

# SAN FRANCISCO PLANNING DEPARTMENT

## МЕМО

DATE:	June 9th, 2017
TO:	David Sternberg, Sternberg Benjamin Architects
FROM:	Joshua Switzky, Planning Department
RE:	PPA Case No. 2017-002951PPA for 755 Brannan

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, James Pappas, at (415) 575-9053 or james.pappas@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

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# SAN FRANCISCO PLANNING DEPARTMENT

## **Preliminary Project Assessment**

Date:	June 9th, 2017
Case No.:	2017-002951PPA
Project Address:	755 Brannan Street
Block/Lot:	3784/181
Zoning:	RED-MX Residential Enclave- Mixed
	Western SoMa Special Use District
	45-X
Area Plan:	Western SoMa
Project Sponsor:	David Sternberg
	415-882-9783
Staff Contact:	James Pappas – 415-575-9053
	james.pappas@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 March 7, 2017 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.

The PPA application indicates that the project sponsor intends to apply the State Density Bonus Law. The "Environmental Review" section of this PPA letter provides feedback on the environmental review requirements of the higher-density bonus project that the sponsor ultimately seeks to have entitled. The remainder of the PPA letter primarily addresses the base project, which must be evaluated in order to assess the project's eligibility to receive concessions, incentives, and waivers, as well as a density and

height bonus, if requested. Note that this PPA letter does not make a determination of the project's eligibility for such concessions, incentives, and waivers.

## **PROJECT DESCRIPTION:**

The 12,320-square-foot (sf) project site is located on Brannan Street between two alley streets, Lucerne Street and Butte Place in Western South of Market (Western SoMa).

The proposal is to demolish an existing two-story, 12,880-square-foot (sf) commercial building constructed in 1947 and construct a new residential building. The sponsor has proposed to use the State Density Bonus Law for Affordable Housing to add an additional story to the allowable 45 foot height. The density bonus project would include one or more exceptions to the applicable height, setback, open space and/or exposure development standards under the State Density Bonus Law (see Preliminary Planning Code and Procedural Comments below). As mentioned above, the Environmental Review section of this letter deals with the proposed density bonus version of the project while most of the rest of the letter will focus on the base project.

In both the base and state density bonus versions of the project, the residential lobby would be located on Lucerne Street. In addition, some ground floor units would have front doors and stoops opening onto either Lucerne Street or Butte Place. Open space would be provided in an at-grade rear yard, a terrace on the 5<sup>th</sup> floor of the density bonus version of the building (4<sup>th</sup> floor of the base project), and through private terraces provided to 13 units.

**Base Design.** The project sponsor has submitted a base project version of the residential building with 4 stories, a height of 45 feet, and 44 units. 32 auto parking spaces and 44 bicycle parking spaces would be provided in the basement.

**State Density Bonus Design.** The density bonus project would be 55 feet tall and include 55 units with 32 auto parking spaces and 55 bicycle spaces in the basement.

Both projects would excavate approximately 5,250 cubic yards across the site to a depth of approximately 11 feet to add the basement auto and bicycle parking.

## BACKGROUND:

The proposed project is located within the Western SoMa Community Plan, which was evaluated in the *Western South of Market (SoMa) Community Plan, Rezoning of Adjacent Parcels, and 350 8th Street Project Environmental Impact Report (Western SoMa PEIR),* certified in 2012.<sup>1</sup> The Western SoMa Plan and its associated rezoning became effective April 27, 2013. The proposed project appears to be consistent with the development density of the Western SoMa Community Plan. A final determination of consistency with the development density in the Western SoMa Community Plan would be made during the environmental review process.

<sup>&</sup>lt;sup>1</sup> Available for review on the Planning Department's Area Plan EIRs web page: <u>http://sfmea.sfplanning.org/2008.0877E\_Adm.pdf</u>.

## **PRELIMINARY PROJECT COMMENTS:**

The following comments address general issues that may affect the proposed project.

- 1. Western SoMa Community Plan. The subject property falls within the area covered by the Western SoMa Community Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan including the creation of additional housing on parcels designated as residential enclave- mixed and provision of additional affordable housing units. The project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards, where the project requires minor modification to achieve consistency, or where the project, which may be entitled to concessions and waivers under State Density Bonus Law, could improve on the design of the density bonus project. The project sponsor is encouraged to read the full plan, which can be viewed at <a href="http://generalplan.sfplanning.org/Western SoMa Area Plan.pdf">http://generalplan.sfplanning.org/Western SoMa Area Plan.pdf</a>.
- 2. Site Design, Open Space and Massing. The Planning Department generally supports the intent of the project as it would provide needed housing. As a new construction project with over 250 of street and alley frontage, the proposed building requires streetscape and pedestrian improvements under San Francisco's Better Streets Plan. Please see the Preliminary Design Comments Section below.
- 3. State Density Bonus Law for Affordable Housing. The proposed project seeks to take advantage of State Density Bonus Law, under which project sponsors are entitled to increase the development capacity of a project by up to 35% in exchange for providing on-site affordable housing units. Under the law, the additional density provided is in addition to what would be allowed by an equivalent project that is code-complying. The project sponsor must ensure that the base project meets all code requirements and must identify the waivers and incentives or concessions requested as part of the state density bonus project. The project sponsor must also ensure that the project meets on-site inclusionary requirements in place at the time the project application is submitted. The percentage of affordable units and income levels served determine the amount of bonus and the extent of concessions to which the project is entitled (See the Preliminary Planning Code and Procedural Comments section below for more information on use of State Density Bonus Law).

## **ENVIRONMENTAL REVIEW:**

Formal environmental review begins with Planning Department review of the **Environmental Evaluation Application (EEA)** filed by the project sponsor. The EEA can be submitted at the same time as the PPA application or subsequent to issuance of the PPA letter.

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.

A detailed and accurate description of the proposed project is essential for adequate environmental review. Please update the EEA project description as necessary to reflect feedback provided in this PPA

letter, and include any additional documents requested herein. Furthermore, please include the following information regarding the proposed project:

- Site plan(s) showing adjacent buildings, dimensions of existing and proposed sidewalks, existing and proposed curb cuts (specifying curb cuts to be removed);
- Depth and quantity of excavation;
- Historic Resource Evaluation of the existing building;
- General Construction Noise Control Measures;
- Geotechnical study;
- Phase I Environmental Site Assessment

If you have already filed your EEA, you may provide the requested information and documents as supplements to your application.

