



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other (EN Impact Fee – Sec. 423)

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Planning Commission Motion No. 18945 HEARING DATE: AUGUST 8, 2013

Date: August 1, 2013
Case No.: **2011.0430XE**
Project Address: **480 Potrero Avenue**
Zoning: UMU (Urban Mixed Use) Zoning District
 58-X Height and Bulk District
Block/Lots: 3973 / 002C
Project Sponsor: Reza Khoshnevisan
 SIA Consulting Corp.
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ADOPTING FINDINGS RELATING TO LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 TO ALLOW THE CONSTRUCTION OF A NEW SIX-STORY, 58-FOOT BUILDING WITH UP TO 75 DWELLING UNITS, APPROXIMATELY 970 SQUARE FEET OF RETAIL AND UP TO 47 OFF-STREET PARKING SPACES, AND TO ALLOW EXCEPTIONS INCLUDING (1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, (2) DWELLING UNIT EXPOSURE PER PLANNING CODE SECTION 140, AND (3) STREET FRONTAGE PER PLANNING CODE SECTION 145.1. THE SUBJECT PROPERTY IS LOCATED WITHIN THE UMU (URBAN MIXED USE) ZONING DISTRICT AND A 58-X HEIGHT AND BULK DESIGNATION, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 4, 2012, SIA Consulting Corporation (Project Sponsor) filed an application with the Planning Department (hereinafter “Department”) for Large Project Authorization under Planning Code Section 329 to allow construction of a new six-story, 58-foot building consisting of up to 75 dwelling units, approximately 970 square feet of ground floor retail, and parking for up to 47 spaces, and to allow exceptions for rear yard, dwelling unit exposure, and street frontage within the UMU (Urban Mixed Use) Zoning District and within a 58-X Height and Bulk Designation.

On September 26, 2012, Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until October 16, 2012; and

On October 17, 2012, an appeal of the Mitigated Negative Declaration was filed with the Department.

On August 8, 2013, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2011.0430X and the Appeal of the Mitigated Negative Declaration, 2011.0430E.

On August 8, 2013, the Commission upheld the PMND and approved the issuance of the Final Mitigated Negative Declaration (FMND) as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines and Chapter 31.

On August 8, 2013, the Planning Department/Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

The Planning Department/Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the Draft IS/MND,] and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2011.0430X at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration and action.

On August 8, 2013, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2011.0430X.

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 Large Project Authorization requested in Application No. 2011.0430X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The rectangular project site (Assessor's Block 3973, Lot 2C) totals 15,000 square feet in size and is located at 480 Potrero Avenue on the northwest corner of Potrero Avenue and Mariposa Street near the boundary of the Mission and Potrero Hill neighborhoods, where the topography is primarily flat with a northwest slope and seven-foot grade change. The project site is currently a vacant lot with a 100-foot wide frontage on Potrero Avenue and a 150-foot wide frontage on Mariposa Street. The site is within the Urban Mixed Use (UMU) District and a 58-X Height and Bulk District. The project site is located in the eastern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Planning effort.
3. **Surrounding Properties and Neighborhood.** The project site is located at 480 Potrero Avenue, on the northwest corner of Potrero Avenue and Mariposa Street, near the boundary of the Mission and Potrero Hill neighborhoods. The surrounding zonings are UMU with PDR-1-G one block away to the west and RH-2 one block away to the east. Land uses in the surrounding neighborhood are mixed, and include residential, industrial, commercial, office, and automotive service facilities. Development along the west side of Potrero Avenue from Mariposa Street to 17th Street comprises a two-story, industrial building (Sunny Auto Body) and a two-story, office building (currently occupied by Horizons Unlimited) which also fronts on 17th Street. Along the east side of Potrero Avenue, from 17th Street to Mariposa Street, is a gasoline and service station and multiple residential, industrial, office and commercial buildings. Immediately adjacent to the project site, along the north side of Mariposa Street from Potrero Avenue to Hampshire Street is a two-story historic building (Verdi Hall), and a two-story office building that also fronts on Hampshire Street. Across the project site, along the south side of Mariposa from Potrero Avenue to Hampshire Street, is a 64-unit apartment complex that fronts on Hampshire Street, Mariposa Street, and Hampshire Street; and a three-story, office building (Homeless Prenatal Program) that also fronts on 18th Street.
4. **Project Description.** The project proposes the construction of a six-story, 58-foot-tall, residential building of approximately 80,000 square feet in size on a vacant lot. The new building would contain 75 residential units (three studios, 39 one-bedrooms, 25 two-bedrooms and eight three-bedrooms) and 47 parking spaces in a one-level basement parking garage. Approximately 10,000 square feet of common open space would be provided by an open courtyard and a roof deck. Pedestrian access would be from both Potrero Avenue and Mariposa Street while vehicular access to the parking garage would be from Mariposa Street.

