



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 8, 2016
TO: Paul Iantorno, Golden Properties LLC
FROM: Richard A. Sucré, Planning Department
RE: PPA Case No. 2016-004905PPA

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Kimberly Durandet at (415) 575-6816 or kimberly.durandet@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in black ink, appearing to read "Richard A. Sucré", written over a horizontal line.

Richard A. Sucré, Team Leader



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: December 8, 2016
Case No.: **2016-004905PPA**
Project Address: 1052-1060 Folsom & 190-164 Russ Street
Block/Lot: 3731/021, 023 & 087
Zoning: SOMA Neighborhood Commercial Transit (NCT);
Residential Enclave District (RED);
SOMA Youth and Family Zone Special Use District
65-X Height and Bulk Districts
Area Plan: Eastern Neighborhoods Area (East SoMa Sub-Area)
Project Sponsor: Paul Iantorno, Golden Properties, LLC
415-533-7455
Staff Contact: Kimberly Durandet – (415) 575-6816
kimberly.durandet@sfgov.org

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DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on April 13, 2016, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not in any way supersede any required Planning Department approvals listed below.

The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

This site is located on a parcel bounded by Russ Street, Folsom Street, Moss Street, and Howard Street in San Francisco's South of Market neighborhood. The site is comprised of three lots, lot 021, lot 023, and lot 087. Lot 021, located at 1052-1058 Folsom Street and 192-194 Russ Street, contains a two-story, two-unit mixed-use building, constructed in 1916 with 2,498 square feet of residential uses and 3,699 square feet

commercial uses and a two-story, two-unit, residential building with 2,158 square feet of residential use and 991 square feet of ground floor storage. Lot 023, located at 1060 Folsom contains a one-story, 3,840 square feet commercial building that was constructed in 1924. Lot 087, located at 190 Russ Street contains one-story, 1,819 square foot commercial building and five space surface parking lot constructed in 1938. The project sponsor proposes to demolish the existing buildings and construct a new mixed-used building with ground floor retail (3,314 square feet) 46 residential units (45,195 square feet) with ground floor parking (4,667 square feet) for 21 automobiles and 46 Class 1 bicycle parking spaces. The project would include up to 10 feet of soil excavation for the foundation and stacker parking.

BACKGROUND:

The project site is within the Eastern Neighborhoods Area Plans. The Eastern Neighborhoods Area Plans cover East South of Market (SoMa) (location of project site), Mission, Showplace Square/Potrero Hill, and Central Waterfront neighborhoods. On August 7, 2008, the Planning Commission certified the *Eastern Neighborhoods Programmatic Final Environmental Impact Report (Eastern Neighborhoods PEIR)* by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{1,2} The Eastern Neighborhoods Area Plans and its associated rezoning became effective December 19, 2008.

ENVIRONMENTAL REVIEW:

Community Plan Exemption

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR. As discussed above, the proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in the *Eastern Neighborhoods PEIR*. If the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination.

Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Eastern Neighborhoods PEIR*, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* are applied to the proposed project, and a CPE checklist and

¹ San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

² San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,017) and (b) the CPE certificate fee (currently \$7,779).

2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Eastern Neighborhoods PEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods PEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,017) and (b) the standard environmental evaluation fee (which is based on construction value).
3. **Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods PEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,017); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value). An EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool:

http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf

The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EEA)**. The EEA can be submitted at the same time as the PPA Application. The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. **Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.** EEAs are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org under the "Publications" tab. See "Environmental Applications" on page 2 of the current Fee Schedule for a calculation of environmental application fees.³

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

³ San Francisco Planning Department. *Schedule for Application Fees*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513>.

