



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 19, 2013
TO: Seth Mallen
FROM: Julian J. Bañales, Planning Department
RE: PPA Case No. 2013.1543U for 1979 Mission Street

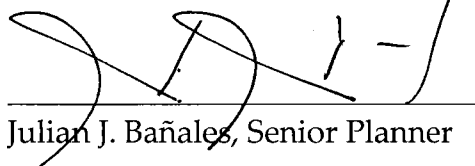
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact Ben Fu, at (415) 558-6613 or ben.fu@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.



Julian J. Bañales, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: December 18, 2013
Case No.: **2013.1543U**
Project Address: 1979 Mission Street
Block/Lot: 3553/052
Zoning: Mission Street NCT
55-X/105-E
Area Plan: Eastern Neighborhoods
Project Sponsor: Alice Barkley
415.356.4635
Staff Contact: Ben Fu – 415.558.6613
ben.fu@sfgov.org

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DISCLAIMERS:

Please be advised that this determination does not constitute an application for development with the Planning Department. It also does not represent a complete review of the proposed project, a project approval of any kind, or 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, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The proposal is to demolish all existing improvements on the project site and to construct a 351-dwelling unit, five- to ten-story up to 105' high, 345,013 sq.ft. building with 50,915 sq. ft. of retail space and exclusive of a 56,643 sq.ft. basement parking garage. Off-street parking that meets the Planning Code requirements will be located in the basement garage level which will contain 161 off-street parking spaces (39 independently accessible spaces for retail use and 122 spaces for the residential units, of which 88 spaces will be stacker spaces). The basement garage and ground floor levels will also house approximately 166 Class 1 bicycle space and a minimum of 27 Class 2 bicycle spaces, meeting Planning Code requirements. Ingress and egress to the basement garage, three (3) off-street freight loading, and four (4) car-share spaces will be off Capp Street via a 20' wide garage door and a 20' curb cut.

ENVIRONMENTAL REVIEW:

Community Plan Exemption

The project initially requires the environmental review described herein. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

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.

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in *Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR*, which was certified in 2008.¹ Because the proposed project is consistent with the development density identified in the area plan, it is eligible for a community plan exemption (CPE). Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in *the Eastern Neighborhoods Rezoning and Area Plans Final EIR* ("*Eastern Neighborhoods FEIR*"), and there would be no new significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* are applied to the proposed project, and a CPE checklist and certificate are prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the CPE certificate fee (currently \$7,402); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Eastern Neighborhoods FEIR*.
2. **CPE + Focused Initial Study/Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in *the Eastern Neighborhoods 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 certificate is prepared to address all other impacts that were encompassed by *the Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Eastern Neighborhoods FEIR*.
3. **CPE + 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 certificate is prepared to address all other impacts that were encompassed by *the Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the standard environmental evaluation fee (which is based on construction value); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Eastern Neighborhoods FEIR*.

In order to begin formal environmental review, please submit an *Environmental Evaluation Application*. See page 2 of the current *Fee Schedule* for calculation of environmental application fees. Below is a list of topic

¹ Available for review on the Planning Department's Area Plan EIRs web page: <http://www.sf-planning.org/index.aspx?page=1893>.

areas that would require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated October 18, 2013.

- **Historic Resource Evaluation (HRE):**

The existing building on the project site was previously evaluated in the Inner Mission North Historic Resource Survey and found ineligible for national, state, or local listing; thus, no additional analysis of historical resources is required.