5. **Public Comment.** The Department has received general inquiries, opposition and support on the proposed project from members of the public. Most of the opposition expressed concerns on the height and scale of the proposed building.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Zoning District.** The project site is located within Urban Mixed Use (UMU) District in the Mission neighborhood and within the Mission Area Plan of the General Plan. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. The project proposes retail and residential uses that include 40 percent two-bedroom units or larger, or family-sized units, in the UMU Zoning District.
 - B. **Use.** Planning Code Section 843 identifies residential use and various nonresidential uses as principally permitted uses in the UMU Zoning District. In general, the principally permitted uses are industrial and business service, assembly and social service, retail, recreation and arts, and residential.

The proposed residential and retail uses are compatible and consistent with the zoning designation.

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth beginning at the lowest story containing a dwelling unit.

The Project does not comply with the rear yard requirement as it does not provide a contiguous 25 percent depth for the full width of lot and is seeking an exception as part of the Large Project Authorization (See discussion under Finding No. 8).

- D. **Residential Open Space.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The Project has a residential open space requirement of up to 6,000 square feet of usable open space if private, or 4,050 square feet of publically accessible open space.

The Project complies with the open space requirement by providing a total of approximately 6,400 square feet of qualifying open space in the form of roof decks and balconies, in addition to over 4,300 square feet of non-qualifying open space in the form of balconies and common courtyard.

- E. **Commercial Open Space.** Planning Code Section 135.3 requires usable open space for uses other than dwelling units. For retail use, one square foot per 250 square feet of occupied floor area of usable open space is required. In Eastern Neighborhoods Mixed Use Districts, this open space requirement may be satisfied through payment of a fee of \$76 for each square foot of usable square footage not provided pursuant to this Code section.

The Project is required to provide at least four square feet of commercial open space. The project proposes more open space areas and square footage than the requirement.

- F. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires improvement of the public right-of-way associated with development projects. The owner or developer of a new building in this District must install street trees. Each street tree must be a minimum of 24-inch box for every 20 feet of frontage of the property along each street or public alley with any remaining fraction of 10 feet or more of frontage requiring an additional tree.

The project has a tree requirement of five at the Mariposa Street frontage and eight at the Potrero Avenue frontage. The project complies with the requirement by providing the required number of street trees

- G. **Bird-Safe Standards.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. The project site is not located within an urban bird refuge.

The Project meets the requirements of Planning Code Section 139, and does not contain any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies that have unbroken glazed segments 24 square feet or larger in size.

- H. **Dwelling Unit Exposure.** Planning Code Section 140 requires dwelling units to have at least one window facing a street or alley, a Code-complying rear yard.

Although all proposed dwelling units enjoy ample light and air with the proposed open spaces, setbacks and balconies, 36 of the proposed units facing the rear yard do not meet the dimensional requirements (see discussion under Finding No. 8).

- I. **Street Frontages.** Planning Code Section 145.1 requires the following for street frontages in Eastern Neighborhood Mixed Use Districts: (1) not more than 1/3 the width of the building facing the street may be devoted to ingress/egress to parking; (2) off-street parking at street grade must be set back at least 25 feet; (3) "active" use shall be provided within the first 25 feet of building depth at the ground floor; (4) ground floor non-residential uses in UMU zoning district shall have a floor-to-floor height of 17-feet; (5) frontages with active uses shall be fenestrated with transparent windows; and, (6) decorative railings or grillwork placed in

front of or behind ground floor windows, shall be at least 75 percent open to perpendicular views.

The project meets the requirements of Section 145.1 as follows: (1) providing one 12-foot wide garage opening, which total less than 1/3 the width of the approximately 100-foot wide building at Mariposa Street frontage; (2) all off-street parking spaces are in the basement; (3) incorporating active uses on all street frontages, including commercial and dwellings with stoops within the first 25 feet of the building depth at ground floor and, (4) providing transparent windows at the ground floor active use. The project does not meet the floor-to-floor ground floor height of 17 feet for the commercial frontage for the proposed commercial space at the corner of Mariposa and Potrero. The project proposes a floor-to-floor ground floor height of 12 feet. Therefore, an exception is required and has been requested.

- J. **Shadow.** Planning Code Section 147 requires reduction of substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Planning Code Section 295. Section 295 restricts new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission.

The Shadow Analysis conducted for the Project indicates that the Project will not cast shadow upon Public, Publicly Accessible or Publicly Financed or Subsidized Open Space.

- K. **Residential Off-Street Parking.** Planning Section 151.1 allows for provision of up to three parking spaces for each four dwelling units. Additionally, up to one parking space is permitted for each dwelling unit that is two or more bedrooms and at least 1,000 square feet of occupied floor area, subject to the requirements of Sections 151.1. No additional parking is permitted above these amounts.

