DATE: December 15, 2017
TO: Wilson Ng, Applicant
FROM: Mark Luellen, Planning Department
RE: PPA Case No. 2017-004789PPA for 1337 Mission Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Eiliegh Tuffy, at (415) 575-9191 or eiliegh.tuffy@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Mark Luellen, Senior Planner
**Preliminary Project Assessment**

**Date:** December 15, 2017  
**Case No.:** 2017-004789PPA  
**Project Address:** 1337 Mission Street  
**Block/Lot:** 3509/037  
**Zoning:** C-3-G (Downtown General) Zoning District  
Van Ness & Market Downtown Residential Special Use District  
160-M Height and Bulk District  
**Area Plan:** Market & Octavia Area Plan  
Market Street Hub Project  
**Project Sponsor:** Wilson Ng  
562 Bryant Street  
San Francisco, CA  94107  
415-684-0632  
wilsonng2323@yahoo.com  
**Staff Contact:** Eiliesh Tuffy – (415) 575-9191  
eiliesh.tuffy@sfgov.org

**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 September 18, 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, and federal regulations as of the date of this document, all of which are subject to change.
PROJECT DESCRIPTION:

The proposal is to remodel an existing, three-story corner building in the South of Market neighborhood that is located on a 2,295sf lot on the south side of Mission Street between 9th and 10th Street. The project proposes alterations to the approximately 6,800-square-foot reinforced concrete building, which was first constructed in 1913 as a two-story commercial building, with a third floor added at an unknown date. City records indicate the building currently houses ground floor Retail Sales/Service with Industrial/Office and Residential uses on two upper floors. A new 6-story, 88'-8"-tall vertical addition is proposed to be added above the existing 3-story building. The 9-story project would include Residential use on the upper eight floors of the building, and would retain ground floor Retail. The project would result in 23 dwelling units, 0 car parking spaces, 27 bicycle parking spaces, and 2,295 sf of commercial space with frontage along both Mission Street and Washburn Street. Dwelling units would consist of 6 studios, 16 one-bedroom units, and 1 two-bedroom unit. Open space would be provided through a 226-square-foot open courtyard at the rear of the lot as well as a 608-square-foot roof deck, for a total of 834 square feet of usable open space.

BACKGROUND:

The project site is located within the Market and Octavia Area Plan, which was evaluated in the Market and Octavia Neighborhood Plan Area Programmatic Final Environmental Impact Report EIR (Market and Octavia FEIR). On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR for the Market and Octavia Area Plan by Motion 17406.1 Though the EIR certification was appealed on April 25, 2007, the Board of Supervisors upheld the EIR on June 19, 2007. The Market & Octavia Area Plan and its associated rezoning became effective May 30, 2008. Subsequent to the certification of the PEIR, on May 30, 2008, the Board of Supervisors approved, and the Mayor signed into law, amendments to the Planning Code, Zoning Maps, and General Plan.

The project site is located within the Market Street Hub (The Hub) Project.2 The Hub project would reexamine and propose changes to the current zoning, land use policies and public realm/street designs for the area referred to as “SoMa West” in the Market Octavia Area Plan. The Hub project would include the following zoning components: zoning changes requiring more permanently affordable housing units; zoning changes to incentivize development of affordable housing for artists, office space for non-profit organizations, and performance or fine arts studio space; height district increases to introduce a variety of building heights and smooth height transitions to adjacent areas; study of minor use changes such as inclusion of office beyond current Market & Octavia Area Plan allowances; bulk control increases; zoning changes to reduce parking maximums; transportation demand management policies; and development impact fees. The Hub project would also include potential public realm and transportation components. The anticipated date of approval for The Hub project is 2019.

