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COMMERCIAL CONDOMINIUM CONVERSION APPLICATION MATERIALS

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FOLLOW THE LINKS: “SERVICES A-Z” AND “MAPPING”

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A. COMMERCIAL CONDOMINIUM CONVERSION PROCESS OVERVIEW

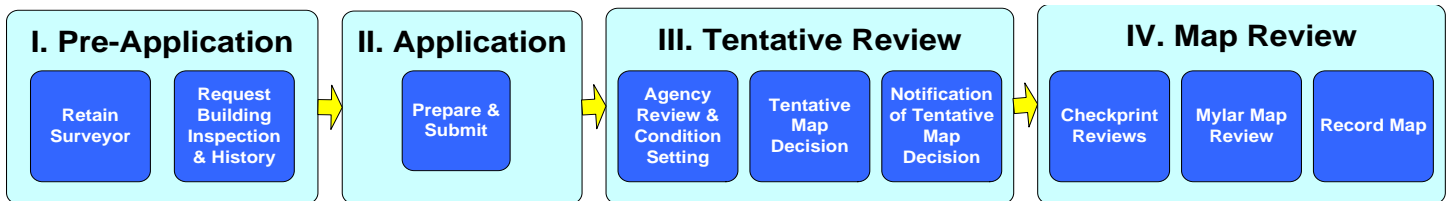
What is a Condominium Conversion?

A condominium is a form of subdivision¹ regulated by the California Subdivision Map Act, the San Francisco Subdivision Code, and the San Francisco Subdivision Regulations. A commercial condominium conversion is the conversion of an existing commercial building (no residential use) into commercial condominiums that can be individually sold.

The information that is of most concern to the property owner(s) is in the San Francisco Subdivision Code, which is available online at our website under “Links” or at San Francisco Public Libraries. Commercial Condominium Conversion Applications and additional forms are available at our website and at the Department of Public Works, Bureau of Street Use and Mapping, 1155 Market Street, 3rd Floor, San Francisco, CA 94103.

Tip: Considering the complicated laws and regulations associated with the condominium conversions in San Francisco, most applicants hire an attorney or professional practitioner to assist them with the application process.

Key Activities in the Commercial Condominium Conversion Process



I. Pre-Application Activities (see Key Activities above)

The condominium conversion process involves several different steps and review periods. To avoid delays, a building owner or owners should take the following actions prior to applying with the Department of Public Works (DPW).

- A. Retain a Licensed Land Surveyor or Civil Engineer licensed prior to 1982
State law requires a map subdividing the property to accompany the application. The law further requires that the subdivision map be prepared by a California licensed land surveyor or a civil engineer who was licensed before 1982.
- B. Request Building Inspection and Historical Information
Condominium conversion applicants must submit information about the physical condition and history of the building. This requires a Physical Inspection on your building for any code violations, Contact the San Francisco Department of Building Inspection (DBI) to schedule an inspection. The applicant must submit a copy of the receipt requesting a physical inspection with the application.

Tip: DPW recommends an early request for a physical inspection. Applicants should check with DBI regarding the length of time it takes to receive a Physical Inspection report. DPW accepts an inspection request receipt in lieu of the Inspection Report as part of the initial application submittal.

Tip: Hire a licensed land surveyor or a civil engineering firm knowledgeable about condominium conversions in San Francisco.

¹ For purposes of this document, a subdivision shall mean a Parcel Map or a Final Map and a tentative map shall mean a tentative Parcel Map, or a tentative Final Map.

II. Application (see Key Activities page 3)

A. Prepare and Submit Application

Complete the application and all of the relevant forms provided. Be sure to follow the application instructions described in the Commercial Condominium Conversion Guidelines. Use the Commercial Condominium Conversion Application Checklist to ensure the appropriate forms, number of copies, and submittal order is correct.

DPW's fees for checking, reviewing and processing a subdivision map are set forth in the Subdivision Code. The current fee for a Parcel Map / Final Map can be found on the DPW website. DPW may require additional fees to cover the actual cost of processing complex or unusual subdivision maps. **Fees are nonrefundable.**

III. Tentative Map Decision (see Key Activities page 3)

A. Agency Review and Condition Setting

After DPW receives the application and determines it is complete, it refers the application to the City Planning Department, and other agencies for review. The Planning Department ensures that the subdivision proposal is consistent with the General Plan, Planning Code Section 101.1 (Proposition M), and other provisions of the Planning Code. In certain situations, other agencies also will review the application for compliance with other City Codes and regulations. The result of these reviews will likely be a set of comments, recommendations, and information requests associated with the map. The review may require that additional permits or conditions be met before the check print submittal (see Check print Reviews below).

