

RESOLUTION NO. 49-2008

Adopted July 15, 2008

GRANTING RELIEF FROM DENSITY, PARKING AND OFF-STREET LOADING AREA STANDARDS AS VARIANCES FROM THE WESTERN ADDITION A-2 REDEVELOPMENT PLAN AND AS A REASONABLE ACCOMMODATION PURSUANT TO FAIR HOUSING LAW; CONDITIONALLY APPROVING THE SCHEMATIC DESIGN; ADOPTING THE REVISED PRELIMINARY MITIGATED NEGATIVE DECLARATION, THE MITIGATION MONITORING AND REPORTING PROGRAM, AND MAKING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR 120 UNITS OF VERY LOW-INCOME SUPPORTIVE HOUSING AND APPROXIMATELY 3,846 SQUARE FEET OF RETAIL SPACE, SPONSORED BY COMMUNITY HOUSING PARTNERSHIP, A CALIFORNIA PUBLIC BENEFIT CORPORATION, AND MERCY HOUSING CALIFORNIA, A CALIFORNIA PUBLIC BENEFIT CORPORATION, ON CENTRAL FREEWAY PARCEL G, ASSESSOR'S BLOCK 792, LOT 85, SOUTHEAST CORNER OF FULTON AND GOUGH STREETS; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2

BASIS FOR RESOLUTION

1. Central Freeway Parcel G, Assessor's Block 792, Lot 85, is located at the southeast corner of Fulton and Gough Streets (the "Site") in the Western Addition Redevelopment Project Area A-2. The Site is also part of the newly-rezoned Market and Octavia Plan Area. Ordinance No. 72-08.
2. Community Housing Partnership, a California public benefit corporation, and Mercy Housing California, a California public benefit corporation (together, the "Developer"), has proposed the development of 115-120 supportive housing units for formerly homeless individuals on the Site. The development will include support and health services areas, common spaces, a courtyard, and 3 retail spaces for a total gross floor area of approximately 2,891 square feet (the "Project").
3. The Developer and the Redevelopment Agency of the City and County of San Francisco (the "Agency") have entered into an Exclusive Negotiations Agreement that will lead to a ground lease between the Agency and the Developer for the development of the Project. The Project Team retained DAVID BAKER & PARTNERS and BAKER+VILAR as the architects ("Architect") for the Project.
4. The Developer has submitted development plans that are consistent with the Request for Proposals issued by the Agency on August 31, 2006, but that require relief from certain development standards of the Western Addition A-2 Redevelopment Plan (the "Plan" or "Redevelopment Plan"). As a result, the Developer seeks the Agency's approval of variances from the requirements for

density, parking and off-street loading. The requested variances satisfy the standards for granting a variance under the Plan and the standards for granting zoning relief as a reasonable accommodation for persons with disabilities under federal and state fair housing law. The Developer is also requesting approval of the proposed schematic design (the "Schematic Design") for the Project, which design requires the granting of the requested variances.

5. The permitted uses and development standards pertaining to the Site are described in the Redevelopment Plan, which designates the Site's zoning as CI (General Commercial, Intermediate Density) and its height and bulk district as 96-E. The development depicted in the Schematic Design does not meet the Redevelopment Plan's typical standards for density, parking and off-street loading.
6. The Redevelopment Plan authorizes the granting of variances from its development standards (including its density requirements) where: "(a) owing to unusual and special conditions, enforcement of the development standards would result in undue hardships, or would constitute an unreasonable limitation beyond the intent and purposes of such standards, and/or (b) achievement of a distinctly better design, in both a public and private sense, than would be possible with strict adherence to the development standards, avoiding an unnecessary prescription of building form while carrying out the intent of the design principles and policies of the Plan." Redevelopment Plan, Section II. D.2 at page 20. As described below, the strict application of the density, parking and off-street loading area requirements of the Redevelopment Plan to this development would decrease the amount of affordable, supportive housing and associated services, and thus would constitute an unreasonable limitation beyond the intent of the standards of the Redevelopment Plan, which emphasizes the "development of sound and attractive residences available to persons of varied incomes and ages." Redevelopment Plan, Section II. A.2 at page 5.
7. Although the requested variances meet the Redevelopment Plan's variance standards, approval of the Project without off-street parking does not actually require a variance. Under the development standards of the Redevelopment Plan, the Agency has the discretion to reduce or eliminate parking spaces "if the Agency finds and determines that such fewer spaces will adequately serve the needs of the user of the new development." (See Section II. C. 7 of the Redevelopment Plan at page 17.) Staff has explained that the former chronically homeless residents of the Project do not need off-street parking spaces because they do not own automobiles. Accordingly, the proposed design of the Project without parking is consistent with the development standards of the Redevelopment Plan and does not need a variance.
8. Although the Agency has the basis to grant the proposed variances, the Agency may also rely on its fair housing obligations on behalf of persons with disabilities to alter zoning policies to reasonably accommodate and integrate persons with disabilities. Federal and state fair housing law provides that the Agency has an