- **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 22 feet below grade. Planning Department staff has preliminarily determined that *Eastern Neighborhoods FEIR Archeological Mitigation Measure J-3: Mission Dolores Archeological District* would be applicable to the proposed project. Please review this mitigation measure within the *Eastern Neighborhoods FEIR*. This mitigation measure requires the project sponsor to hire a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The qualified consultant must be selected from a list of three archeological consultants from the Planning Department's Archeological Consultant pool provided by the Planning Department during the environmental review process.² At the direction of the ERO, the archeology consultant may be required to have acceptable documented expertise in California Mission archeology. The archeological consultant shall undertake an archeological testing program and shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to the measure. The scope of the archeological services to be provided may include preparation of an Archeological Research Design Treatment Plan (ARD/TP). The scope of work will be developed at the direction of staff during the environmental review process.
- **Transportation Study.** A Transportation Study is anticipated for the project at 1979 Mission Street; The project includes 161 off-street parking spaces within a ground floor garage. The project proposes to have one curb cut for access to the garage via Capp Street. Consultation with the San Francisco Municipal Transportation Agency (SFMTA) would be required. The project plans will be reviewed by a Planning Department Staff transportation planner following submittal of the Environmental Evaluation Application.
- **Air Quality (AQ) Analysis.** The proposed project at 351 dwelling units exceeds the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.³ Therefore an analysis of the project's criteria air pollutant emissions is likely to be required. Detailed information related to construction equipment, phasing and duration of each phase, and cubic yards of excavation shall be provided as part of the EEA.

In addition, project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to

² San Francisco Planning Department. Consultant Resources, Archeological Review Consultant Pool. Available online at: <http://www.sf-planning.org/index.aspx?page=1886>.

³ BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.

avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH). This process is also outlined within Mitigation Measure G-1: Construction Air Quality of the Eastern Neighborhoods FEIR.

In addition, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed "Air Pollutant Exposure Zones," were identified. Land use projects within these Air Pollutant Exposure Zones require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations. Although the proposed project is not within an Air Pollutant Exposure Zone, improvement measures may be recommended for consideration by City decision makers such as exhaust measures during construction and enhanced ventilation measures as part of building design. Enhanced ventilation measures will be the same as those required for projects, such as this project, subject to Article 38 of the Health Code.⁴

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 105 feet, the proposed project would likely require a backup diesel generator and additional measures may be necessary to reduce its emissions. Detailed information related to any proposed stationary sources shall be provided with the EEA.

- **Greenhouse Gases.** The 2010 CEQA Air Quality Guidelines provide CEQA thresholds of significance for greenhouse gas (GHG) emissions. On August 12, 2010, the San Francisco Planning Department submitted to the BAAQMD a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions. This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy. The BAAQMD reviewed San Francisco's GHG reduction strategy and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010).⁵ Therefore, projects that are consistent with San Francisco's GHG reduction strategy would result in less-than-significant GHG emissions.

In order to facilitate a determination of compliance with San Francisco's GHG reduction strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor will be required to submit a completed checklist as part of the environmental review process.

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

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

⁵ San Francisco's Strategies to Address Greenhouse Gas Emissions and BAAQMD's letter are available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-2: Construction Noise requires that the Planning Director require that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

Based on the *Eastern Neighborhoods FEIR*, the project site is located in an area where traffic-related noise exceeds 60 dBA Ldn (a day-night averaged sound level). *Eastern Neighborhoods FEIR Noise Mitigation Measure F-3: Interior Noise Levels* requires that the project sponsor conduct a detailed analysis of noise reduction requirements for new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. *Noise Mitigation Measure F-3* would not apply to the proposed project as the project would be subject to the California Noise Insulation Standards.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-4: Siting of Noise-Sensitive Uses is intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. This measure would apply to the proposed project because the project includes a noise-sensitive use. *Noise Mitigation Measure F-4* requires that a noise analysis be prepared for new development including a noise-sensitive use, during the environmental review process. The mitigation measure requires that such an analysis include, at a minimum, a site survey to identify potential noise-generation uses within 900 feet of, and that have a direct line-of-sight to, the project site. At least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes) shall be included in the analysis. The analysis shall be prepared by person(s) qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the publication of the environmental review document.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-5: Siting of Noise-Generating Uses would not apply to the proposed project because the project would not include commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity. The project currently consists of similar commercial uses and the development of the site would not be expected to generate excess noise levels.