PRELIMINARY PROJECT COMMENTS:

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

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1 Available for review on the Planning Department’s Area Plan EIRs web page: http://sf-planning.org/index.aspx?page=1893.
2 Planning Department Case Number 2015-000940ENV.
1. **Market & Octavia Area Plan.** The subject property falls within the area covered by the Market & Octavia Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan. The project sponsor is encouraged to read the full plan, which can be viewed [http://sf-planning.org/market-octavia-area-plan](http://sf-planning.org/market-octavia-area-plan)

2. **Ongoing Planning, Rezoning Efforts or Pending Legislation: The Market Street Hub Project.** The City is currently in the latter stages of a community planning process for the Market Street Hub Project (the Hub Area Plan), within which the project site falls. The Hub Area Plan would result in recommendations for changes to zoning, heights and the public realm, as well as a proposal for public benefits within the Hub Plan area. However, the Hub project is not proposing any specific changes to height or zoning for this parcel. For more information about the Hub, visit the project website [http://sf-planning.org/market-street-hubproject](http://sf-planning.org/market-street-hubproject)

3. **Density Maximization & Affordable Housing Provision.** It is the Department’s priority to give precedence to the development of all new net housing, and to encourage the direct building of more affordable housing and the maximization of permitted density, while maintaining quality of life and adherence to Planning Code standards.

4. **Dwelling Unit Mix.** Section 207.7 shall apply to all applications for building permits and/or Planning Commission entitlements that propose the creation of 10 or more Dwelling Units in all districts that allow residential uses, unless that project is located in a Special Use District with higher specific bedroom mix requirements, or is a HOME SF project subject to the requirements of Planning Code Section 206.3. Section 207.7 shall not apply to buildings for which 100% of the residential uses are: Group Housing, Dwelling Units that are provided at below market rates pursuant to Section 406(b)(1) of this Code, Single Room Occupancy (SRO) Units, Student Housing (all as defined in Section 102 of this Code), or housing specifically and permanently designated for seniors or persons with physical disabilities. Because the project proposes 23 dwelling units, Sec. 207.7 requires that no less than 25% (6 dwelling units) shall contain at least two bedrooms and no less than 10% (2 dwelling units) shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. The current proposal includes 1 two-bedroom dwelling unit and 0 three-bedroom dwelling units. Please revise the dwelling unit mix to conform to Section 207.7 requirements or provide information to justify the allowable modifications. As the team examines the dwelling unit mix requirements, please also note (as outlined on Pages 16-17) that Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units, and due to the property’s location within the Van Ness & Market Downtown Residential Special Use District.

5. **Dwelling Unit Removal.** The PPA plan set – which shows a kitchen and full bath on the third floor – and Planning Department case records indicate that an existing dwelling unit will be demolished as part of this proposal. Unless there is a relocation plan for the tenants of the unit and significant public benefit from this project, the Planning Department would have difficulty supporting the proposal. Please review the criteria outlined in Planning Code Section 317 and consider a strategy for relocation of existing tenants in preparation of the Planning Commission hearing. Please provide information on the most recent, permitted legal use for the upper floors of the subject property (i.e. Live/Work, Residential, Short-Term Rental, etc.) with any future application submittals.
6. **Site Design, Open Space and Massing.** This area was initially identified in the Downtown Plan of the General Plan as an area to encourage housing adjacent to the downtown. As part of the city's Better Neighborhoods Program, this concept was fully articulated in the Market and Octavia Area Plan. The subject property has a specific zoning overlay – the Van Ness & Market Street Residential Special Use District – which was established in 2008 to promote high-density residential development. Therefore, adding vertical massing to create new dwelling units adheres to the intent of the Special Use District and is supported by the department. However, the design and materiality of the exterior elevations should be reexamined from the standpoint of addressing two key design issues: (1) to treat the design of the entire building as a unified whole, and (2) to achieve the architectural excellence that is the expectation of the Planning Department’s Urban Design Guidelines. Please refer to the Preliminary Design Comments section on Pages 14-15 of this letter for additional design review input from the department’s Urban Design Advisory Team (UDAT).

**ENVIRONMENTAL REVIEW:**

The proposed project requires environmental review in accordance with the California Environmental Quality Act (CEQA). This section identifies the likely environmental review process and additional information and studies necessary to complete 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.** EEA 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 [http://sf-planning.org/permit-forms-applications-and-fees](http://sf-planning.org/permit-forms-applications-and-fees). See “Environmental Applications” on page 2 of the current Fee Schedule for a calculation of environmental application fees.³ In addition, please see page 4 of the Fee Schedule for monitoring fees applicable to projects that require active monitoring of mitigation measures.

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 the additional information and documents requested herein and listed again below.

