DATE: December 19, 2013
TO: Harvey Hacker
FROM: Julian J. Bañales, Planning Department
RE: PPA Case No. 2013.1520U for 155 De Haro Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Erika S. Jackson, at (415) 558-6363 or erika.jackson@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

J. Bañales, Senior Planner
Preliminary Project Assessment

Date: December 19, 2013
Case No.: 2013.1520U
Project Address: 155 De Haro Street
Block/Lot: 3913 / 005
Zoning: PDR-1-G
Area Plan: N/A
Project Sponsor: Harvey Hacker
528 Bryant Street
San Francisco, CA 94107
(415) 957-0579
Staff Contact: Erika Jackson – (415) 558-6363
erika.jackson@sfgov.org

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 project site consists of a 40,741 square foot lot (Assessor’s Block 3913, Lot 005) bound by De Haro Street to the west, Carolina and Channel Street to the east, 15th Street to the south, and Berry Street to the north. Currently the lot contains two one-story warehouses with a total of 15,820 square feet.

The proposed project includes the horizontal expansion that would connect the warehouse structure facing De Haro Street to the warehouse structure situated in the rear. New exterior siding and windows would be installed throughout the new structure. New mezzanine levels would be constructed in the new building. Thirty-seven new off-street parking spaces would be provided.
ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. This review may be done in conjunction with the required approvals listed below:

An Environmental Evaluation Application is required to determine the full scope of the project (demolition and expansion). Environmental Evaluation 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 under the "Publications" tab.

Pursuant to CEQA, this project may qualify for a Community Plan Exemption (CPE) under the Eastern Neighborhoods Rezoning and Area Plan. Section 15183 of the 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.

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

Environmental evaluation is required for the full scope of the project. Pursuant to the California Environmental Quality Act (CEQA), this project is likely to qualify for a community plan exemption (CPE) under the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods). Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only**

   In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying Eastern Neighborhoods Rezoning and Area Plans Program Environmental Impact Report (Eastern Neighborhoods PEIR), meaning there would be no new significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the underlying area plan PEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees in addition to the Environmental Document Determination of $13,339 are: (a) the $7,402 CPE certificate fee; and (b) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods PEIR in the amount of $10,000.

2. **CPE and Focused Initial Study/Mitigated Negative Declaration**

   One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the underlying plan area PEIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared and a supporting CPE certificate would be prepared to address all other impacts that were encompassed by the underlying plan area PEIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan PEIR also applied to the proposed project. With this outcome, the applicable fees in addition to the Environmental Document Determination of $13,339 are: (a) the standard
environmental evaluation (EE) fee based on the cost of construction; and (b) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods Rezoning PEIR in the amount of $10,000.

3. CPE and Focused EIR
One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not identified in the underlying plan area PEIR. If any new significant impacts of the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the underlying plan area PEIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan PEIR also applied to the proposed project. With this outcome, the applicable fees in addition to the Environmental Document Determination of $13,339 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; (b) one-half of the standard EIR fee; and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods PEIR in the amount of $10,000.

An Environmental Evaluation Application (EEA) is required for the full scope of the project (demolition and new construction). Environmental Evaluation 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 under the “Publications” tab.

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

1. Transportation: Based on a preliminary review of the plans submitted and meeting with the project sponsor as part of this Preliminary Project Assessment, the Department has determined that a Transportation Impact Study is not likely to be required. However, a final determination will be made upon submittal and review of an EEA. In order to facilitate this determination, the EEA and plans submitted as part of the EEA should include the following additional information:
   - Existing site plans showing existing parking for the entire site and a plan showing any proposed changes to parking, i.e. area provided for storage;
   - Consider removing parking along De Haro Street or reduce the amount on De Haro Street;
   - Consider reducing curb cut widths along De Haro Street for pedestrian safety;
   - Clarify where loading would occur, show truck turning radii on the plans;
   - Clarify on-site circulation and how people access the sales space;
   - Consider including bicycle parking for patrons and employees;
   - Plans should show any changes to site access; and
   - The ground floor plan should show adjacent sidewalks and any proposed improvements.

2. Hazardous Materials: The project site contained a leaking underground fuel tank (LUFT) at one time, which indicates the presence of potential hazardous materials associated with the site.
Existing environmental hazards at the project site and the potential for hazardous materials contamination from past industrial uses on the site would need to be reviewed. The proposed project is located within the Maher zone and at one time contained an on-site underground fuel tank, and therefore is subject to San Francisco Health Code Article 22A, 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 would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher application, available at: http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp. DPH fees for their 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.

