Subject to: (Select only if applicable)

- ☐ **Inclusionary Housing (Redevelopment)**
- ☐ Jobs Housing Linkage Program (Sec. 313)
- ☐ Downtown Park Fee (Sec. 139)
- ☐ **First Source Hiring (Redevelopment)**
- ☐ Child Care Requirement (Sec. 314)
- ☐ Other

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 17621

HEARING DATE: JUNE 12, 2008

Date:	May 29, 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, 7th Floor San Francisco, CA 94111
Staff Contact:	Ben Fu – (415) 558-6318 ben.fu@sfgov.org

ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 304 TO CREATE A NEW PLANNED UNIT DEVELOPMENT (PUD) 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. EXCEPTIONS ARE REQUESTED FROM DENSITY, REAR YARD, OPEN SPACE, EXPOSURE, OFF-STREET, LOADING AND BICYCLE PARKING REQUIREMENTS, AS MANDATED BY THE PLANNING CODE.

PREAMBLE

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 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 Conditional Use Application No. 2007.0168C.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2007.0168C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** Located in the Bayview Hunters Point neighborhood of San Francisco, Hunters View currently includes 267 public housing units located on approximately 20 acres of land. Constructed in 1957 on the foundations of World War II workforce housing, the units were never intended to be permanent and due to both their poor initial construction and years of deferred maintenance, the units at Hunters View have deteriorated beyond repair.

   The Project will be developed on two adjacent properties. The first, which is owned by the San Francisco Housing Authority, is located at Middle Point and West Point Roads and Wills and

Hare Streets, and is Assessor's Block 4624, Lots 3, 4 and 9. The second, which is adjacent to the Housing Authority property and is currently owned by the San Francisco Redevelopment Agency, is located along Keith Street and is Assessor's Block 4720, Lot 27. Both properties will ultimately be conveyed by deed or ground lease to one or more partnerships which will be formed for the sole purpose of undertaking the Project.

The San Francisco Housing Authority property currently contains 267 public housing units in 50 buildings 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.

3. **Surrounding Properties and Neighborhood.** The subject property is located within RM-1, RH-2, NC-2 and M-1 zoning districts and a 40 X height/bulk district. Most of the surrounding properties are located within an RH-2 zoning district and contain residential uses. The neighboring properties to the west and south contain residential and public uses. The properties to the north and east contain primarily industrial uses. The former Hunters Point Naval Shipyard to the east and southeast is currently being redeveloped as a mixed use project.

4. **Text and Map Amendments to Planning Code.** In order to facilitate the Project at the density required to subsidize the 350 public housing and affordable rental units on the Project site, both text and map changes to the Planning Code are proposed. First, the height and bulk district for the Project site is proposed to be modified from 40-X to 40/65-X pursuant to the addition of Planning Code Section 263.20 to create the HOPE SF Hunters View Special Use District and 40/65-X Height and Bulk District. Secondly, an amendment to Section 249 of the Planning Code by adding Section 249.39 is proposed to establish the HOPE SF Hunters View Special Use District allowing the subdivision or portions of the site as individual lots to exceed the density of the underlying zoning district and allowing uses that are either principally or conditionally permitted within NC-1 Districts to be principally permitted within the special use district. Map amendments are proposed to amend the use designations on the Redevelopment Agency parcel from RH-2, NC-1, and M-1 to RM-1 to establish consistency between the various parcels and to map the Special Use District and the 40/65-X Height and Bulk District.

5. **Redevelopment Agency Parcel.** The Redevelopment Agency parcel, Assessor's Block 4720, Lot 27, is located within Project Area A of the Bayview Hunters Point Redevelopment Plan, which prohibits structures higher than 40 feet. This plan expires on January 1, 2009. A portion of the building to be located on Block 2 exceeds 40 feet in height, but will not be constructed until after the expiration of the Redevelopment Plan for Project Area A. Therefore, this Project Authorization as it relates to the Redevelopment Area parcel, to the extent it is inconsistent with the existing provisions of the Redevelopment Plan, is conditioned upon the expiration of the Redevelopment Plan for Project Area A on January 1, 2009, and shall be effective at that time.

6. **Residential Uses.**

A. Planning Code Section 209.1 provides that residential uses are permitted as a principal use in the RH-2 and RM-1 Zoning Districts. Pursuant to Planning Code Section 209.1, the southeastern portion of the Project, which is zoned RM-1, is allowed a density ratio not exceeding one dwelling unit for each 800 square feet of lot area. Pursuant to Section 304(d)(4), as a Planned Unit Development, the Project is allowed the density permitted in the RM-2 Zoning District, which is a density ratio not exceeding one dwelling unit for each 600 square feet of lot area, minus one unit. Up to 849 residential units are permitted as of right in the RM-1 Zoning District and 1,132 units are permitted pursuant to a PUD. Currently, the Project proposes to develop up to 800 units.

B. The northwestern portion of the Project site, which is primarily zoned RH-2, allows two-family dwelling units as a principally permitted use. RH-2 Districts also allow one dwelling unit for each 1,500 square feet of lot area, but no more than three dwelling units per lot, if authorized as a conditional use by the Planning Commission. The proposed town homes in Block 4720, Lot 27 exceed the density allowance and require conditional use approval.

C. Planning Code Section 209.1(m) permits, as a principally permitted use, dwellings for senior citizens at twice the density allowed for the principal permitted uses in Section 209.1, or one senior dwelling unit for each 400 square feet of lot area in the RM-1 Zoning District.

D. As detailed in Finding 4 above, the Project Sponsor is requesting a map amendment to change the use district for the entire site to RM-1.

7. **Planned Unit Development.** Planning Code Section 304 permits the creation of a Planned Unit Development for subject sites of greater than one half of an acre. "Planned Unit Developments are intended for project sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, neighborhood and the City as a whole" Where a project demonstrates outstanding overall design, it may seek exceptions for certain Planning Code Provisions. The Project Sponsor is seeking the following exceptions: 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).

8. **Design-for-Development.** Because of the scope of the project, the unusual topography and street layout of the site, and the intent to create a new integrated neighborhood, the Commission finds it appropriate to adopt a Design for Development document that specifically lays out development requirements usually regulated by the Planning Code. The Design for Development is also important to guide the subsequent phases of development over the projected six to ten year build-out. In some cases, the Design for Development provides less stringent requirements than the Planning Code in order to meet certain goals such as addressing the site's topography and designating more land for public space. In other cases, the Design for

Development is more stringent to meet other goals such as assuring a strong public presence of the building and creating a fine-grained development pattern.