Based on the proposed dwelling unit mix, the maximum number of parking spaces permitted is 57, or a parking ratio of approximately .75 spaces per dwelling unit. The project proposes 47 parking spaces, or a parking ratio of approximately .63 spaces per dwelling unit. Therefore, the project complies with the principally permitted parking amounts.

- L. **Off-Street Loading.** Planning Code Section 152.1 does not require off-street freight loading spaces for a residential use in UMU Districts when the gross floor area is less than 100,000 square feet.

The project proposes a gross floor area of 80, 000 square feet, less than 100,000 square feet. Therefore, off-street loading spaces are not required.

- M. **Bicycle parking.** Planning Code Section 155.4 requires 3 bicycle spaces for commercial and industrial projects where the gross square footage of the floor area exceeds 25,000 square feet but is no greater than 50,000 feet. Planning Code Section 155.5 requires projects over 50 dwelling units to provide 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.

The project proposes approximately 970 square feet of retail space, less than the square footage trigger of 25,000 square feet. Therefore, no bicycle parking is provided for commercial uses. The proposed total number of 75 dwelling units requires a total of 31 bicycle parking spaces. The project complies with this requirement by providing up to 40 bicycle parking spaces.

- O. **Car Share.** Planning Code Section 166 requires one space for a project proposes 50 to 200 dwelling units.

The project proposes a total of 75 units. Therefore, one car share space is required. The project complies with the requirement by providing one car share space.

- P. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.

The off-street parking spaces provided for the dwelling units will be unbundled and sold and/or leased separately from the dwelling units. Therefore, the Project meets this requirement.

- Q. **Dwelling unit mix.** Planning Code Section 207.6 requires at least 40 percent of the total number of proposed dwelling units to contain two or more bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

The Project will provide 40 percent of the dwelling units as 2-bedroom units or larger (33 units).

- R. **Height Limit.** Planning Code Section 260 requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The Project Site is within a 58-foot Height District.

The Project complies. The height of the roof is no higher than 58 feet measured per Planning Code Section 260.

- S. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of five or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Project is meeting the Inclusionary Affordable Housing Program requirement through the On-site Affordable Housing Alternative by providing 14.4% of the proposed dwelling units as affordable. Pursuant to San Francisco Charter Section 16.110 (g), adopted by the voters in November, 2012, beginning on January 1, 2013, the City shall reduce by 20% the on-site inclusionary housing obligation for all on-site projects subject to the Inclusionary Affordable Housing, but in no case below 12%. Thus, under Charter Section 16.110 (g) all the on-site requirements here is reduced by 3% (20% of 18%) to 14.4%.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on June 6, 2013 and a draft of the Costa Hawkins agreement on June 6, 2013. The EE application was submitted on August 23, 2012. Pursuant San Francisco Charter Section 16.110 (g) the 18% on-site requirement stipulated in Planning Code Section 415.6, is reduced by 3% (20% of 18%) to 14.4%. Eleven units (one studio, six one-bedroom, three two-bedroom, and one three-bedroom) of the eleven units provided will be affordable rental units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable. The Project must execute the Costa Hawkins agreement prior to Planning Commission approval or must revert to payment of the Affordable Housing Fee.

U. **Eastern Neighborhoods Public Benefit Fund.** The project shall comply with the provisions of Planning Code Section 423, including payment of the Eastern Neighborhoods Impact Fee, or execution of an In-Kind Agreement with the Planning Department prior to issuance of the first site or building permit.

7. **General Compliance with the Large Project Authorization in Eastern Neighborhoods Mixed Use District Objectives.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

A. Overall building massing and scale;

The Project conforms to the applicable height and bulk requirements. The neighborhood in the vicinity of the Project is continue to evolve with development in the Potrero Hill and the Mission areas, utilizing the Eastern Neighborhoods controls, and contains a range of building masses. The project, with residential and retail, will be consistent with the existing and evolving character of the area. The Project massing will improve the character of the neighborhood and general pedestrian circulation.

B. Architectural treatments, facade design and building materials;

The architecture of this Project responds to the site's location between the industrial nature and the contemporary and traditional architecture of the residential uses. The Project's facades present fenestration patterns and scale similar to the expressed frame of residential and industrial uses common in the area. The exterior is designed with modern materials including smooth stucco, horizontal wood siding, aluminum storefronts and windows. The aluminum punched window openings with stucco and siding recesses provide a stimulating and visually interesting buffer between the 101 Freeway and the Potrero Avenue and Mariposa Street facades. A prominent corner element accentuates the site location.