3. Geology: The project site is located in a liquefaction hazard zone, as identified in the San Francisco General Plan. Please include a geotechnical report with the EEA package. The geotechnical investigation will assist the Planning Department’s archaeological review (see Archaeological Resources section below).

4. Historic Architectural Resources: The building at 155 De Haro Street was constructed in 1969, which is less than 50 years old and is listed as a “6Z”, not a historic resource. The project site is adjacent to but not located within the Showplace Place Square Heavy Timber and Steel-frame Brick Warehouse and Factory District. Therefore, the building is not considered to be an historic resource by the San Francisco Planning Department. A Historic Resource Evaluation (HRE) will not be required.

5. Archeological Resources: The project site lies within the Archeological Mitigation Zone 1-2: Properties with No Previous Studies in the Eastern Neighborhoods FEIR and would require either a Preliminary Archeological Review (PAR) conducted in-house by the Planning Department archeologist or the preparation of a Preliminary Archeological Sensitivity Study (PASS) by a Department Qualified Archeological Consultant subject to review and approval by the Department archeologist. The PAR determines: 1) what type of soil disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc., 2) whether or not the project site is located in an area of archeological sensitivity, and 3) what additional steps are necessary to identify and evaluate any potential archeological resource that may be affected by the project. Helpful to the PAR process is the availability of geotechnical or soils characterization studies prepared for the project. The results of this review will be provided in a memorandum to the Environmental Planner assigned to the project.
Preparation of a PASS would require the project sponsor to retain the services of a qualified archeological consultant from the Planning Department's rotational Qualified Archeological Consultants List (QACL). The project sponsor must contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The whole QACL is available at:

The Preliminary Archeological Sensitivity Study (PASS) should contain the following:

(1) The historical uses of the project site based on any previous archeological documentation and Sanborn maps;
(2) A determination of the types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the California Registry of Historic Resources (CRHR);
(3) A determination of whether 19th or 20th century soils-disturbing activities may have adversely affected the identified potential archeological resources;
(4) An assessment of potential project effects in relation to the depth of any identified potential archeological resources;
(5) A conclusion as to whether any California Registry of Historic Places-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action.

Based on the PAR or the PASS, the Department archeologist will determine if and what additional measures are necessary to address potential effects of the project to archeological resources. These measures may include implementation of various archeological mitigation measures such as accidental discovery, archeological monitoring, or archeological field investigations. In cases of potential greater archeological sensitivity, preparation of an Archeological Research Design/Treatment Plan (ARD/TP) by an archeological consultant from the QACL may be required.

6. **Air Quality:** The proposed project's approximately 31,200 sf light industrial building would be below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for requiring a criteria air pollutant analysis.\(^1\) Therefore an analysis of the project's criteria air pollutant emissions is not 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.

The proposed project would adaptively reuse the existing industrial buildings. 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 a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control

\(^1\) BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.
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 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 comply with applicable dust control requirements outlined in the ordinance.

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 avoid orders to stop work by the Department of Building Inspection (DBI).

Furthermore, 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. Even though the proposed project is within an Air Pollutant Exposure Zone, improvement measures would not be required since sensitive receptors would not occupy the proposed building.

7. **Greenhouse Gases:** Potential environmental effects related to greenhouse gas emissions from the proposed project need to be addressed in a project’s environmental evaluation. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Private Development Projects is available on the Planning Department’s website at [http://ww.sfplanning.org/index.aspx?page=1886](http://ww.sfplanning.org/index.aspx?page=1886). The project sponsor would 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 San Francisco’s Greenhouse Gas Reduction Strategy.

8. **Noise:** The project does involve new construction but does not involve the siting of new noise-sensitive uses (e.g., residential uses) along De Haro Street. Therefore, the proposed project would be subject to the following mitigation measure identified in the Eastern Neighborhoods PEIR: Mitigation Measure F-2: Construction. Information regarding construction equipment and duration will be necessary in order for the environmental analysis to determine the applicability of Mitigation Measure F-2.
9. **Wind:** Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. Typically, buildings that are less than 80 feet tall do not result in substantial changes to ground-level wind. The proposed building would be up to 28 feet in height, therefore an analysis of wind impacts would not be required.

10. **Shadow:** Section 295 restricts new shadowing on 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. Since the proposed building would be 28 feet tall a shadow analysis will not be required for this project.

11. **Stormwater:** If the project results in a ground surface disturbance of 5,000 sf or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in total volume and peak flow rate of stormwater for areas in combined sewer systems OR (b) stormwater treatment for areas in separate sewer systems. 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](http://sfwater.org/sdg).

12. **Tree Planting and Protection Checklist:** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in the Tree Planting and Protection Checklist must be shown on the Site Plans with size of the trunk diameter, tree height and accurate canopy drip line. The project sponsor is required to submit a completed Tree Planting and Protection Checklist with the Environmental Evaluation application.

