than significant impacts. These measures are listed in Exhibit 1 as Improvement Measures. The Project Sponsor intends to implement these measures as part of the Project implementation. Exhibit 1 explains how the Planning Department will ensure that these measures are implemented during the development of the Project.

## **2. PROJECT DESCRIPTION**

### **2.1 Project Approvals**

The San Francisco Housing Authority (SFHA) and Hunters View Associates, L.P. (Project Sponsor), assisted by the San Francisco Redevelopment Agency (Agency) and the Mayor's Office of Housing, propose the Hunters View Redevelopment Project, in San Francisco's Bayview Hunters Point neighborhood.

The Project Sponsor is Hunters View Associates L.P., a California limited partnership.

The City and County of San Francisco will be taking various approval actions related to the Project (collectively, the "Project Approvals"). The Project requires the following major permits and approvals, and related and collateral actions by the Planning Commission:

- 2.1.2 Adoption of CEQA Findings, including a Statement of Overriding Considerations, mitigation measures, and a mitigation monitoring and reporting program.
- 2.1.3 Certification of the FEIR by the Planning Commission.
- 2.1.4 Adoption by the Planning Commission of Motion No. \_\_\_\_, approving the Conditional Use/Planned Unit Development authorization for the Project, including General Plan consistency/Planning Code § 101.1 findings.
- 2.1.5 Adoption by the Planning Commission of Resolution No. \_\_\_\_, recommending approval by the Board of Supervisors of Ordinance No. \_\_\_\_, adding Planning Code Section 249.39 to create the HOPE SF Hunters View Special Use District.
- 2.1.6 Adoption by the Planning Commission of Resolution No. \_\_\_\_, recommending approval by the Board of Supervisors of Ordinance No. \_\_\_\_, adding Planning Code Section 263.20 to create the HOPE SF Hunters View SUD and 40/65-X Height and Bulk District.
- 2.1.7 Adoption by the Planning Commission of Resolution No. \_\_\_\_, recommending approval by the Board of Supervisors of Ordinance No. \_\_\_\_, amending the Zoning Map of the City and County of San Francisco.

### **2.2 Project Description's Relationship to the FEIR**

The Project, described in detail below, is based on the Project Description contained in Chapter II of the FEIR.

### **2.3 Public Review of FEIR**

The City's Planning Department ("Planning Department") determined that an EIR was required for the initial proposal to redevelop Hunters View and provided public notice of that determination by publication in a newspaper of general circulation on November 17, 2007.

On March 1, 2008, the Planning Department published the Draft Environmental Impact Report (hereinafter "DEIR ") on the Hunters View Redevelopment Project and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Planning Department's list of persons requesting such notice.

Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by the Project Sponsor on March 1, 2008.

On March 1, 2008, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on February 29, 2008.

The Planning Commission held a duly advertised public hearing on the DEIR on April 3, 2008, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on April 14, 2008.

The Planning Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a "Draft Summary of Comments and Responses," published on May 29, 2008, was distributed to the Planning Commission and to all parties who commented on the DEIR, and was available to others upon request at the Planning Department offices.

#### 2.4 FEIR Certification

The Planning Commission has reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31.

The Planning Commission further finds that the FEIR reflects the independent judgment and analysis of the City and County of San Francisco as the lead agency under CEQA.

By this Motion [TBD], the Planning Commission hereby adopts findings pursuant to CEQA, including mitigation measures, a mitigation monitoring and reporting program and a statement of overriding considerations.

### 3. **PLANNING COMMISSION ACTIONS**

The Planning Commission is considering various actions ("Actions") in furtherance of the Project, which include the following:

3.1 Adoption of these CEQA Findings, including a Statement of Overriding Considerations, mitigation measures, and a mitigation monitoring and reporting program; and

3.2 Certification of the FEIR.

3.2.1 Adoption by the Planning Commission of Motion No. \_\_\_\_, approving the Conditional Use/Planned Unit Development authorization for the Project, including General Plan consistency/Planning Code § 101.1 findings.

3.2.2 Adoption by the Planning Commission of Resolution No. \_\_\_\_, recommending approval by the Board of Supervisors of Ordinance No. \_\_\_\_, adding Planning Code Section 249.39 to create the HOPE SF Hunters View Special Use District.

- 3.2.3 Adoption by the Planning Commission of Resolution No. \_\_\_\_, recommending approval by the Board of Supervisors of Ordinance No. \_\_\_\_, adding Planning Code Section 263.20 to create the HOPE SF Hunters View SUD and 40/65-X Height and Bulk District.
- 3.2.4 Adoption by the Planning Commission of Resolution No. \_\_\_\_, recommending approval by the Board of Supervisors of Ordinance No. \_\_\_\_, amending the Zoning Map of the City and County of San Francisco.

#### **4. CONSIDERATION OF PROJECT ALTERNATIVES**

This Article describes the Project as well as rejected Project Alternatives. Included in these descriptions are the reasons for selecting or rejecting the alternatives. This Article also outlines the Project's purposes and provides a context for understanding the reasons for selecting or rejecting alternatives, and describes the project alternative components analyzed in the FEIR. The Project's FEIR presents more details on selection and rejection of alternatives.

##### **4.1 Summary of Alternatives Analyzed in the FEIR**

The FEIR for the Hunters View Redevelopment Project analyzed the Project proposal and three alternatives:

- No Project Alternative
- Reduced-Project Alternative
- No Re-Zoning Alternative: Proposed Project with No Change in Height and Bulk Controls

The Project is expected to yield 800 residential units (267 replacement units for public housing, 83 affordable rental units and up to 450 for sale units), 6,400 square feet of commercial space, 21,600 square feet of community space, and approximately 58,300 square feet of neighborhood parks.

##### **4.2 Overview of the Project**

The Project will be developed on two adjacent parcels. The San Francisco Housing Authority property currently contains 267 public housing units in 50 buildings located on approximately 20.5 acres while the San Francisco Redevelopment Authority property is vacant. The 267 residential units contain approximately 325,000 square feet of space, and there is an additional 7,000 square feet of community serving and storage space on the site. The buildings range in height from one to three stories (or 16 to 28 feet) and currently there are no off-street parking spaces.

The redevelopment of Hunters View will include the demolition of all of the existing public housing units and other community facilities on the site. The redevelopment of Hunters View will result in a mixed-income community that will include between 650 and 800 new residential units and provide one-for-one replacement of the existing 267 public housing units. While subject to adjustment based on further feasibility analysis, the current project proposal includes up to 800 total units, including a total of 350 affordable rental units (267 of which will be the replacement public housing units) and up to 450 home ownership units, of which 10-15% will be affordable and 17 of those will be developed by Habitat for Humanity. This new mixed-income development will result in a range of resident incomes from less than 10% to well over 120% of Adjusted Median Income (AMI). Additionally, the net proceeds from the sale of the market-rate for-sale units will serve as the financial engine of the project by cross-subsidizing a portion of the development costs of the public housing replacement units and affordable rental units.



The Project will also include new roads and walkways that maximize the site's development capacity and enhance resident safety and community connectivity; infrastructure improvements that ensure all residents are adequately served; positioning of buildings and open spaces to maximize the site's long-neglected "million dollar" views for all residents; new community facilities with potential uses such as a teen center, a computer learning facility, a childcare/Head Start center and children's play areas; and comprehensive supportive service programming that will assist residents through every stage of their life cycle. Additionally, the Project will be based on sustainable "green" building technologies and is one of the projects selected for the pilot program in Leadership in Energy and Environmental Design for Neighborhood Design (LEED-ND).

The Project includes up to 800 housing units located in multiple buildings comprising 21 blocks (18 developed and three landscaped parks). The Project includes approximately 6,400 square feet of neighborhood serving retail space, and approximately 21,600 square feet of community serving space and storage. It also includes approximately 58,300 square feet of park space to be developed at three sites. The buildings will range in size from two to seven stories or 20 to 65 feet. There will be up to 816 off-street parking spaces, although the current proposal calls for approximately 672 off-street parking spaces.