- C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access;

The ground floor character of the building is active with a viable retail space oriented at the corner of Potrero Avenue and Mariposa Street, which compliments the active residential spaces with transparent storefront and stoops at both street facades. Exposed and raised residential entries are present on both façades as expressed by the architecture of the building via stoops, recessed entries and landscape planters. Vehicular access is minimized to one existing curb cut at Mariposa Street. The second curb cut at Potrero Avenue will be removed. Street trees along all street frontages are proposed per the Planning Code. Although the proposed inner courtyard does not meet the dimensional requirements, it is 32 feet deep by 100 feet long and located at the rear of the property, and provides generous exposure to the west.

- D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site;

The Project provides adequate open space, all on-site. The open spaces are provided in the form of a courtyard and roof deck. The total open space over 10,000 square feet provided exceeds the total square footage of 6,000 required.

- E. Streetscape and other public improvements, including tree planting, street furniture, and lighting;

The Project proposes the installation of street trees and planters along both frontages and open spaces.

- F. Circulation, including streets, alleys and mid-block pedestrian pathways;

The Project provides one ingress/egress accesses utilizing an existing curb cut on Mariposa Street. No additional ingress/egress is proposed to prevent possible conflicts and congestion.

- G. Bulk limits;

The Project site is located in an X Bulk District, which requires no bulk restrictions.

- H. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan.

The Project generally meets the Objectives and Policies of the General Plan.

8. **Exceptions.** Proposed Planning Code Section 329 allows exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts.

A. Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth beginning at the lowest story containing a dwelling unit. The subject property is a rectangular lot with two frontages. Planning Code Section 329(d) allows an exception for the rear yard requirement pursuant to requirements of Planning Code Section 134(f).

1. Residential uses are included in the new or expanding development and a comparable amount of readily accessible usable open space is provided elsewhere on the lot:

The Project is occupied by residential uses, a ground floor retail space, and a comparable amount of readily accessible open space. Per the Planning Code, the required rear yard should equal 25 percent of the lot depth and area, which is 3,750 square feet of area and 25 feet deep for this property. The proposed inner courtyard, roof decks, setbacks, and balconies combine to provide over 10,000 square feet. Furthermore, the proposed inner courtyard is 3,750 square feet, or 25 percent of the lot area.

2. The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties:

The Project will provide plenty of open space in the form of an inner courtyard, roof decks, setbacks and balconies. The inner court has minimum dimensions of 32 feet deep and 100 feet wide. The Project will result in no significant impediment on light and air to adjacent properties. The adjacent properties have buildings that are full lot coverage and no rear yard or mid-block open space. The project will enjoy significant exposure to light and air to the west via the proposed court yard.

3. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties:

The adjacent properties have buildings that are full lot coverage with no rear yard or mid-block open space. The proposed court yard provides a relief to the cluster of adjacent buildings without setbacks.

B. Planning Code Section 140 requires dwelling units to have at least one window facing a street or alley, a Code-complying rear yard. 36 of the 75 proposed dwelling units ~~will~~would not meet the dimensional requirements.

Although the dwelling units enjoy ample light and air with proposed open space, setbacks, roof decks and balconies, 36 of the units that face the inner-court will not technically comply with the exposure requirement. However, the proposed 32-foot deep x 100-foot wide court yard will have western exposure and unobstructed access to light and air.

C. Planning Code Section 145.1 requires all ground floor non-residential uses in UMU District to have a minimum floor-to-floor height of 17 feet, as measured from grade.

Although active uses are proposed on the ground floor, the proposed retail space has a floor-to-floor height of 12 feet. This deviation is needed to ensure adequate vehicular maneuverability in the parking area due to the steep slope of the lot. Active uses are proposed in the form of raised ground floor residential entries. The overall intent of Section 145.1 will still be met.

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

HOUSING

Objectives and Policies

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.

The Project is a medium density mixed-use development in an underutilized, transitioning industrial and residential area. The Project site is an ideal infill site that is currently vacant. The area around the Project site was recently rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The project includes eleven on-site affordable housing units, which complies with the UMU District's goal to provide a higher level of affordability.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.5

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The architecture of this Project responds to the site's location as a transition between industrial zones and the contemporary and traditional architecture of residential zones. The Project's facades present fenestration patterns and scale similar to the expressed frame of residential and industrial uses common in the area. The exterior is designed with modern materials including smooth stucco, horizontal wood siding, aluminum storefronts and windows. The aluminum punched window openings with stucco and siding recesses provide a stimulating and visually interesting buffer between the 101 Freeway and the Potrero Avenue and Mariposa Street facades. Height limits were increased along Potrero Avenue to reflect importance of the street as transportation artillery and as a wide thoroughfare, which visually and from a development standpoint, could support higher densities.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The Project provides adequate open space, all on-site. The open spaces are provided in the form of a common inner court, a common roof deck, private roof decks and balconies. The open space areas are designed to include built-in seating and ample landscaping.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

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.