## Environmental Review Document - Community Plan Evaluation

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 Western SoMa Community Plan area, which was evaluated in the Western SoMa PEIR. If the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan evaluation (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. All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Western SoMa PEIR, and there would be no new significant impacts peculiar to the proposed project or its site. In these situations, all pertinent mitigation measures and CEQA findings from the Western SoMa PEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,427) and (b) the CPE certificate fee (currently \$8,005).
- 2. Mitigated Negative Declaration. If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Western SoMa 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 Western SoMa PEIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa PEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee

(currently \$14,427) 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 lessthan-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 Western SoMa PEIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa PEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,427); (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

(<u>http://www.sfplanning.org/ftp/files/MEA/Environmental\_consultant\_pool.pdf</u>). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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

- 1. Historic Resources. The project site contains one or more buildings or structures considered to be a potential historic resource (constructed 45 or more years ago). This project site was included in the South of Market Historic Resource Survey but was not fully evaluated. 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 that evaluates this property for California Register Criteria 1 and 2. The 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. 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 draft HRE is received.
- 2. Archeological Resources. The proposed project would result in excavation of about 5,250 cubic yards of material to a depth of 11 feet. Due to these soils-disturbing activities, the proposed project is subject to Western SoMA PEIR Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment. 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 building section drawings, 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. Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.
- 4. **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. In order to facilitate that determination, Planning staff proposes the following recommendations:
  - Include dimensions of existing and proposed sidewalk width on plans;
  - Show existing and proposed curb cuts and specify curb cuts to be removed;
  - Include dimensions of existing and proposed curb cuts on plans; and
  - If feasible, relocate entry to the bike parking away from the parking ramp in order to avoid potential safety issues between vehicles and bicyclists.
- 5. Noise. Western SoMa PEIR Mitigation Measure M-NO-2a: General Construction Noise Control Measures, 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 the Department of Building Inspection (DBI) prior to

commencing construction to ensure that maximum feasible noise attenuation will be achieved. This mitigation measure will likely be applicable to the proposed project.

Western SoMa PEIR Mitigation Measure M-NO-2b: Noise Control Measures During Pile Driving, addresses impacts related to pile driving. Based on the PPA application, the proposed building would be supported by either a mat slab foundation or a spread footing foundation. Pile driving is not proposed, so Western SoMa PEIR Mitigation Measure M-NO-2b would not be applicable to the proposed project.

Western SoMa PEIR Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses, would not apply to the proposed project because the proposed residential land use is generally not expected to generate noise levels in excess of ambient noise levels, either short term, at nighttime, or as 24-hour average, in the project site vicinity. However, if HVAC or other noise-generating mechanical equipment is located on the rooftop or elsewhere within the proposed structure, data should be provided regarding noise levels resulting from operation of that equipment. If such noise would exceed the San Francisco Noise Ordinance Section 2909(a) limit of five dBA above ambient at the property plane, then a mitigation measure requiring an enclosure sufficient to meet this noise limit may be required.

6. **Air Quality.** The proposed project would involve demolition of an existing commercial building and construction of a five story residential building with 55 dwelling units and space for 32 vehicle and 55 bicycle parking spaces in a basement.

*Criteria Air Pollutants*. The 55 dwelling units proposed for the project is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.<sup>2</sup> Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required.

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.

*Local Health Risks and Hazards*. 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.<sup>3</sup> In addition, equipment exhaust measures during construction, such as

<sup>&</sup>lt;sup>2</sup> BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.

<sup>&</sup>lt;sup>3</sup> Refer to <u>http://www.sfdph.org/dph/eh/Air/default.asp</u> for more information.

those listed in Western SoMa PEIR M-AQ-7, Construction Emissions Minimization Plan for Health Risks and Hazards, will likely be required. Please provide detailed information related to construction equipment, phasing and duration of each phase, and the volume of excavation as part of the EEA.

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 55 feet, the proposed project would likely not require a backup diesel generator, but this will be confirmed at the time of the EEA submittal.

- 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.<sup>4</sup> The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the 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. **Wind.** The proposed project would not involve construction of a building over 80 feet in height and, therefore, would not require a consultant-prepared wind analysis.
- 9. **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 would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Commission, nor would it cast shadows on any other public parks or open spaces (see attached). Therefore, a detailed shadow study is not required.
- 10. Geology. The project site is located within a Seismic Hazard Zone (Liquefaction Hazard Zone likely underlain by artificial fill). Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review.<sup>5</sup> 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

<sup>&</sup>lt;sup>4</sup> Refer to <u>http://sf-planning.org/index.aspx?page=1886</u> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

<sup>&</sup>lt;sup>5</sup> San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522.

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.

11. **Hazardous Materials.** The project site is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater. In addition, construction of the proposed project would require the disturbance of more than 50 cubic yards of soil. Therefore, the proposed 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 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: <u>http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp</u>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <u>http://www.sfdph.org/dph/EH/Fees.asp#haz</u>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

Western SoMa PEIR Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement, would be applicable to the proposed project. This 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.

12. **Disclosure Report for Developers of Major Projects.** The San Francisco Campaign and Government Conduct Code § 3.520 et seq. requires the developer of any project with estimated construction costs exceeding \$1,000,000 to submit a *Disclosure Report for Developers of Major City Projects* if the project requires the issuance of a Community Plan Evaluation (CPE), certification of an Environmental Impact Report (EIR), adoption of a Final Mitigated Negative Declaration, or a project approval by the Planning Commission that adopts CEQA Findings (EIR certification). A residential development project with four or fewer dwelling units is not required to file this report. The first (or initial) report must be filed within 30 days of the date of EIR certification or final environmental determination under CEQA. Please submit a *Disclosure Report for Developers of Major City Projects* directly to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <u>http://www.sfethics.org</u>.

## PRELIMINARY PLANNING CODE AND PROCEDURAL COMMENTS:

The following comments address preliminary Planning Code issues with regard to the Base Design that may substantially affect the design and massing of the proposed project. These comments do not address Planning Code issues with regards to the State Density Bonus Design.

 State Density Bonus Law for Affordable Housing. The subject project has elected to utilize the California State Density Bonus Law, pursuant to California Government Code Sections 65915-65918. The project sponsor seeks to apply the State Density Bonus Law to the Base Design Scheme which consists of constructing a total of 44 dwelling units, including 11 affordable units.

The State Law offers three categories of benefits to incentivize the provision of on-site affordable housing. First, the State Law allows up to a maximum 35% density bonus above the allowable density under a local jurisdiction's zoning laws. Second, the State Law allows Project Sponsors to request up to three incentives or concessions (generally, defined as a reduction of development standards, reduction in number of parking spaces, modifications of zoning code requirements, or approval of a mixed-use development) to offset the costs of providing affordable housing on-site. Third, the State Law allows waivers from any local development standard in order to physically accommodate, or fit, the Bonus project (including the increased density and any concessions and incentives) on a site. The State Law does not limit the types of concessions or incentives, and municipalities must grant any requested incentive or concession unless the City has substantial evidence that the concession or incentive does not have a positive financial impact on the projects. The amount of the density bonus and the number of incentives and concessions allowed is based on a sliding scale, depending on the amount of affordable housing and level of affordability of those units. Projects can include as little as 5% very low income housing (50% AMI) to be eligible for a density bonus.