#### 4.3 Project Need, Purpose and Objectives

The Project Sponsor's primary objective is to build a high quality, well-designed, cost efficient and affordable mixed-income community that includes units for singles, families and seniors and community facilities that equally serve all residents.

Specific Objectives of the Project include:

- Develop up to 800 units of mixed-income housing;
- Replace all current public housing units, on a one-for-one basis, with high quality comparably affordable units;
- Minimize off-site relocation of residents during construction;
- Provide unit types to best meet the needs of the current and future residents;
- Continue to provide affordable housing opportunities yet decrease the concentration of public housing units by adding additional mixed-income units;
- Create affordable and market rate home ownership opportunities;
- Utilize the sales proceeds from the market rate home ownership component in order to help finance the construction of the public housing units;
- Realign the streets and placement of buildings to result in more typical San Francisco neighborhood and to maximize views for all residents;
- Create greater connectivity to the broader community by adding street and walkway connections where feasible;
- Provide supportive services for residents;
- Remediate the physical hazards of the existing Hunters View;
- Blend the design of the new buildings into the surrounding community;
- Base construction on healthy and green principles;
- Improve public housing facilities, amenities, security, and Americans with Disabilities Act (ADA) access at the site; and

- Create a stable mixed-income community that serves both existing residents as well as new residents.

#### 4.4 Reasons for Selection of the Hunters View Redevelopment Project

The Project is selected because it will achieve all of the Project Objectives and promote achievement of the following goals, which would not be achieved by either the No Project Alternative, the Reduced-Project Alternative, or the No Re-Zoning Alternative:

Increased Affordable Housing and Market Rate Housing – The Project will provide more affordable housing units and more market rate units than any of the alternatives, thus helping to address San Francisco’s significant shortfall in housing, especially affordable housing.

Increased Economic and Business Vitality – The Project will provide more resources for economic revitalization efforts in the Hunters View neighborhood.

#### 4.5 Overview of Other Project Alternatives Considered

The following section presents an overview of the other Project Alternatives analyzed in the FEIR. A more detailed description of each alternative can be found in Chapter VI (Alternatives to the Proposed Project) of the FEIR.

##### *Rejected Alternative: No Project Alternative*

Under the No Project Alternative, no physical land use changes would occur at the site. The existing 267 unit Hunters View public housing development would remain in its current configuration and overall condition.

##### *Rejected Alternative: Reduced-Project Alternative*

Under the Reduced-Project Alternative, only 260 units would be developed at the site. This change would result in 540 fewer housing units than were proposed for the Project.

##### *Rejected Alternative: No-Rezoning Alternative*

The No-Rezoning Alternative would have the same uses as the Project but would not propose a text and map amendment to rezone the Project Site from 40-X to 40/65-X. This alternative would create a total of about 670 residential units, compared to up to 800 units with the proposed Project.

#### 4.6 Reasons for Rejection of Other Project Alternatives

##### *Rejected Alternative: No Project Alternative*

The No Project Alternative is rejected for the following reasons:

Reduced Housing – The No Project Alternative would provide less affordable housing than the proposed Hunters View Redevelopment Project and no market rate housing. This alternative would be inconsistent with the goals of the *Bayview Hunters Point Redevelopment Plan*, which include “encourage construction of new affordable and market rate housing at locations and density levels that enhance the overall residential quality of Bayview Hunters Point.”

Reduced Economic and Business Vitality – The No Project Alternative will provide fewer resources for economic revitalization efforts along the blighted corridors along Third Street and include less direct resources for neighborhood businesses than the Project.

This alternative would not meet any of the Project Objectives.

For the economic, legal, social, technological, and other considerations reasons set forth herein and in the FEIR, the No Project Alternative is rejected as infeasible.

Rejected Alternative: Reduced-Project Alternative

The Reduced-Project Alternative would be partially consistent with the *Bayview Hunters Point Redevelopment Plan*, but would not respond fully to the goals to “encourage construction of new affordable and market rate housing at locations and density levels that enhance the overall residential quality of Bayview Hunters Point” because it would develop only 260 units at the site.

This alternative would have other characteristics similar to those of the proposed Project, and its potential environmental effects would be similar to those described for the proposed Project, except for traffic impacts where the Project’s contribution to significant unavoidable project level and cumulative impacts would be eliminated.

This alternative would limit the ability of the Project Sponsor to meet many of the Project objectives: to develop up to 800 units of mixed-income housing; to provide unit types to best meet the needs of current and future residents; to continue to provide affordable housing opportunities yet decrease the concentration of public housing units by adding additional mixed-income units; to create affordable and market-rate home ownership opportunities; to use the sales proceeds from the market-rate home ownership component to help finance the construction of the public housing units. It would not result in a one to one replacement of the 267 public housing units.

For the economic, legal, social, technological, and other considerations reasons set forth herein and in the FEIR, the No Reduced-Project Alternative is rejected as infeasible.

Rejected Alternative: No-Rezoning Alternative

The No-Rezoning Alternative would be generally consistent with the *Bayview Hunters Point Redevelopment Plan*, but would not respond fully to the goals to “encourage construction of new affordable and market rate housing at locations and density levels that enhance the overall residential quality of Bayview Hunters Point” because it would result in fewer affordable and market-rate housing units at the site.

This alternative would have other characteristics similar to those of the proposed Project, and its potential environmental effects would be similar to those described for the proposed Project. Urban design and visual quality effects of this alternative would differ from those of the proposed Project, as there would be no buildings greater than 40 feet in height.

This alternative would limit the ability of the Project Sponsor to meet many of the Project Objectives without the necessary zoning changes.

For the economic, legal, social, technological, and other considerations reasons set forth herein and in the FEIR, the No Rezoning Alternative is rejected as infeasible.

**5. FINDINGS REGARDING MITIGATION MEASURES**

The California Environmental Quality Act (CEQA) requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible.

The findings in this section concern mitigation measures set forth in the FEIR. These findings discuss mitigation measures as proposed in the FEIR and recommended for adoption by the Planning Commission, which can be implemented by the Project Sponsor **[and City agencies or departments, including, but not limited to, the Department of City Planning ("Planning Department"), the Department of Public Works ("DPW"), the Municipal Transportation Agency ("MTA"), the Department of Building Inspection ("DBI"), the Department of Public Health ("DPH") and the Department of Parking and Traffic ("DPT").]**

Primary responsibility for implementation of mitigation measures will be shared by the Project Sponsor and the Planning Department.

As explained previously, **Exhibit 1**, attached, contains the Mitigation Monitoring and Reporting Program required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in Chapter IV of the FEIR that is required to reduce or avoid a significant adverse impact. Exhibit 1 also specifies the entity and/or agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

The Planning Commission finds that, based on the record before it, the mitigation measures proposed for adoption in the FEIR, other than Mitigation Measures D-1 through D-6, are feasible, and that they can and should be carried out by the identified entity and/or agencies at the designated time. This Planning Commission urges other agencies to adopt and implement applicable mitigation measures set forth in the FEIR that are within the jurisdiction and responsibility of such entities. The Planning Commission acknowledges that if such measures are not adopted and implemented, the Project may result in additional significant unavoidable impacts. For this reason, and as discussed in Article 6, the Planning Commission is adopting a Statement of Overriding Considerations as set forth in Article 7.

The Findings in this section concern mitigation measures set forth in the FEIR. All feasible mitigation measures identified in the FEIR that will reduce or avoid significant adverse environmental impacts are proposed for adoption and are set forth in Exhibit 1, in the Mitigation Monitoring and Reporting Program. Mitigation Measures D-1, D-2 and D-6 set forth in the FEIR require further analysis to determine their feasibility and are proposed for adoption if found feasible. Mitigation Measures D-3, D-4 and D-5 set forth in the FEIR are rejected as infeasible and therefore are not included in the Mitigation Monitoring and Reporting Program. None of the other mitigation measures set forth in the FEIR that are needed to reduce or avoid significant adverse environmental impacts is rejected.