- Plans showing existing and proposed sidewalk widths.
- Detailed information related to construction equipment, phasing and duration of each phase, volume of excavation, and maximum depth of excavation.
- A construction schedule and indication whether pile driving or other particularly noisy construction methods are required.
- A preliminary geotechnical report and a phase I environmental site assessment prepared by a qualified professional.
- Copy of Maher and Article 38 applications filed with the department of public health.

Detailed information related to any proposed stationary sources.

If you have already filed your EEA, you may provide the requested information and documents as supplements to your application. Please note that the EEA may be placed on hold pending receipt of information articulated in this letter as required for environmental review, including a stable project description.

**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 Market and Octavia Area Plan, which was evaluated in the Market and Octavia 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 evaluation 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 Market and Octavia FEIR, 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 Market and Octavia FEIR 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 $14,910) and (b) the CPE certificate fee (currently $8,266).

2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Market and Octavia FEIR, 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 Market and Octavia FEIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $14,910) 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 Market and Octavia FEIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia FEIR.
also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $14,910); (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://sf-planning.org/consultant-sponsor-resources). 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 topics would require additional study.

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); 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 professional must be selected from the Planning Department’s Historic Resource Consultant Pool. Please contact Pilar LaValley, Senior Preservation Planner, via email (pilar.lavalley@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 EEA 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.** Project implementation would entail soil-disturbing activities associated with construction of the proposed six-story vertical addition. The Market and Octavia FEIR included a mitigation measure, FEIR Mitigation Measure 5.6.A2, Soils Distributing Activities, that was determined to be applicable to any project involving any soils-disturbing activities beyond a depth of 4 feet and located in the Market and Octavia Plan for which no archeological assessment report has been prepared. Please confirm the depth of excavation in the EEA.

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. At the time of the filing of the EEA, please include the dimensions of existing and proposed sidewalk widths on plan. The proposed project is located on a high injury corridor as mapped by Vision Zero.4

4. **Noise.** The Market and Octavia FEIR did not identify any significant impacts related to noise. Construction noise is subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during construction, measures to reduce construction noise

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may be required as part of the proposed project. The EEA should provide a construction schedule and indicate whether pile driving or other particularly noisy construction methods are required.

5. Air Quality

Criteria Air Pollutants. The proposed project’s 23 residential units are below the Bay Area Air Quality Management District’s (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore, an analysis of the project’s criteria air pollutant emissions is not likely to be required.

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 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 new sensitive land uses (i.e., residential units), which are 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 initial application with the EEA. In addition, equipment exhaust measures during construction, such as those listed in Market and Octavia PEIR Mitigation Measure 5.8.B (Construction Mitigation Measure for Short-Term Exhaust Emissions) will likely also 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, emissions from 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 and additional measures will likely be required to reduce stationary source emissions. Based on the information in the PPA application, the proposed project would likely require a backup diesel generator due to the proposed height, but this will be confirmed at the time of the EEA submittal.

6. 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

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5 BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.
6 Refer to http://www.sfdph.org/dph/eh/Air/default.asp for more information.
Greenhouse Gas Analysis Compliance Checklist. The project sponsor may be 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.

7. Wind. As discussed below under “Preliminary Project Comments,” the project site is in the C-3-G zoning district and the Van Ness & Market Downtown Residential SUD, and is subject to Planning Code limits on ground-level wind speeds. A consultant-prepared wind tunnel analysis will be required to determine project compliance with these Planning Code provisions. Additionally, ground-level wind speeds will be assessed as part of the project’s environmental review. The consultant will be required to prepare a proposed scope of work for review and approval by the assigned Current Planning and Environmental Planning staff prior to proceeding with the analysis.

8. Shadow. The proposed project would result in construction of a building approximately 89 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project would not cast shadows on a Recreation Park Department (RPD) park property subject to Section 295, or other publicly accessible non-RPD park properties, including schoolyards.

9. 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. 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 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 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.

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7 Refer to http://sf-planning.org/consultant-sponsor-resources for latest “Greenhouse Gas Compliance Checklist for Private Development Projects.”
8 San Francisco Planning Department. Interdepartmental Project Review. Available online at: http://sf-planning.org/permit-forms-applications-and-fees
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, 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.

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. **Naturally Occurring Asbestos.** Based upon mapping conducted by the U.S. Geological Survey (USGS), the project site is not underlain by serpentine rock.9

12. **Disclosure Report for Developers of Major Projects.** San Francisco Campaign and Governmental Conduct Code Section 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 http://www.sfethics.org.