The density bonus is established by State Law; the City has no discretion whether to approve the increased density within a project. The requested waivers relate to the buildable envelope and must be necessary to accommodate the Bonus project inclusive of the additional density and any allowed concessions and incentives (discussed below). The City has minimal discretion on requested waivers. Generally, the City can only deny a waiver if the granting of said waiver would result in specific, adverse impact upon health, safety, or the physical environment, or if it would have an adverse impact on any property listed in the California Register of Historical Resources.

As mentioned above, State law requires municipalities to grant between one and three concessions or incentives if requested, depending on the amount and level of affordability in the project. The concessions and incentives must financially benefit the project. Although the same Planning Code

section may be the subject of a waiver or a concession or incentive, it is important to note that under the State Law concessions or incentives should result in actual cost reductions necessary to provide the affordable housing, with a maximum limit of three concessions or incentives. In contrast, a Project Sponsor can request an unlimited number of waivers to physically accommodate the Bonus project, and waivers need not offset financial costs.

In order to proceed with an application utilizing the State Density Bonus Law, a site permit application or related entitlement application is required that indicates the intent to utilize the State Density Bonus Law and that specifically itemizes any requested concessions, incentives or waivers.. Other entitlements, including Conditional Use or Large Project Authorizations that may be required due to the size of a building will continue to be required; however, instead of requesting exceptions per the Planning Code, the project could receive waivers, incentives, or concessions under State law as described above.

Project Sponsors seeking to utilize the State Density Bonus Law must submit, under a single entitlement application, materials for two project variants – a Base Project and a Density Bonus Project. The Base Project must represent a fully code-compliant project that requires no variances, modifications, or exceptions. The Base Project must include on-site affordable units pursuant to existing requirements pursuant to Planning Code Section 415. The Density Bonus Project, which is the proposed project, includes the allowed increased density and any requested concessions, incentives or waivers. The Project Sponsor must itemize which, if any, development standards need to be waived or reduced to allow for construction of the increased density and identify the incentives and concessions that are being requested.

A separate full set of plans for the code compliant Base Project are required at the time of project submittal along with those for the proposed "Density Bonus" Project.

#### Density Bonus: Permitted Density Under State Law.

The State Law provides a clear metric for determining the permitted Density Bonus, up to 35% above the base density. The table below summarizes the Density Bonus based on the level of affordability.

Restricted Affordable	Minimum % of Restricted	% of Density Bonus	Additional Bonus for each
Units or Category	Affordable Units	Granted	1% Increase in Restricted
			Affordable Units
Very Low Income	5%	20%	2.5%
50% AMI or below			
Low Income	10%	20%	1.5%
80% AMI or below			
Moderate Income	10%	5%	1%
120% AMI or below			
Senior Housing	100%	20%	
Transitional foster	10%	20%	
youth			

The project has presented a Base Project with 44 units, and a Density Bonus project with 55 units. You may reference the table above to determine the amount of density bonus that may be awarded. To seek the maximum 35% density bonus, the project would have to supply at least 11% of base units as very low income, 20% of the units as low income, or 40% of the units as moderate Income. Note that projects may not combine density bonuses across income levels.

Also note that there are substantial changes to the Inclusionary Affordable Housing Program currently under review by the Board of Supervisors (Board File No. 161531), which include fees on the bonus units requested under the State Density Bonus Program, and may also impact the required percentage of Inclusionary Units as well as the associated AMI levels. Pending legislation to modify Planning Code Section 415 may include, but is not limited to, modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements.

- 2. Large Project Authorization. Planning Code Section 329 requires Large Project Authorization for new construction of more than 25,000 square feet in the Eastern Neighborhood Mixed Use Districts.
- 3. **Rear Yard**. Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. Because this project is located on a corner site, one of the street frontages (Brannan Street or Lucerne Street) must be designated as the front of the property, and the rear yard would then be provided based on that determination.
- 4. **Open Space Residential**. Sections 135 and 847 require 80 square feet of open space (private or common) for each dwelling unit. Additionally, any such open spaces must meet the dimensional requirements of Section 135, Subsections (f) and (g). It is unclear if the proposed private terraces meet the proposed dimensional requirements. Please dimension the proposed private terraces on future submittals.
- 5. **Dwelling Unit Exposure**. 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.
- 6. **Shadow Analysis (Section 147).** Section 147 requires that new buildings and additions to existing buildings in C-3, South of Market Mixed Use, and Eastern Neighborhoods Mixed Use Districts that exceed 50 feet shall be shaped to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section <u>295</u>. A preliminary shadow study was conducted by Staff in conjunction with this PPA Application, and it indicated that the project will not cast a shadow on any park or open space protected under Planning Code Section 295.
- 7. Narrow Alleys. Section 261.1. Section 261.1 requires that the heights of building located on narrow streets and alleys (40 feet in width or less) are designed at a scale to not overcrowd or overshadow the street. The project site is located along Lucerne Street and Butte Place, both of which are narrow streets or alleys. Therefore, the Section 261.1 of the Planning Code shall apply to the project.

- 8. **Western SoMa SUD**. The project site falls within the Western SoMa Special Use District (SUD). As such, it is subject to the criteria of Section 823.
- 9. **Transportation Demand Management (TDM) Program.** The TDM Program was adopted by the Board of Supervisors in February 2017, and it took effect on March 19, 2017. The project is required to meet certain TDM targets. The Planning Department has run initial numbers for the base and bonus versions of the project shows below:

**Base Project**. The proposed project includes 44 dwelling units and thus is subject to the TDM Program. Based on the proposed 32 parking spaces associated with the residential development, the project will be required to meet or exceed a target score of 15 points for land use category C (Residential). This target was calculated by inputting the project characteristics into the <u>TDM tool</u>. The project is assumed to include 7 affordable units at or below 55% AMI, as well as 4 units at 100% AMI. The project fulfills 6 of 15 TDM points based on certain characteristics including 7 units, or 15% of units, at or below 55% AMI and a parking to units ratio of .73 (below the neighborhood average of .79).

**State Density Bonus Project.** The proposed project includes 55 dwelling units and thus is subject to the TDM Program. Based on the proposed 32 parking spaces associated with the residential development, the project will be required to meet or exceed a target score of 15 points for land use category C (Residential). This target was calculated by inputting the project characteristics into the <u>TDM tool</u>. The project is assumed to include 7 affordable units at or below 55% AMI, as well as 4 units at 100% AMI. The project fulfills 7 of 15 TDM points based on certain characteristics including 7 units, or 13% of units, at or below 55% AMI along and a parking to units ratio of .58 (below the neighborhood average of .79).