#### 5.1 Mitigation Measures Recommended by the Planning Commission for Adoption As Proposed For Implementation by City Departments and the Agency.

The Planning Commission finds that the following measures presented in the FEIR will mitigate, reduce, or avoid the significant environmental effects of the Project. They are hereby recommended for adoption and implementation by the City departments with applicable jurisdiction in the approval of the Project, as set forth below.

#### *Air Quality*

Mitigation Measure E-1.A: Construction Dust Control

Construction activities would generate airborne dust that could temporarily adversely affect the surrounding area. The principal pollutant of concern would be PM10. Because construction-related PM10 emissions primarily affect the area surrounding a project site, the BAAQMD recommends that all dust control measures that the BAAQMD considers feasible, depending on the size of the project, be implemented to reduce the localized impact to the maximum extent. To reduce particulate matter emissions during project excavation and construction phases, the Project Sponsor shall comply with the dust control strategies developed by the BAAQMD. The Project Sponsor shall include in construction contracts the following requirements or other measures shown to be equally effective.

- Cover all truck hauling soil, sand, and other loose construction and demolition debris from the site, or require all such trucks to maintain at least two feet of freeboard;
- Water all exposed or disturbed soil surfaces in active construction areas at least twice daily;
- Use watering to control dust generation during demolition of structures or break-up of pavement;
- Pave, apply water three times daily, or apply(non-toxic) soil stabilizers on all unpaved parking areas and staging areas;
- Sweep daily (with water sweepers) all paved parking areas and staging areas;
- Provide daily clean-up of mud and dirt carried onto paved streets from the site;
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible;
- Hydroseed or apply(non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- Install windbreaks at the windward side(s) of construction areas;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more; and
- To the extent possible, limit the area subject to excavation, grading, and other dust-generating construction activity at any one time.

#### Mitigation Measure E-1.B: Construction Equipment Emissions

Reduce emissions from heavy-duty diesel-powered equipment. The Project Sponsor shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site during project excavation and construction phases. The Project Sponsor shall include in construction contracts the following requirements or other measures shown to be equally effective.

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications;
- Use late model heavy-duty diesel-powered equipment at the project site to the extent that

it is readily available in the San Francisco Bay Area;

- Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the San Francisco Bay Area;
- Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the San Francisco Bay Area (this does not apply to diesel-powered trucks traveling to and from the site);
- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the San Francisco Bay Area;
- Limit truck and equipment idling time to five minutes or less;
- Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

#### Mitigation Measure E-2: Naturally Occurring Asbestos Control

The Project Site is known to have serpentine rock that contains naturally occurring asbestos, disturbance to which could result in potentially significant impacts to air quality. The Project Sponsor will be responsible for compliance with Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operation as enforced by CARB. These measures require that areas greater than one acre that have any portion of the area to be disturbed located in a geographic ultramafic rock unit or has naturally occurring asbestos, serpentine, or ultramafic rock as determined by the sponsor or an Air Pollution Control Officer shall not engage in any construction or grading operation on property where the area to be disturbed is greater than one acre unless an Asbestos Dust Mitigation Plan for the operation has been:

- Submitted to and approved by the district before the start of any construction or grading activity; and
- The provisions of that dust mitigation plan are implemented at the beginning and maintained throughout the duration of the construction or grading activity.

Compliance with these dust control measures would reduce air quality impacts to a less-than-significant level.

#### *Noise*

##### Mitigation Measure F-1: Construction Noise

To the extent feasible, the Project Sponsor shall limit construction activity to the hours of 7:00a.m. to 6:00 p.m. on weekdays, and 7:00 a.m. to 5:00 p.m. on Saturdays and Sundays. If nighttime construction is required, the Project Sponsor shall apply for, and abide by the terms of, a permit from the San Francisco Department of Public Works. The Project Sponsor shall require contractors to comply with the City Noise Ordinance.

Construction contractors shall implement appropriate additional noise reduction measures that include using noise-reducing mufflers and other noise abatement devices, changing the location of stationary construction equipment, where possible, shutting off idling equipment, and notifying adjacent residences and businesses in advance of construction work. In addition, the Project Sponsor shall require the posting of signs prior to construction activities with a phone number for residents to call with noise complaints.

## Mitigation Measure F-2: Construction Vibration

The Project Sponsor shall provide notification to the closest receptors, at least ten days in advance, of construction activities that could cause vibration levels above the threshold.

The Project Sponsor shall require construction contractors to conduct demolition, earthmoving, and ground-impacting operations so as not to occur in the same time period.

The Project Sponsor shall require construction contractors to, where possible, and financially feasible, select demolition methods to minimize vibration (e.g., sawing masonry into sections rather than demolishing it by pavement breakers)

The Project Sponsor shall require construction contractors to operate earth moving equipment on the construction site as far away from vibration sensitive sites as possible. The construction contractor shall implement methods to reduce vibration, including, but not limited to, sound attenuation barriers, cut off trenches and the use of smaller hammers.

## Mitigation Measure F-3: Mechanical Equipment

The proposed Project is zoned as Residential-1 zone, which is prohibited by *San Francisco Police Code Section 2909*, to have a fixed source noise that exceeds 50 dBA, at the property line, between 10:00 p.m. and 7:00 a.m. The proposed Project's mechanical equipment could exceed 50 dBA at the property line. The Project sponsor shall provide shielding to minimize noise from stationary mechanical equipment, including ventilation units, such that noise levels from the equipment at the nearest property line would be below 50 dBA.

The incorporation of Mitigation Measures F-1, F-2 and F-3 would reduce construction and operational noise and vibration impacts to less than significant levels.

## ***Biological Resources***

### Mitigation Measure G-1: Bird Nest Pre-Construction Survey

Given that the presence of mature eucalyptus trees (*Eucalyptus* sp.) on the Project Site could potentially provide nesting habitat for raptors (i.e., birds of prey) such as red-tailed hawk and American kestrel, among others, tree removal associated with the proposed Project could result in "take" caused by the direct mortality of adult or young birds, nest destruction, or disturbance of nesting native bird species (including migratory birds and other special-status species) resulting in nest abandonment and/or the loss of reproductive effort. Bird species are protected by both state (CDFG Code Sections 3503 and 3513) and federal (Migratory Bird Treaty Act of 1918) laws. Disruption of nesting birds, resulting in the abandonment of active nests, or the loss of active nests through structure removal would be a potentially significant impact.

The Project Sponsor shall retain a qualified biologist to conduct preconstruction breeding-season surveys (approximately March 15 through August 30) of the Project Site and immediate vicinity during the same calendar year that construction is planned to begin, in consultation with the City of San Francisco and CDFG.

- If phased construction procedures are planned for the proposed Project, the results of the above survey shall be valid only for the season when it is conducted.
- A report shall be submitted to the City of San Francisco, following the completion of the bird nesting survey that includes, at a minimum, the following information:

- A description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted.
- A map showing the location(s) of any bird nests observed on the Project Site.

If the above survey does not identify any nesting bird species on the project site, no further mitigation would be required. However, should any active bird nests be located on the Project Site, the following mitigation measure shall be implemented.

#### Mitigation Measure G-2: Bird Nest Buffer Zone

The Project Sponsor, in consultation with the City and County of San Francisco and California Department of Fish and Game (CDFG), shall delay construction in the vicinity of active bird nest sites located on or adjacent to the Project Site during the breeding season (approximately March 15 through August 30) while the nest is occupied with adults and/or young. If active nests are identified, construction activities should not occur within 500 ft of the nest. A qualified biologist, determined by the Environmental Review Officer, shall monitor the active nest until the young have fledged, until the biologist determines that the nest is no longer active, or if it is reasonable that construction activities are not disturbing nesting behaviors. The buffer zone shall be delineated by highly visible temporary construction fencing.