Policy 4.6:

Assure the provision of adequate public open space to serve new residential development.

The Project will create private and common open space areas in a new residential mixed-use development through private balconies and roof decks, common inner court and roof deck, and ground floor open spaces. The project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.

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 24.3:

Install pedestrian-serving street furniture where appropriate.

Policy 24.4:

Preserve pedestrian-oriented building frontages.

The Project will install street trees at approximately 20 foot intervals along frontages on Potrero Avenue and Mariposa Street. Frontages are designed with active spaces oriented at the pedestrian level.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:

Provide parking facilities which are safe, secure, and convenient.

The Project includes 40 bicycle parking spaces in secure, convenient locations.

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 34.1:

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.

Policy 34.5:

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The Project has a parking to dwelling unit ratio of .63 space per unit. The parking spaces are accessed by one ingress/egress point from Mariposa Street utilizing an existing curb cut and removing an existing curb cut at Potrero Avenue. Parking is adequate for the project and complies with maximums prescribed by the Planning Code.

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 1.7:

Recognize the natural boundaries of districts, and promote connections between districts.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

The Project is located within the Mission neighborhood that is transitioning from industrial uses to higher density residential mixed-use neighborhood. As such, the proposed building provides more intricate street

façades that respond to the existing industrial built environment, while respecting the residential influences of the surrounding buildings.

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.5:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

While the rectangular corner lot has two street frontages, it only provides one vehicular access point for the entire project, limiting conflicts with pedestrians and bicyclists. Numerous street trees will be planted on each street. Ample frontages, common and private open spaces, and ground floor active uses directly accessing the street will be provided. The pedestrian experience along the Project site will be improved. The site is currently vacant.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.2:

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1.

Ensure that in-fill housing development is compatible with its surroundings.

Policy 1.2.2.

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

Policy 1.2.3:

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

The Project has been designed to be compatible with the character-defining features of the neighborhood. The top two floors of the project have been setback five to seven feet from the street frontages to reduce the apparent height increase and to make massing more compatible with the adjacent buildings.

Built Form

OBJECTIVE 3.1:

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.3.

Relate the prevailing heights of buildings to street and alley width throughout the Plan Area.

Policy 3.1.8.

New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

Though height limits in the area have been modified under the Eastern Neighborhood Controls, the project proposes façade setbacks at the top two floors. Although there are no pattern of rear yard or mid-block open space in the existing block and adjacent parcels, the project proposes high quality private and common open spaces in balconies, decks, courtyards, and roof decks.

10. **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 of such businesses be enhanced.

There are no existing neighborhood-serving retail uses on the site. The site has been vacant since 2005. The Project will provide approximately 970 square feet of ground floor space adequate for various retail uses, including neighborhood serving retail, which will create opportunities for local resident employment and ownership opportunities.

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

No housing exists on the project site. The project will provide up to 75 new dwelling units, significantly increasing the neighborhood housing stock. The design of the Project is compatible with the surrounding neighborhood. For these reasons, the proposed project would protect and preserve the cultural and economic significance of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.

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

The project site is well-served by public transportation. The majority of future residents are expected to use alternative methods of transportation other than private automobiles, and the number of vehicle trips generated by this project would not impede MUNI transit service or overburden streets. The site is serviced by MUNI lines 9, 33, 22 and 27, all of which are within a few blocks of walking distance.

- 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 does not include any commercial office development as proposed. The proposal, with dwelling units and retail spaces, will increase the diversity of the City's housing supply, a top priority in the City, and will provide potential neighborhood-serving uses.

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

The project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The Project will not affect the City's parks or open space or their access to sunlight and vistas. A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission.

11. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning

and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will executed a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

12. 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.
13. The Commission hereby finds that approval of the Large Project authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2011.0430X** under Planning Code Section 329 to allow the proposed construction of a new six-story, 58-foot building consisting of up to 75 dwelling units, approximately 970 square feet of ground floor retail, and parking for up to 47 spaces, and exceptions including rear yard, dwelling unit exposure and street frontage, within the UMU (Urban Mixed Use) Zoning District and within a 58-X Height and Bulk Designation. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 31, 2013, and stamped "EXHIBIT D", which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the IS/MND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

The Planning Commission hereby adopts the MND and the MMRP attached hereto as Exhibit C and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the IS/MND and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion No. 18945. The effective date of this Motion shall be the date of this Motion if not appealed (After the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1650 Mission Street, Room 304, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 8, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Hillis, Sugaya, Fong, Antonini, Borden, Moore, and Wu