**PRELIMINARY PLANNING CODE AND PROCEDURAL COMMENTS:**

The following comments address preliminary Planning Code issues that may substantially affect the design and massing of the proposed project:

1. **Non-Residential Use Size.** Section 210.2 allows for non-residential uses, such as the proposed ground floor cocktail lounge, under 90,000 gross square feet as of right. The proposed ground floor lounge appears to comprise approximately 2,000 square feet of the total project, which is a Retail Service and Sales use that meets the requirements of the Planning Code.

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2. **Rear Yard.** The Van Ness & Market Downtown Residential Special Use District states that Section 134 of the Planning Code regarding required rear yards shall not apply in the SUD. Rather, lot coverage is limited to 80 percent at all residential levels except on levels in which all residential units face onto a public right-of-way. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards per Section 136(c) of the Planning Code. Exceptions to the 20 percent open area may be granted pursuant to the procedures of Section 309 for conversions of existing non-residential structures where it is determined that provision of 20 percent open area would require partial demolition of the existing non-residential structure. Based on the sponsor’s submittal of documentation verifying the legal permitted use of the existing building, Section 249.33(b)(5) could allow the sponsor to seek a lot coverage exception for residential conversion of the existing second and third floors as part of the Downtown Project Authorization application.

3. **Open Space – Residential.** Section 135 requires 36 square feet of private usable open space per dwelling unit or 48sf per dwelling unit if it is common usable open space with shared access. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet. Based on the proposed dwelling unit count (23) the project would require 1,104sf of common open space. The PPA plan set calls out a 226sf open courtyard at the rear of the fourth floor, which would need to be increased by 74sf to meet the 300sf minimum open space size requirement. The roof deck is viewed by the department as providing 608sf of usable common open space between the safety guard railings. The current design provides 834sf of usable open space, but would need to be increased to 1,104sf to meet the code requirement.

   The Van Ness & Market Downtown Residential Special Use District (Section 249.33) includes a provision allowing up to 40% of a project’s open space to be provided off-site, if the open space meets the requirements of Section 249.33(b)(4). While 40% of the required open space for this proposed project amounts to just 442sf, this provision could be a good opportunity for the project team to introduce some usable open space and streetscape improvements along Washburn Street. The Planning Department has created a toolkit to serve as a resource for community members and designers seeking to make improvements to alleys. The toolkit is available for download through the following city website: [http://sf-planning.org/living-alleys-toolkit](http://sf-planning.org/living-alleys-toolkit)

4. **Dwelling Unit Exposure.** Section 140 requires windows in each proposed dwelling unit to face directly on a qualifying open area. Conforming dwelling unit exposure includes: a public street, public alley at least 20 feet in width. As proposed, all 23 dwelling units appear to meet Section 140 exposure requirements. For future submittals, please include string dimensions for areas within and surrounding the project site that are to be used to meet Section 140 requirements.

5. **Shadow Analysis (Sections 147 & 295).** The proposed project would result in construction of a building approximately 89 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project would not cast shadows on a Recreation Park Department (RPD) park property subject to Section 295, or other publicly accessible non-RPD park properties subject to Section 147.

6. **Wind.** The project site is in the C-3-G District. Pursuant to Planning Code Section 148, the proposed project is subject to the following wind regulations: ground-level wind speeds shall not exceed the
seating comfort criterion of 7 mph for more than 10 percent of the time year-round, shall not exceed the pedestrian comfort criterion of 11 mph for 10 percent of the time year-round, and shall not reach or exceed the wind hazard criterion of 26 mph for a single hour of the year. The Planning Commission may grant exceptions from the comfort criteria, but no exceptions from the wind hazard criterion may be granted. In order to demonstrate project compliance with the provisions of Section 148, a wind tunnel test is required. Be advised that seeking an exception from Section 148 may require testing variations of the project to reduce comfort exceedances, even after testing and/or modeling has demonstrated that wind speeds do not reach or exceed hazard levels.

Please retain a consultant who is familiar with San Francisco’s methodology to conduct the wind tunnel test. The consultant will be required to prepare a proposed scope of work for review and approval by the assigned Environmental Planning and Current Planning staff prior to proceeding with the wind tunnel test. Please see the topic of wind under the Environmental Review section of this PPA letter for additional information.