9. **Use Exceptions.**

A. Planning Code Section 209.3(f) provides that child care facilities providing care for 13 or more children can be approved as conditional uses in the RH-2 and RM-1 Zoning Districts. Planning Code Section 209.4 provides that community facilities can be approved as conditional uses in the RM-1 and RH-2 Zoning Districts. The Project proposes to develop approximately 21,600 square feet of community space. This proposed Special Use District would principally permit those uses that are either principally or conditionally permitted in the NC-1 Districts, such as small and large institutional uses, which include child care in their definition.

B. Planning Code Section 304(d)(5) provides that in R Districts, commercial uses are permitted only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under the Planning Code. The Project will include commercial uses in an R district in order to better serve the community. NC-1, or the Neighborhood Commercial Cluster District is described in Planning Code section 710.1 as "intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours" and "characterized by [locations] in residential neighborhoods, often in outlying areas of the City… Housing development in new buildings is encouraged above the ground story in most districts." Each nonresidential use in the NC-1 district can be no larger that 2,999 square feet (though 3,000 square foot spaces and greater are permitted via conditional use) and permitted uses include limited financial services (like a bank), personal services (like a salon) and full-service restaurants (which are defined to include coffee shops, see Planning Code section 790.92). The Project proposes to develop approximately 6,400 square feet of neighborhood-serving retail uses. The proposed Special Use District would allow those uses that are either principally or conditionally permitted in the NC-1 District to be principally permitted.

10. **Public Comment**. The Department has received no opposition to the proposal.

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

A. **Front Setback**

Planning Code Section 132(e) requires front setback based on an average of adjacent buildings, up to a maximum requirement of 15 feet from the property line. This requirement is not applicable because the buildings in the Project will not be adjacent to any existing buildings.

As proposed in Development Control 4.7 of the Design for Development, the Project proposes that all residential buildings will have a minimum setback of 5 feet, a required

8 foot "build-to" line will be required for all streets and that a minimum 75 percent of the building façade must be built to the "build-to" line. Development Control 4.7.2 of the Design for Development provides that setbacks are not required at street frontages with an extreme slope or shallow lot.

B. **Rear Yard**

Planning Code Section 134(a) requires a minimum rear yard with a depth that is equal to 45 percent of the total depth of the lot, but Section 134(c) provides an exception that allows the minimum depth to be reduced to 25 percent of the total depth of the lot or 15 feet, whichever is greater. Most of the individual rear yards in the Project are between 25 percent to 45 percent of the total depth of the lot, with the exception of Block 7B.

C. **Open Space**

Planning Code Section 135(a) requires that usable open space be located on the same lot as the dwelling units it serves. In most cases, the Project will comply with this requirement. However, in order to achieve the highest quality of overall design, the Project will propose to locate some of the open space for Block 7B in the private parks immediately adjacent.

Planning Code Section 135(d) requires 80 square feet and 107 square feet respectively of open space in the RM-2 Zoning District. The Project will meet the open space requirements.

Planning Code Section 135(f) requires that private open space have a minimum horizontal dimension of 6 feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof. Some private balconies in the Project will have a minimum horizontal dimension of 3 feet.

D. **Obstructions.**

Planning Code Section 136 requires that obstructions such as overhanging balconies, bays, sunshades and trellises meet minimal height and setback requirements. Most of the obstructions in the Project will meet Planning Code requirements, but some of the obstructions may reach into front and rear setbacks. The Project seeks front and rear setback exceptions to accommodate these limited architectural features, as proposed in Development Control 4.2.3 of the Design for Development. Overhanging balconies, bays, sunshades and trellises meeting the limitations of Planning Code Section 134 and the Design for Development may extend into the unbuilt area.

E. **Exposure**

Planning Code Section 140 provides that in each dwelling unit in any use district, the required windows of at least one room that meets the 120 square foot minimum superficial floor area requirement of Section 501.1 of the Housing Code must face on an open area such as a public street, a public alley at least 25 feet in width, a side yard of at least 25 feet in width, a rear yard meeting the requirements of the Code, or an open area which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it. A limited number of units may not meet this requirement.

F. **Street Trees.**
Planning Code Section 143 requires the owner or developer of a new building in any R District to install street trees. Street trees must be a minimum of one tree of 15-gallon size for 20 feet of frontage of the property along each street or alley.

The Project Sponsor seeks a modification of this requirement. Development Control 3.4.1 of the Design for Development provides that street trees shall be provided at a minimum of 20 feet and a maximum of 30 feet apart on streets and mews.

G. **Density.**
Planning Code Section 209.1 provides that the density ratio for an RM-1 Zoning District shall not exceed one dwelling unit per each 800 square feet of lot area. In order to accommodate all the planned affordable housing units, the Project requires the density to exceed the Code for up to one dwelling unit per 600 square feet of lot area. As described above, pursuant to Planning Code Section 304(d)(4), the Project seeks an exception to allow the density permitted in the RM-2 Zoning District. Also, the proposed SUD would enable portions of the site to be sub-divided which may be over the density limit for the newly created lot.

H. **Height and Bulk Stepping.**
As described above, the proposed HOPE SF Hunters View SUD and 40/65-X Height and Bulk District provides that up to 35% of the entire Project site may have buildings over 50 feet in height and up to 50% of the entire Project site may have buildings over 40 feet in height. Buildings over 50 feet in height will be limited as specified in Development Control 4.4.1 of the Design for Development. Buildings over 40 feet in height not specified in Development Control 4.4.1 will be limited as specified in Development Control 4.4.2 of the Design for Development.

Planning Code Section 260(a)(3) requires that in areas where the building height limit is 65 feet or less and the buildings are on a slope, the average slope of curb or ground from which height is measured affects the maximum width for the portion of building that may be measured from a single point. The greater the slope, the more narrow the width of the building that may be measured from a single point.