Finally, *Eastern Neighborhoods FEIR Noise Mitigation Measure F-6: Open Space in Noisy Environments* would apply to the proposed project as it includes new development of a noise-sensitive use. This mitigation measure requires that open space required under the Planning Code be protected from existing ambient noise levels. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both

common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles or urban design.

- **Shadow Study.** Section 295 of the Planning Code restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet, unless the Planning Commission finds the impact to be less than significant. To determine whether the project would conform to Section 295, a shadow fan analysis is typically prepared by the Planning Department. A preliminary shadow fan analysis was prepared by staff and determined that the proposed project would not cast shadows on any properties under jurisdiction of, or designated for acquisition by, the Recreation and Park Commission outlined within Section 295. Given that the height of the proposed new building at 1979 Mission Street is approximately 105 feet, a shadow fan analysis may be required to analyze properties not covered by Section 295 of the Planning Code.
- **Wind Study.** The proposed project would involve construction of a building over 80 feet in height. The project therefore would require an initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed. The consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.
- **Stormwater.** If the project results in a ground surface disturbance of 5,000 sq. ft. or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. Responsibility for review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, Urban Watershed Management Program. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. The project's environmental evaluation should generally assess how and where the implementation of necessary stormwater controls would reduce the potential negative impacts of stormwater runoff. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>.

If any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar impacts, the environmental document will be a community plan exemption plus a focused initial study/mitigated negative declaration. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a community plan exemption with a focused initial study/EIR. A community plan exemption and a community plan exemption plus a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but a community plan exemption with a focused initial study/EIR would need to be prepared by a consultant on the Planning Department's environmental consultant pool (http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf).

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. **Planned Unit Development (PUD).** Planning Code Section 304 allows PUDs as conditional uses, in accordance with the provisions of Section 303 and subject to the further requirements and procedures. After review of any proposed development, the Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than ½ acre, exclusive of streets, alleys and other public property that will remain undeveloped. The subject lot has an area of 52,325 square feet, exceeding ½ acre, or 21,780 square feet. Therefore, a PUD, or C case, is required.
2. **Conditional Use Authorization (CU).**
 - a. Planning Code Section 121.1 requires a CU for new construction or significant enlargement of existing buildings on lots of the same size or larger than 10,000 square feet. The subject lot is 57,325 square feet in area.
 - b. Planning Code Section 121.2 requires a CU for each individual nonresidential uses of the same size or larger than 6,000 square feet. If the proposed approximately 50,915 square foot retail space is subdivided, resulting in an individual nonresidential use greater than 6,000 square feet, a CU would be required.
 - c. Planning Code Section 121.6 requires a CU for retail uses of the same size or larger than 50,000 square feet. If the proposed approximately 50,915 square foot retail space remains one retail space, then a CU would be required.
 - d. Planning Code Section 270 requires a CU for projects that exceed the bulk limitations. For the subject site, maximum plan dimensions of 110 feet in length and 140 diagonally are required for bulk district E above 65 feet in height. The project proposes plan dimensions exceeding the length and diagonal limits.
3. **Building Permit Applications.** Permit application and notification are required for the proposed demolition and new construction.

Conditional Use Authorization 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 NOTIFICATION AND PUBLIC OUTREACH:

Project Sponsors are encouraged 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.

This project is required to conduct a **Pre-Application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

Beyond the base requirements, the Department strongly encourages the Project Sponsor to meet with active community and neighborhood groups throughout the design and planning process for the project, so as to maximize public input and create a sense of community.

PRELIMINARY PROJECT COMMENTS:

Policy Framework

LAND USE

San Francisco has adopted numerous policies that reflect the City's commitment to supporting transit-oriented development (TOD). Encouraging housing, retail and jobs near transit enables people to choose car-free lifestyles and lower their carbon footprint, and meet city and regional goals to reduce congestion and air pollution.