obligation to provide a reasonable accommodation in the application of zoning rules if it makes the following findings: (1) the housing that is the subject of the request for reasonable accommodation is for persons with disabilities; (2) the requested reasonable accommodation is necessary to make specific housing available to persons with disabilities; (3) the requested accommodation will not impose an undue financial or administrative burden on the Agency; and (4) the requested accommodation will not result in a fundamental alteration in the local zoning rules.

9. Regarding this Project, staff has determined that: (1) 80% to 100% of the clients living in the Project will be persons with disabilities; (2) the proposed housing for persons with disabilities cannot be built if the Redevelopment Plan's standards for density, parking and off-street loading are strictly imposed; in other words, waiver of these zoning requirements is necessary to make housing available for persons with disabilities; (3) the requested accommodations is reasonable because they do not impose an undue financial or administrative burden on the Agency or the City. In fact, the Project provides a cost effective measure to implement the City's goals of providing 3,000 supportive housing units for the chronically homeless by 2010. On the other hand, strict compliance with the Redevelopment Plan's zoning standards will significantly decrease the Project's units and thus cause an undue financial burden on the City because it will have to acquire additional sites to meet the supportive housing production goal; and (4) the requested accommodations are reasonable because they do not fundamentally alter contemporary local zoning policy, i.e., the Market and Octavia Area Plan, which does not require parking or off-street loading.
10. The first variance request is for a variance from the density standards as the density permitted by the Redevelopment Plan results in a lot area for the residential component of the Project that allows a maximum of 183 Agency Rooms, which translates into 92 studio units (a studio unit requires 2 Agency Rooms). The Project, as proposed, contains 120 studio units, or 240 Agency Rooms. Accordingly, the proposed development exceeds the permitted density by 57 Agency Rooms, or approximately 31%. Therefore, the Developer has requested a variance from the Redevelopment Plan's density standards. Staff recommends granting this variance as it allows for the Project to serve a greater number of chronically homeless individuals and increase the efficiency of building and service operation, and the strict application of the Redevelopment Plan's density requirements would limit the number of this specific type of housing for persons with disabilities. The variance also allows the Project to follow the current underlying City zoning policy on density which allows for form-based density rather than a specific number of units per lot area.
11. The second variance request is for a variance from the Redevelopment Plan's standard of one off-street parking space for each unit, which would translate into 120 off-street parking spaces, and one parking space for each 500 square feet of net occupied retail area, which translates into approximately 4 parking spaces.

The Project, as proposed, does not have off-street parking, but the Redevelopment Plan does not require strict compliance with parking standards "if the Agency finds and determines that such fewer spaces will adequately serve the needs of the users of the new development." Staff recommends granting this variance as the target population of formerly chronically homeless individuals is very unlikely to have cars. The experience of the Agency and the City's Department of Public Health in operating other supportive housing projects for the chronically homeless has been that this population does not need off-street parking because they do not own motor vehicles. Parking spaces are simply not necessary in providing housing to the chronically homeless. Under fair housing law, developers of housing for persons with disabilities may seek a reduction in the number of parking spaces that might otherwise be required based on the number of residents who drive or have cars. Furthermore, the Site is adjacent to a large public parking structure. In addition, the current underlying City zoning does not require any minimum parking.