The Project seeks an exception as described in Development Control 4.4.3 of the Design for Development to provide that building height shall be measured at the uphill end of each segment of a building that steps laterally in relation to the street that is the basis for the measurement**.** The Design for Development further provides that stepping shall be required in increments of at least 50 feet for buildings 50 feet or less in height.

I. **Ground Story Street Frontages**
Planning Code Section 144 requires that no less than 30 percent of the width of the ground story shall be devoted to windows, entrances, landscaping and other architectural features. The Project will comply with this section. Section 144 does not apply to Fairfax or Keith (Blocks 1A and 1B) as the lots have an upward slope of more than 20%.

The Residential Design Guidelines provide that the width of parking entries should not exceed 12 feet. Development Control 4.12.1 of the Design for Development provides that parking entrances shall be no wider than 16 feet, with 12 feet preferred.

J. **Required Parking and Loading**
Planning Code Section 151 requires one off-street parking space per dwelling unit, and one off-street space per each five senior dwelling units.

The Project Sponsor seeks a modification to provide approximately 672 off-street parking spaces. The average ratio of parking spaces (off-street and on-street) to units is 1.2 to 1. Some blocks have no off-street parking provided; others have up to 1.5 spaces per unit. Except on Keith Street and the northern part of Fairfax where the single-family homes each require a curb cut due to the sloping site conditions, the site has been designed to aggregate parking and to minimize garage entrances and curb cuts. The Project also seeks a modification to allow some of the parking requirements to be met through parking lifts and tandem parking and seeks a relaxation of parking space size and maneuverability requirements, as described in Development Control 4.12.2.

Planning Code Section 155.5 requires bicycle parking spaces for residential uses. Table 155.5 provides that for projects with over 50 dwelling units, the bicycle parking requirement is 25 Class 1 spaces plus one Class 1 space for every four dwelling units over 50. Section 155.5(c) provides that bicycle parking must meet the standards for Class 1 parking described in Section 155.1(d), which requires that the parking be at least as conveniently located as the most convenient non-disabled parking. The Project seeks an exception to this requirement in Development Control 4.12.3, which provides that bicycle parking requirements may be met site wide rather than on a block by block basis.

Planning Code Section 155 requires loading spaces to be located off the street. The Project Sponsor seeks a modification to provide the Project's loading spaces on the street.

12. **Conditional Use Findings**
Under the provisions of Planning Code Section 303, the Commission may authorize a Conditional Use after finding that the proposed use will provide a development that is necessary or desirable for and compatible with the neighborhood or the community, that such use will not be detrimental to the health, safety, convenience or general welfare or persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity and that such use will hot adversely affect the General Plan. The Project is found to be consistent with the criteria of Section 303 of the Code in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project, including up to 800 new dwelling units, approximately 21,600 square feet of new community use space, and approximately 6,400 square feet of new neighborhood serving retail use

space, will provide a development that is necessary and desirable for, and compatible with, the surrounding neighborhood and existing community.

The Project is desirable for the existing community because redevelopment of the 267 existing public housing units on the site will be phased so that the approximately 570 residents currently residing at the Project site can be relocated on-site during demolition and construction activities to address the strong preference for on-site relocation expressed by the existing residents. Existing residents will help inform a comprehensive temporary relocation plan that will govern the process and outline the rules, regulations and assistance that will be provided to residents. Residents will not bear any of the costs attributable to their relocation on-site.

The Project is desirable for the existing community and the surrounding neighborhood because in addition to redeveloping the existing 267 public housing units, it will add approximately 83 additional affordable rental units, and up to 450 new for-sale units, of which at least 10 to 15% will be affordable (17 of which will be Habitat for Humanity units), thereby increasing affordable housing opportunities, adding home ownership opportunities, improving the economic diversity of the neighborhood through the addition of market rate units, and helping to meet San Francisco's housing shortage.

The proposed density of the Project will be compatible with the neighborhood and community and will be less than that permitted by the Planning Code for the RM-1 Zoning District by right, will be far less than that permitted via Planned Unit Development ("PUD"), and will be within the intensity contemplated by the Bayview Hunters Point Redevelopment Plan ("Redevelopment Plan").

The Project area currently has no neighborhood serving retail businesses and the Project will provide space for such uses.ize of the proposed use is in keeping with other storefronts on the block face.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

1. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The subject property is approximately 22.5 acres and is currently poorly designed and underutilized. The existing street grid isolates the Project site from the surrounding neighborhoods and the rest of the City. It provides an excellent opportunity for infill housing.

The Project's size and shape, and the proposed size, shape and arrangement of structures upon it have been designed to drastically improve the Project site's and the neighborhood's street network, pedestrian-orientation, view-orientation, safety, aesthetic appeal, contextualization with underlying topography and the rest of the City of San Francisco, and open space design and layout. The proposed density will be consistent with the density of the surrounding neighborhoods. The entire site has been master planned and the Project's design will be a vast

improvement over existing conditions. Building heights will provide appropriate transitions to neighboring properties.

Planning Code Section 145 requires that new dwellings in the RM-1 and RM-2 Zoning Districts be compatible with the established mixture of residential buildings in terms of apparent building width. The Project will comply by stepping building heights along the front elevation, providing vertical articulation, and design walls to create variation in depth of buildings.height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope, yet the inclusion of outside seating will alter the use of the property.

2. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Project will redesign the existing street network so that it forms more of a grid, connecting with the street grid elsewhere and improving vehicle and pedestrian access for persons residing or working in the vicinity.

Pedestrian and bicycle circulation will be improved. The estimated parking demand will be met on site through the provision of 672 off-street parking spaces and additional on-street parking spaces. Loading demand will be met on-site.

The Project will not result in commuter traffic that will impede Muni transit service or overburden San Francisco's streets or neighborhood parking. Although the Project could result in a net increase of up to 533 units in the Hunters View vicinity, this number falls well within the 700 net new units projected for this area that were analyzed in the Bayview Hunters Point Redevelopment Plan EIR. The Transportation Study for the Project indicates that the Project will contribute to one project-specific traffic impact at Evans Avenue/Third Street, and five cumulative (2025) significant traffic impacts, two of which can be mitigated to less than significant levels, and three of which will be significant unavoidable cumulative adverse traffic impacts. MUNI service will not be impeded as a result of the Project. Whereas there is currently no off-street parking for the 267 existing units at the project site, the Project will include up to 816 off-street spaces, with the current proposal of approximately 672 off-street parking spaces, so as not to overburden the streets.