7. **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 proposed project includes 23 dwelling units and thus is subject to the TDM Program. Based on the proposed 0 parking spaces associated with the Residential/Retail mixed-use, the project will be required to meet or exceed a target score of 23 points for land use category A and C.

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 TDM Plan was not submitted with the PPA materials, but will be required to process the project entitlements and permit applications.

8. **Street Frontages in Commercial Districts. Transparency and Fenestration.** Section 145.1(c)(6) states that frontages with active uses that are not residential or PDR must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. The purpose of this Section is to preserve, enhance, and promote attractive, clearly defined street frontages that are pedestrian-oriented, fine-grained, and which are appropriate and compatible with the buildings and uses in the district. Currently, the building does not meet the requirements of Section 145.1(c)(6). As part of the design team’s efforts to unify the design of the existing building with the new addition, the existing building’s obscured glass could be replaced with clear glass. Clear glass would be more in keeping with typical residential glazing and would bring the building into conformance with Sec. 145.1(c)(6).

9. **Bicycle Parking (Class I).** Planning Code Section 155 requires this project to provide at least 23 Class I bicycle parking spaces (1 per dwelling unit). Where bicycle parking is required due to addition, conversion, or renovation of an existing building, the bicycle parking shall be calculated based on the total square footage of the building or lot for all uses after the addition, conversion, renovation or parking expansion. The proposed project contains 27 bicycle parking spaces adjacent to the internal
stair landings on each floor. While the number of spaces meets code, they do not appear to meet the location and design requirements outlined in Section 155.1(b) and 155.1(c), which specify that Class I bicycle parking shall be located on the ground floor within 100 feet of the entrance lobby or one floor above, in close proximity to the elevator. Please revise the bicycle parking to address Section 155 location and design standards. Bicycle parking should be included when completing the Transportation Demand Management (TDM) worksheet for the project submittal.

10. **Bicycle Parking (Class II).** Planning Code Section 155 requires the project to provide at least 3 Class II bicycle parking spaces (based on 1 required space for 20 dwelling units and the minimum of 2 required spaces for the ground floor Retail use). Class II bicycle parking is to be 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. Where bicycle parking is required due to addition, conversion, or renovation of an existing building, the bicycle parking shall be calculated based on the total square footage of the building or lot for all uses after the addition, conversion, renovation or parking expansion. 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: [https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals](https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals). Please include the required Class II parking on future plan set submittals. Bicycle parking should be included when completing the Transportation Demand Management (TDM) worksheet for the project submittal.

11. **Signage.** Section 607(d) states that the total Area of all Window Signs shall not exceed one-third the area of the window or clear door on or in which the signs are located. Such Signs may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated. No sign shall project more than 75% of the horizontal distance from the street property line to the curbline and in no case shall a sign project more than six feet beyond the street property line or building setback line. No sign attached to a building shall extend or be located above the roofline of the building to which it is attached. Roof signs are not permitted in the C-3-G district. Please include detailed signage information as part of the project submittal.

12. **Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process ([Ordinance Number 070-015](https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals)). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that the Planning Department will not consider an entitlement application complete until the following are completed:

   (A) The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and

   (B) The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the
date(s) when the comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

The subject property is located within 300 feet of a Place of Entertainment. You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at http://sfgov.org/entertainment/contact-us for additional information regarding the outreach process.

13. **Flood Notification.** The project site is in close proximity to areas with 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 Planning Director Bulletin No. 4: http://sf-planning.org/department-publications

14. **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.

15. **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: http://sf-planning.org/department-publications.

16. **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.

17. **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: http://sfenvironment.org/zero-waste/overview/legislation. Please also see the Guidance on Recycling Design (page 3) resources for designing appropriate areas: http://sfenvironment.org/sites/default/files/fliers/files/sfe_zw_ab088.pdf. Free design and implementation assistance is available from the San Francisco Department of the Environment’s Zero Waste Team by calling 415-355-3700.

**PRELIMINARY DESIGN COMMENTS:**

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

1. **Site Design, Massing and Open Space.** The Planning Department recommends providing the minimum code-complying rear yard space. Please relocate the proposed rear exit stairs that encroach into this space – perhaps within the proposed building envelope if needed.