1979 Mission Street is located on one of the most transit-rich sites in the City and entire Bay Area region. The site sits at the intersection of a BART station and several bus lines, two of which – the 14 and the 22 – are a part of Muni's "Rapid Network." When the BART system was constructed, the City rezoned the project site to the current height limit to allow greater height at this location at the time in recognition of the significant opportunity this site offers for TOD.

Additionally, provision of street-level neighborhood-serving retail adjacent to transit stations is important to not only improve the convenience of people using transit, but to create an active and safe transit station area.

The Housing Element, Transportation Element, and Mission Area Plan all speak to the local and regional importance of building higher densities of housing, jobs, and other activities at locations with high transit accessibility:

Following are relevant policies from the General Plan:

Housing Element

POLICY 1.8

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

POLICY 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

POLICY 12.1

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

OBJECTIVE 13

Prioritize sustainable development in planning for and constructing new housing.

POLICY 13.1

Support “smart” regional growth that locates new housing close to jobs and transit.

POLICY 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

Transportation Element

OBJECTIVE 2

Use the transportation system as a means for guiding development and improving the environment.

POLICY 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 14

Develop and implement a plan for operational changes and land use policies that will maintain mobility and safety despite a rise in travel demand that could otherwise result in system capacity deficiencies.

POLICY 14.8

Implement land use controls that will support a sustainable mode split, and encourage development that limits the intensification of automobile use.

Mission District Plan

POLICY 1.1.4

In higher density residential areas of the Mission, recognize proximity to good transit service by eliminating density limits and minimum parking requirements; permit small neighborhood-serving retail.

POLICY 1.8.1

Direct new mixed-use residential development to the Mission’s neighborhood commercial districts to take advantage of the transit and services available in those areas.

NEIGHBORHOOD CONTEXT AND URBAN FORM

The City’s General Plan, including the Mission District Area Plan, devote considerable attention to ensuring that new construction be compatible with existing neighborhood context, but also that building scale and design appropriately mark and recognize key locations in the City, such as major transit stations and other important centers of activity. The proposed building’s height and visibility from iconic vistas such as Dolores Park, its location adjacent to the 16th Street BART Plaza and an elementary school and the building’s architectural expression are important factors to which the design of the building must respond.

The scale and height of the 1979 Mission Street development will make it a prominent building that will require a thoughtful and sensitive design response. The height of the building will also be visible from prominent viewpoints like Dolores Park and Bernal Heights Park. Careful attention to the building façade and massing can ensure it integrates respectfully into the Mission District's skyline. The building will act as a marker to the 16th Street Bart Station, and treatment of the ground floor along the station plaza's northern and eastern edges must strive to activate and engage the plaza.

Following are relevant policies from the General Plan:

Urban Design Element

Fundamental Principles for Major New Development: (3). Clustering of larger, taller buildings at important activity centers (such as major transit stations) can visually express the functional importance of these centers.

POLICY 3.5

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Housing Element

OBJECTIVE 11

Support and respect the diverse and distinct character of San Francisco's neighborhoods.

POLICY 11.1

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

POLICY 11.6

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

POLICY 11.9

Foster development that strengthens local culture sense of place and history.

Mission Area Plan

OBJECTIVE 1.1

Strengthen the Mission's existing mixed use character, while maintaining the neighborhood as a place to live and work

POLICY 1.1.7

Permit and encourage greater retail uses on the ground floor on parcels that front 16th Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

POLICY 1.1.9

Maximize active ground floor uses that open to the BART plazas in any redevelopment of the parcels surrounding the plazas.

OBJECTIVE 1.2

In areas of the Mission where housing and mixed-use is encouraged, maximize development potential in keeping with neighborhood character

POLICY 1.2.1

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

POLICY 1.2.4

Identify portions of the Mission where it would be appropriate to increase maximum heights for residential development.