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

Prior to beginning demolition and construction of the Project, the Project Sponsor will seek Bay Area Air Quality Management District ("BAAQMD") approval of best available control technology ("BACT") for demolition and construction activities that could disrupt asbestos containing serpentine present in the existing rock at the site in order to protect the health and safety of persons residing or working in the vicinity from airborne particles.

The new residential, community and small-scale retail uses will not generate significant amounts of noxious or offensive uses that may cause noise, glare, dust or odor.

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

The Project will create a comprehensive, well-integrated design for the entire site, with new and improved circulation, new streetscape and landscape, new lighting and signage, off-street parking and new open space areas. All these features will create an attractive development that emphasizes the visual appeal of the neighborhood to benefit its existing and new residents, including an enhancement of views from the Project site.

Pursuant to Planning Code Section 142, the Project will screen off-street parking from view or confine it by solid building walls.

The Project will replace the existing worn landscape with new landscaping and street trees.

The Project will create three new parks on site and establish new open space throughout the site.

Planning Code Section 159 requires off-street parking spaces to be on the same lot as the dwellings they serve or within a 600 foot walking distance. All the units comply with this requirement.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The subject project is not within a Neighborhood Commercial District.

13. Planned Unit Development. Planning Code Section 304(d) establishes criteria and limitations for the authorization of PUD's over and above those applicable to Conditional Uses in general and contained in Section 303(c) and elsewhere in the Code. PUD's must:

A. Affirmatively promote applicable objectives and policies of the Master Plan;

The Project positively contributes to advancing numerous objectives and policies of the General Plan and has no significant conflicts with the objectives and policies of the General Plan, as discussed in Finding 13 below.

B. Provide off-street parking adequate for the occupancy proposed;

The Project will provide off-street parking adequate for the occupancy proposed. The Project currently proposes to provide approximately 672 off-street parking spaces, which when combined with on-street spaces will provide 1.27 spaces per dwelling unit.

C. Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

As detailed in Finding 10 above, the Project will provide open space usable by the occupants and, where appropriate, by the general public, equal to the open space required by the Planning Code. The Project will provide 80 square feet of private open space or 107 square feet of common open space, as required by Code Section 135(d) in RM-2 Zoning Districts. The Project also will provide approximately 58,300 square feet of open space in the form of three parks.

D. Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

The subject property determines residential density according to the permissible density of an RM-2 zoning district. As a result, the Project Sponsor can construct 1,633 dwelling units as of right.

The Planned Unit Development permits an increase of density to up to 800 dwelling units, which is far less than what is allowable in an RM-2 Zoning District.

E. In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC 1 Districts under this Code;

The Project will include commercial uses in an R district in order to better serve the community. NC-1, or the Neighborhood Commercial Cluster District is described in Planning Code section 710.1 as "intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours" and "characterized by [locations] in residential neighborhoods, often in outlying areas of the City… Housing development in new buildings is encouraged above the ground story in most districts." Each nonresidential use in the NC-1 district can be no larger that 2,999 s.f. (though 3,000 s.f. spaces and greater are permitted via conditional use) and permitted uses include limited financial services (like a bank), personal services (like a salon) and full service restaurants (which are defined to include coffee shops, see Planning Code section 790.92).

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

The Project is seeking a text and map amendment pursuant to Section 302 to change the height and bulk district from 40X to 40/65X.

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

This criterion is not applicable to the subject property's zoning district.

H. In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code.

This criterion is not applicable to the subject property's zoning district.

I. This criterion is not applicable to the subject property's zoning district.

This criterion is not applicable to the subject property's zoning district.

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

HOUSING ELEMENT

Objectives and Policies

The Housing Element was certified in October 2004. In June 2007, the First District Court of Appeal ruled that the updated Housing Element should have been addressed in an EIR. Accordingly, this section refers to the 2004 Housing Element and the corresponding sections of the 1990 Residence Element in parenthesis when applicable.

OBJECTIVE 1 (*Modified Objective 1*)**:**
INDENTIFY AND MAXIMIZE OPPORTUNITIES TO INCREASE THE POTENTIAL SUPPLY OF HOUSING IN APPROPRIATE LOCATIONS CITYWIDE.

Policy 1.4 *(Policy 1.4)***:**
Locate in-fill housing on appropriate sites in established residential neighborhoods.

Policy 1.7 *(New)***:**
Encourage and support the construction of quality, new family housing.

The Project will create up to 800 units of new affordable and market-rate housing, including 267 replacement public housing units, 83 affordable rental units and up to 450 homeownership units, of which 10-15% will be affordable.

OBJECTIVE 3 *(Modified Objective 5)***:**
ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

Policy 3.3 *(Policy 5.4)***:**
Maintain and improve the condition of the existing supply of public housing.

OBJECTIVE 4 *(Modified Objective 7)***:**
SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

Policy 4.2 *(Modified Policy 7.2)***:**
Include affordable units in larger housing projects.

Policy 4.6 *(Merged Policies 7.4, 7.5, 7.6, and 7.9)***:**
Support a greater range of housing types and building techniques to promote more economical housing construction and achieve greater affordable housing production.

OBJECTIVE 8 *(Modified Objective 13)***:**
ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.

Policy 8.1 *(Modified Policy 13.6)***:**
Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable units wherever possible.

Policy 8.4 *(Modified 13.5)***:**
Encourage greater economic integration within housing projects and throughout San Francisco.

OBJECTIVE 9 *(Modified Objective 14)***:**
AVOID OR MITIGATE HARDSHIPS IMPOSED BY DISPLACEMENT

Policy 9.1 *(Modified Policy 14.1)***:**
Minimize the hardships of displacement by providing essential relocation services.

OBJECTIVE 11 *(Modified Objective 12)***:**
IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO CONTINUE SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

Policy 11.1 *(New)***:**
Use new housing development as a means to enhance neighborhood vitality and diversity.

Policy 11.3 *(Modified Policy 12.2)***:**
Encourage appropriate neighborhood-serving commercial activities in residential areas, without causing affordable housing displacement.