1. **Historic Resources.** The project proposes demolition of several age-eligible buildings located in the Eastern SOMA Historic Resources Survey Area. The properties were found not to be located in a historic district, but no individual evaluations were finalized. Therefore, the proposed project is subject to review by the Department's Historic Preservation staff. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The HRE scope will require an individual evaluation of the subject building which was not completed as part of the previous survey. The qualified professional must be selected from the Planning Department's Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. The selected consultant must scope the HRE in consultation with Department Historic Preservation staff. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has filed the EE Application and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the project sponsor. Project sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete HRE is received.
2. **Archeological Resources.** The project site lies within the Archeological Mitigation Zone J-2: Properties with No Previous Studies of the *Eastern Neighborhoods PEIR*. Therefore, the proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of project mitigation measures (such as archeological testing, monitoring, or accidental discovery), or other appropriate measures.
3. **Transportation.** Based on the PPA submittal, a transportation impact study is not anticipated; an official determination will be made subsequent to submittal of the EEA. However, the project site is located on a high injury corridor as mapped by Vision Zero. Planning staff have reviewed the proposed site plans and offer the following recommendations: show existing and proposed sidewalk and curb cut dimensions, and consider reconfiguration or removal of the corner parking spaces 19-20.
4. **Transportation Demand Management Program.** On April 28, 2016, the Planning Commission adopted a resolution to initiate Planning Code amendments that would require development projects to comply with a proposed Travel Demand Management (TDM) Program. The intent of the proposed

TDM Program is to reduce vehicle miles traveled (VMT) and to make it easier for people to get around by sustainable travel modes such as transit, walking, and biking.

Under the proposed TDM Program, land uses are grouped into four categories, A through D. For each land use category that is subject to the TDM Program, the City would set a target based on the number of accessory vehicle parking spaces that the project intends to provide for that land use category. To meet each target, the project sponsor must select TDM measures—each worth a specified number of points—from a menu of options. In general, if a project sponsor proposes more parking, the target for that land use category—and thus, the number of TDM measures that the sponsor must implement to meet it—would increase. Some of the TDM measures included in the menu are already required by the Planning Code. Points earned from implementing these measures would be applied towards achieving a project's target(s). Project sponsors would be required to implement and maintain TDM measures for the life of the project.

The proposed project includes 46 dwelling units and 3,314 square feet of retail use. Based on the proposed 21 parking spaces associated with the residential use, the project would be required to meet or exceed a target of 14 points for land use category C.

The Planning Code would currently require the project, as described in the PPA, to provide the following TDM measures:

- Bicycle Parking (Planning Code Section 155.2; TDM Menu ACTIVE-2 – option a)
- Parking Unbundling (Planning Code Section 167; TDM Menu PKG-1)

The project may be required to select and incorporate additional TDM measures to meet the target listed above. A full list of the TDM measures included in the menu of options is available on this website http://default.sfplanning.org/plans-and-programs/emerging_issues/tsp/tdm_D2_Appendix_A_TDM_Measures.pdf. When an environmental planner is assigned, he or she will provide additional guidance regarding the proposed TDM Program and next steps.

The proposed project also includes 3,314 square feet of non-residential uses, which would not be subject to the TDM Program, as currently proposed.

5. **Noise.** *Eastern Neighborhoods PEIR Noise Mitigation Measure F-1: Construction Noise* addresses requirements related to the use of pile-driving. The project sponsor has indicated that the project may involve pile driving. Therefore, *Noise Mitigation Measure F-1* would apply to the proposed project. This mitigation measure prohibits the use of impact pile drivers wherever feasible and requires that contractors use pile driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

Eastern Neighborhoods PEIR Noise Mitigation Measure F-2: Construction Noise requires that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that

construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

6. **Air Quality.** The project size is below the construction and operational criteria air pollutant screening size for a mid-rise residential building. However, detailed information related to cubic yards of excavation must be provided as part of the EEA.

In addition, project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the proposed project will be required to adhere to the dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. The proposed project is also required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

The project site is also located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct a new sensitive land use (i.e., residential), which is subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.⁴ In addition, equipment exhaust measures during construction, such as those listed in Mitigation Measure M-AQ-2, Air Quality for Sensitive Land Uses will likely be required.

If the project would generate new sources of toxic air contaminants including, but not limited to diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Given the proposed project's height of 65 feet, the proposed project would not likely require a backup diesel generator. Please provide detailed information related to any proposed stationary sources with the EEA.