NAYES: None

ABSENT: None

ADOPTED: August 8, 2013

EXHIBIT A

AUTHORIZATION

This authorization is to allow a Large Project Authorization and including exceptions for (1) rear yard pursuant to Planning Code Section 134, (2) dwelling unit exposure pursuant to Planning Code Section 140, and (3) street frontage pursuant to Planning Code Section 145.1, for the proposed construction of a new six-story, 58-foot tall building consisting of up to 75 dwelling units, approximately 970 square feet of ground floor retail, and parking for up to 47 spaces; in general conformance with plans, dated July 31, 2013, and stamped "EXHIBIT D" included in the docket for Case No. 2011.0430X and subject to conditions of approval reviewed and approved by the Commission on August 8, 2013, under Motion No. 18945. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for 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 for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on August 8, 2013, under Motion No. 18945.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18945 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project Authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Large Project Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Large Project Authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.*
2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s). *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.*

DESIGN

3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design and the design and development of the streetscape and pedestrian elements in conformance with the Better Streets Plan. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, www.sf-planning.org.*
4. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, www.sf-planning.org.*
5. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant impacts to San Francisco streetscapes when improperly located. However, they may

not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- A. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- B. On-site, in a driveway, underground;
- C. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- D. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding impacts on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- E. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- F. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- G. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

AFFORDABLE HOUSING

6. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 18% of the proposed dwelling units as affordable to qualifying households. Pursuant San Francisco Charter Section 16.110 (g) the 18% on-site requirement stipulated in Planning Code Section 415.6, is reduced by 3% (20% of 18%) to 14.4%. The Project contains 77 units; therefore, eleven affordable units are required. The Project Sponsor will fulfill this requirement by providing the eleven affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

7. **Unit Mix.** The Project contains five studios, 41 one-bedroom, 23 two-bedroom, and eight three-bedroom units; therefore, the required affordable unit mix is one studio, six one-bedroom, three two-bedroom, and one three-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

8. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
9. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) of the each phase's total number of dwelling units as on-site affordable units.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
10. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
11. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Sections 415, 419 et seq., of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Sections 415 and 419. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOH at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.
As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
 - a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average fifty-five (55) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOH shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOH at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior to issuance of the first construction document or must revert payment of the Affordable Housing Fee.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.

- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

PARKING AND TRAFFIC

12. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 419 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation impacts during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

EASTERN NEIGHBORHOODS INFRASTRUCTURE IMPACT FEE

14. **Impact Fees.** The Eastern Neighborhoods Public Benefits Fund is implemented in part through district-specific Eastern Neighborhoods Impact Fee which applies to the Project Area. Fees shall be charged on net additions of gross square feet which result in a net new residential unit, contribute to a 20 percent increase of non-residential space in an existing structure, or create non-residential space in a new structure. Fees shall be assessed on residential use, and on non-residential use within each use category of Cultural/Institution/Education; Management, Information & Professional Service; Medical & Health Service; Retail/Entertainment; and Visitor Services; with no substitutions across uses. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. The project is within the Impact Fee Tier 1.

Prior to the issuance by the Department of Building Inspection (DBI) of the first site or building permit, the sponsor of any project subject to the Eastern Neighborhoods Impact Fee shall pay to

the Treasurer according to the schedule in Table 423.3. Planning Code Section 423.3 also provides alternatives satisfying this requirement.

PROVISIONS

15. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project. *For information about compliance, contact the First Source Hiring Manager at 415-401-4960, www.onestopSF.org*

MONITORING

16. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
17. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

OPERATION

18. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*
19. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison

shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MITIGATION MEASURES

20. Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

ADDITIONAL CONDITIONS

21. The Sponsor shall construct temporary protective barriers for protection of the adjacent building to the north (Verdi Club) during construction.
22. A training program shall be created for construction workers to be made aware of the importance of the adjacent building to the north (Verdi Club) and the contributing elements of the historical resource that would be affected by the proposed. Constructors and operator of heavy machinery shall be cautious when working adjacent to the building especially during excavation.
23. The sponsor shall provide existing condition analysis of the Verdi Club by a historical architect and/or structural engineer prior to construction that would set the baseline conditions of the Verdi Club before construction starts and will be the reference point of any dispute or any potential damage, deterioration, or disturbance that may occur during the construction period. Such analysis shall be submitted to historic preservation staff for review.
24. Construction equipment and excessive impact to the Verdi club and the side walk shall be minimized.

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MONITORING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
A. MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
ARCHAEOLOGICAL RESOURCES					
<p>The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project sponsor	Prior to any soil disturbing activities	Distribute Planning Department Archeological Resource “ALERT” sheet to Prime Contractor, sub-contractors and utilities firms.	Project sponsor, archaeologist and Environmental Review Officer (ERO)	Prior to any soil disturbing activities.
<p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p>	Project Sponsor			Submit signed affidavit of distribution to ERO.	Following distribution of “ALERT” sheet but prior to any soils disturbing activities.
	Head Foreman and/or project sponsor	Accidental discovery	Suspend any soils disturbing activity.	Notify ERO of accidental discovery.	