The Project will provide new housing, especially permanently affordable housing, in an appropriate location which meets identified housing needs and takes into account the demand for affordable housing created by employment demand. The Project will create up to 800 units of new affordable and market-rate housing, including 267 replacement public housing units, 83 affordable rental units and up to 450 homeownership units, of which 10-15% will be affordable.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 2:
PRESERVE EXISTING PUBLIC OPEN SPACE

Policy 2.3:
Preserve sunlight in public open spaces

OBJECTIVE 4:
PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

Policy 4.5:
Require private usable outdoor open space in new residential development.

The Project will develop and maintain high quality open space that, in some instances, will be open to members of the community. The Project will also preserve sunlight in public open spaces. The Project will not cast shadows over any open spaces under the jurisdiction of The Recreation and Park Department. The Project will also create private outdoor open space in new residential development. With rear yards, mid-block courtyards, decks and terraces, the Project will create usable outdoor space directly accessible to dwelling units.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4:
Preserve pedestrian-oriented building frontages.

OBJECTIVE 34:
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.4:

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3:
Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

The Project will establish and design a new street hierarchy system in which the function and design of the new streets serving the site are consistent with the character and use of adjacent land and maintaining a level of traffic that serves adjacent land uses without causing a detrimental impact. The Project will also redesign the existing street layout to improve circulation and to improve bicycle and pedestrian facilities, thereby improving safety conditions.

The Project will also assure that any new parking facilities provided for the residential uses meet need, location, and design criteria. The Project will take into account issues such as parking needs, design and access to create any optimal parking solution. The amount of parking on the site will relate to the capacity of the City's street system and land use patterns.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE AND A MEANS OF ORIENTATION.

Policy 1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3:
Recognize that buildings, when seen together, produce a total effect that characterizes the City and its districts.

Policy 6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project will emphasize the characteristic pattern which gives the City and its neighborhoods an image, a sense of purpose, and a means of orientation. The Project will be designed to respect San Francisco's characteristic pattern and to take advantage of the Project site's hilltop location and proximity to the Bay in developing a comprehensive development that will blend into the neighborhood and improve the area.

Major views in the City will be recognized and protected, with particular attention to those of open space and water. By modifying the street grid and aligning the buildings to the view corridors, the Project preserves and/or creates views from streets and parks to the Bay and Downtown that currently are not available.

The streets' relationships to topography will be protected and reinforced. The existing street configuration at the site is atypical for San Francisco; the new streets will improve the connectivity to the rest of the neighborhood and will be closer to a typical San Francisco grid pattern.
The bulk of buildings will relate to the prevailing scale of development to avoid an overwhelming appearance in new construction. By using a variety of building types, the Project will successfully keep a scale consistent with the neighborhood.

The Project will also replace the existing public housing which has deteriorated and become blighted. The Project will redevelop the site with a mixture of housing types, including one for one replacement of 267 public housing units, in a manner that will enhance personal safety for the residents and increase comfort, pride of occupancy and/or ownership, and create new opportunities for employment and housing.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKINIG ENVIRONMENT.

Policy 1.1:
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:
Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

OBJECTIVE 2:
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:
Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

OBJECTIVE 6: MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:
Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

Eating and Drinking Establishments
Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;

- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

Policy 6.2:
Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

BAYVIEW HUNTERS POINT PLAN

OBJECTIVE 5:
PRESERVE AND ENHANCE EXISTING RESIDENTIAL NEIGHBORHOODS.

Policy 5.1:
Preserve and enhance the existing character of residential neighborhoods.

Policy 5.3:
Conserve and enhance the existing supply of public housing.

OBJECTIVE 6:
ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.

Policy 6.1:
Encourage development of new moderate density affordable ownership units, appropriately designed and located and especially targeted for existing Bayview Hunters Point residents.

The Project will increase the community's supply of housing by facilitating economically feasible, affordable housing for existing very low-, low- and moderate-income households and residents in the community. The Project will provide a mix of housing types, including public housing units, affordable rental and homeownership units and market-rate home ownership units.

REDEVELOPMENT PLAN FOR BAYVIEW HUNTERS POINT

The Project will support the Planning Goals and Objective for the Project Area, as set forth in Section 1.2.1 of the Redevelopment Plan. The Project will increase the community's supply of housing by facilitating economically feasible, affordable housing for existing very low-, low- and moderate-income households and residents in the community. The Project will provide a mix of housing types, including public housing units, affordable rental and homeownership units and market-rate home ownership units.

The Project will strengthen the economic base of the Project Area and the community by strengthening retail and other commercial functions. The Project will include approximately 6,400 square feet of commercial space to support neighborhood-oriented retail uses.

The Project will retain existing residents and retain existing cultural diversity. The construction of the Project in three separate phases will allow the existing residents to continue to live on the site and move into the new units after each of the three phases of construction is completed.

The Project will encourage participation of the area residents in the economic development that will occur by creating commercial and community spaces on site.

The Project will support locally owned small businesses and local entrepreneurship by providing retail space for small businesses to serve the residents of the neighborhood.

The Project will help eliminate blight by demolishing deteriorating and dilapidated buildings and creating new housing units with enhanced landscaping and improved access routes.

The Project will remove structurally substandard buildings and facilitate modern integrated development. The Project design will take into account pedestrian and vehicular circulation within the Project site and improve connectivity to the rest of the community.

The Project will redesign and redevelop an underdeveloped area. The site currently contains 267 public housing units, and the Project will increase the density to between 650 and 800 housing units, along with some commercial and community spaces. The Project will introduce more land uses and encourage an economically-diverse population.

The Project provides flexibility in development of real property by creating a mix of housing types. The Project will mix public housing units, affordable rental and homeownership units and market rate homeownership units with a small amount of neighborhood-serving retail space and community space which will allow the Project Sponsor to respond expeditiously and appropriately to market conditions.

The Project will increase the community's supply of housing by facilitating economically feasible, affordable housing for existing very low-, low- and moderate-income households and residents in the community. The Project will provide a mix of housing types, including public housing units, affordable rental and homeownership units and market-rate home ownership units.

The Project will promote the integration of affordable housing sites with sites developed for market rate housing. The Project will integrate different housing types and build affordable housing units next to market rate units.

The Project will help the Redevelopment Agency to promote the retention of existing businesses and attraction of new businesses. The Project will provide new neighborhood-serving commercial space to attract new businesses to the neighborhood.