7. **Greenhouse Gases.** *The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.⁵ The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the

⁴ Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

⁵ Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

8. **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project could cast shadows on Victoria Manalo Draves Park and the SoMa Recreation Center, which are Recreation and Park Department properties subject to Section 295. The project sponsor is therefore required to hire a qualified consultant to prepare a detailed shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department's website (<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539>). A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Environmental Planning staff prior to preparing the analysis. It's important to note that a previous project at 190 Russ Street (2013.0350) was found by the Recreation and Park Commission to have a significant shadow impact.
9. **Geology.** The project site is located within a Liquefaction Hazard Zone. Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review.⁶ A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
10. **Hazardous Materials.** The proposed project is located on the Maher map and may contain hazardous materials. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule,

⁶ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

Eastern Neighborhoods EIR Hazardous Materials Mitigation Measure L-1: Hazardous Building Materials would be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, must be abated according to applicable federal, state, and local laws.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

11. **Hydrology.** The project is located on a San Francisco Public Utilities Commission (SFPUC) Block of Interest, which identifies areas prone to flooding. The SFPUC shall be notified at the beginning of the planning process to review the project and determine whether the project would result in ground level flooding during storms.
12. **Stormwater.** If the project would result in a ground surface disturbance of 5,000 sf or greater, it would be subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding San Francisco Public Utilities Commission (SFPUC) Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. Responsibility for review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, and Urban Watershed Management Program. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. The project's environmental evaluation should generally assess how and where the implementation of necessary stormwater controls would reduce the potential negative impacts of stormwater runoff. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.
13. **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate

with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. **Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 75 feet in height or greater than 25,000 gross square feet in Eastern Neighborhood (EN) Zoning Districts. A portion of the project is located on Lot 087, which is located in the RED Zoning District (classified as an EN Zoning District); therefore, the project is subject to Section 329 review by the Planning Commission.
2. **Conditional Use Authorization (CUA)**, pursuant to Planning Code Section 303, from the Planning Commission is required for the following:
 - Large Lot Development. Planning Code Section 121.1 requires CUA for development of a lot greater than 10,000 square feet in the SOMA NCT (Neighborhood Commercial Transit) Zoning District.
 - Lot Merger. Planning Code Section 121.7 requires CUA for the merger of lots in the Residential Enclave District that result in lot frontage greater than 50 feet.
 - Dwelling Unit Demolition. Planning Code Section 317 requires CUA for the demolition of existing dwelling units.
3. **Variance and Zoning Administrator Modifications** will be required for rear yard (Sec. 134) and may be required for Usable Open Space (Sec. 136). See Preliminary Project Comments below.

4. A **Shadow Analysis Application** is required for construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project could cast shadows on Victoria Manalo Draves Park and the SoMa Recreation Center, which are Recreation and Park Department properties subject to Section 295. The project sponsor is therefore required to hire a qualified consultant to prepare a detailed shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department's website (<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539>). It's important to note that a previous project at 190 Russ Street (2013.0350) was found by the Recreation and Park Commission to have a significant shadow impact.
5. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
6. A **Building Permit Application** is required for the proposed new construction on the subject property.

Planning applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged, and in some cases required, to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

1. This project is required to conduct a **Pre-Application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-Application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.
2. **Neighborhood Outreach.** This project is required to undertake additional public outreach in advance of the Planning Commission hearing on the Large Project Authorization and Conditional Use. The developer is required to conduct an additional outreach meeting, notifying owners and tenants who live within 300' of the project as well as all registered neighborhood organizations for the South of Market neighborhood, after initial design comments have been provided from the Planning Department and prior to the scheduling of the aforementioned Planning Commission hearing. The purpose of this meeting is to keep the community abreast of the project's evolution, presenting the latest design of the project – including the Department's requested changes – to the community in advance of the Commission taking action on the hearing.
3. **Notification of a Project Receiving Environmental Review.** Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the

environmental review process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may substantially impact the proposed project.