MONITORING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/ cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>	Project Sponsor	In case of accidental discovery	If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained.	Make recommendation to the ERO	
<p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	Project Sponsor	After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.	Implementation of Archeological measure required by ERO.		
<p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	Project Sponsor	Following completion of any* archeological field program. (* required.)	Submittal of Draft/Final FARR to ERO.		

MONITORING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 MEA 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.</p>	<p>Project Sponsor</p>		<p>Distribution of Final FARR.</p>		

MONITORING PROGRAM

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<p>Air Quality</p> <p><i>Mitigation Measure M-AQ-1 Construction Air Quality (Asbestos)</i></p>	Project Sponsor	During demolition, site grading and excavation, and site development.	Handling, hauling and disposal of contaminated soils.	The contractor shall take the mitigation actions specified in the SMP and shall submit weekly monitoring reports to DPH. Project sponsor to provide DPH with weekly reports during construction period.	Considered complete upon receipt by DPH of final monitoring plan at completion of construction.

A Site Mitigation (SMP) will be implemented to address the asbestos exposure to the construction workers, nearby residents, pedestrians and future users of the site. Dust control measures are to be implemented to reduce exposure during excavation, grading, loading and transporting of excavated materials. Soil/rock excavated and removed from the site will require appropriate disposal; additional sampling may be necessary. These measures are to include:

MONITORING PROGRAM

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<ul style="list-style-type: none"> • Site fencing. • Wetting exposed soil/rock – exposed soil/rock will be watered at least twice a day to prevent visible dust from migrating off-site. • Covering exposed soil/rock. In particular, stockpiles will be covered and trucks transporting contaminated soil/rock will be covered with a tarpaulin or other cover. • Preventing distribution of dust and soil/rock off-site by decontamination and other measures to prevent soil/rock from being tracked off-site by vehicles or carried off-site on clothes. Measures to achieve this include: water being misted or sprayed during the loading of soil/rock onto trucks for off-haul; wheels being cleaned prior to entering public streets; public streets will be swept daily if soil/rock is visible and excavation and loading activities will be suspended if winds exceed 20 miles per hour. 	Project sponsor/Contractor	During demolition, site grading and excavation, and site development.	Handing, hauling and disposal of contaminated soils (see mitigation measure).	The contractor shall take the mitigation actions specified in the SMP and shall submit weekly monitoring reports to DPH. Project sponsor to provide DPH with weekly reports during construction period.	Considered complete upon receipt by DPH of final monitoring plan at completion of construction.
<ul style="list-style-type: none"> • Instituting a site-specific health and safety plan (HSP) developed by a certified industrial hygienist that represents the site contractors, which includes that air sampling and monitoring be conducted to evaluate the amount of airborne particles generated during excavation, grading, loading and transportation. 	Project Sponsor/ Contractor/ Certified industrial hygienist	Prior to commencement of construction activities and ongoing	Contractor to implement a site specific health and safety plan (HSP)	DPH and San Francisco Planning Department to review and approve the HSP.	Considered complete after construction activities have ended.

MONITORING PROGRAM

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<ul style="list-style-type: none"> Contacting BAAQMD and completion of an Asbestos Dust Mitigation Plan permit application with BAAQMD prior to any excavation activities. 	Project Sponsor	Prior to commencement of excavation activities and during excavation.	Completion of an Asbestos Dust Mitigation Plan permit application with BAAQMD and implementation of requirements.	BAAQMD/DBI	Considered complete upon issuance of BAAQMD Permit and implementation of applicable BAAQMD requirements.
<p>In order to control potential exposure during soil/rock disturbance, the soil/rock are to be moisture conditioned using dust suppressants, covering exposed soil/rock and stockpiles with weighed down plastic sheeting or capping the site with building asphalt or at least two feet of clean imported fill.</p>	See above regarding measures addressed in Soil Mitigation Plan.				
<p>Excavated soil is to be disposed off-site after proper profiling for disposal. Excavated soil/rock material will either be loaded directly into trucks and removed from the site or stockpiled onsite. If stockpiled, the soil/rock will be placed on visqueen, bermed and tarped at all times.</p>	See above regarding measures addressed in Soil Mitigation Plan				
<p>Direct contact to the underlying soil/rock by future site users will be mitigated by encapsulation with the concrete foundation system and buildings. It is not anticipated that groundwater will be encountered during construction.</p>	See above regarding measures addressed in Soil Mitigation Plan				

MONITORING PROGRAM

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The SMP recommends that if unanticipated hazardous materials are encountered, the work is to stop; the site superintendent and project contractor are to be notified to conduct an inspection.	Contractor's Site Superintendent/Project Sponsor	During construction and excavation activities	If unanticipated hazardous materials are encountered, the work is to stop; the site superintendent is to notify Treadwell & Rollo who shall conduct an inspection.	Project Sponsor/Treadwell & Rollo to report findings to DPH in a weekly monitoring report.	