Implementation of Mitigation Measures G-1 and G-2 will avoid significant adverse effects on bird species.

#### Mitigation Measure G-3: Serpentine Grassland Pre-Construction Measures on the PG&E Property

Remaining examples of serpentine grass land are extremely rare in the Bay Area; each remnant lost contributes to the overall decline of biodiversity within the region. Many of the native plant species associated with serpentine grass lands are endemic (i.e., locally restricted) to this habitat type. If the Project Sponsor can obtain site control for an easement on the PG&E property, construction of the proposed pedestrian walkway from the Hunters View site could impact remnants of serpentine grassland on the PG&E site. Any loss of serpentine grassland could represent a potentially adverse impact to this community type.

Due to the presence of steep slopes, all construction activities associated with the pedestrian route on the PG&E property, if it is developed, shall occur during the dry season (typically from the end of May to mid-October) to limit the likelihood of soil erosion and to minimize the need to install erosion-control barriers (e.g., silt fencing, wattles) that may impact existing serpentine bunchgrass remnants from their placement along slope contours.

Prior to the initiation of any construction activities on the PG&E property, the Project Sponsor shall prepare a detailed plan showing proposed construction-related activities on the PG&E site. A qualified botanist familiar with serpentine bunchgrass communities shall conduct a pre-construction survey of the PG&E property, during the portion of the growing season when most native vascular plant species previously documented as occurring on the site are evident and readily identifiable. Any areas containing remnants of serpentine bunchgrass habitat outside the proposed footprint for the walkway (including access routes), but within 20 feet of these areas shall be clearly delineated by appropriate avoidance markers (e.g., orange construction fencing, brightly colored flagging tape on lath stakes). An appropriate access route to and from the walkway area shall be developed, utilizing existing service roads and/or concrete building pads to avoid remnants of serpentine bunchgrass. Staging areas for this construction shall be limited to areas where remnants of serpentine bunchgrass do not occur.



The Project Sponsor shall conduct Worker Environmental Awareness Program (WEAP) training for construction crews (primarily crew and construction foreman) and City inspectors before construction activities begin. The WEAP shall include a brief review of the serpentine bunchgrass resource that occurs on the PG&E site. The program shall also cover all mitigation measures, and proposed Project plans, such as BMPs and any other required plans. During WEAP training, construction personnel shall be informed of the importance of avoiding ground-disturbing activities outside of the designated work area. The designated biological monitor shall be responsible for ensuring that construction personnel adhere to the guidelines and restrictions. WEAP training sessions shall be conducted as needed for new personnel brought onto the job during the construction period.

#### Mitigation Measure G-4: Serpentine Habitat Avoidance on the PG&E Property

Best Management Practices (BMPs) shall be employed during all construction activities on the PG&E site (e.g., all fueling of equipment within designated areas, containment of hazardous materials in the advent of accidental spills).

#### Mitigation Measure G-5: Serpentine Habitat Post-Construction Clean-Up on the PG&E Property

After construction is complete, all trash shall be removed from within the PG&E site.

#### Mitigation Measure G-6: Serpentine Habitat Replanting on the PG&E Property

After construction is complete, all areas of identified serpentine bunchgrass habitat on the PG&E property impacted by construction activities shall be restored to a level equal to, or exceeding the quality of habitat that existed before impacts to these habitats occurred. Mitigation shall be achieved by implementation of the following planting plan:

- Installation of transplants and/or planting of locally-collected seeds from native plant species associated with serpentine grassland habitats into areas impacted by the proposed Project. The frequency, density, and distribution of native species used within the mitigation plantings shall be determined through consultation with appropriate resource agencies, organizations, and practitioners. Installation shall be supervised by a qualified horticulturalist or botanist. Measures to reduce transplant mortality may include, but are not limited to the following:

- Placement of cages, temporary fences, or other structures to reduce small mammal access, until transplants are sufficiently established;
- Any weeding around transplants to reduce competition from non-native species shall be done manually;
- Placement of a temporary irrigation system or periodic watering by mobile equipment sources for the first two years until transplants are sufficiently established.

General success of the mitigation plantings shall be measured by the following criteria:

Periodically assess the overall health and vigor of transplants during the growing season for the first three years; no further success criteria is required if transplants within the mitigation plantings have maintained a 70 percent or greater success rate by the end of the third year. If transplant success rate is below 70 percent by the end of the third year, a contingency plan to replace transplants due to mortality loss (e.g., foraging by small mammals, desiccation) shall be implemented.

Implementation of Mitigation Measures BIO.3 through BIO.6 will avoid significant adverse effects on serpentine grassland habitat.

#### Mitigation Measure G-7: Significant trees

The Project will comply with Article 16 of the Public Works Code for protection for significant trees. "Significant trees" are defined as trees within 10 feet of a public right-of-way, and also meet one of the following size requirements:

- 20 feet or greater in height;
- 15 feet or greater in canopy width; or
- 12 inches or greater diameter of trunk measured at 4.5 feet above grade.

Street trees are also protected by the City's Urban Forestry Ordinance and both require a permit for removal. Some tree species within the Project Site meet the criterion of "Significant Tree" status; before construction occurs within any portions of the Project Site that could contain "Significant Trees," a tree survey shall be performed by a qualified arborist, and a map shall be prepared showing the genus and species, location, and drip line of all trees greater than 36 inches in diameter at breast height (DBH) or greater that are proposed to be altered, removed, or relocated. Any removal of these trees associated with the proposed Project will require a permit review, and replacement of affected "significant" trees as specified in the ordinance. Adherence to the ordinance will avoid the potential impact on the loss of significant trees.

#### Mitigation Measure H-1: Archaeological Resources

Based on the reasonable potential that archaeological 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 archaeological consultant having expertise in California prehistoric and urban historical archeology. The archaeological consultant shall undertake an archaeological monitoring program during construction activities in Blocks 13, 18, and 19 (as shown on Figure 2 in the FEIR). The archaeological consultant shall first undertake a geoarchaeological study of this project sub-area to determine if any buried land surfaces available for prehistoric occupation are present. 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. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the proposed 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 archaeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

*Archaeological monitoring program (AMP).* The archaeological monitoring program shall at a minimum include the following provisions:

- The archaeological 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 project archeologist shall determine what project activities shall be archaeologically 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 archaeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;

- The archaeological 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 archaeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archaeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archaeological consultant determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed Project, at the discretion of the Project Sponsor either:

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

If an archaeological data recovery program is required by the ERO, the archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The project archaeological consultant, Project Sponsor, and ERO shall meet and consult on the scope of the ADRP. The archaeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological 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 archaeological 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 archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological 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, 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, including 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 archaeological 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, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.
- *Final Archaeological Resources Report.* The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to 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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Compliance with this mitigation measure would reduce impacts to undiscovered cultural resources to a less-than-significant level.

#### Mitigation Measure H-2: Hazardous Building Materials Survey

Given the age of the buildings to be demolished it is likely that Hazardous Building Materials are present. Improper disposal of these materials could result in a potentially significant impact to the environment.

Therefore, prior to demolition of existing buildings, light fixtures and electrical components that contain PCBs or mercury should be identified, removed and disposed of in accordance with the Department of Toxic Substances Controls “universal waste” procedures. Compliance with these procedures would reduce impacts to a less-than-significant level.

#### Mitigation Measure H-3: Contaminated Soil Identification

Lead contaminated soil was identified in several locations on the Project Site. The improper handling or disposal of lead contaminated soil would constitute a significant impact.