B. California Environmental Quality Act (CEQA) Determination (Ca Public Resources Code Sect. 21000 et seq.)

The City is prohibited from issuing tentative map approval without a California Environmental Quality Act (CEQA) determination. If the applicant has obtained clearance for the subdivision under CEQA, the applicant should submit documentation of the City's CEQA determination. As part of the tentative map review process, the Planning Department will verify that the subdivision proposal complies with CEQA and is consistent with the General Plan, Planning Code Section 101.1—Proposition M, and other provisions of the Planning Code.

C. Approval, Conditional Approval or Disapproval of the Tentative Map

DPW will notify the map preparer by letter of the approval, conditional approval, or disapproval of the map. Tentative map approvals are frequently accompanied by conditions from the City's reviewing departments.

D. Notification of Tentative Map Decision

The initial application submittal requires applicants to provide a list of the names and addresses and one sets of stamped and addressed Department of Public Works envelopes for the owner of the property to be subdivided, and property owner(s) within a 300 foot radius. DPW will use these envelopes for notification of the tentative map decision.

In addition to notifying the map preparer and owner, DPW will inform the property owners within a 300 foot radius. These property owners or any interested party may file an appeal to the decision with the San Francisco Board of Supervisors within 10 days of the date of the decision. If an appeal hearing is required, the owner(s) and his/her attorney should be prepared to make a presentation and answer questions in front of the Board of Supervisors.

Tip While the City is reviewing your application, you should proceed to correct the outstanding Code violations identified in the physical inspection or conditions separately identified by Department of Building Inspection. The simplest and best way is to engage a licensed contractor to obtain the necessary permits and do the work. When the work is completed, it must be re-inspected by the Department of Building Inspection (DBI). When the work is done satisfactorily, DBI will issue a Certificate of Final Completion (CFC). An applicant must submit a copy of this document to DPW before check prints can be submitted (see section IV A. below).

IV. Map Review (see Key Activities page 3)

A. Check print Reviews

Once a tentative map decision, approving or conditionally approving a tentative map has been made, DPW will request two copies of the proposed map or first check print to be reviewed by staff. A copy of the CFC must accompany the check print, or be submitted prior, or the check print will be returned. Each time DPW requests an additional check print review, the applicant's surveyor will need to provide two copies of the revised map. Any substantive changes from the tentative map must be identified in writing. Certain changes may require re-referral to City agencies. Be aware that DPW may charge additional processing fees if more than two check print submittals are necessary to complete the review. If any City Agency has conditionally approved the map the conditions must be satisfied, and the issuing agency must provide an approval letter to Department of Public Works.

B. Mylar Map Review

Once DPW determines that the check print is correct, it will request the map in Mylar form. The Mylar Map must contain all the required signatures and incorporate all corrections, additions or omissions as specified during the check print reviews.

Prior to submitting the Mylar Map for review, applicants must provide written proof that all of the conditions of the tentative map decision have been satisfied and submit the following:

1. **Updated Preliminary Title Report – dated within 45 days of the mylar submittal.**
2. **Current tax certificate from the Office of the San Francisco Treasurer and Tax Collector at City Hall, Room 110.**
To contact this office, call (415) 554-6448 or by E mail to Christina.Puckett@sfgov.org.
Owner must pay all taxes due, even if no tax bill has been sent.

NOTE: PROJECTS CONSISTING OF FIVE OR MORE PARCELS/UNITS ARE CONSIDERED A FINAL MAP AND WILL GO BEFORE THE BOARD OF SUPERVISOR'S PRIOR TO RECORDATION.

C. Record Map

When all the requirements are met and the City approves the Mylar Map, DPW will call the owner's title insurance company to request the title guarantee as of the date of recordation. The names of the owners shown on the map must agree with the title guarantee. DPW will send it to the Office of the Assessor-Recorder for recordation.

The Assessor-Recorder charges a recording fee of \$10.00 for the first sheet of the map and \$2.00 for each additional sheet. This fee is payable to the "San Francisco County Recorder".