Please note that if the first Development Application – as defined in Planning Code Section 401 – is submitted by December 31, 2017, then the project will only be required to meet 75% of its target score. A Draft TDM Plan was not submitted, thus review for general compliance with the current requirements of the TDM Program was not completed as part of the review.

10. **Streetscape Plan – Better Streets Plan Compliance.** The Project was reviewed by the Street Design Advisory Team (SDAT) on May 1, 2017 and provided recommended streetscape improvements to Brannan Street, Lucerne Street and Butte Place. Please see the Design Review Section below for all SDAT comments and recommendations. Pedestrian and streetscape improvements consistent with the Better Streets Plan are required because your project meets the conditions delineated in Planning Code Section 138.1. Projects that trigger Section 138.1 will be reviewed by the Department's Streetscape Design Advisory Team (SDAT). SDAT is an interagency group that includes representatives from the Planning Department, Department of Public Works, and the Municipal Transportation Agency that provides design guidance on private developments that impact the public right-of-way.

Based on the submitted plans, the project triggers the requirements of a Streetscape Plan project because it is new construction with more than 250 feet of total lot frontage on one or more publically accessible right-of-way. This Streetscape Plan shall be submitted to the Planning Department no later than 60 days prior to any Planning Commission action, and shall be considered for approval at the time of other project approval actions. The streetscape plan should show the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, curb radii, and curb lines, and the relation of such elements to proposed new construction and site work on the property. Please see the Department's Better Streets Plan and Section 138.1(c) (2) (ii) for the additional elements that may be required as part of the project's streetscape plan.

- 11. **Bicycle Parking (Class I)**. Planning Code Section 155 requires this project to provide at least 55 Class I bicycle parking spaces. The proposed project contains 55 Class I bicycle parking, thus meeting the requirement. For future submittals, please include additional supplemental information about the specific type of rack proposed, including manufacturer's information, and whether there is a "lift assist" mechanism provided so as not to require any manual lifting of the bicycle onto the upper rack.
- 12. **Bicycle Parking (Class II).** Planning Code Section 155 requires the project to provide at least 3 Class II bicycle parking spaces provided through on-street bicycle racks; however SFMTA has final authority on the type, placement and number of Class II bicycle racks within the public ROW. Prior to issuance of first architectural addenda, you will be required contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code. The SFMTA bicycle parking guidelines can be found at: <u>https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals</u>.
- 13. **Unbundled Parking.** Section 167 requires that off-street accessory parking spaces in projects with 10 or more dwelling units be leased or sold separately from the rental or purchase fees for the dwelling unit itself, for the life of the dwelling unit. In cases where there are fewer parking spaces than dwelling units, the parking spaces are to be offered first to the potential buyers or renters of those units with the most bedrooms, and then proceeding to other units in a descending order of number of bedrooms.
- 14. **Car Sharing**. Planning Code Section 166 requires this project to provide at least one car share space. The proposed project contains no car share spaces and would need to provide a minimum of one space on a formal submittal.
- 15. **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

- 16. 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.
- 17. Stormwater. If the project results in a ground surface disturbance of 5,000 sf or greater (creating and/or replacing 5,000 square feet or more of impervious surface), 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. Compliance may occur through a mix of rooftop, sidewalk, and open space treatments and technologies, and is encouraged to be designed as a comprehensive system that maximizes co-benefits for greening, habitat creation, urban heat island reduction, building energy savings, and beautification. Systems within the public realm should consider adjacencies and opportunities for flow-through systems to neighborhood detention areas. 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.
- 18. 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.
- 19. **Better Roofs Ordinance.** In 2016, San Francisco became the first major city in the U.S. to require the installation of renewable energy facilities or living roofs on new buildings. The Better Roofs

Ordinance will require between 15% and 30% of roof space to incorporate solar (photo voltaic and/or solar thermal systems), living (green) roofs, or a combination of both. The legislation goes into effect January 2017. The Ordinance provides guidance for developers, designers, and/or owners might best utilize rooftop space; ideally, projects should pursue holistic design and amenity enhancements for 100% of usable roof space that include open space, habitat, stormwater management, urban agriculture, and other beneficial uses. Please see the Planning Department's Living Roof Manual to learn more: <a href="http://sf-planning.org/san-francisco-living-roofs">http://sf-planning.org/san-francisco-living-roofs</a>.

- 20. **Sustainability and Green Building.** San Francisco has a suite of existing sustainability related regulations, including recycling and composting, solar, and more details outlined in the San Francisco Green Building Code (GBC). Per the GBC, this project must meet the standards of LEED Silver or the equivalent GreenPoint rating system. It is recommended that the project sponsor work with the San Francisco Planning, Building, and Environment departments to determine the most beneficial mix of green building strategies that meet or exceed all current requirements, and best fit the local context. This especially includes the provision of renewable energy on site (PV and solar thermal), living roofs and walls, non-potable water reuse, healthy environments (non-toxic building materials), and other innovative approaches to enhancing performance of the City's environment. The City also encourages projects to maximize energy and water efficiencies, consider zero carbon strategies such as all-electric buildings, and commit to green power purchases for 100% GHG-free electricity. As with non-potable water systems, projects are recommended to consider district-scale energy opportunities on site and in coordination with neighbors.
- 21. **Refuse Collection and Loading.** San Francisco is a national leader in diverting waste from landfills, has a Mandatory Recycling and Composting Ordinance, and has a goal to achieve zero waste by 2020. In this, the City requires all buildings to be designed with spaces for collecting and loading recycling and composting in common and private areas, and make these options as or more convenient than waste disposal. More information on the complete suite of the City's Zero Waste legislation may be found here: <a href="http://sfenvironment.org/zero-waste/overview/legislation">http://sfenvironment.org/zero-waste/overview/legislation</a>. Please also see the Guidance on Recycling Design (page 3) resources for designing appropriate areas: <a href="http://sfenvironment.org/sites/default/files/files/sfe\_zw\_ab088.pdf">http://sfenvironment.org/sites/default/files/files/sfe\_zw\_ab088.pdf</a>. Free design and implementation assistance is available from the San Francisco Department of the Environment's Zero Waste Team by calling 415-355-3700.
- 22. 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 not 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:

- Direct financial construction from a public entity
- 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.

## **PRELIMINARY DESIGN COMMENTS:**

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

## Architecture and Building Massing

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

1. **Site Design, Massing, and Open Space.** To maintain continuity of street frontage with existing buildings on Lucerne, please consider locating the rear yard lengthwise along the Butte Place and redistributing building mass to front Lucerne. Orienting the rear yard this way may also enhance unit quality by enabling more dwelling units with double aspect exposure, as well as maintaining more openness on the narrower Butte alley. Please also consider locating the main building lobby on Brannan Street.