12. The third variance request is related to off-street loading requirements as the Redevelopment Plan requires one loading space for up to 10,000 square feet of gross floor area of the non-residential use which is retail space. The Project has 2,891 square feet of retail space and as proposed does not have off-street loading area. Therefore, the Developer has requested a 100% variance from the Redevelopment Plan's off-street loading standards. Staff recommends granting this variance due to the fact that including off-street loading would create an undue hardship on the Project. The Project requires a significant amount of ground floor non-residential space to support services for the residents. The inclusion of any off-street loading area would result in a reduction in those services spaces, thus limiting the availability of this specific type of housing to persons with disabilities. Furthermore, the underlying City zoning does not require off-street loading.
13. In addition to compliance with the Redevelopment Plan variance standards and reasonable accommodations obligations, staff has given strong consideration to the City's underlying zoning which allows for the standards requested by these variances, in consideration of the expiration of the Redevelopment Plan in January 2009. Accordingly, staff recommends granting relief from the density, parking and off-street loading area standards as variances from the Redevelopment Plan and as a reasonable accommodation under fair housing law.
14. Under Agency Resolution No. 1-78, dated March 21, 1978, a public hearing on a redevelopment plan variance requires the Agency to provide a notice, by mail, of the time, place, and purpose of the hearing "not less than ten (10) days prior to the date of the hearing, to the owners of all real property located within a 300 - ft. radius of the boundaries of the site of the proposed variance." On April 4, 2008, staff mailed appropriate notices to nearby property owners regarding the proposed variance for this Site.

15. Staff reviewed the Schematic Design developed by the Project's Architect and finds it acceptable provided that the following conditions are resolved during the next design phase:
 - Further design studies are required to develop additional architectural treatment of the exterior elevation elements facing Gough and Fulton Streets to create a friendlier environment;
 - Detailed design for all the facades elements shall be submitted to the Agency for review and approval;
 - Detailed landscape design drawings for all open spaces in the development, as well as the street trees and sidewalk details, shall be submitted to the Agency for review and approval; and,
 - Final selection of the exterior materials and colors shall be submitted for review and approval.
16. As required under the California Environmental Quality Act ("CEQA") Guidelines Section 15070 *et seq.*, a Preliminary Mitigated Negative Declaration was prepared for the proposed Project by the Agency and published on March 17, 2008. Also on March 17, 2008, staff issued a Notice of Intent to Adopt a Mitigated Negative Declaration, pursuant to CEQA Guidelines Section 15072.
17. The Notice of Intent included a stated public review period for the Mitigated Negative Declaration to April 9, 2008 (23 days), consistent with the requirements of CEQA Guidelines Section 15105(b). The Notice was posted in the Office of the County Clerk, and mailed to the Western Addition Citizens Advisory Committee, and to owners and tenants of property within a 300 foot radius of the project site. Laminated copies of the Notice were posted on and around the project site. This Notice also was published in the San Francisco Chronicle on March 21, 2008.
18. Staff received one comment letter on the Preliminary Mitigated Negative Declaration, from the San Francisco Municipal Transportation Agency ("MTA"), dated March 26, 2008. Staff and representatives of the project sponsors met with MTA staff on March 31, 2008, to discuss the issues raised by the MTA, including questions about bicycle parking, on-street parking, loading, and garbage collection. These issues have been addressed by staff in a revised Preliminary Mitigated Negative Declaration. The revisions to the Negative Declaration include added descriptions of building occupancy, provisions for bicycle parking, on-street parking, building operation with respect to loading, and garbage collection.

19. Pursuant to CEQA Guidelines Section 15073.5, recirculation of the revised Preliminary Mitigated Negative Declaration prior to adoption is not required, because the revisions clarify the descriptions of the items and is not a substantial revision of the Negative Declaration. Staff has transmitted a copy of the revised Preliminary Mitigated Negative Declaration to MTA staff, along with a notice of the May 20, 2008 meeting at which the Negative Declaration would be considered by the Commission.
20. Pursuant to CEQA Guidelines Section 15074(d), staff has prepared a Mitigation Monitoring and Reporting Program that contains the mitigation measures from the revised Preliminary Mitigated Negative Declaration that applies to this Project.