The Project will promote Section 3.2.2 of the Redevelopment Plan by developing residential uses and some compatible neighborhood-serving retail and service uses in a residential area.

The Project will promote Section 3.2.8 of the Redevelopment Plan by developing a much improved circulation system that will increase connectivity to the surrounding neighborhoods.

The Project will be consistent with Section 3.3.2 of the Redevelopment Plan with respect to type, size, height and use of buildings. The Project will be consistent with the General Plan and the Planning Code except for minor exceptions permissible as part of the Planned Unit Development pursuant to Planning Code Section 304 and except for the requested modifications of the height limit and the new special use district enabling densities on portions of the site greater than allowed by underlying zoning in some cases. Section 3.3.2 provides that the Planning Commission and Board of Supervisors may adopt amendments to the Planning Code to better achieve the goals and objectives of the Redevelopment Plan, and the requested increase in height limit and flexibility regarding density will allow a superior development on the Project site with its challenging topography.

The Project will be consistent with Section 3.3.4 of the Redevelopment Plan by developing up to 533 net new units of housing in a planning node allowing for up to 700 net new units.

The Project will be consistent with Section 3.3.5 of the Redevelopment Plan by providing parking (off-street and on-street) adequate for the proposed uses.

The Project will affirmatively promote the Affordable Housing Production Goals set forth in Section 3.4.2 of the Redevelopment Plan. The Project will develop 350 affordable rental units, and up to 10-15% of the for-sale units will be affordable, resulting in a substantially greater percentage of affordability than the fifteen percent required by the Community Redevelopment Law or the twenty-five percent required by the Redevelopment Agency. In addition, the income eligibility restrictions of the Redevelopment Plan will be followed for the affordable rental and ownership units.

The Project will be consistent with Section 3.4.5 of the Redevelopment Plan by replacing all 267 units of public housing on site, so that none of the existing residents will be displaced as a result of the Project. By developing the Project in three phases, all demolished units will be replaced within less than four years.

The Project will be consistent with Section 3.4.6 of the Redevelopment Plan by giving priority to families of low- and moderate-income and other residency preferences created by the Agency.

The Project will further the Redevelopment Plan's goals for the Economic Development Activity Node of Hunters Point Shoreline, as set forth in Section 3.5.2 of the Redevelopment Plan. The Project will promote new housing on an available infill development site. It will assist with the renovation of a Housing Authority project by replacing substandard public housing with new housing units that fit in architecturally with other residential development in the area.

The Project will promote the Redevelopment Plan's Community Enhancement Program for project Area B as set forth in Section 3.6.2 of the Redevelopment Plan. The Project will create a new streetscape plan for the site and new landscaping and lighting of local streets. The Project will create new signage, open space and community facilities.

15. **Demolition of Dwelling Units**. On December 5, 2003, the Planning Commission adopted Resolution No. 16700 adopting policies regarding the demolition of dwelling units. The policy established procedures on how to evaluate the merits of allowing the demolition of dwelling units. Pursuant to the Policy, the Commission allows demolition, whether a building is sound or unsound, where it is found that there is preponderance of other General Plan Policies and Objectives for the Commission to approve the demolition. Such policies may include the provision of new family housing, adding units to the City's housing stock, proposing a high quality design for the replacement building that preserves and enhances the character of the neighborhood, or providing affordable rental or ownership opportunities. Here, the project will not only replace the units proposed for demolition, but will add a significant number of new affordable units, along with market rate units. The Commission finds that the Hunters View Development Project meets a preponderance of such Policies and Objectives and therefore is consistent with its policy on residential demolitions.

16. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

The Project is consistent with Priority Policy No. 1 in that it will not affect any existing neighborhood-serving retail uses because none currently exists on the Project site. However, the Project will provide future opportunities for resident employment and ownership of neighborhood-serving retail uses that will be developed on the site. Small-scale, neighborhood-serving retail is permitted in the RM-1 zone, pursuant to a Planned Unit Development permit, complies with the Redevelopment Plan and will be beneficial to the neighborhood's residents.

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

The Project is consistent with Priority Policy No. 2 in that it will protect and enhance existing housing and neighborhood character and preserve the cultural and economic diversity of San Francisco's neighborhoods. Although 267 units of deteriorating public housing will be demolished, each public housing unit will be replaced on a one-to-one basis. In addition, the Project will create at least an additional 83 affordable rental units, and up to 450 home ownership units, of which 10-15% will be affordable to restricted income households. It is anticipated that the proposed revitalization of Hunters View will result in a mixed-race and mixed-income community, with much greater housing variety and opportunity than currently exists..

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

The Project is consistent with Priority Policy No. 3 in that it will preserve and enhance the City's supply of affordable housing by replacing the 267 existing public housing units at Hunters View on a one-to-one basis with new, modern, affordable housing units and providing at least an additional 83 affordable rental units and additional home ownership units that will be affordable to restricted income households..

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

The Project is consistent with Priority Policy No. 4 in that it will not result in commuter traffic that will impede Muni transit service or overburden San Francisco's streets or neighborhood parking. Although the Project could result in a net increase of up to 533 units in the Hunters View vicinity, this number falls well within the 700 net new units projected for this area that were analyzed in the Bayview Hunters Point Redevelopment Plan EIR. The Transportation Study for the Project indicates that the Project will contribute to one project-specific traffic impact at Evans Avenue/Third Street, and five cumulative (2025) significant traffic impacts, two of which can be mitigated to less than significant levels, and three of which will be significant unavoidable cumulative adverse traffic impacts. MUNI service will not be impeded as a result of the Project. Whereas there is currently no off-street parking for the 267 existing units at the Project site, the Project will include up to 816 off-street spaces, with the current proposal of approximately 672 off-street parking spaces, so as not to overburden the streets.

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

The Project is consistent with Priority Policy No. 5 in that it will develop residential uses on a site that is currently completely devoted to residential uses. The Project will not displace any industrial or service sector uses due to commercial office development, as no industrial or service development exists on the site, and the Project does not include commercial office space. The Project is entirely residential in nature, except for community space and neighborhood-serving retail space, which offers potential opportunity for resident employment and ownership.