## Streetscape and Public Realm

The Street Design Advisory Team (SDAT) provides design review and guidance to private developments working within the City's public right-of-way and private developments that are required to apply the City's Better Streets Plan. SDAT is composed of representatives from the San Francisco Planning Department (SF Planning)

Department of Public Works (SF Public Works), the San Francisco Municipal Transportation Agency (SFMTA), and the San Francisco Public Utilities Commission (SFPUC).

As described above in the Preliminary Planning Code and Procedural comments on Better Streets Plan Compliance, this project is required to provide streetscape elements in conformance with the Better Streets Plan. The 755 Brannan Street project came to SDAT on May 1, 2017. Below are the SDAT comments from that meeting.

1. **Butte Place.** Given that several residential entrances will open directly onto Butte Place and that a neighboring property on the west side of Butte will continue to need vehicular access to its rear yard parking, SDAT recommends that the developer transform the street into an inviting shared space and Living Alley. This may include using paving materials other than standard asphalt – including concrete unit pavers, or imprinted asphalt. SDAT encourages the exploration of various design options to create a welcoming space for users. However, all designs should keep in mind the potential risk of creating an attractive area for encampments.

Butte Place is not an accepted street and therefore will not be maintained by Public Works. However, any work will be done will still require permitting through Public Works BSM as it is public ROW.

The new residential units fronting the alley will create more eyes on the street, potentially discouraging undesired behavior. However, SDAT recommends the project team pay careful attention when designing the alley to avoid creating hiding places within the proposed landscaped setback areas which could attract undesirable behavior. SDAT recommends adding more lighting to the alley.

Please refer to the Living Alleys Toolkit to learn more about these suggested design interventions at: <u>http://sf-planning.org/living-alleys-toolkit</u>.

2. **Lucerne Street,** The Lucerne frontage has a 7' sidewalk. To support future pedestrian volumes, SDAT recommends installing an extended bulbout from the corner of Brannan Street and Lucerne Street to the proposed building lobby.

The bulbout should project 6' into the Lucerne right-of-way. It should not project into the Brannan Street right-of-way.

The project will need to provide turn templates to ensure that delivery trucks and emergency vehicles can continue to access Lucerne Street. SDAT recommends the project create turn templates showing existing and proposed conditions for:

- AASHTO SU-30
- WB-40
- SFFD Custom Fire Truck
- SFFD Custom Ladder Truck
- SDAT strongly encourages the project sponsor to meet with the Fire Department early regarding this bulbout. Planning Staff is available to attend this meeting.

In this case, however, to ensure an adequate street width and turning radius for emergency access, the project sponsor shall work with SFMTA and SFFD to determine the dimensions and radius of the bulbout. The project sponsor shall use the fire truck turning radius templates to demonstrate that the bulbout design meets the SFFD requirements. Please contact James Shahamiri from the SFMTA (james.shahamiri@sfmta.com) and Paul Chasan from the Planning Department (paul.chasan@sfgov.org) on this issue.

The project sponsor shall relocate the proposed bike parking so that it does not block the path of travel. The sidewalk shall maintain a minimum 4 feet clear path of travel for people with disabilities.

SDAT encourages the project to consider Living Alley design improvements along the Lucerne frontage similar to those being proposed at Butte Place.

Per the Better Streets Plan, the project sponsor shall provide street trees. Typically a 3' by 3' tree pit is required, but for the 7' sidewalk along the Lucerne frontage, a 2.5' by 5' tree pit is recommended to ensure an adequate accessible path of travel is maintained.

- 3. **Brannan Street.** Please note that SFMTA plans to install a buffered bike lane on Brannan Street. The design of the project's Brannan Street frontage and bulbout should anticipate the future cycle track condition. SDAT does not recommend on-street loading along Brannan Street.
- 4. Utility Poles and Street Improvements (construction within the public right-of-way). SDAT recommends the project sponsor to consider burying overhead power line along the Lucerne frontage. This will require coordination with PG&E and adjacent property owners.

Infrastructure improvements within the public right-of-way will require a Street Improvement Permit from SF Public Works Bureau of Street Use & Mapping (BSM) and Street Improvement Plans. Depending on the scope of work the Plans should include the following plan sheets: Civil (grading, layout, utility erosion control, etc.), Landscaping (planting, irrigation, etc.), Electrical (lighting, photometrics, conduit, etc.), Joint Trench (power, telephone, and communication approved by the respective utility companies). Additional permits may be required. Visit http://www.sfdpw.org/permits-0 for additional information or call 415-554-5810.

- 5. Water Service Connection. The project's water service connections shall be linked to the Lucerne water main as there is no water main line along Butte Place. This may require relocating the utility room from the Butte frontage to the Lucerne frontage. Please coordinate with the SFPUC CDD engineering division on this issue at <u>cddengineering@sfwater.org</u>.
- 6. Electrical Transformer Room. If a new electrical power transformer is required by PG&E to provide power to the building, please show the location of the transformer room on the plans. The transformer room must be shown on the plans for review by SDAT and Public Works during the planning phase of the project prior to applying for a Building Permit and Public Works Permits. Public Works typically does not permit new transformer vaults in the public right-ofway.

SDAT recommends locating the electrical transformer for the building on property along the Lucerne frontage. The project sponsor could consider adding a transformer room on the garage

frontage or installing a subsurface vault with a 30' vertical clearance within the proposed driveway.

7. **Trash Removal.** Please clarify how trash will be removed from the site as the trash room is located in the a basement with no simple path to the street.

## **DEVELOPMENT FEES:**

This project will be subject to various impact fees. Please refer to the <u>Planning Director's Bulletin No. 1</u> for an overview of Development Impact Fees, and to the Department of Building Inspection's <u>Development</u> <u>Impact Fee webpage</u> for more information about current rates. Please note that this list only reflects fees and requirements referenced in the Planning Code. For projects in ongoing plan areas (e.g. Central SoMa, the Hub, etc.) the below list may not accurately reflect all fees that may become applicable to this project.

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

- 1. Transportation Sustainability Fee (TSF) (§411A)
- 2. Residential Child Care Impact Fee (§414A)
- 3. Eastern Neighborhoods Impact Fees (§423)

**Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Western SoMa Community Plan Impact Fee from the Planning Commission, for an equivalent amount to the value of the improvements. This process is further explained in Section 423.3(d) of the Planning Code.

More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website.

See Streetscape and Public Realm section above for more on proposed improvements

## 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. Environmental Application.

2. 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.

- 3. A **Building Permit Application** is required for the proposed demolition on the subject property.
- 4. A **Building Permit Application** is required for the proposed new construction on the subject property.
- 5. **Interdepartmental Project Review**. This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.

In order for Planning Department staff to accurately review projects in a timely manner, plan sets must be complete and thorough. All plans submitted as part of an entitlement or building permit application must meet the Department's <u>Plan Submittal Guidelines</u>.