1. **Eastern Neighborhoods – East SoMa Area Plan.** The project falls within the East SoMa Area Plan, a component of the Eastern Neighborhoods Area Plans. The project is generally in keeping with the broad land use objectives of the plan, in that it proposes a mixed-use development that maximizes the available residential development envelope. However, the project as proposed is not consistent with key objectives of the plan related to housing and historic preservation. In particular, the proposed demolition of four existing rent-controlled residential units and of a potential historic resource conflict with plan objectives to retain existing affordable housing and preserve historic resources. The project sponsor is encouraged to read the full plan, and to consider possible modifications to the project in fulfillment of plan objectives:

[http://sf-planning.org/sites/default/files/FileCenter/Documents/2107-East SoMa Area Plan DEC 08 Final Adopted.pdf](http://sf-planning.org/sites/default/files/FileCenter/Documents/2107-East%20SoMa%20Area%20Plan%20DEC%2008%20Final%20Adopted.pdf)

2. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application can be found on our website at http://forms.sfplanning.org/ProjectReview_ApplicationInterdepartmental.pdf
3. **Lot Development.** Planning Code Section 121.1 and 303 requires CUA for development of a large lot greater than 10,000 square feet in the SOMA Neighborhood Commercial Transit Zoning District, subject to the following criteria:
 - o The mass and facade of the proposed structure are compatible with the existing scale of the district.
 - o The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

Please ensure that future applications address these findings.

4. **Lot Merger.** Planning Code Section 121.7 requires CUA for the merger of lots in the Residential Enclave District that result in lot frontage greater than 50 feet and subject to the following criteria;
 - o The lot merger will enable a specific residential project that provides housing on-site at affordability levels significantly exceeding the requirements of Section 415.
 - o The lot merger will facilitate development of an underutilized site historically used as a single use and the new project is comprised of multiple individual buildings
 - o The lot merger serves a unique public interest that cannot be met by building a project on a smaller lot.

Please ensure that future applications address these findings.

- 5. Rear Yard.** Planning Code Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth but in no case less than 15 feet and extending the full width of the lot within a SOMA NCT and RED Zoning Districts. In the RED, rear yards shall be provided at the ground floor and at each succeeding level of the building. Currently, the proposed project does not meet the rear yard requirement. For the property located in the RED fronting Russ Street (lot 087), having an approximate lot depth of 100 feet, 25% would require a 25 foot rear yard. Currently, no rear yard is proposed at the ground floor and a 25-foot minimum depth is provided for only ½ the lot width at the first residential level. For the property located at the corner of Russ and Folsom (lot 021), having an approximate lot depth of 100 feet, 25% would require a 25 foot rear yard. Currently, there is nearly full lot coverage for this parcel. For the property located fronting on Folsom (lot 023), having an approximate lot depth of 80 feet, 25% would require a 20 foot rear yard. Currently, a 20-foot minimum depth is provided at the first residential level, extending the full 25-foot width of the lot; this parcel is providing a code complying rear yard.

The rear yard requirement in the RED Zoning District may be modified or waived by the Planning Commission pursuant to Section 329. However, modifications of the rear yard requirements in Neighborhood Commercial Zoning Districts (SOMA NCT) may be modified or waived by the Zoning Administrator pursuant to the variance procedures set forth in Section 306.1 through 306.5 and 308.2. As such, the project as proposed will require an exception to be granted by the Planning Commission and a variance to the requirements also needs to be granted by the Zoning Administrator.

- 6. Open Space – Residential.** Planning Code Section 135 requires 80 square feet of open space (private) and 100 square feet (common) in the SOMA NCT (29x100= 2,900 sq. ft.; Sec. 735.93) and 80 square feet in the RED (17 units x 80 = 1,360 sq. ft. Sec. 813.05) Zoning District for each dwelling unit (total 4,260 sq. ft.). Additionally, any such open spaces must meet the requirements of Subsections (e), (f) and (g). The project proposes to provide open space in an interior courtyard at the podium level of 1,998 sq. ft. and a roof deck of 2,587 sq. ft. for a total of 4,585 sq. ft. which appears to meet the requirements of Section 135.
- 7. Open Space – Non-Residential.** Planning Code Section 135.3 requires usable open space be provided for non-residential uses in Eastern Neighborhood Mixed Use Zoning Districts one foot of open space for every 250 square feet of occupied floor area for retail and like uses. The proposal includes 3,314 square feet of commercial space, however, the commercial space is located on the parcels zoned SOMA NCT where this requirement does not apply.
- 8. Permitted Obstructions.** Planning Code Section 136 outlines the requirements for permitted obstructions over streets, setbacks, rear yards, and useable open space. Upon submitting your site permit application, please provide additional information, including dimensions of the balconies and interior courtyard walkways to determine whether these elements meet the requirements of the Planning Code.