Therefore, prior to issuance of a grading permit a Phase II analysis should be conducted on the Project Site. The Phase II shall include comprehensive soil sampling and laboratory analysis with the goal of identifying lead, chromium and contaminated soils. The scope of this Phase II analysis should be developed in cooperation with the San Francisco Department of Public Health.

If the results of this Phase II analysis indicate that contaminated soils is, in fact present on the site, Mitigation Measure H-4, below, shall also be incorporated.

#### Mitigation Measure H-4: Contaminated Soil Disposal

Based on the findings of the Phase II analysis conducted under Mitigation Measure H-3, a soil remediation and disposal plan shall be developed that includes a plan for on-site reuse or disposal of contaminated soils. In the event that soils are contaminated beyond DTSC thresholds, load-and-go procedures should be identified as well as the Class I landfill for disposal.

Incorporation of Mitigation Measures H-3 and H-4 would reduce impacts that result from handling and disposal of contaminated soils to a less-than-significant level.

### 5.2 Mitigation Measures Requiring Further Analysis to Determine Their Feasibility

The following Mitigation Measures set forth in the FEIR require further analysis to determine their feasibility. They are proposed for adoption if determined to be feasible and therefore are conditionally adopted. If the Mitigation Measures are determined to be unfeasible, the impacts will remain significant and unavoidable.

#### Mitigation Measure D-1: Third Street/Evans Avenue

The signalized Third Street/Evans Avenue intersection would degrade from LOS D (average delay of 35.7 seconds per vehicle) to LOS E (average delay of 60.9 seconds per vehicle) with the addition of the project-generated traffic to baseline conditions. The intersection is actuated by video detection equipment and accommodates pedestrians, bicycles, vehicles, and the T-Third Street MUNI line. The T-Third Street MUNI line occupies the center median and makes several trips during the PM peak period. The northbound and southbound through movements are coordinated. The proposed Project would add 324 vehicles per hour to the intersection during the PM peak period. The most significant traffic volume increase would occur at the southbound left turn movement (83 vehicles per hour) which is already projected to operate at LOS F during the PM peak hour in the Baseline Conditions.

The project impacts at the Third Street/Evans Avenue intersection could be mitigated by adjusting the maximum allowable southbound left turn green time. In the Baseline plus Project Conditions, the southbound left turn movement is projected to have an allotted green time of 11 seconds per 100-second cycle (LOS F) and the opposing northbound through movement is projected to have an allotted green time of 37 seconds per 100-second cycle (LOS B). To

mitigate the impact caused by the proposed Project, the southbound left turn green time could be increased to 16 seconds per 100-second cycle and the opposing northbound through movement green time could be decreased to 32 seconds per 100-second cycle.

With the signal timing modification, the intersection is expected to operate at LOS D with an average delay of 37.1 seconds per vehicle. It should also be noted that the implementation of the proposed mitigation measure would be dependent upon an assessment of transit and traffic coordination along Third Street and Evans Avenue to ensure that the changes would not substantially affect MUNI transit operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.

While the mitigation measure described above would reduce the significant Project impacts, further analysis is required to determine feasibility. Therefore, the Project would contribute to a significant unavoidable adverse impact at this intersection.

#### Mitigation Measure D-2: Third Street/25<sup>th</sup> Street

The signalized Third Street/25thStreet intersection would degrade from LOS B (average delay of 18.9 seconds per vehicle) to LOS E (average delay of 76.6 seconds per vehicle) with 2025 Cumulative Conditions. The intersection would be actuated by video detection equipment and accommodate pedestrians, bicycles, vehicles, and the T-Third Street light rail line. The T-Third Street light rail line occupies the center median. Additionally, light rail tracks will occupy the westbound approach to the intersection to access the Metro East MUNI maintenance facility which is currently under construction. Light rail vehicles are not expected to use these tracks during the PM peak period. The northbound and southbound vehicle through movements would be coordinated. The proposed Project would add 280 vehicles per hour to the intersection during the PM peak period – a contribution of 9.9 percent to the overall growth.

A substantial amount of the delay at the Third Street/25thStreet intersection would be caused by the permitted eastbound and westbound through and right-turn movements. 25th Street would have one all-movement lane in each direction. To the west of the intersection, 25th Street is approximately 40 feet wide and accommodates on-street parking. To the east of the intersection, 25th Street is approximately 30 feet wide and does not accommodate on-street parking. With the removal of the on-street parking to the west of the Third Street/25thStreet intersection, the eastbound approach would have sufficient width to accommodate a through- left lane and an exclusive right turn lane. The eastbound right turn lane could include an overlap phase to coincide with the northbound left-turn phase, with U-turns from northbound Third Street prohibited. With this modification, the intersection steady demand green time splits could be recalculated, while maintaining a 100-second cycle length. The green time allotted to the T-Third Street trains and intersection offset would not be modified with the implementation of this mitigation measure. With the re-striping of the eastbound approach, the removal of on-street parking, addition of an eastbound right-turn overlap phase, and recalculation of the signal timing steady demand green time splits, the Third Street/25thStreet intersection would operate at LOS D with an average delay of 35.9 seconds per vehicle.

While mitigation has been identified to reduce impacts, further analysis of some of the measures is required to determine feasibility. Therefore, the Project would contribute to a significant unavoidable cumulative adverse impact at this intersection.

#### Mitigation Measure D-6: Middle Point Road/Evans Avenue

The all-way stop-controlled Middle Point Road/Evans Avenue intersection would degrade from LOS A (average delay of 8.4 seconds per vehicle) to LOS F (average delay of more than 50.0 seconds per vehicle) in the 2025 Cumulative Conditions. The intersection would accommodate

pedestrians, bicycles, and vehicles. The proposed Project would add 580 vehicles per hour to the intersection during the PM peak period – a contribution of 22.3 percent to the overall growth.

A substantial amount of the delay at the Middle Point Road/Evans Avenue intersection would be caused by the southbound and westbound approaches. The southbound Middle Point Road/Jennings Street approach would have one all-movement lane. The westbound Evans Avenue approach would have one left-turn lane, one through lane, and one through-right-turn lane.

The expected traffic volumes at the all-way stop-controlled Middle Point Road/Evans Avenue intersection, would meet signal warrants and signalization would be required. With the existing geometry, the intersection would continue to operate at an unacceptable level (LOS F), even with signalization.

Removal of the on-street parking on Middle Point/Jennings to the north of the Middle Point Road/Evans Avenue intersection, would allow the southbound approach to provide an exclusive left-turn lane and a shared left-through-right lane.

With the installation of an actuated-uncoordinated traffic signal, southbound and westbound approach lane reconfiguration, and removal of on-street parking, the Middle Point Road/Evans Avenue intersection would operate at LOS D, with an average delay of 53.1 seconds per vehicle.<sup>122</sup> Implementation of the proposed mitigation measure would be dependent upon an assessment of traffic coordination along Evans Avenue to ensure that the changes would not substantially affect signal progressions, pedestrian conditions requirements, and programming limitations of signals.

While mitigation has been identified to reduce impacts, further analysis is required to determine its feasibility. Therefore, the Project would contribute to a significant unavoidable cumulative adverse impact at this intersection.

### 5.3 Mitigation Measures Rejected by the Planning Commission As Infeasible

The Following Mitigation Measures set forth in the FEIR are rejected as infeasible.

#### Mitigation Measure D-3: Third Street/Cesar Chavez Street

The signalized Third Street/Cesar Chavez Street intersection would degrade from LOS C (average delay of 32.0 seconds per vehicle) to LOS F (average delay of more than 80.0 seconds per vehicle) with 2025 Cumulative Conditions. The intersection would be fully actuated by video detection equipment and accommodate pedestrians, bicycles, vehicles, and the T-Third Street light rail line. The T-Third Street light rail line occupies the center median. Additionally, light rail tracks will occupy the westbound approach of the intersection to the Metro East MUNI maintenance facility which is currently under construction. Light rail vehicles are not expected to use these tracks during the PM peak period. The northbound and southbound vehicle through movements would be coordinated. The proposed Project would add 343 vehicles per hour to the intersection during the PM peak period – a contribution of 11.3 percent to the overall growth.