All 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 <u>www.sfplanning.org</u>. Building Permit Applications are available at the Department of Building Inspection at 1660 Mission Street.

## **NEIGHBORHOOD NOTIFICATIONS AND OUTREACH:**

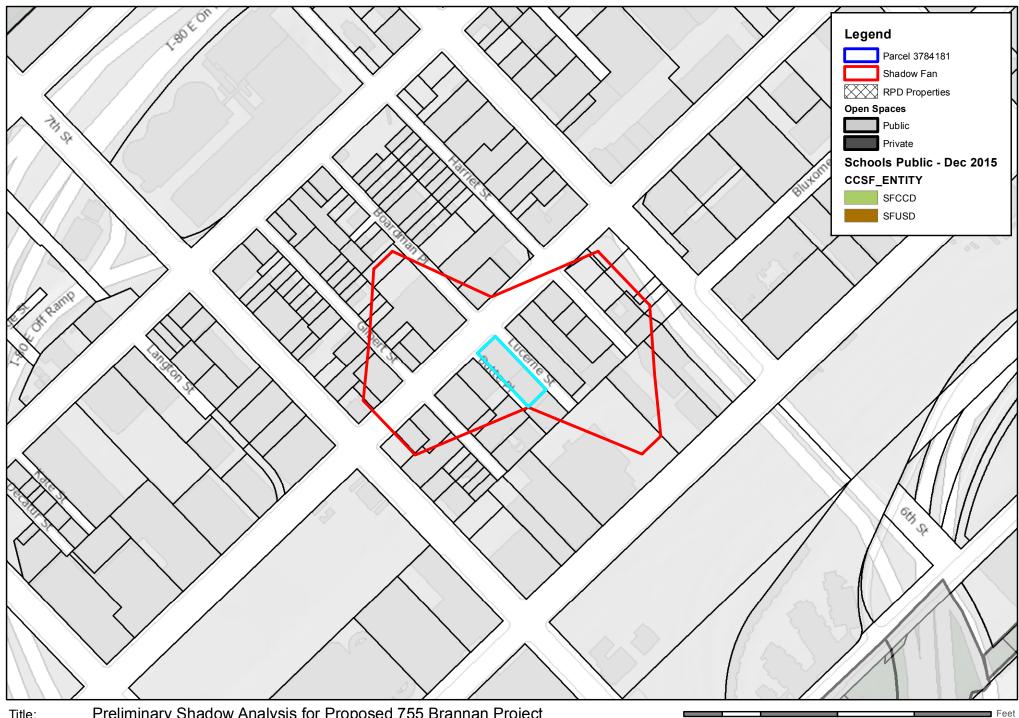
Project Sponsors are encouraged, and in some cases required, to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood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

- 1. **Pre-Application Meeting.** 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 <u>www.sfplanning.org</u> under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at <u>www.sfplanning.org</u> 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. 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 ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Large Project Authorization, Building Permit Applications, or Interdepartmental Project Review, as listed above, must be submitted no later than **December 9th**, **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.

Enc	losure:	Shadow Fan Street Design Advisory Team (SDAT) Letter Neighborhood Group List
cc:	Joseph Hai	rney, Managing Member, SF Green Homes LLC, Property Owner
	Linda Ajel	lo-Hoagland, Current Planning
	Christophe	er Thomas, Environmental Planning
	James Pap	pas, Citywide Planning and Analysis
	Carly Grob	o, Current Planning
	Jonas Ionir	n, Planning Commission Secretary
	Charles Riv	vasplata, SFMTA
	Jerry Sang	uinetti, Public Works
	Pauline Pe	rkins, SFPUC
	June Wein	traub and Jonathan Piakis, DPH (send to DPH only if project is in Air Pollutant Exposure Zone)
	Planning D	Department Webmaster ( <u>planning.webmaster@sfgov.org</u> )



Preliminary Shadow Analysis for Proposed 755 Brannan Project Title:

Comments: No public or private opens space would receive shadow from the proposed 55-foot-tall building.



The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

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# SAN FRANCISCO **PLANNING DEPARTMENT**

DATE: TO: CC:	<ul> <li>5/30/2017</li> <li>Linda Ajello-Hoagland (Current Planning); Chris Thomas (Environmental Planning); James Pappas (Citywide Planning)</li> <li>SF Public Works: Simon Bertrang; Chris Buck; Brent Cohen; Rucha Dande; Lynn Fong; Kevin Jensen; Suzanne Levine; Kathy Liu; Kelli Rudnick; Tara Singh; Rahul Shah;</li> <li>SFMTA: Jennifer Molina; Paul Kniha; Sam Lam; Ricardo Olea; Charles Rivasplata; Mike Sallaberry; James Shahamiri; Adam Smith; Dustin White;</li> <li>SF Planning: Ben Caldwell; Tina Chang; Paul Chasan; Carly Grob; Seung Yen Hong; Neil Hrushowy; Jessica Look; Manoj Madhavan; Maia Small; Lana Russell; David Winslow;</li> <li>SFPUC: Jessica Arm; Josh Bardet; Mira Chokshi; Joan Ryan; Sam Young;</li> </ul>	1650 Mission St Suite 400 San Francisco, CA 94103-2479 Reception: <b>415.558.6378</b> Fax: <b>415.558.6409</b> Planning Information: <b>415.558.6377</b>
FROM: RE:	The Street Design Advisory Team (SDAT) SDAT Review Case NO. 2017-002951PPA Address: 755 Brannan Street Neighborhood: SOMA Zoning: RED-MX - RESIDENTIAL ENCLAVE-MIXED Area Plan: Western SOMA Block/Lot: 3784 / 181	

The Street Design Advisory Team (SDAT) provides design review and guidance to private developments working within the City's public right-of-way. SDAT is composed of representatives from the San Francisco Planning Department (SF Planning) Department of Public Works (SF Public Works), the San Francisco Municipal Transportation Agency (SFMTA), and the San Francisco Public Utilities Commission (SFPUC).

The 755 Brannan Street project came to SDAT on May 1, 2017. Below are the SDAT comments from that meeting.

## CONTEXT

## **Project Description**

The project proposes demolishing an existing 2 story, 12,880 sf commercial building and constructing a new residential building. The project proposes two building options as follows:

- DENSITY BONUS BLDG.(DB): 55 unit residential, 5 stories, 55' building with 32 auto parking and 55 bicycle spaces in basement.
- CODE COMPLYING BLDG.(CC): 44 units, 4 stories, 45' with 32 auto parking and 44 bicycle ٠ spaces in basement.