2. **Street Frontage.** The Planning Department recommends providing a larger and more invitational residential lobby and entrance.
3. Architecture.

- Consider retention of as much of the original building and its characteristics as possible.
- Consider creating greater unity between the new and existing facades, with the understanding that a strict replication of the existing building’s features is not expected as a requirement.
- Please demonstrate how the window composition and proportions on the vertical addition help the building fit with its surroundings.
- Carefully consider an exterior cladding material that is compatible with other high-rise buildings in this district. Metal panel siding may not be the most appropriate material for this building and location. Reference the newer building across Washburn.
- Please provide more information about materials and details.
- The Department will provide more detailed review and comments on the design following submittal of project application materials. However, the PPA letter is meant to guide the project team in the hope of receiving the most code- and design-compliant application package as possible.

4. Streetscape.

**Open Space & Class II Bicycle Parking – Living Alley.** The project team is encouraged to explore the option of locating at least a portion of the project’s required open space off-site, along Washburn Street, as part of a potential Living Alley. Please note that required Class II bicycle parking facilities (which are also credited towards a project’s Transportation Demand Management requirements), could be incorporated into the off-site open space.

**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 Mission Street, which is identified as a pedestrian, vehicular, and cyclist high-injury corridor, and is therefore encouraged to incorporate safety measures into the project.

**DEVELOPMENT 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. 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. **Market & Octavia Affordable Housing Fee (§416)**

4. **Market & Octavia Community Improvement Fund (§421)**

5. **Van Ness and Market Affordable Housing and Neighborhood Infrastructure Program (§424)**, only if exceeding base F.A.R.

6. **Market & Octavia/Van Ness & Market Affordable Housing Fee (§424.3)**

**AFFORDABLE HOUSING:**

Please note that there are two pending pieces of legislation that would significantly change the current Inclusionary Housing program: Board File No. 161351 and 170208. They can be tracked through https://sfgov.legistar.com, and are tentatively scheduled to be heard by the Planning Commission on April 6, 2017.

7. **Inclusionary Affordable Housing (§415):** 10-24 Unit Project; EEA Complete after January 12, 2016 or before - no change in requirement

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 12% of the proposed dwelling units as affordable to low-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.

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. **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.

2. **Environmental Evaluation Application.** The scope of work has been identified by department Environmental Planning staff to require the submittal of an Environmental Evaluation Application, in conformance with California Environmental Quality Act (CEQA) review procedures. An application is enclosed.

3. **Historic Resource Evaluation.** In conformance with the California Environmental Quality Act (CEQA), major alterations to buildings over 45 years old that have not been previously analyzed for historic resource eligibility require a Historic Resource Evaluation (HRE). Refer to the “Historic Resources” comments in the preliminary Environmental Review section of this letter for instructions on preparing an HRE for submittal to the department.

4. **Downtown Project Authorization & Lot Coverage Exception.** Section 309 requires a public hearing before the Planning Commission for building additions over 75 feet in height located in the C-3 zoning districts. An exception to the Special Use District’s 80 percent lot coverage limitation may also be pursued for the existing second and third floor through the Downtown Project Authorization application. An application is enclosed.

5. **A Building Permit Application** is required for the proposed demolition and new construction on the subject property. Permit applications are available through the Department of Building Inspection.

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 Plan Submittal Guidelines.

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 www.sfplanning.org. 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 [http://sf-planning.org/permit-forms-applications-and-fees](http://sf-planning.org/permit-forms-applications-and-fees) listed under “N” for Neighborhood Notification Pre-Application Meeting. The registered neighborhood group and organizations mailing list is available online at [http://sf-planning.org/department-publications](http://sf-planning.org/department-publications) listed under “N”.

2. **Neighborhood Outreach.** This project is required to undertake additional public outreach in advance of the Planning Commission hearing to review the Downtown 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, Historic Resource Evaluation, Downtown Project Authorization or Building Permit Application, as listed above, must be submitted no later than **June 14, 2019**. 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: Shadow Fan
Interdepartmental Project Review application
Environmental Evaluation application
Downtown Project Authorization
Neighborhood Group List – South of Market

cc: Dan Dang, Property Owner
    Eiliesh Tuffy, Current Planning
    Don Lewis, Environmental Planning
    Kay Cheng, 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
Planning Department Webmaster (planning.webmaster@sfgov.org)
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