A substantial amount of the delay at the Third Street/Cesar Chavez Street intersection would be caused by the permitted eastbound and westbound through and right-turn movements. The westbound Cesar Chavez approach would consist of one all-movement lane in the 2025 Cumulative Conditions. The eastbound Cesar Chavez approach would consist of two left-turn lanes, one through lane, and one exclusive right turn lane in the 2025 Cumulative Conditions. All intersection approaches would be geometrically constrained by existing structures and the T-Third Street light rail line in the center median. Cycle length at this intersection would be

constrained because the signal would be part of the Third Street signal system with a maximum 100-second cycle length to allow priority for the Third Street light rail operations.

Given the exclusive eastbound right-turn lane and the northbound left-turn phase, the eastbound right-turn lane could include an overlap phase to coincide with the northbound left-turn phase. With the addition of an eastbound right-turn overlap phase, the Third Street/Cesar Chavez intersection would continue to operate at LOS F with an average delay greater than 80.0 seconds per vehicle.

Changes in signal timing and phasing would not mitigate intersection conditions. To mitigate the intersection to an acceptable level of service, major modifications to the intersection geometry would be required. Due to the constraints on Third Street and Cesar Chavez Street, including existing structures that would have to be acquired, such intersection modifications are not considered feasible. The Project's contribution to 2025 Cumulative Conditions at the Third Street/Cesar Chavez Street intersection would be a significant and unavoidable impact.

#### Mitigation Measure D-4: Illinois Street/Cargo Way/Amador Street

The signalized Illinois Street/Cargo Way/Amador Street intersection would degrade from LOS C (average delay of 26.9 seconds per vehicle) to LOS F (average delay of more than 80.0 seconds per vehicle) in the 2025 Cumulative Conditions. The intersection would accommodate pedestrians, bicycles, vehicles, and a significant amount of heavy truck traffic. Additionally, Union Pacific Railroad tracks will pass through the intersection and the two-lane Illinois Street Bridge to provide rail freight access for local industrial uses. Rail traffic is not expected to use these tracks during the PM peak-period. The proposed Project would add 332 vehicles per hour to the intersection during the PM peak period – a contribution of 18.9 percent to the overall growth.

A substantial amount of the delay at the Illinois Street/Cargo Way/Amador Street intersection would be caused by the protected southbound left- and westbound right-turn movements. The southbound Illinois Street approach would consist of one all-movement lane in the 2025 Cumulative Conditions. The westbound Cargo Way approach would consist of one through lane and one through-right-turn lane in the 2025 Cumulative Conditions. All intersection approaches are geometrically constrained by existing structures and the two-lane Illinois Street Bridge. Cycle length at this intersection would be constrained because the signal would be part of the Third Street signal system with a maximum 100-second cycle length to allow priority for the Third Street light rail operations.

The westbound through and right-turn traffic volumes are expected to be similar in the 2025 Cumulative Conditions. Therefore, the westbound approach lanes could be divided into two independent movements – one through lane and one exclusive right-turn lane. Given the exclusive westbound right-turn lane and the southbound left-turn phase, the westbound right-turn lane could include an overlap phase to coincide with the southbound left-turn phase.

With the westbound approach lane reconfiguration, the Illinois Street / Cargo Way / Amador Street intersection would operate at LOS E with an average delay of 56.0 seconds per vehicle in 2025 Cumulative Conditions. To mitigate the intersection to an acceptable level of service, major modifications to the network geometry would be required. Due to the physical constraints at the intersection, particularly on the Illinois Street Bridge, geometric modifications would be infeasible, and the cumulative effects would be significant and unavoidable. Therefore, the Project would contribute to a significant unavoidable cumulative impact at this intersection.

#### Mitigation Measure D-5: Third Street/Evans Avenue



The signalized Third Street/Evans Avenue intersection would degrade from LOS E (average delay of 60.9 seconds per vehicle) to LOS F (average delay of more than 80.0 seconds per vehicle) in the 2025 Cumulative Conditions. The intersection would be actuated by video detection equipment and accommodate pedestrians, bicycles, vehicles, and the T-Third Street light rail line. The T-Third Street light rail line occupies the center median. The proposed Project would add 324 vehicles per hour to the intersection during the PM peak period – a contribution of 9.8 percent to the overall growth.

Substantial delays are expected at all intersection movements; specifically, the southbound left-turn movement and the conflicting northbound through movement. All intersection approaches would be constrained by existing structures and the T-Third Street light rail line in the center median.

Based on the heavy traffic volumes and site constraints, signal phasing and signal timing changes would not improve the Third Street/Evans Avenue operations to acceptable levels. The intersection would continue to operate at LOS F. Therefore, the Project would contribute to a significant unavoidable cumulative impact at this intersection.

#### 5.4 Findings on Adoption of a Mitigation Monitoring and Reporting Program

The Planning Commission finds that the Mitigation Monitoring and Reporting Program attached hereto as Exhibit 1 (the “Program”), is designed to ensure compliance during Project implementation. The Planning Commission further finds that the Program presents measures that are appropriate and feasible for adoption and the Program should be adopted and implemented as set forth herein and in Exhibit 1.

#### 5.5 Improvement Measures

In addition to the mitigation measures contained in Exhibit 1, Chapter IV of the FEIR contains a few measures that are not required to avoid or reduce significant adverse impacts but will reduce less than significant impacts. These measures are referred to here and in Exhibit 1 as Improvement Measures. CEQA does not require the Planning Department or other implementing agencies to adopt these measures. Exhibit 1 explains how the Planning Department will ensure that each of these measures is implemented during the Project.

Improvement Measure D.1: Construction Traffic. Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA) would minimize disruption of the general traffic flow on adjacent streets during the AM and PM peak periods. In addition, the Project Sponsor and construction contractor(s) would meet with the Traffic Engineering Division of the SFMTA, the Fire Department, MUNI, and the Planning Department to determine feasible measures to reduce traffic congestion. Including transit disruption and pedestrian circulation impacts during construction of the proposed Project.

Improvement Measure G-1: Native Species Replanting. Once construction activities are completed a long-term program could be implemented to enhance and restore the existing serpentine bunchgrass habitat on the PG&E site and/or create “native habitat” areas on the Project Site. This Improvement Measure would create “native habitat” areas on some portions of the Project Site that are planned for landscaping or open space as part of the Project. Implementation of this Improvement Measure on the PG&E property would be the responsibility of PG&E.

- Seeds of locally-collected native species could be collected from valid reference sites within the surrounding area. From these seeds, transplants could be raised by local gardening clubs, science classes from local public schools, etc. Installation would be supervised by a qualified horticulturalist and/or botanist.
- On-going community programs undertaken by local citizen groups to remove trash and rehabilitate degraded portions of the PG&E site to expand higher-quality serpentine grassland habitat could be conducted.
- Management of invasive, non-native herbaceous and woody species would include reseedling of native plants and manual removal (e.g., by hand, loppers, chainsaws), and possibly some selective chemical applications to control highly competitive exotic species. Invasive, non-native tree species such as eucalyptus<sup>1</sup> could be systematically removed after any pre-construction nesting surveys for bird species have been conducted.
- A long-term monitoring program could be implemented by enlisting the support from science educators from local public schools and community colleges. Permanent transects could be established to document the changes in floristic composition in terms of the frequency, density, and distribution of native plant species throughout the PG&E site.