OBJECTIVE 1.8

Maintain and strengthen the Mission's neighborhood commercial areas.

OBJECTIVE 3.2

Promote an urban form and architectural character that supports walking and sustains a diverse, active and safe public realm.

POLICY 3.2.1

Require high quality design of street-facing building exteriors.

POLICY 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible

See design comments below for further discussion.

PARKING

The City's General Plan and the Mission District Plan also speak to the relationship between parking supply and travel patterns and the merits of reducing off-street parking in areas well-served by transit. Accordingly, while the site's zoning permits a parking maximum of 0.5 spaces per unit, the extraordinary close proximity to transit warrants a consideration of less parking at this site in order to further encourage transit usage, occupancy by households without cars, and reduce construction costs and therefore housing costs passed on to residents. Moreover, the major streets adjacent to the site – 16th Street and Mission Street – are major transit and pedestrian corridors that are highly sensitive to additional auto traffic which would further reduce transit reliability and speed and pedestrian safety. The project team is encouraged to explore reducing the number of off-street parking spaces below the maximum allowed by the Planning Code.

Following are relevant policies from the General Plan:

Transportation Element

POLICY 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

POLICY 14.8

Implement land use controls that will support a sustainable mode split, and encourage development that limits the intensification of automobile use.

OBJECTIVE 16

Develop and implement programs that will efficiently manage the supply of parking at employment centers throughout the city so as to discourage single-occupant ridership and encourage ridesharing, transit and other alternatives to the single-occupant automobile.

POLICY 16.6

Encourage alternatives to the private automobile by locating public transit access and ride-share vehicle and bicycle parking at more close-in and convenient locations on-site, and by locating parking facilities for single-occupant vehicles more remotely.

OBJECTIVE 30

Ensure that the provision of new or enlarged parking facilities does not adversely affect the livability and desirability of the city and its various neighborhoods.

POLICY 30.4

Restrict long term automobile parking at rapid transit stations in the city in favor of development of effective feeder transit service and enhanced access for pedestrians and bicyclists.

OBJECTIVE 34

Relate the amount of parking in residential areas and neighborhood commercial districts to the capacity of the city's street system and land use patterns.

POLICY 34.1

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

POLICY 34.3

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Mission District Plan

POLICY 1.1.4

In higher density residential areas of the Mission, recognize proximity to good transit service by eliminating density limits and minimum parking requirements; permit small neighborhood-serving retail.

OBJECTIVE 4.3

Establish parking policies that improve the quality of neighborhoods and reduce congestion and private vehicle trips by encouraging travel by non-auto modes

POLICY 4.3.1

For new residential development, provide flexibility by eliminating minimum off-street parking requirements and establishing reasonable parking caps.

POLICY 4.3.2

For new non-residential development, provide flexibility by eliminating minimum off-street parking requirements and establishing caps generally equal to the previous minimum requirements. For office uses, parking should be limited relative to transit accessibility.

OBJECTIVE 4.6

Support walking as a key transportation mode by improving pedestrian circulation within the Mission and to other parts of the city.

POLICY 4.6.3

Improve pedestrian access to major transit stops and stations such as the 16th and 24th Street BART Stations.

Planning Code

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

1. **Interdepartmental Project Review.** Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more or new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. Project Sponsors may elect to request an interdepartmental review for any project at any time; however, it is strongly recommended that the request is made prior to Planning Department approval of the first construction permit. The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend your meeting.
2. **Rear Yard.** Planning Code Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth and area. The project does not propose the standard 25 percent rear yard at the rear of the lot. The proposed inner courtyard is approximately 12,870 square feet, or 22 percent of lot area. The proposed courtyard as a substitute for the standard rear yard is not permitted in the Mission Street NCT District, except as an approved exception through the PUD process. A formal submittal should explore providing additional open area that would be comparable to the 25 percent rear yard.
3. **Open Space.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 106.4 square feet per dwelling unit of common open space, is required. The Project has a residential open space requirement of approximately 28,080 square feet of usable open space if private, or 37,346.40 square feet of common open space. The proposed usable open space with an inner courtyard (approximately 12,870 square feet), roof decks (approximately 2,110 square feet), and balconies do not meet the minimum comparable square footage. Please illustrate and indicate the locations and sizes of the proposed spaces. Exception through the PUD process is required. However, for a project on a sizeable lot, sufficient open space should be accommodated. A formal submittal should provide detailed dimensions for confirmation of the open space requirement and should strive to achieve compliance by providing an equitable amount of open space.