9. **Street Trees.** Public Works requires the planting of street trees pursuant to Article 16, Section 805(a) and (d) and 806 (d). Generally, one street tree for every 20 feet of frontage for new construction will be required. You may contact Carla Short of Public Works for additional information (carla.short@sfdpw.org). You may also view the code requirements at the following link: view the requirements at the following link:

[http://www.amlegal.com/nxt/gateway.dll/California/publicworks/article16urbanforestryordinance?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$anc=ID_806](http://www.amlegal.com/nxt/gateway.dll/California/publicworks/article16urbanforestryordinance?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=ID_806)

10. **Standards for Bird Safety.** Adopted on July 14, 2011, the Standards for Bird Safe Buildings, Section 139, specify requirements for a bird safe building. Please review the standards and indicate the method of glazing treatment where applicable.
11. **Dwelling Unit Exposure.** Planning Code Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. The proposed rear yard is not code-complying and does not provide a large enough courtyard to meet the exposure requirement for those units (12) that only have windows fronting the rear yard area. Therefore, the proposed project requires revision to meet the minimum exposure requirement, or you may request and justify an exposure exception through the Large Project Authorization and Variance processes. The Department generally encourages projects to minimize the number of units needing an exposure exception or variance.
12. **Shadow Analysis (Section 295).** Planning Code Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project may cast new shadow on Victoria Manalo Draves Park and the SoMa Recreation Center. Therefore, a detailed shadow analysis would need to be prepared to determine if the project would create new shadow in that results in an adverse impact to Victoria Manalo Draves Park and the SoMa Recreation Center, pursuant to Section 295. If this detailed shadow analysis finds that the project would cast shadow on Victoria Manalo Draves Park and the SoMa Recreation Center, the sponsor should explore sculpting of portions of the project to avoid casting new shadows on the park. It's important to note that a previous project at 190 Russ Street (2013.0350) was found by the Recreation and Park Commission to have a significant shadow impact
13. **Street Frontage.** Planning Code Section 145.1 outlines requirements for street frontages to ensure that they are pedestrian-oriented, active, fine-grained, and are appropriate and compatible with the buildings. As the design of the proposed project is developed, please ensure that the ground floor street frontage meets these requirements as related to use. Residential uses are considered active uses if more than fifty percent of the linear residential street frontage at the ground floor level features walk-up dwelling units, which provide direct, individual pedestrian access to a public sidewalk. Currently, the project proposes bicycle parking in the first 25 feet of the building depth which is not considered an active use. Also, non-residential uses in the NCT districts shall have a minimum floor to floor height of 14 feet.

14. **Parking and Curb Cuts.** Planning Code Section 151.1 permits parking up to three cars for each four dwelling units in the RED and up to one car for each two dwelling units and one per 1,500 square feet of retail in the SOMA NCT. The project proposes 17 dwelling units in the RED and 29 dwelling units in the SOMA NCT and 3,314 square feet of commercial space for a total of 30 permitted auto parking spaces. The proposed project is providing 20 space efficient, stacked parking spaces which meet the requirements of Section 151.1.
15. **Bicycle Parking.** Planning Code Section 155.2 outlines requirements for Class 1 and Class 2 bicycle parking spaces for residential developments. The proposed project is required to provide one Class 1 bicycle parking space for every dwelling unit and one Class 2 bicycle parking space for every twenty dwelling units. Therefore, the proposed project is required to provide a total of forty-six Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces for the dwelling units. For the proposed ground floor retail use, a minimum of one Class 1 and two Class 2 bicycle parking spaces are required. Refer to Zoning Administrator Bulletin No. 9 for guidance on bicycle parking design and layout:

http://www.sf-planning.org/ftp/files/publications_reports/ZAB_BicycleParking_9-7-13.pdf
16. **Parking and Housing Costs Separation (Section 167).** Please be advised that all off-street parking spaces accessory to residential uses in new structures of ten dwelling units or more shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two bedroom units, and then to the owners or renters of other units. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 415 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, and at a price determined by the Mayor's Office of Housing, subject to procedures adopted by the Planning Commission.
17. **SoMa Youth and Family SUD and Affordable Housing.** The project site falls within the SoMa Youth and Family Special Use District (SUD). As such, it is subject to the criteria of Section 249.40A. The SUD requires a Conditional Use Authorization for a variety of uses. It also requires certain projects to provide a larger amount of affordable housing. The subject property (Lot 087) does fall on a site that triggers this requirement (see Subsection (c)(1)(C)) and as such is subject to the Tier C affordable housing requirements of Sections 419 et seq..
18. **Height and Height Exemptions.** The project is located in a 65-X Height District. The development as proposed overall appears to meet that height limit. However, pursuant to Planning Code Section 260 certain building features are allowed above the height limit. Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows are limited to the top 10 feet of such features where the height limit is 65 feet or less. However, elevator penthouses shall be limited to the top 16 feet and limited to the footprint of the elevator shaft, regardless of the height limit of the building.

These features are further limited to a total horizontal area of 20% or less. The elevations are unclear if all features meet the requirements of this section.

19. **Inclusionary Affordable Housing.** Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department identifying the method of compliance, on-site, off-site, or affordable housing fee. The following Inclusionary Affordable Housing requirements are those in effect at the time as of issuance of this letter. In the event that the requirements change, the Project Sponsor shall comply with requirements in place at the time of the issuance of first construction document. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins exception agreement is secured by the project sponsor. Affordable units designated as on-site units shall be affordable units for the life of the project.

The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application has been submitted; therefore, pursuant to Planning Code Section 415.3 and 415.6 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 25% of the proposed dwelling units as affordable with a minimum of 15% of the units affordable to low-income households and the remaining 10% of the units affordable to low- or moderate/middle-income households, as defined by the Planning Code and Procedures Manual.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- o direct financial construction from a public entity
- o development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.

20. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
50 Van Ness Avenue, San Francisco, CA 94102
(415) 581-2303

21. **Flood Notification.** The project site is in a block that has the potential to flood during storms. The SFPUC will review the permit application to comment on the proposed application and the potential for flooding during wet weather. Applicants for building permits for either new construction, change of use, or change of occupancy, or for major alterations or enlargements must contact the SFPUC at the beginning of the process to determine whether the project would result in ground-level flooding during storms. Requirements may include provision of measures to ensure positive sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. For information required for the review of projects in flood-prone areas, the permit applicant shall refer to Bulletin No. 4: http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf.
22. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sf or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.
23. **Recycled Water.** Projects located in San Francisco's designated recycled water use areas are required to install recycled water systems for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code. New construction or major alterations with a total cumulative area of 40,000 square feet or more; any new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions are required to comply. To determine if the proposed project is in a designated recycled water use area, and for more information about the recycled water requirements, please visit sfwater.org/index.aspx?page=687.
24. **Non-Potable Water Reuse.** Beginning November 1, 2015, all new buildings of 250,000 square feet or more of gross floor area, located within the boundaries of San Francisco's designated recycled water use area, must install non-potable water reuse systems to treat and reuse available alternate water sources for toilet and urinal flushing and irrigation. This requirement expands to the entire city the following year, on November 1, 2016. Your project will need approvals from the San Francisco Public Utilities Commission and permits from both the Department of Public Health and DBI to verify compliance with the requirements and local health and safety codes. To view more information about

the requirements, please visit <http://www.sfwater.org/np>. Project teams may contact nonpotable@sfwater.org for assistance.

25. **Vision Zero.** In 2014, the City adopted the Vision Zero Policy which seeks to eliminate all traffic deaths in the City by 2024. The City subsequently established a network of Vision Zero Corridors which have higher rates of traffic-related injuries and fatalities compared to most San Francisco Streets. The City has determined that streets on the Vision Zero network should be prioritized for safety improvements especially those that improve the safety of vulnerable users like people walking and people on bikes. This project is located on a vehicular high-injury corridor, and is encouraged to incorporate safety measures into the project.
26. **Impact Fees.** This project will be subject to various impact fees. Please refer to the Planning Director's Bulletin No. 1 for an overview of Development Impact Fees, and to the Department of Building Inspection's Development Impact Fee webpage for more information about current rates.

Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required:

- a. Transportation Sustainability Fee (TSF) (411A)
- b. Child Care Fee - Residential (414A)
- c. Affordable Housing Fee (415)
- d. Eastern Neighborhoods Impact Fee – Tier 2 (423)

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may substantially affect the proposed project:

Site Design, Open Space and Massing

1. Victoria Manolo Draves Park is one of very few parks in SOMA, and should be a primary consideration in the development of the project massing. Net new shadow on this park should be avoided. The Planning Department does not support the creation of net new shadow on this park between one hour after sunrise and one hour before sunset. Please sculpt the building form to avoid shadowing the park during these hours.
2. The Planning Department recommends providing a continuous setback at the sixth floor along Russ Street.
3. Residential buildings in RED district require rear yards begin at-grade. In this case, where there are adjacent existing rear yards at-grade, and ground floor residential units, the Planning Department recommends a code-complying rear yard at-grade.
4. Please demonstrate how the rear yard can be used as common open space. The portion of common rear yard open space at Column E and D1 is marginally useful or accessible. The Planning Department recommends reducing the building footprint no further than Column line 4 on the north

portion, and reducing the building footprint between Column lines D and D1 to make a more contiguous rear yard common open space.

5. The ground floor street-facing uses are appropriately located. The raised stoops would benefit from a more generous top landing so that they may be usable open space.
6. The project appears large enough that a transformer may be required by PG&E. The project site has sufficient frontage so the Planning Department recommends locating any required transformer within the project site along Russ Street away from the corner with Folsom.
7. To the maximum extent possible, all residential units should comply with the dwelling unit exposure requirements.

Architecture

8. The Planning Department appreciates that the architectural expression evokes nearby industrial structures such as the Engskell building at Howard and Russ, with the sculpted piers and finials and the large expanses of glazing stretching between them. The industrial language becomes muddled, however, by utilizing bay windows, in the terms of the nearby Art Deco examples. Consider a less-literal interpretation of the local precedent to reflect the different era and program of this project.
9. The Planning Department appreciates the high-quality materials proposed: substantial granite base, smooth stucco, and richly detailed aluminum final/lanterns.
10. The Planning Department requests that storefronts reflect the fineness of proportion and scale demonstrated in other parts of the proposal, including bulkheads and transoms.
11. The Planning Department recommends making the main residential entrance more architecturally identifiable in elevation, as it is large and invitational in plan.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use, Large Project Authorization, or Building Permit Application, as listed above, must be submitted no later than **June, 8, 2018**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure:

Neighborhood Group Mailing List
Interdepartmental Project Review Application
Flood Notification: Planning Bulletin
SFPUC Recycled Water Information Sheet

Preliminary Project Assessment
December 8, 2016

Case No. 2016-004905PPA
1052-1060 Folsom/ 190-194 Russ Street

cc: Sergio Iantorno, Property Owner
Kimberly Durandet, Current Planning
Lana Russell, Environmental Planning
Jacob Bintliff, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH (send to DPH only if project is in Air Pollutant Exposure Zone)
Planning Department Webmaster (planning.webmaster@sfgov.org)

Angelica Cabande
Organizational Director
South of Market Community Action
Network (SOMCAN)
1110 Howard Street
San Francisco, CA 94103

Corinne Woods
0
Mission Creek Harbor Association
300 Channel Street, Box 10
San Francisco, CA 94158

Ethan Hough
Secretary
One Ecker Owners Association
16 Jessie Street Unit 301
San Francisco, CA 94105

Jane Kim
Supervisor, District 6
Board of Supervisors
1 Dr. Carlton B Goodlett Place, Room #244
San Francisco, CA 94102-4689

Jaime Whitaker
Administrator
SOMA Leadership Council
201 Harrison Street Apt. 229
San Francisco, CA 94105

Keith Goldstein
0
Potrero-Dogpatch Merchants Association
800 Kansas Street
San Francisco, CA 94107

Patsy Tito
Executive Director
Samoan Development Centre
2055 Sunnysdale Avenue #100
San Francisco, CA 94134-2611