FINDINGS

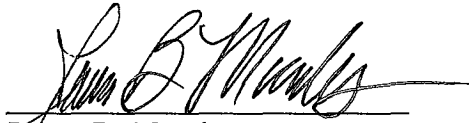
1. The Preliminary Mitigated Negative Declaration was prepared pursuant to CEQA for the proposed Project by the Agency, published on March 17, 2008, and revised on May 7, 2008.
2. The revised Preliminary Mitigated Negative Declaration describes the proposed Project, assesses potential environmental impacts of the proposed Project, and identifies mitigation measures to preclude significant impacts or reduce such impacts to less than significant levels. The proposed mitigation measures are included in the Mitigation Monitoring and Reporting Program that is included herein as Attachment A.
3. Based on the Agency's independent review of the revised Preliminary Mitigated Negative Declaration, and all available information regarding the Project, the Agency finds that the proposed Project is consistent with the project description contained in the revised Preliminary Mitigated Negative Declaration, and would not result in any significant impacts not identified in the revised Preliminary Mitigated Negative Declaration or any impact identified in the revised Preliminary Mitigated Negative Declaration that would be substantially more severe.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that (1) the Agency has reviewed and considered the revised Preliminary Mitigated Negative Declaration and finds that the revised Preliminary Mitigated Negative Declaration reflects the independent judgment and analysis of the Agency, and hereby adopts the revised Preliminary Mitigated Negative Declaration as adequate and having been prepared in accordance with CEQA, the CEQA findings set forth herein, and the Mitigation Monitoring and Reporting Program included herein as Attachment A; (2) the Schematic Design for the proposed Project is conditionally

approved in the form submitted by the Developer and presented to the Commission, subject to staff's approval of the proposal to be submitted by the Developer for resolution of the design conditions stated in foregoing portions of this Resolution, together with such refinements as the Executive Director may approve which do not substantially alter the Schematic Design concept; and, (3) the Agency grants relief from the density, parking and off-street loading standards as variances from the Western Addition A-2 Redevelopment Plan and as a reasonable accommodation under fair housing law, for 120 units of very low-income supportive housing and approximately 3,846 square feet of retail space, sponsored by Community Housing Partnership, a California public benefit corporation, and Mercy Housing California, a California public benefit corporation, on Central Freeway Parcel G, southeast corner of Fulton and Gough Streets; Western Addition Redevelopment Project Area A-2.

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "James B. Morales", written over a horizontal line.

James B. Morales
Agency General Counsel

ATTACHMENT A
PARCEL G DEVELOPMENT
MITIGATION MONITORING AND REPORTING PROGRAM
May 8, 2008

INTRODUCTION

Public Resources Code section 21081.6 requires public agencies to adopt a reporting or monitoring program whenever a public agency adopts a mitigated negative declaration to mitigate or avoid a project's significant effects on the environment. The purpose of this requirement is to ensure that such mitigation measures are implemented in a timely manner and in accordance with the terms of project approval.

The Parcel G Development (Project) Mitigation Monitoring and Reporting Program (MMRP), pursuant to AB 3180, CEQA Section 21081.6 and CEQA Guidelines Section 15074, provides the basic framework through which adopted mitigation measures will be monitored to ensure implementation.

ORGANIZATION

The MMRP is attached as Exhibit 1 and organized in a table format. For each measure, the table: (1) lists the mitigation measure; (2) specifies the party responsible for implementing the measure; (3) establishes a schedule for mitigation implementation; (4) assigns mitigation monitoring responsibility; and (5) establishes monitoring actions and a schedule for mitigation monitoring.

For ease of reference each measure listed in Exhibit 1 has a corresponding number, arranged in the order in which they are discussed in the Mitigated Negative Declaration for the Project published on March 17, 2008 and revised on May 7, 2008.

The MMRP includes an improvement measure for encouraging alternative modes of travel. The improvement measure diminishes the effects of the project that were found through the environmental analysis process to result in less than significant impacts.

IMPLEMENTATION

While the MMRP generally outlines the actions, responsibilities and schedule for mitigation monitoring, it does not attempt to specify the detailed procedures to be used to verify implementation (e.g., interactions between the Project Sponsor - the San Francisco Redevelopment Agency and City of San Francisco departments, use of private consultants, sign-off on plans, site inspections, etc.). Specific monitoring procedures are either contained in approval documents or will be developed at a later date, closer to the time the mitigation measures will actually be implemented.