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

The Project is consistent with Priority Policy No. 6 in that the existing, deteriorating public housing on the site will be demolished and replaced with modern residential units built to current earthquake and seismic regulations

G. That landmarks and historic buildings be preserved.

The Project is consistent with Priority Policy No. 7 in that it will have no effect on landmarks or historic buildings because none exists on the site. A Historic Structures Report for the existing structures has been completed and concluded that the existing public housing is not deemed eligible for listing on the California Register of Historical Places.

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

The Project is consistent with Priority Policy No. 8 in that it will not affect the City's parks or open space or their access to sunlight and vistas. The new construction on the site will be 2-7 stories in height and a shadow study has been completed and concluded that the new buildings will not cast excessive shadow on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The open space designed to be part of the Project will be privately owned and maintained.

17. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

18. 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.

19. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

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 approves the Project Authorization for a Planned Unit Development, including 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, subject to the conditions of approval attached hereto as **Exhibit A**, which are incorporated herein by this reference, and further subject to determinations by Department staff that Phases 2 and 3 of the Project are consistent with this Project Authorization, the Design for Development dated May 29, 2008, attached hereto as **Exhibit C**, and the Planning Code.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17621. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the foregoing Motion was adopted by the City Planning Commission on **June 12, 2008.**

Linda Avery
Commission Secretary

AYES: Commissioners Michael Antonini, William L. Lee, Ron Miguel, Kathrin Moore, Christina Olague, and Bill Sugaya

NAYS: None

ABSENT: None

ADOPTED: June 12, 2008

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Exhibit A
Conditions of Approval

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

1. This approval is pursuant to Sections 303 (Conditional Use) and 304 (Planned Unit Development) for a Planned Unit Development, including 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 on an approximately 980,100 square foot site. The approval is in general conformance with the plans dated May 29, 2008, and stamped "Exhibit B", and the Design for Development document dated May 29, 2008, stamped "Exhibit C".

2. **Community Liaison.** The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to the owners and occupants of nearby properties at all times during Project construction. Prior to the commencement of Project construction, the Project Sponsor shall give the Zoning Administrator the name, address and telephone number of such liaison.

3. **Reporting.** The Project Sponsor shall submit to the Zoning Administrator two copies of a written report describing the status of compliance with the conditions of approval contained within this Motion every six months from the date of this approval through the issuance of the first temporary certificate of occupancy. Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all the conditions of approval have been satisfied or that the report is no longer required for other reasons.

4. **Design-for-Development.** The Hunters View Design for Development, Exhibit C, is hereby incorporated into these Conditions of Approval. This document provides the following: (1) a site plan for the overall project, (2) discussions of the project's overall design principles and intent, (3) discussion of the design principles and intent for features that will become part of the public realm (i.e. new street, parks, and other open space); (4) discussion of design principles and intent for buildings and uses; (5) the establishment of specific requirements for public realm features, buildings, and uses (referred to as "Design Controls") along with design recommendations for public realm features, buildings and uses (referred to as "Design Guidelines").

   The further design, construction, and maintenance of the Project shall conform to the Design for Development in the following manner. All features, including, but not limited to, street and block layout, street design, parks and open space, buildings, and uses shall meet the general overarching goals and intent of the Design for Development, including the "Principles of San Francisco Neighborhood Design" discussed in Chapter 2. Public realm features that are provided with individual descriptions and discussions (i.e. Promontory Park, New Street) are required improvements and shall meet the general design intent described therein. Design specifics, such as lane dimensions and configuration of open space, may vary as long as the general design intent for the given feature has been met, and for parks and public open space, provide approximately the same square footage of open space.

Design provisions throughout the Design for Development that fall under a "Development Controls" heading must be met to be in conformance with this Planned Unit Development approval, except as provided under 4A, below.

Design provisions throughout the Design for Development that fall under the "Development Guidelines" heading are strongly recommended; they are not required as long as the general design intent for that feature has been met.

A. Provisions for "Development Controls" may vary as long as the following two conditions are met: (1) there is no more than a five-percent variance of the subject provision for the subject block; and (2) the Zoning Administrator finds that the general intent for the subject provision and overall Design for Development has been met. Design features that do not meet either the "Development Controls" and do not meet these conditions would require an amendment to the Design for Development Document and this Planned Unit Development approval.

5. **Land Use.**

A. The Project Sponsor has received an approval for the construction of 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 parking spaces in three phases.

B. Uses listed under the NC-1 (Neighborhood Commercial Cluster) District whether conditionally or principally permitted are in general principally permitted within the proposed Special Use District under Planning Code Section 249.39.

C. For social service and institutional uses, including those that fall under the definitions of large and small institutions (Planning Code Sections 790.50 and 790.51 respectively), the Project Sponsor shall promote alternative methods of transportation to and from the use's facility by employees. The Project Sponsor shall encourage the use of carpooling and public transportation for users of the facility in order to minimize congestion and reduce peak queuing of automobile pick-up and drop-off.

D. For commercial uses including full- and self-service restaurants, the following conditions shall apply:

1. The property owner shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily sweeping and litter pickup and disposal as well as washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.

2. Until removal by a waste disposal service, all garbage and/or waste containers shall be either kept within the subject building, or kept in a sealed enclosure which prevents the emission of any noxious odors.

3. The Project Sponsor shall maintain appropriate odor control equipment to prevent any significant noxious or offensive kitchen odors from escaping the premises.

4. The Project Sponsor shall operate the proposed use such that noise is kept at reasonable levels so as not to unduly disturb neighboring businesses and residents.

5. The Project Sponsor shall maintain an attractive storefront providing visibility of the restaurant interior through the storefront windows.

6. Signs for the business shall be reviewed and approved by the Planning Department before they are installed.

6. **Design.**

A. The final plans shall meet the standards of the Planning Code, except for those modifications to Planning Code provisions approved by this Project Authorization or as Development Controls in the approved Design for Development dated May 29, 2008, and be in general conformity with the plans approved by the Commission on June 12, 2008 as Exhibit B found in the Case docket.

B. Final detailed building plans shall be reviewed and approved by the Planning Department before issuance of the first superstructure addendum to a site permit. Detailed building plans shall include a final site plan for the building, unit plans, elevations, sections, landscape plan, choice of finish materials and colors, and details of construction.