For additional information regarding the process of converting a commercial building to condominiums, please visit the Department of Public Works, Bureau of Street Use and Mapping, 1155 Market Street, 3rd Floor or call 415-554-5827.

Tip: State law requires every condominium to have a Homeowners' Association. The management documents generally consist of Covenants, Conditions and Restriction (CC&Rs). Most property owner(s) hire an attorney to assist in processing the subdivision and in preparation of the management documents for the new condominiums.

B. GUIDELINES TO COMPLETE APPLICATION

One of the primary reasons for extending the conversion review process is that applicants fail to submit a complete application. These guidelines are designed to help applicants provide DPW with all the necessary information to conduct a thorough and timely review.

Before Filling Out an Application

- Read the commercial condominium conversion process overview.
- Determine if project requires a Parcel Map or Final Map.
- Find and retain an Attorney lawyer (optional) and Licensed Land Surveyor or pre-1982 Registered Civil Engineer.

Codes and Regulations Referenced in the Commercial Condominium Conversion Application

1. California Subdivision Map Act (SMA)
2. San Francisco Subdivision Code (SFSC)
3. San Francisco Subdivision Regulations
4. Subdivision and Mapping Bulletin (SAM #3 dated 7/28/94)

Detail Instructions for Filling Out the Application

A complete condominium conversion application consists of

- (a) A cover letter
- (b) A one page application form
- (c) An application checklist
- (d) Inclusion of all necessary forms and attachments listed in the application checklist.

Applications for Residential Conversions should use Residential Condominium Conversion application. New condominium construction should use the New Condominium Construction Application.

Complete page 13, (D. Application) of the Commercial Condominium Conversion application

Submit the required amount of copies. Indicate property address, assessor’s block and lot number, owner information, project contact person, firm or agent preparing the subdivision map, subdivider (if different from owner), and number of units being converted. Print the name of the subdivider and be sure to sign and date the application.

Required Items of Commercial Condominium Conversion Checklist (page 15 of application):

The Condominium Conversion Application Checklist identifies all the items necessary to complete the condominium conversion application. It specifies the requirements by:

- (1) Application type, Parcel Map or Final Map
- (2) Total number of copies that must be submitted
- (3) Departments that will review the items
- (4) All forms that must be submitted with the application

The order of items on the checklist should be used for collating and organizing all materials before submission. DPW is responsible for referring the submitted application packets to other City departments.

1. Three (3) copies of the proposed Tentative Parcel Map* (2- 4 units)

A Licensed Land Surveyor or a pre-1982 Registered Civil Engineer shall prepare the tentative Parcel Map of the condominium including delineation of the boundaries of the building or buildings. Submit 3 copies of maps (a) 2 for DPW; (b) 1 copy for the Planning Department.

2. Three (3) copies of the proposed Tentative Final Map* (5 or more)

A Licensed Land Surveyor or a pre-1982 Registered Civil Engineer shall prepare the tentative Final Map of the condominium including delineation of the boundaries of the building or buildings. Submit 3 copies of maps (a) 2 for DPW; (b) 1 copy for the Planning Department.

*If the project falls within the jurisdiction of San Francisco Redevelopment Agency (SFRA), an additional copy of the tentative map will be required. To verify if an additional copy is required, check the Preliminary Title Report (See Item No. 4 below) for any reference to the San Francisco Redevelopment Agency (SFRA). If such a reference is made, an additional copy is needed. Include the copy of the map for SFRA with the copies for DPW.

3. Subdivision Fee

Submit a check or money order payable to the Department of Public Works for the appropriate fee identified in the current Fee Schedule. Date the checks no more than 15 days from the day of application submittal.

Tip: A copy of the current Fee Schedule can be found at our website at the Condo Conversion link.

4. Preliminary Title Report (PTR)

Submit two (2) copies of the preliminary title report dated within 3 months from the application submission date.

NOTE: Any recorded items such as Notices of Special Restrictions or easements listed in the PTR shall be provided with the application submittal.

5. Grant Deeds and any other recorded documents for subject site and adjoining

Submit copies of the most current grant deeds (also known as vesting deeds) for both the subject site and adjoining properties. A grant deed is a recorded document on file with the San Francisco Office of Assessor-Recorder that shows the names of property owners.

Tip: Use the checklist to gather all the items. Be sure to make the correct number of copies of required items, including forms and attachments, and to submit them in the proper order.

Tip: Use Form No. 1 for item 6 and submit two (2) copies with the application.