EXHIBIT 1
PARCEL G DEVELOPMENT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
Air Quality				
Mitigation Measure AQ-1: The project applicant shall require the construction contractor to reduce the severity of project construction period dust impacts by complying with the following control measures: • Water all active construction areas at least twice daily. Consistent with Ordinance 175-91, only non-potable water shall be used for all dust-control purposes. The construction contractor shall obtain reclaimed water from the City's Clean Water Program for this purpose. • Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard.	Developer and contractor(s)	During construction	Department of Building Inspection (DBI)	DBI to require evidence of compliance through site permit process

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
• Pave, apply water two times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site. • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at the construction site. • Sweep adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets. • Require construction contractors to (1) properly maintain construction equipment and vehicles in accordance with the manufacturers' recommendations, and (2) minimize idling time when equipment is not in use and when trucks are waiting in queues. Include these provisions in all construction contracts.				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
Cultural Resources				
Mitigation Measure CR-1: The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged archaeological resources as defined in CEQA Guidelines Section 15064.5(c). The project sponsor shall distribute the City's 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 City's Environmental Review Officer (ERO) with a signed affidavit from the responsible parties	Developer and Contractor(s)	During construction, ongoing implementation as required by measure	Redevelopment Agency, Planning Department, City's ERO	Redevelopment Agency and/or Planning Department to require prior to excavation as part of Project-level plan review; ongoing monitoring and consultation as required by measure

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
(prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet. The project sponsor shall provide a copy to the Redevelopment Agency.				
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.				
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				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
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. 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 Planning Department's 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.				

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

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. <i>Final Archeological Resources Report.</i> 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 describing 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. 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				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
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 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.	Developer and Contractor(s)	During construction, ongoing implementation as required by measure	Redevelopment Agency, Planning Department, City's ERO	Ongoing monitoring and consultation as required by measure
Mitigation Measure CR-2: If any paleontological resources are encountered during site grading or other construction activities, all ground disturbance shall be halted until the services of a qualified paleontologist can be retained to identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
prevent any significant adverse effects on the resource(s).				

Hazards and Hazardous Materials

Mitigation Measure HM-1: If, based on the results of the soil tests conducted, the San Francisco Department of Public Health (DPH) determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all contaminated soils designated as hazardous waste shall be excavated by a qualified Removal Contractor and disposed of at a regulated Class I, II, or III hazardous waste landfill in accordance with 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 DPH.	Developer and Contractor(s)	Testing and H&S Plan prior to construction; during construction, ongoing implementation as required by measure	Redevelopment Agency, Planning Department, DPH	Redevelopment Agency and/or Planning Department to report and document compliance with this measure
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Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
If 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 would be required by the California Division of Occupational Safety and Health prior to initiating any earth-moving activities at the site. The H&S 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: • Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets. • Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards. • The dust controls specified in Air Quality Mitigation Measure AQ-1.				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
• Protocols for managing stockpiled and excavated soils.				
The H&S 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:				
• 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. • Posting of "no trespassing" signs. • Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
If groundwater contamination is identified, the H&S 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.				
The H&S 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.				
The H&S Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event				

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
unanticipated subsurface hazards are discovered during construction. Control procedures could include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.				

IMPROVEMENT MEASURE

Improvement measures diminish the effects of the project that were found through the environmental analysis process to result in less than significant impacts. An improvement measure designed to encourage alternative modes of travel and reduce an already less than significant effect on parking is listed below.

Improvement Measure	Responsibility for Implementation	Implementation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
Transportation/Traffic				
Improvement Measure TT-1: As improvement measures to reduce the proposed project's parking demand and parking shortfall and to encourage use of alternative modes, the project sponsor could provide a transportation packet for the project residents and employees that would provide information on transit service (MUNI and BART lines, schedules and fares), information on where FastPasses could be purchased, and information on the 511 Regional Rideshare Program.	Owner, developer and tenants	Completion of transportation packet prior to building occupancy; ongoing implementation as required by measure	Redevelopment Agency, Planning Department, Municipal Transportation Agency	Redevelopment Agency and/or Planning Department to report and document compliance with this measure