The incorporation of Mitigation Measures G-1, G-2 and G-7 would reduce impacts to biological resources that could result from the proposed Project to a less-than-significant level. If the Project Sponsor obtains control over a small portion of the PG&E site via easement or other agreement with PG&E, and chooses to pursue the construction of a pedestrian walkway across that site, the incorporation of Mitigation Measures G-3, G-4, G-5, and G-6 would reduce impacts from construction on the PG&E site to a less-than-significant level. In addition to Mitigation Measures G-3–G-6, Improvement Measure G-1 could also be incorporated to further enhance habitat on the PG&E site, and/or create “native habitat” on the Project Site if the Project Sponsor so chooses.

Improvement Measure: An interpretive display is generally considered an on-site, publicly accessible display/exhibit area which includes interpretive materials. The display could be an outdoor all-weather plaque or a permanent collection of materials displayed in a public area, such as in the community building.

For Hunters View, interpretive materials could document the history of the San Francisco Housing Authority, history of the Hunters View Housing Development, photographs, architectural drawings and site plans, and/or oral and written histories documenting the lives of, and events associated with, past and present occupants of the Hunters View Housing Development. It is recommended that the Project Sponsor install an exterior interpretive plaque, not smaller than two by four feet, near the entrance of the community center. A recommended enhancement to the interpretive display would be an interior interpretive display in the community center containing a timeline and a collection of photographs and/or artifacts.

The Project Sponsor could also document the existing Hunters View and the new development site via site photography and this collection of photographs (before and after) could also serve as an interpretive display for this project.

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<sup>1</sup> Blue gum (*Eucalyptus globulus*) and red gum (*Eucalyptus camaldulensis*) are both recognized by the California Invasive Plant Council (Cal-IPC) as invasive pest plant species in the state of California. Eucalyptus trees produce several volatile and water-soluble toxins in their tissues (including leaf and bark litter) that are allelopathic (i.e., they release chemicals in the soil that inhibits the growth and/or establishment of surrounding vegetation, including native herbaceous plant species). Although eucalyptus trees benefit from this form of “chemical warfare,” the herbaceous ground layer is often depauperate and provides extremely limited habitat opportunities for local wildlife populations.

## 5.6 Location and Custodian of Record

The public hearing transcript, a copy of all letters regarding the FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the Planning Department, 1650 Mission Street, San Francisco. The Planning Commission Secretary, Linda Avery, is the custodian of records for the Planning Department and Planning Commission.

## 6. **SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS**

All impacts of the Project would either be less than significant or could be mitigated to less than significant levels, with the exception of the project specific and 2025 cumulative transportation impacts described in more detail below. The significant traffic impacts at Third Street/Evans Avenue, Third Street/25th Street, and Middle Point Road/Evans Avenue would be reduced to less than significant levels if Mitigation Measures D-1, D-2 and D-6 respectively are determined to be feasible and are implemented. However, because the feasibility of these Mitigation Measures remains uncertain, these impacts are considered to be significant and unavoidable for purposes of these Findings.

### 6.1 Traffic

#### Mitigation Measure D-1: Third Street/Evans Avenue

The signalized Third Street/Evans Avenue intersection would degrade from LOS D (average delay of 35.7 seconds per vehicle) to LOS E (average delay of 60.9 seconds per vehicle) with the addition of the project-generated traffic to baseline conditions. The intersection is actuated by video detection equipment and accommodates pedestrians, bicycles, vehicles, and the T-Third Street MUNI line. The T-Third Street MUNI line occupies the center median and makes several trips during the PM peak period. The northbound and southbound through movements are coordinated. The proposed Project would add 324 vehicles per hour to the intersection during the PM peak period. The most significant traffic volume increase would occur at the southbound left turn movement (83 vehicles per hour) which is already projected to operate at LOS F during the PM peak hour in the Baseline Conditions.

The project impacts at the Third Street/Evans Avenue intersection could be mitigated by adjusting the maximum allowable southbound left turn green time. In the Baseline plus Project Conditions, the southbound left turn movement is projected to have an allotted green time of 11 seconds per 100-second cycle (LOS F) and the opposing northbound through movement is projected to have an allotted green time of 37 seconds per 100-second cycle (LOS B). To mitigate the impact caused by the proposed Project, the southbound left turn green time could be increased to 16 seconds per 100-second cycle and the opposing northbound through movement green time could be decreased to 32 seconds per 100-second cycle.

With the signal timing modification, the intersection is expected to operate at LOS D with an average delay of 37.1 seconds per vehicle. It should also be noted that the implementation of the proposed mitigation measure would be dependent upon an assessment of transit and traffic coordination along Third Street and Evans Avenue to ensure that the changes would not substantially affect MUNI transit operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.

While the mitigation measure described above would reduce the significant Project impacts, further analysis is required to determine feasibility. Therefore, the Project would contribute to a significant unavoidable adverse impact at this intersection.

### Mitigation Measure D-2: Third Street/25<sup>th</sup> Street

The signalized Third Street/25th Street intersection would degrade from LOS B (average delay of 18.9 seconds per vehicle) to LOS E (average delay of 76.6 seconds per vehicle) with 2025 Cumulative Conditions. The intersection would be actuated by video detection equipment and accommodate pedestrians, bicycles, vehicles, and the T-Third Street light rail line. The T-Third Street light rail line occupies the center median. Additionally, light rail tracks will occupy the westbound approach to the intersection to access the Metro East MUNI maintenance facility which is currently under construction. Light rail vehicles are not expected to use these tracks during the PM peak period. The northbound and southbound vehicle through movements would be coordinated. The proposed Project would add 280 vehicles per hour to the intersection during the PM peak period – a contribution of 9.9 percent to the overall growth.

A substantial amount of the delay at the Third Street/25th Street intersection would be caused by the permitted eastbound and westbound through and right-turn movements. 25th Street would have one all-movement lane in each direction. To the west of the intersection, 25th Street is approximately 40 feet wide and accommodates on-street parking. To the east of the intersection, 25th Street is approximately 30 feet wide and does not accommodate on-street parking. With the removal of the on-street parking to the west of the Third Street/25th Street intersection, the eastbound approach would have sufficient width to accommodate a through- left lane and an exclusive right turn lane. The eastbound right turn lane could include an overlap phase to coincide with the northbound left-turn phase, with U-turns from northbound Third Street prohibited. With this modification, the intersection steady demand green time splits could be recalculated, while maintaining a 100-second cycle length. The green time allotted to the T-Third Street trains and intersection offset would not be modified with the implementation of this mitigation measure. With the re-striping of the eastbound approach, the removal of on-street parking, addition of an eastbound right-turn overlap phase, and recalculation of the signal timing steady demand green time splits, the Third Street/25th Street intersection would operate at LOS D with an average delay of 35.9 seconds per vehicle.

While mitigation has been identified to reduce impacts, further analysis of some of the measures is required to determine feasibility. Therefore, the Project would contribute to a significant unavoidable cumulative adverse impact at this intersection.

### Mitigation Measure D-3: Third Street/Cesar Chavez Street

The signalized Third Street/Cesar Chavez Street intersection would degrade from LOS C (average delay of 32.0 seconds per vehicle) to LOS F (average delay of more than 80.0 seconds per vehicle) with 2025 Cumulative Conditions. The intersection would be fully actuated by video detection equipment and accommodate pedestrians, bicycles, vehicles, and the T-Third Street light rail line. The T-Third Street light rail line occupies the center median. Additionally, light rail tracks will occupy the westbound approach of the intersection to the Metro East MUNI maintenance facility which is currently under construction. Light rail vehicles are not expected to use these tracks during the PM peak period. The northbound and southbound vehicle through movements would be coordinated. The proposed Project would add 343 vehicles per hour to the intersection during the PM peak period – a contribution of 11.3 percent to the overall growth.