6. Building History

Use the space provided in **Form No. 1** to describe the building history, including the date of construction and major uses since it was built, to the best of your knowledge and available records.

7. Physical Inspection Report or a receipt for the application for a Physical Inspection (obtained at DBI-1650 Mission Street, Suite 312C).

Submit two (2) copies of either the Physical Inspection Report (if available) or the receipt for an application for Physical Inspection with your application for conversion.

8. Owner's Release of Interest in Common Areas [Sec. 1323 (6)]

Submit two (2) copies of **Form No. 2** properly signed.

9. Neighborhood notification package, and Notice of Tentative Map Decision

[1313 and 1314]

Submit one of each of the following:

- (a) 300-foot radius map,
- (b) Address list
- (c) Stamped addressed envelopes.

These components must comply with specifications noted in the box at the right.

10. Photographs of subject property

[Public Works Code, Sec. 723.2 & Planning Code]

Submit two (2) copies of the following four (4) types of streetscape photos:

- a) Front photo from the street looking at the property, including sidewalk without obstructions,
- b) Photo from street showing left side property line and sidewalk,
- c) Photo from street showing right side property line and sidewalk, and
- d) Photo of the rear of property (if possible).

Specifications of neighborhood notification components are:

- (a) *300-Foot Radius Map:* A map drawn at scale 1"=50', showing the property that is the subject of this application and all other property within a radius of 300 feet from the exterior boundaries of the subject property, the Assessor's block number of each block and Assessor's lot number on each lot, and the names of all streets shown. Maps of individual blocks may be traced at the Assessor's Office, and street widths may be obtained at the DPW-BSM Mapping Division; however, it is advisable that this work be done by an experienced draftsman.
- (b) *Address List:* A typed or printed list in ink showing the names, addresses and zip codes of all current owners or tenants of the property and showing in numerical order by Block and lot the names, addresses and zip codes of the current owners of all properties within the 300-foot radius shown on the map. The names and addresses are available to the public at the Tax Collector's Office and are those shown on the latest citywide assessment roll. Also, include all names and addresses of additional owners, attorneys, and other parties you wish to notify of the hearing.
- (c) *Envelopes:* One set of #10 regular envelopes with rounded gummed flap, stamped and pre-addressed to all persons shown on the address list with the DPW return address. (To pick up envelopes with DPW return address, visit 1155 Market Street, 3rd Floor, San Francisco, CA 94103)

To properly identify the subject property, include the block and lot number as well as property address on all the photographs. Sample photos can be found on our website under "Links".

11. Proposition "M" Findings demonstrating consistency with eight priority General Plan Policies

[Planning Code Sec. 101.1(b)]

Submit two (2) copies of the completed Form No. 3

Tip: Surveyors and title companies can provide the list of property owners as well as envelopes and labels.

Finalizing the Application

1. Complete and sign cover letter
2. Complete and sign application form and make three (3) copies [DPW 2 copies – DCP 1 copy]
3. Ensure that all required items are:
 - Included
 - Completed per instructions
 - Signed, where applicable
 - Copied per instructions
 - In the order they were requested in the application checklist

Tip: Use the first columns of the application checklist to verify that all required items are complete and meet above specifications. Make two (2) copies of the checklist.

4. Collate and organize all the copies of the required items into individual packets by department using the Checklist. **It is the applicant's responsibility to submit a complete and organized application packet.** DPW will not make extra copies of any requested and submitted document and will deem the application incomplete until the applicant submits all of the required materials.

INCOMPLETE SUBMITTALS WILL BE CHARGED AN ADDITIONAL \$250.00 PROCESSING FEE!!!

FEES ARE NON REFUNDABLE

5. Staple check or money order to one of the DPW copies of the application.
6. Organize the completed cover letter, application, checklist, and small department packets in the following order:
 - Cover letter
 - **DPW packet** – Application (2 copies), a completed checklist, and forms and attachments collated in the same order as the checklist (see page 15), other documents if applicable, and then maps.
 - **Planning Department packet** - One copy of application, a completed checklist, and forms and attachments collated in the same order as the checklist (see page 15), other documents if applicable, and a copy of the map.
7. Submit completed and collated application packet to DPW, Bureau of Street Use and Mapping located at 1155 Market Street, 3rd Floor, San Francisco, CA 94103.