4. **Street Trees.** Planning Code Section 138.1 requires the installation of street trees for the construction of a new building. Requirement must be met with a minimum of one tree of 24-inch box size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot. The project has a requirement of eight trees at the Mission Street frontage, eight trees at the 16th Street frontage and 13 trees at the Capp Street frontage. The project proposes eight trees at the Mission Street frontage, five trees at the 16th Street frontage and eight trees at the Capp Street frontage.
5. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 establishes requirements for the improvement of the public right-of-way associated with development projects, such that the public right-of-way may be safe, accessible, convenient and attractive to pedestrian use and travel by all modes of transportation consistent with the San Francisco General Plan, achieve best practices in ecological storm water management, and provide space for public life and social interaction, in accordance with the City's "Better Streets Policy" (Administrative Code Section 98.1). The building will be subject to the "Better Streets" streetscape improvements per Planning Code Section 138.1. A streetscape plan will be required to illustrate proposed public realm improvements.
6. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.
7. **Exposure.** Planning Code Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. Approximately 42 of the proposed 351 units do not face onto an open area that meets the dimensional requirements. An exception for exposure must be sought through the PUD process. The Department generally encourages projects to minimize the number of units needing an exposure exception and would generally not support a project in which a large proportion of units do not have adequate exposure. A formal submittal should explore providing Code complying exposure for all the units.
8. **Rooftop Screening.** Planning Code Section 141 rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply to construction of new buildings and in any alteration of mechanical systems of existing buildings that result in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

9. **Inclusionary Housing.** 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 in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The minimum Affordable Housing Percentages are 20% fee, 12% on-site, or 20% off-site. Therefore, as proposed, the project would have a minimum requirement of 42 units if provided on-site.

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:

- a. direct financial construction from a public entity
- b. 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.

10. **Eastern Neighborhoods Impact Fees.** This project is subject to the applicable fees outlined in Section 423 et seq. Impact Fees. The Eastern Neighborhoods Public Benefits Fund is implemented in part through district-specific Eastern Neighborhoods Impact Fee which applies to the Project Area. Per Planning Code Section 423.5(c)(2), 75% of the funds generated from the Eastern Neighborhoods Impact Fee will be applied towards affordable housing. Fees shall be assessed per net new gross square footage on residential and non-residential uses within the Plan Area. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. The project is within the Impact Fee Tier 3. As of the date of this letter, Tier 3 requires \$17.70 per gross square-foot of residential space and \$15.48 per gross square-foot of non-residential space. For the most up-to-date schedule, please refer to the Department of Building Inspection (DBI) fee register: <http://sfdbi.org/modules/showdocument.aspx?documentid=2570>.

Prior to the issuance by DBI of the first site or building permit for a development project, the sponsor of any project containing space subject to the Eastern Neighborhoods Impact Fee shall pay a fee to the Treasurer according to the schedule in Table 423.3. Planning Code Section 423.3 also provides alternatives satisfying this requirement.

11. **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 Eastern Neighborhoods Impact Fee from the Planning Commission, for an equivalent amount to the value of the improvements. This process is further explained in Section 412.3(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.