Sonja Kos
Community Advocate
TODCO Impact Group
230 Fourth Street
San Francisco, CA 94103

J.R. Eppler
President
Potrero Boosters Neighborhood Association
1459 - 18th Street, Suite 133
San Francisco, CA 94107

Antonio Diaz
Project Director
People Organizing to Demand Environmental
and Economic Rights (PODER)
474 Valencia Street #125
San Francisco, CA 94103

Alexandra Goldman
Community Planner
Tenderloin Neighborhood Development
Corporation - CO Department
215 Taylor Street
San Francisco, CA 94102

Gerald Wolf
President
Hallam Street Homeowners Association
1 Brush Place
San Francisco, CA 94103

Janet Carpinelli
Board President
Dogpatch Neighborhood Association
934 Minnesota Street
San Francisco, CA 94107

Katy Liddell
President
South Beach/Rincon/ Mission Bay
Neighborhood Association
403 Main Street #813
San Francisco, CA 94105

Laura Magnani
0
American Friends Service Committee
65 Ninth Street
San Francisco, CA 94103

Reed Bement
President
Rincon Hill Residents Association
75 Folsom Street #1800
San Francisco, CA 94105

Ted Olsson
Chair
TJPA CAC
30 Sharon Street
San Francisco, CA 94114-1709

York Loo
0
York Realty
243A Shipley Street
San Francisco, CA 94107-1010

Carolyn Diamond
Executive Director
Market Street Association
870 Market Street, Suite 456
San Francisco, CA 94102

Eric Lopez
President
SoMaBend Neighborhood Association
P.O. Box 410805
San Francisco, CA 94141

Ian Lewis
0
HERE Local 2
209 Golden Gate Avenue
San Francisco, CA 94102

Jason Henderson
Vice Chariman
Market/Octavia Community Advisory
Comm.
300 Buchanan Street, Apt. 503
San Francisco, CA 94102

Kaye Griffin
Director
LMNOP Neighbors
1047 Minna Street
San Francisco, CA 94103

Marvis Phillips
Land Use Chair
Alliance for a Better District 6
230 Eddy Street #1206
San Francisco, CA 94102-6526

Rodney Minott
Chair
Potrero Hill Neighbors/Save the Hill
1206 Mariposa Street
San Francisco, CA 94107

Tiffany Bohee
Executive Director
Office of Community Investment and
Infrastructure, City and County of San Francisco
1 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

Dyan Ruiz
Co-Founder
People Power Media
366 10th Ave
San Francisco, CA 94118

Michelle De Guzman
Development Specialist - Mission Bay
Office of Community Investment and
Infrastructure, City and County of San
Francisco
1 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

Aaron Peskin
-
470 Columbus Avenue, Ste. 211
San Francisco, CA 94133

Chuck Turner
Director
Community Design Center
5 Thomas Mellon Circle, #128
San Francisco, CA 94134

Mary Miles
0
Coalition for Adequate Review
364 Page Street, #36
San Francisco, CA 94102

Stephen Williams
Attorney
Law Office of Stephen M. Williams
1934 Divisadero Street
San Francisco, CA 94115

Adrian Simi
Local Field Representative
Carpenters Local 22
2085 Third Street
San Francisco, CA 94107

David Villa-Lobos
Executive Director
Community Leadership Alliance
P.O. Box 642201
San Francisco, CA 94109

Michael Theriault
Secretary-Treasurer
SF Building and Construction Trades
Council
1188 Franklin Street, Ste.203
San Francisco, CA 94109

Sue Hestor
Attorney at Law
-
870 Market Street, #1128
San Francisco, CA 94102

Alex Lantsberg
Research Analyst
Carpenters Local 22 c/o NCCRC Research
265 Hegenberger Road, Ste. 220
Oakland, CA 94621

Lynn Sousa
Public Works Coordinator
AT&T Construction and Engineering
795 Folsom Street, Rm.426
San Francisco, CA 94107-1243

Sona Trauss
President
SF Bay Area Association of Renters
1618 12th Street
Oakland, CA 94607

Ted Gullicksen
Office Manager
San Francisco Tenants Union
558 Capp Street
San Francisco, CA 94110