Type of Project:	Residential
# Units:	44 (55 with density bonus)

SF Office Space:	0
SF Commercial Space:	0
SF PDR Space:	0
# Off-street parking	Up to .75 space per residential unit
Spaces allowed by code:	
# Off-street parking	32 (47 bike parking spaces)
spaces proposed:	

#### **Better Streets Plan**

The Better Streets Plan (BSP) adopted by the city in December 2010, provides a comprehensive set of guidelines for the design of San Francisco's pedestrian realm. The Plan seeks to balance the needs of all street users, with a particular focus on the pedestrian environment and how streets can be used as public space. The BSP polices can be found at: <u>www.sfbetterstreets.org</u>.

- Under the BSP, **Brannan Street** is classified as a *Mixed-use Street*, with a recommended sidewalk width of 15'.
- Under the BSP Lucerne Street and Butte Place are classified as an *Alley*, with a recommended sidewalk width of 6'-9' (the maximum dimension feasible given available ROW width). The BSP also recommends alleys be converted to Shared Public Ways.

#### Living Alley Toolkit

The Living Alley Toolkit, published 2015 acts as a resource for community members and designers to develop and implement living alleys throughout San Francisco. Living alleys are designed to accommodate transportation functions while acting as usable public open space. Lucerne Street and Butte Place are well situated to receive design improvements such as those envisioned in the living alley toolkit.

## SDAT DESIGN COMMENTS

#### **Butte Place**

- Given that several residential entrances will open directly onto Butte Place and that vehicular
  access for the rear yard parking of the property on the west side of Butte will need to continue,
  SDAT recommends that the developer transform the street into an inviting shared space and
  Living Alley. This may include using paving materials other than standard asphalt including
  concrete unit pavers, or imprinted asphalt.. SDAT encourages the exploration of various
  design options to create a welcoming space for users. However, all designs should keep in
  mind the potential risk of creating an attractive area for encampments.
- Butte Place is not an accepted street and therefore will not be maintained by Public Works. However, any work will be done will still require permitting through Public Works BSM as it is public ROW.

- The new residential units fronting the alley will create more eyes on the street, potentially discouraging undesired behavior. However, SDAT recommends the project team pay careful attention when designing the alley to avoid creating hiding places within the proposed landscaped setback areas which could attract undesirable behavior. SDAT recommends adding more lighting to the alley.
- Please refer to the Living Alleys Toolkit to learn more about these suggested design interventions at: <a href="http://sf-planning.org/living-alleys-toolkit">http://sf-planning.org/living-alleys-toolkit</a>.

#### Lucerne Street

- The Lucerne frontage has a 7' sidewalk. To support future pedestrian volumes, SDAT recommends installing an extended bulbout from the corner of Brannan Street and Lucerne Street to the proposed building lobby.
  - The bulbout should project 6' into the Lucerne right-of-way. It should not project into the Brannan Street right-of-way.
  - The project will need to provide turn templates to ensure that delivery trucks and emergency vehicles can continue to access Lucerne Street. SDAT recommends the project create turn templates showing existing and proposed conditions for:
    - AASHTO SU-30
    - WB-40
    - SFFD Custom Fire Truck
    - SFFD Custom Ladder Truck
  - SDAT strongly encourages the project sponsor to meet with the Fire Department early regarding this bulbout. Planning Staff is available to attend this meeting.
  - In this case, however, to ensure an adequate street width and turning radius for emergency access, the project sponsor shall work with SFMTA and SFFD to determine the dimensions and radius of the bulbout. The project sponsor shall use the fire truck turning radius templates to demonstrate that the bulbout design meets the SFFD requirements. Please contact James Shahamiri from the SFMTA at james.shahamiri@sfmta.com and Paul Chasan from the Planning Department at paul.chasan@sfgov.org on this issue.
- The project sponsor shall relocate the proposed bike parking so that it does not block the path of travel. The sidewalk shall maintain a minimum 4 feet clear path of travel for people with disabilities.
- SDAT encourages the project to consider Living Alley design improvements along the Lucerne frontage similar to those being proposed at Butte Place.
- Per the Better Streets Plan, the project sponsor shall provide street trees. Typically a 3' by 3' tree pit is required, but for the 7' sidewalk along the Lucerne frontage, a 2.5' by 5' tree pit is recommended to ensure an adequate accessible path of travel is maintained.

#### Brannan Street

• Please note that SFMTA plans to install a buffered bike lane on Brannan Street. The design of the project's Brannan Street frontage and bulbout should anticipate the future cycle track condition. SDAT does not recommend on-street loading along Brannan Street.

#### Utility Poles and Street Improvements (construction within the public right-of-way)

- SDAT recommends the project sponsor to consider burying overhead power line along the Lucerne frontage. This will require coordination with PG&E and adjacent property owners.
- Infrastructure improvements within the public right-of-way will require a Street Improvement Permit from SF Public Works Bureau of Street Use & Mapping (BSM) and Street Improvement Plans. Depending on the scope of work the Plans should include the following plan sheets: Civil (grading, layout, utility erosion control, etc.), Landscaping (planting, irrigation, etc.), Electrical (lighting, photometrics, conduit, etc.), Joint Trench (power, telephone, and communication approved by the respective utility companies). Additional permits may be required. Visit http://www.sfdpw.org/permits-0 for additional information or call 415-554-5810.

## Water Service Connection

• The project's water service connections shall be linked to the Lucerne water main as there is no water main line along Butte Place. This may require relocating the utility room from the Butte frontage to the Lucerne frontage. Please coordinate with the SFPUC CDD engineering division on this issue at <u>cddengineering@sfwater.org</u>.

## **Electrical Transformer Room**

- If a new electrical power transformer is required by PG&E to provide power to the building, please show the location of the transformer room on the plans.
- The transformer room must be shown on the plans for review by SDAT and Public Works during the planning phase of the project prior to applying for a Building Permit and Public Works Permits. Public Works typically does not permit new transformer vaults in the public right-of-way.
- SDAT recommends locating the electrical transformer for the building on property along the Lucerne frontage. The project sponsor could consider adding a transformer room on the garage frontage or installing a subsurface vault with a 30' vertical clearance within the proposed driveway.

## Trash Removal

• Please clarify how trash will be removed from the site as the trash room is located in the a basement with no simple path to the street.