12. **First Source Hiring.** Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

The ordinance applies to (1) any permit application for commercial development exceeding 25,000 square feet in floor area involving new construction, an addition or a substantial alteration which results in the addition of entry level positions for a commercial activity; or (2) any application which requires discretionary action by the Planning Commission relating to a commercial activity over 25,000 square feet, but not limited to conditional use; or (3) any permit application for a residential development of ten units or more involving new construction, an addition, a conversion or substantial rehabilitation.

The project proposes more than ten dwelling units and therefore, is subject to the requirement. For further information or to receive a sample First Source Hiring Agreement, please see contact information below:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Fax: 415.701.4897
Website: <http://oewd.org/Workforce-Development.aspx>

13. **Stormwater.** Projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to <http://stormwater.sfwater.org/>. Applicants may contact stormwaterreview@sfwater.org for assistance.
14. **Recycled Water.** The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use areas for new construction projects larger than 40,000 square feet.
15. **The Transit Impact Development Fee (TIDF).** TIDF is an impact fee levied on new development citywide to offset new development's impacts on the transit system. Effective February 1, 2013, it lowers the threshold for triggering the TIDF from 3,000 square feet of new development to 800 square feet. The term "new development" for a mixed use proposal refers to the non-residential portion of the project. Please be advised that the proposed project will trigger the payment of TIDF prior to issuance of the first construction document. Please be aware that an ongoing process – the Transportation Sustainability Program – may eventually replace the Transit Impact Development Fee.

You can find more information about this program here: <http://www.sf-planning.org/index.aspx?page=3035>

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may significantly impact the proposed project: The design for this development should conform with the Mission Area Plan. The Planning Department will conduct its review subject to these guidelines.

1. **Massing.** The Planning Department recommends the massing at Capp and 16th Street be reduced to transition down to the lower surrounding context.

The project is described as three separate building blocks. The Planning Department encourages the project design and massing to reinforce the three separate masses that are architecturally related but distinguished from one another by a significant physical separation, and architectural variation between the buildings.

The Planning Department recommends exploring design strategies that minimize shadow impacts to the adjacent schoolyard and provide a visually animated facade on the North elevation.

2. **Architecture.** A major design goal for this project should be to design a recognizable icon worthy of its place and time while respecting the context of the surrounding buildings and neighborhood. The project should reflect its location on a key site in the heart of the Mission District. Consider incorporating elements that illustrate themes common and specific to the Mission.

The Planning Department encourages the design along Mission and Capp to explore means of vertically modulating the facades to create an intermediate scale to the buildings that relates to scales of the context.

3. **Street Frontage.** The frontage should provide a consistent and active relationship with the fronting streets.

The Planning Department lauds the effort to activate the BART Plaza with ground floor retail with multiple entries to allow the possibility of small local retail spaces. Explore integrating or upgrading adjacent BART plaza in urban design, and clearly show on plans.

The ground floor residential units at Capp Street should conform to the Draft Ground Floor Residential Design Guidelines with entries that are raised 3'-5' above grade and setback 6'-10' from the sidewalk. The guidelines can be found:

http://www.sf-planning.org/ftp/files/publications_reports/Guidelines_for_Groundfloor_Residential_Design.pdf

4. **Vehicle Circulation and Parking.** The Planning Department encourages efforts to reduce the quantity of parking in the current proposal. There is no minimum parking requirement in the Mission NCT district, and given the proximity to one of the most transit-rich and congested intersections of the city, every effort should be made to promote transit and alternatives to reduce congestion. Specifically, the Planning Department recommends the use of mechanical stackers or lifts. The amount of area dedicated to bicycle parking does not look adequate to provide for the code required minimum.

5. **Public Realm Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval.

See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types for the project frontage. The department will work with the project sponsor and other relevant departments to determine an appropriate streetscape design. Standard street improvement would be part of basic project approvals not count for as credit towards in-kind contributions.