A substantial amount of the delay at the Third Street/Cesar Chavez Street intersection would be caused by the permitted eastbound and westbound through and right-turn movements. The westbound Cesar Chavez approach would consist of one all-movement lane in the 2025 Cumulative Conditions. The eastbound Cesar Chavez approach would consist of two left-turn lanes, one through lane, and one exclusive right turn lane in the 2025 Cumulative Conditions. All intersection approaches would be geometrically constrained by existing structures and the T-Third Street light rail line in the center median. Cycle length at this intersection would be

constrained because the signal would be part of the Third Street signal system with a maximum 100-second cycle length to allow priority for the Third Street light rail operations.

Given the exclusive eastbound right-turn lane and the northbound left-turn phase, the eastbound right-turn lane could include an overlap phase to coincide with the northbound left-turn phase. With the addition of an eastbound right-turn overlap phase, the Third Street/Cesar Chavez intersection would continue to operate at LOS F with an average delay greater than 80.0 seconds per vehicle.

Changes in signal timing and phasing would not mitigate intersection conditions. To mitigate the intersection to an acceptable level of service, major modifications to the intersection geometry would be required. Due to the constraints on Third Street and Cesar Chavez Street, including existing structures that would have to be acquired, such intersection modifications are not considered feasible. The Project's contribution to 2025 Cumulative Conditions at the Third Street/Cesar Chavez Street intersection would be a significant and unavoidable impact.

#### Mitigation Measure D-4: Illinois Street/Cargo Way/Amador Street

The signalized Illinois Street/Cargo Way/Amador Street intersection would degrade from LOS C (average delay of 26.9 seconds per vehicle) to LOS F (average delay of more than 80.0 seconds per vehicle) in the 2025 Cumulative Conditions. The intersection would accommodate pedestrians, bicycles, vehicles, and a significant amount of heavy truck traffic. Additionally, Union Pacific Railroad tracks will pass through the intersection and the two-lane Illinois Street Bridge to provide rail freight access for local industrial uses. Rail traffic is not expected to use these tracks during the PM peak-period. The proposed Project would add 332 vehicles per hour to the intersection during the PM peak period – a contribution of 18.9 percent to the overall growth.

A substantial amount of the delay at the Illinois Street/Cargo Way/Amador Street intersection would be caused by the protected southbound left- and westbound right-turn movements. The southbound Illinois Street approach would consist of one all-movement lane in the 2025 Cumulative Conditions. The westbound Cargo Way approach would consist of one through lane and one through-right-turn lane in the 2025 Cumulative Conditions. All intersection approaches are geometrically constrained by existing structures and the two-lane Illinois Street Bridge. Cycle length at this intersection would be constrained because the signal would be part of the Third Street signal system with a maximum 100-second cycle length to allow priority for the Third Street light rail operations.

The westbound through and right-turn traffic volumes are expected to be similar in the 2025 Cumulative Conditions. Therefore, the westbound approach lanes could be divided into two independent movements – one through lane and one exclusive right-turn lane. Given the exclusive westbound right-turn lane and the southbound left-turn phase, the westbound right-turn lane could include an overlap phase to coincide with the southbound left-turn phase.

With the westbound approach lane reconfiguration, the Illinois Street / Cargo Way / Amador Street intersection would operate at LOS E with an average delay of 56.0 seconds per vehicle in 2025 Cumulative Conditions. To mitigate the intersection to an acceptable level of service, major modifications to the network geometry would be required. Due to the physical constraints at the intersection, particularly on the Illinois Street Bridge, geometric modifications would be infeasible, and the cumulative effects would be significant and unavoidable. Therefore, the Project would contribute to a significant unavoidable cumulative impact at this intersection.

#### Mitigation Measure D-5: Third Street/Evans Avenue

The signalized Third Street/Evans Avenue intersection would degrade from LOS E (average delay of 60.9 seconds per vehicle) to LOS F (average delay of more than 80.0 seconds per vehicle) in the 2025 Cumulative Conditions. The intersection would be actuated by video detection equipment and accommodate pedestrians, bicycles, vehicles, and the T-Third Street light rail line. The T-Third Street light rail line occupies the center median. The proposed Project would add 324 vehicles per hour to the intersection during the PM peak period – a contribution of 9.8 percent to the overall growth.

Substantial delays are expected at all intersection movements; specifically, the southbound left-turn movement and the conflicting northbound through movement. All intersection approaches would be constrained by existing structures and the T-Third Street light rail line in the center median.

Based on the heavy traffic volumes and site constraints, signal phasing and signal timing changes would not improve the Third Street/Evans Avenue operations to acceptable levels. The intersection would continue to operate at LOS F. Therefore, the Project would contribute to a significant unavoidable cumulative impact at this intersection.

#### Mitigation Measure D-6: Middle Point Road/Evans Avenue

The all-way stop-controlled Middle Point Road/Evans Avenue intersection would degrade from LOS A (average delay of 8.4 seconds per vehicle) to LOS F (average delay of more than 50.0 seconds per vehicle) in the 2025 Cumulative Conditions. The intersection would accommodate pedestrians, bicycles, and vehicles. The proposed Project would add 580 vehicles per hour to the intersection during the PM peak period – a contribution of 22.3 percent to the overall growth.

A substantial amount of the delay at the Middle Point Road/Evans Avenue intersection would be caused by the southbound and westbound approaches. The southbound Middle Point Road/Jennings Street approach would have one all-movement lane. The westbound Evans Avenue approach would have one left-turn lane, one through lane, and one through-right-turn lane.

The expected traffic volumes at the all-way stop-controlled Middle Point Road/Evans Avenue intersection, would meet signal warrants and signalization would be required. With the existing geometry, the intersection would continue to operate at an unacceptable level (LOS F), even with signalization.

Removal of the on-street parking on Middle Point/Jennings to the north of the Middle Point Road/Evans Avenue intersection, would allow the southbound approach to provide an exclusive left-turn lane and a shared left-through-right lane.

With the installation of an actuated-uncoordinated traffic signal, southbound and westbound approach lane reconfiguration, and removal of on-street parking, the Middle Point Road/Evans Avenue intersection would operate at LOS D, with an average delay of 53.1 seconds per vehicle. Implementation of the proposed mitigation measure would be dependent upon an assessment of traffic coordination along Evans Avenue to ensure that the changes would not substantially affect signal progressions, pedestrian conditions requirements, and programming limitations of signals.

While mitigation has been identified to reduce impacts, further analysis is required to determine its feasibility. Therefore, the Project would contribute to a significant unavoidable cumulative adverse impact at this intersection.

## **7. STATEMENT OF OVERRIDING CONSIDERATIONS**

Notwithstanding the significant effects noted above, pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the Planning Commission finds, after considering the FEIR and based on substantial evidence in said documents, the administrative record and as set forth herein, that specific overriding economic, legal, social, and other considerations outweigh the identified significant effects on the environment. In addition, the Planning Commission finds, in addition to the specific reasons discussed in Article 4 above, that those Project Alternatives rejected above are also rejected for the following specific economic, social, or other considerations resulting from Project approval and implementation:

- 7.1 Project implementation will alleviate blight and encourage revitalization of the Project area.
- 7.2 Project implementation will improve residential conditions and encourage residential activity through the creation, retention and rehabilitation of housing affordable by low-income and moderate-income persons.
- 7.3 Project implementation will promote the one-for-one replacement of 267 units of public housing.
- 7.4 Project implementation will help address the City's housing shortage.
- 7.5 Project implementation will promote the development of neighborhood-serving retail space that will lead to increased business activity in the Project area.
- 7.6 Project implementation will lead to improved housing opportunities and economic conditions in the Project area.
- 7.7 Project implementation will promote enhanced quality of life in the Project area.
- 7.8 Project implementation will promote enhanced social services for Project residents.
- 7.9 Project implementation will enhance the infrastructure in the Project area.
- 7.10 The Project will create hundreds of construction jobs over the next six to eight years.
- 7.11 The Project will be the pilot project for HOPE SF Program.

Having considered these Project benefits, including the benefits and considerations discussed in Article 4 above, the Planning Commission finds that the Project's benefits outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable.