# STANDARD SDAT COMMENTS

**On-Street Bike Rack Coordination with the SFMTA** 

- Planning Code Sections 155.1, 155.4, and 155.5, dictate the number of required Class 1 (inbuilding) and Class 2 (on-street or sidewalk) bike racks required by the project. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW, and the SFMTA Bike Program coordinates the installation of on-street bicycle racks and ensures that proposed bicycle racks meet the SFMTA's bicycle parking guidelines.
- If Class 2 racks are required, the project sponsor should contact the SFMTA Bike Program (bikeparking@sfmta.com) prior to issuance of first architectural addenda and submit a site plan showing proposed Class 2 bike rack design and locations. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class 2 bike racks required by the Planning Code. Before contacting the SFMTA, please review the *Bike Rack Specifications* and *Sidewalk Bicycle Rack Placement Guidelines*, which can be found on the SFMTA's website at: <a href="https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals">https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals</a>

#### Landscaping, Street Trees and Site Furnishings in the Public Sidewalk

- All landscaping, street trees, site furniture, and special paving should be consistent with guidelines in the Better Streets Plan (BSP). See <u>www.sfbetterstreets.org</u>.
- All trees on neighboring properties, adjacent to the property line, must be adequately protected during construction.
- Per SFMTA standards, trees shall not be placed within 25 feet of intersections, to enhance pedestrian visibility and safety.
- Per SFPUC standards, new trees shall not be placed within 5 feet of water facilities, including water mains and water service laterals.
- Any proposed new, removed, or relocated street trees and/or landscaping within the public sidewalk may require a permit from SF Public Works Bureau of Urban Forestry (BUF). For additional information visit http://www.sfpublicworks.org/trees or call 415-554-6700.

#### **Plan Specifications**

• Please include the following dimensions in future plan submittals: Existing and proposed sidewalk widths, proposed street tree species, adjacent ROW widths, curb radii, bulb-out dimensions, existing utility poles etc.

#### Street Improvements (construction within the public right-of-way)

• Infrastructure improvements within the public right-of-way will require a Street Improvement Permit from SF Public Works Bureau of Street Use & Mapping (BSM) and Street Improvement Plans. Depending on the scope of work the Plans should include the following plan sheets: Civil (grading, layout, utility erosion control, etc.), Landscaping (planting, irrigation, etc.), Electrical (lighting, photometrics, conduit, etc.), Joint Trench (power, telephone, and communication approved by the respective utility companies). Additional permits may be required. Visit <u>http://www.sfpublicworks.org/services/permits</u> for additional information or call 415-554-5810.

#### Encroachments into the Public Right-of-Way

• SF Public Works discourages any new encroachments into the public right-of-way. If new encroachments are proposed, show them on the plans. Examples of encroachments are: steps, warped driveways with diverters/planters, level landings, fire department connections (FDC), out swinging doors, bollards, etc. For new building construction, the Building Code does not allow building encroachments unless a variance to the Building Code is allowed by the DBI. If a variance is approved, a Minor Sidewalk Encroachment Permit (MSE) or other encroachment permit will be required from BSM. Most encroachment permits require public notification and, depending on the encroachment an annual assessment fee may be applied.

#### Modified Curb Lines (widened or narrowed sidewalk and corner bulbouts)

- Per guidelines established in the San Francisco Better Streets Plan the tangent of the curb return on a corner bulbout should start a minimum of 5' beyond the property line.
- To ensure that bulbouts are sweepable with standard City street sweeper equipment, bulbout curb returns shall conform to SF Public Works' Standard Plan for Curb Bulbs. See: <u>http://www.sfbetterstreets.org/find-project-types/pedestrian-safety-and-traffic-calming/trafficcalming-overview/curb-extensions/#codes\_docs</u>
- Modification of the curb line will require Sidewalk Legislation, contact BSM Mapping/Subdivision Section. It is strongly encouraged that a sidewalk legislation package is submitted at the time a Street Improvement Permit application is submitted since the permit will not be approved until the Sidewalk Legislation is approved, which can take a minimum of 6-12 months for approval.

#### Special (non-standard) projects in the public right-of-way (plazas, parks, shared streets, etc.)

• Any modification of the public right-of-way that deviates from SF Public Works Standard Plans and Specifications may require a Major Encroachment Permit (MEP) from the BSM. It is strongly encouraged that the plans for the MEP are complete and all application submittals are promptly submitted to BSM at the time of the Street Improvement Permit application is submitted because the MEP can take a minimum of 6-12 months. For information on the Major Encroachment permitting process visit <u>http://www.sfpublicworks.org/services/permits</u> or call 415-554-5810.

#### For SF Public Works permit information visit <u>www.sfpublicworks.org</u> or call 415-554-5810.

#### SFPUC-Water

• A hydraulic analysis will be required to confirm the adequacy of the water distribution system for proposed new potable, non-potable and fire water services. If the current distribution system pressures and flows are inadequate, the Project Sponsor will be responsible for any capital improvements required to meet the proposed project's water demands. To initiate this process, please contact the SFPUC Customer Service Bureau at 415-551-2900.

- The project sponsor will be required to design all applicable water facilities, including potable, fire-suppression, and non-potable water systems, to conform to the current SFPUC City Distribution Division (CDD) and San Francisco Fire Department (SFFD) standards and practices. These include, but are not limited to, the following:
  - o SFPUC- CDD Protection of Existing Water and AWSS Facilities;
  - o SFPUC Standards for the Protection of Water and Wastewater Assets;
  - o Rules and Regulations Governing Water Service to Customers;
  - SFPUC- CDD Design Criteria for Potable Water Systems;
  - Application for Water Supply and Responsibility of Applicants;
  - San Francisco Fire Code and Reliability;
  - California Waterworks Standards; California Code of Regulations Titles 17 and 22
  - Auxiliary Water Supply System (AWSS) Distribution Piping.

For questions please contact <u>cddengineering@sfwater.org</u>.

## REFERENCES

Please refer to the following design guidelines when revising the project's design.

BSP Street Furnishings Guidelines:

http://www.sfbetterstreets.org/find-project-types/streetscape-elements/street-furnitureoverview/

BSP Guidelines for Special Paving in the Furniture Zone: http://www.sfbetterstreets.org/find-project-types/streetscape-elements/sidewalk\_paving/

BSP Sidewalk Landscaping Guidelines: <u>http://www.sfbetterstreets.org/find-project-types/greening-and-stormwater-management/greening-overview/sidewalk-landscaping/</u>

San Francisco's Water Sewer, and Stormwater Requirements http://sfwater.org/modules/showdocument.aspx?documentid=4748/

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Antonio	Diaz	Project Director	People Organizing to Demand Environmental and Economic Rights (PODER)	474 Valencia Street #125	San Francisco	CA	94103	415-431-4210	podersf.org	Crocker Amazon, Excelsior, Mission, Ocean View, Outer Mission, South of Market
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							6526	410-074-1935		Western Addition
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Moe	Jamil	Chair	Middle Polk Neighborhood Association	PO Box 640918	San Francisco	CA	9416	4	0 moe@middlepolk.org	Chinatown, Downtown/Civic Center, Financial District, Marina, Nob Hill, North Beach, Pacific Heights, Russian Hill, South of Market, Western Addition
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Marc	Salomon	Land Use and Transportation Committee Member	NEMNA - Northeast Mission Neighborhood Association	P.O. Box 410244	San Francisco	CA	9414	1 415-699-7201	nemna-notifications@gmail.com	Mission, South of Market

BORHOOD OF INTEREST
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