The Planning Department recommends that basic streetscape improvements be provided on all frontages. The Planning Department recommends that the sponsor should consider a public realm features in relation to the proposed uses and activities as well as the current uses and context. In addition, please explore extensive improvements along Capp Street, and where possible, on 16th and Mission Streets, in coordination with MTA, DPW, and the Mission Streetscape Plan.

For informational purposes and given the prominent location of the project site, visual simulations of the project from various off-site locations is recommended. The locations of these simulations will be determined during the Planning Department review process.

1979 Mission abuts three streets: Mission Street, 16th Street and Capp Street. The Better Streets Plan designates the blocks of Mission Street and 16th Street that front the proposed development as Commercial Throughway Streets. The block of Capp Street fronting the proposed development is designated as a Neighborhood Residential Street. The following links provide information to engage the design process:

See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types for the project frontage

Mission Street & 16th Street – Commercial Throughway

<http://www.sfbetterstreets.org/design-guidelines/street-types/commercial-throughways/>

Capp Street – Neighborhood Residential Street

<http://www.sfbetterstreets.org/design-guidelines/street-types/neighborhood-residential-streets/>

6. **Other Relevant Planning Efforts**

The Mission District Streetscape Plan, published in 2010, (as well as the aforementioned Mission Street Public Life Plan, and TEP studies currently underway) provide references for potential public realm improvements that may be applicable under an in-kind agreement. The Mission District Streetscape Plan identifies 16th Street, Capp Street and Mission Street as streets that deserve special attention and investment. The plan also identifies alleyways such as Adair Street as opportunity sites for creating community-oriented spaces.

There are also several planning efforts currently underway related to the design of Mission and 16th Streets that may impact required streetscape features such as curb extensions adjacent to the BART plaza for the 1979 Mission Street project. These are the Transit Effectiveness Project (TEP) 14 Mission and 22 Fillmore Studies, being led by the San Francisco Municipal Transportation Agency (SFMTA)

and the Mission Street Public Life Plan led by the Planning Department. The Mission Street Public Life plan and the 14 Mission TEP project are being planned in close coordination with one another. Muni's 14 and 22 lines are two of the City's most used bus routes and are part of Muni's core transit network, and streetscape improvements such as bus bulbs at the BART Plaza will need to be coordinated with the SFMTA to ensure that transit operations are taken into account.

The 1979 Mission Street project team is strongly encouraged to coordinate with the following city staff to coordinate planning efforts. Please contact:

Filipe Robles,
SFMTA TEP
415-701-2457
filepe.robles@sfmta.com

Ilaria Salvadori,
SF Planning Mission St. Public Life Plan
415-575-9086
ilaria.salvadori@sfgov.org

If street improvements are being considered, project sponsors should contact DPW as early as possible to understand the process and requirements for permitting street improvements. For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org. Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.

7. In-Kind Public Realm Improvements

While no specific improvement has yet been identified as a near-term priority project by the Interdepartmental Plan Implementation Committee or the Eastern Neighborhoods Community Advisory Committee, some of the improvements may still be eligible for in-kind credit. See Eastern Neighborhoods Impact Fees, above.

8. Transportation and Circulation. The project underwent a preliminary review by staff transportation planners. The following comments and recommendations were made regarding transportation and circulation and should be addressed within project plans upon submittal of the Environmental Evaluation Application:

- Interior geometry of loading dock and driveway appears constrained. The Whole Foods development at 2001 Market serves as a successful example.
- Update project's bike supply under revised Planning Code.
- Show driveway width/ dimensions on plans.
- Show location of trash on plans.
- Consider less parking, or zero parking, especially since with project is Transit Oriented Development.
- Consider adding more car-share and bike-share into the project.
- Take TEP and Mission Streetscape Plan improvements into account in site design.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **June 19, 2015**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

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

cc: Property Owner
 Ben Fu, Current Planning
 Laura Lynch, Environmental Planning
 Paul Chasan, Citywide Planning and Analysis
 Jerry Robbins, MTA
 Jerry Sanguinetti, DPW

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