MONITORING PROGRAM

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<p>After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to EHS-HWU at DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.</p>	<p>Project Sponsor</p>	<p>Following completion of excavation and foundation construction activities.</p>	<p>Preparation of a closure/certification report to EHS-HWU at DPH for review and approval</p>	<p>EHS-HWU at DPH</p>	<p>Considered complete upon submittal of a closure/certification report to EHS-HWU at DPH for review and approval and submittal of report to and San Francisco Planning Department.</p>

MONITORING PROGRAM

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<p>Mitigation Measure M-HZ-2B: Testing for and Handling, Hauling, and Disposal of Contaminated Soils</p> <p>Step 1: Soil Testing. Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for contamination. The project sponsor shall enter the San Francisco Voluntary Remedial Action Program (VRAP) under the DPH. The project sponsor shall submit a VRAP application and a fee of \$592 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Site Assessment and Mitigation Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of \$592 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of \$197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. The consultant shall submit the work plan to DPH for review and concurrence prior to performing the soil sampling. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples. The project sponsor shall submit the report on the soil testing to DPH for review and concurrence. DPH shall review the soil testing program to determine whether soils on the project site are contaminated with lead or petroleum hydrocarbons at or above potentially hazardous levels.</p>	Project Sponsor		Prior to soil-disturbing activity.	DPH to review soil testing report and advise ERO and Department of Building Inspection (DBI) if Site Mitigation Plan (SMP) is required.	Prior to issuance of grading or excavation permit. Considered complete upon receipt by DPH, ERO, and DBI of monitoring report.
<p>Step 2: Preparation of Site Mitigation Plan. Prior to beginning demolition and construction work, the project sponsor shall prepare a Site Mitigation Plan (SMP). The SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation/capping, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the Department of Public Health (DPH) for review and</p>	Project Sponsor		Upon DPH determination that SMP is required.	If SMP is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to DBI and ERO, at end of construction.	Prior to issuance of certificate of occupancy. Considered complete upon receipt of monitoring report.

MONITORING PROGRAM

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<p>approval at least six weeks prior to beginning demolition and construction work. A copy of the SMP shall be submitted to the Planning Department to become part of the case file. Additionally, the DPH may require confirmatory samples for the project site.</p>					
<p>Step 3: Handling, Hauling, Treatment, and Disposal of Contaminated Soils and Groundwater.</p> <p>(a) <u>Specific work practices</u>: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.</p> <p>(b) <u>Dust suppression</u>: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.</p> <p>(c) <u>Surface water runoff control</u>: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.</p> <p>(d) <u>Soils replacement</u>: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.</p> <p>(e) <u>Hauling and disposal</u>: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California. Any contaminated groundwater shall be subject to the requirements of the City's Industrial Waste Ordinance (Ord. No. 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the system.</p>	Project Sponsor		During construction.	Project Sponsor to provide DPH with monitoring report following soil-disturbing construction period and final monitoring report at conclusion of building construction. Copies of reports to be provided to DBI and ERO.	Prior to issuance of certificate of occupancy. Considered complete upon receipt of monitoring report.

MONITORING PROGRAM

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<p>Step 4: Preparation of Closure/Certification Report</p> <p>After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.</p>	Project Sponsor		At completion of foundation.	Project Sponsor to provide closure/certification report to DPH, with copy to DBI and ERO.	Prior to issuance of certificate of occupancy. Considered complete upon receipt of monitoring report.
<p>Mitigation Measure M-HZ-2C: Disposal of Contaminated Soil, Site Health and Safety Plan</p> <p>If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with California and U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.</p> <p>If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:</p> <p>Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.</p>	Project sponsor and construction contractor(s)		During construction.	Project Sponsor to provide DPH with monitoring report following soil-disturbing construction period and final monitoring report at conclusion of building construction. Copies of reports to be provided to DBI and ERO.	Prior to issuance of certificate of occupancy. Considered complete upon receipt of monitoring report.

MONITORING PROGRAM

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<p>Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.</p>					
<p>The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.</p>					
<p>Protocols for managing stockpiled and excavated soils.</p>					
<p>The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:</p>					
<p>Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.</p>					
<p>Posting of “no trespassing” signs.</p>					
<p>Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.</p>					
<p>If groundwater contamination is identified, the Site Health and Safety Plan and Site Mitigation Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.</p>					
<p>The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.</p>					
<p>The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.</p>					