13. **Floodplain:** The project site is on a block that has the potential to flood during storms. Contact Cliff Wong of the San Francisco Public Utilities Commission at (415) 554-8339 regarding the requirements below. Applicants for building permits for either new construction, change of use or change of occupancy, or for major alterations or enlargements shall be referred to the San Francisco Public Utilities Commission (SFPUC) at the beginning of the process, for a review to determine whether the project would result in ground level flooding during storms. 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, the Department of Building Inspection, or the Redevelopment Agency. The SFPUC and/or its delegate (SFDPW, Hydraulics Section) will review the permit application and comment.
on the proposed application and the potential for flooding during wet weather. The permit applicant shall refer to PUC requirements for information required for the review of projects in flood prone areas. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters.

14. Notification of a Project Receiving Environmental Review: Notice is 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. Please be prepared to provide mailing labels upon request during the environmental review process.

If any of the above investigations determine that mitigation measures not identified in the Eastern Neighborhoods PEIR are required to address project-specific impacts not identified in the PEIR, the environmental document will be a CPE plus a focused Initial Study/Mitigated Negative Declaration. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a CPE with a focused EIR. A CPE plus a focused Initial Study/Mitigated Negative Declaration can be prepared by Planning Department staff, but a CPE with a focused EIR would need to be prepared by a consultant on the Planning Department’s environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental consultant pool.pdf).

Please see “Studies for Project inside of Adopted Plan Areas - Community Plan Fees” in the Planning Department’s current Fee Schedule for Applications. Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org.

PLANNING DEPARTMENT APPROVALS:

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

1. A Building Permit Application is required for the proposed construction on the subject property.

Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS 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.
PRELIMINARY PROJECT COMMENTS:

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

1. **Street Trees.** Per Planning Code Section 138.1, for all renovations adding more than 20 percent of gross floor area, one 24-inch-box tree is required for every 20 feet of street frontage, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. The proposed project requires 10 trees along De Haro Street. If the Department of Public Works makes the determination that Poplar Street is too narrow for street trees, please be advised that an in-lieu fee will be required.

2. **Bicycle Parking.** Per Planning Code Section 155.5, one Class 1 bicycle parking space is required for every 12,000 square feet of wholesale sales, as well as two Class 2 bicycle parking spaces. The proposed project requires 3 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces.

3. **Car Share.** Per Planning Code Section 166, the Proposed Project requires one car share parking space.

4. **Diaper Change Stations.** Per Planning Code Section 168, diaper change stations are required.

5. **Use.** A wholesale furniture use is permitted in the PDR-1-G Zoning District provided that it fits within the description of Planning Code Section 225. Any future tenants of this space will need to demonstrate compliance with this Code Section as retails uses are not permitted.

6. **Eastern Neighborhood Impact Fees.** 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. For the most up-to-date schedule, please refer to the Department of Building Inspection (DBI) fee register: http://sfdbi.org/index.aspx?page=617. Fees shall be assessed per Tier 1 requirements.

   The **Eastern Neighborhoods** Impact Fee shall be paid before the City issues a first construction document, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge in accordance with Section 107A.13.3 of the San Francisco Building Code.

7. **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: http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8601.

8. **Flood Notification.** The project site is located in a flood-prone area. Please see the attached bulletin regarding review of the project by the San Francisco Public Utilities Commission.
9. **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. Please see the attached SFPUC document for more information.

10. **Stormwater Management Ordinance.** 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, please visit [http://stormwater.sfwater.org/](http://stormwater.sfwater.org/).

Please be advised that additional comments may result pending a formal submittal.

**PRELIMINARY DESIGN COMMENTS:**

The following comments address preliminary design issues that may significantly impact the proposed project:

**Massing, Site Orientation, Open Space.**

1. In general, the massing site orientation and open space are appropriate.

**Vehicle Circulation, Access and Parking.**

2. UDAT recommends that the existing perpendicular parking be enhanced with special paving and other landscaping elements such as planters, trees and bike parking.

**Public Realm Improvements.**

3. **Streetscape and Pedestrian 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.

In this location, De Haro Street is identified as a Mixed-use Street. See [http://www.sfbetterstreets.org/design-guidelines/street-types/](http://www.sfbetterstreets.org/design-guidelines/street-types/) to identify appropriate improvements for the frontage along these streets. Planning staff is happy to review proposals or meet with the project sponsor to explore ideas.

For more information on process, guidelines, and requirements for street improvements, refer to [www.sfbetterstreets.org](http://www.sfbetterstreets.org).

Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.
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: Rudd Development Co. Inc., Property Owner
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