C. Final detailed plans sufficient for Conditional Use/Planned Unit Development approval for Phases 2 and 3 shall be submitted to the Planning Department prior to application for any site or building permits for those phases. The Planning Department shall review such plans for general conformity with this Project Authorization, the approved Design for Development and the Planning Code. Plans for Phases 2 and 3 shall be presented to the Planning Commission as information items.

D. Space for the collection and storage of garbage shall be provided within an enclosed area on the property. Garbage containers shall be kept inside the building, and placed outside only when being serviced by the disposal company. Space for the collection and storage of recyclable materials which meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program, shall be provided at the ground level of the Project.

E. All proposed signage will be in general conformance with Article 6 of the Planning Code.

F. The project sponsor shall continue to work with Planning Department staff on the details of the design of the project that include but not limited to assuring quality materials and detailing, and assuring a sufficient variety of materials and treatments across the site. Special attention shall also be given to the architectural treatment of corners and assuring that internal mews are appropriately activated. Designs for buildings on blocks 1b, 5, 6 and 7a may deviate from those shown in Exhibit "B" to allow greater diversity in form than those presented, as long as the overall design intent of the Design for Development and the required controls have been met. Likewise, configuration of front stoops may be reconfigured to be made larger, if appropriate.

7. **Housing**.

A. The Project shall not be marketed for time share, executive suites or short term transient use.

B. Covenants, conditions and restrictions approved by the Planning Department shall be imposed upon the project units to restrict use to occupancy for permanent residents and to preclude time-share ownership or occupancy. No residential units shall be used as hotel units, as defined in Section 203.8 of the San Francisco Housing Code.

C. The project is subject to affordable housing requirements through the Redevelopment Agency and not through Planning Code Section 315.

8. **Performance.**

A. Prior to the issuance of any new or amended building permit for the construction of the Project, the Zoning Administrator shall approve and order the recordation of a notice in the Official Records of the Recorder of the City and County of San Francisco, if not already recorded, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor or the successor thereto, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.

B. The Project Sponsor shall obtain site or building permits for Phase 1 of this Project within three years from the date of this conditional use authorization, and construction shall thereafter be pursued diligently to completion or the said authorization shall be deemed null and void.

C. The project requires the adoption of the proposed Planning Code Text and Map Amendments by the Board of Supervisors. In the event that the Board of Supervisors does not approve the project, the project would need to be redesigned.

D. This authorization is valid for a period of ten years from the date of approval by the Planning Commission.

E. After ten years, an extension for up to an additional two years may be specifically authorized by the Planning Commission. In the case where delays have been caused by a government agency or legal action, time shall be tolled and the authorization extended for such period by the Zoning Administrator.

F. Failure to comply with these Conditions of Approval shall be grounds for revocation of the conditional use authorization. Should the Project result in complaints from neighbors that are not resolved by the Project Sponsor and are subsequently reported to the Zoning Administrator and found to be in violation of the Planning Code and/or the specific Conditions of Approval contained in this Exhibit A of this motion, the Zoning Administrator shall report such complaints to the Planning Commission which may thereafter hold a public hearing on the matter in accordance with the hearing notification and conduct procedures in Planning Code Sections 174, 306.3 and 306.4 to consider revocation of this Conditional Use Authorization. The subject authorization shall otherwise be reviewed administratively by the Planning Department one year from the effective date of approval.

G. First Source hiring requirements shall be administered through the San Francisco Redevelopment Agency.

9. **Project mitigation.** "Mitigation Measures" and "Improvement Measures" to be included in the Project, as outlined in the Final Environmental Impact Report, Hunters View Redevelopment Project (State Clearinghouse No. SCH 2007112086). If said mitigation measures are less restrictive than the following conditions, the more restrictive and protective, as determined by the Zoning Administrator, shall govern. These measures are as follows:

A. **Transportation and Circulation**

The Project impacts at the Third Street/Evans Avenue intersection under the Baseline Plus Project Conditions 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 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.

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.

If the proposed mitigation is determined to be feasible, the Project Sponsor shall be required to fund its fair share of the cost of such mitigation.

Under 2025 Cumulative Plus Project Conditions, 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 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 ecalculation 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.

If the proposed mitigation is determined to be feasible, the Project Sponsor shall be required to fund its fair share of the cost of such mitigation.

Under the 2025 Cumulative Plus Project Conditions, 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.1 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. If signalization is implemented, the Project Sponsor shall be required to fund its fair share of the cost of such signalization.

Further analysis is required to determine the feasibility of this mitigation. If the proposed mitigation is determined to be feasible, the Project Sponsor shall be required to fund its fair share of the cost of such mitigation.

B. **Construction Air Quality**

1. 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 15 mph;
   - 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 wind breaks 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.

2. 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.
3. 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.

C. **Construction Noise**

1. To the extent feasible, the Project Sponsor shall limit construction activity to the hours of 7:00 a.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.

2. 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.

D. **Construction Vibration**

1. 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.

2. 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.

3. 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)

4. The Project Sponsor shall require construction contractors to operate earthmoving equipment on the construction site as far away from vibration sensitive sites as possible.

5. The construction contractor shall implement methods to reduce vibration, including, but not limited to, sound attenuation barriers, cutoff trenches and the use of smaller hammers.

E. **Mechanical Equipment**

The Project is zoned RM-1, 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 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.

F. **Biological Resources**

1. 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 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.

2. If the above survey does not identify any nesting bird species on the Project site, no further mitigation would be required. Should any active bird nests be located on the Project Site, 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.

3. Due to the presence of steep slopes, all construction activities associated with the pedestrian route on the PG&E property, if the Project Sponsor can obtain site control for an easement on the PG&E property and 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 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.

4. 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).

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

6. 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 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.

7. 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 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.

G. **Archaeological 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. 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 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 minimally 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 Project, at the discretion of the Project Sponsor either:

The 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 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.

H. **Hazardous Building Materials Survey**

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.

I. **Contaminated Soil Identification and Disposal**

1. 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.
2. If the results of this Phase II analysis indicate that contaminated soils is, in fact present on the site, 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.

J. **Improvement Measures**. Improvement measures diminish effects of the Project that were found through the environmental analysis to be less-than-significant impacts. The Project Sponsor has agreed to implement the following improvement measure.

1. 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 Project.

2. 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 reseeding 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 eucalyptus2 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.

3. 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.