After Submitting Application to DPW

1. Visit DPW website and go to the Subdivision Project Tracking System website to check the application status.
2. Understand the process following the tentative map decision. (See the Commercial Condominium Conversion Overview Section A, pages 3-5).
3. Respond promptly to additional requests for information from DPW or other departments.

After the Issuance of the Tentative Map Decision, (Approval or Conditional Approval)

1. Submit a copy of the Certificate of Final Completion for Occupancy (CFC) issued by Department of Building Inspection.
2. Submit two (2) copies of the checkprint for technical review, following the Map Review Checklist requirements. The map review checklist is available the DPW website, see 3 below.
3. Submit one (1) copy of the Map Review Checklist. Go to the DPW web site to print this list.
 - o <http://www.sfdpw.org>, under "Services A-Z", select "More" then select "Mapping, Maps". Under "Information for Mapping Professionals," select "Map Review Checklist."
4. Submit electronic closure calculations for non-rectangular boundaries. This is needed for DPW's technical map review process (this is a task for your surveyor).

Note: Department of Public Works will not accept the checkprints without a CFC, issued by Department of Building Inspection. See page 4 for CFC information.

During Map Review process

1. Respond promptly to additional requests for information.
2. Make requested changes to checkprints and resubmit two (2) copies of revised checkprint.
3. When requested by DPW, submit the map in Mylar form with the following documents required for recordation:
 - Check for recordation fee
 - Tax Certificate
 - Updated Preliminary Title Report (dated within 45 days of mylar submittal)
4. In those cases where a city agency issued conditional approval of the map, mylars **should not** be submitted to DPW until:
 - The applicant has addressed the agency's conditions
 - The agency that issued the conditions has provided DPW with confirmation that they have been met.

Note: City and County Surveyor may request a copy of the field notes or any other relevant survey information for the submitted map.

C. SAMPLE COVER LETTER

Date

Application for Commercial Condominium Conversion

City and County Surveyor
Department of Public Works
Bureau of Street-Use & Mapping
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Dear Sir:

In compliance with the California Subdivision Map Act, the San Francisco Subdivision Code, the San Francisco Subdivision Regulations, and all amendments thereto, I/we, the undersigned subdivider, or agent, hereby submit to you for your review and processing a proposed condominium subdivision of commercial property, together with the Commercial Condominium Conversion Application and Checklist and all applicable items, fees, documents and data checked thereon.

Respectfully,

Attachment: Application Packet

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D. APPLICATION

(Required for all Commercial Condominium Conversions)

Property Address: _____

For DPW-BSM use only
ID No.: _____

Assessor's Block: _____ Lot Number(s): _____

Owner:			
Name:			
Address:			
Phone:		E-mail:	
Person to be contacted concerning this project (If different from owner)			
Name:			
Address:			
Phone:		E-mail:	
Firm or agent preparing the subdivision map:			
Name:			
Address:			
Phone:		E-mail:	
Subdivider: (If different from owner)			
Name:			
Address:			

Number of Units in Project: _____ When complete, this building will consist of entirely commercial condominiums

This subdivision results in an airspace: No Yes (shown on Tentative Map)

**STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO**

I (We) _____
(Print Subdivider's Name in full)

declare, under penalty of perjury, that I am (we are) the owner(s) [authorized agent of the owner(s)] of the property that is the subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my (our) knowledge and belief.

Date: _____ Signed: _____

Date: _____ Signed: _____

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E. COMMERCIAL CONDOMINIUM CONVERSION APPLICATION CHECKLIST

Check the following items enclosed where applicable:

Submitted per guidelines and in this order?		Official Use Only <input type="checkbox"/>	No.	Item Description and Order	Total of copies	Which and how many of total required items are needed for each agency?			Form No. (where applicable)
Yes	No					DPW	DCP	DBI	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1.	Three (3) copies of Tentative Parcel Map *One additional copy will be required if project falls within the jurisdiction of SFRA.	3	2*	1		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.	Three (3) copies of Tentative Final Map *One additional copy will be required if project falls within the jurisdiction of SFRA.	3	2*	1		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.	Subdivision Fee (\$ _____)	1				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.	Preliminary Title Report (dated within 3 months)	2	1	1		
<input type="checkbox"/>	<input type="checkbox"/>		5.	Grant Deeds and any other recorded documents for: <input type="checkbox"/> Subject Site and <input type="checkbox"/> Adjoiners	1	1			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6.	Building History	2	1	1		Form No. 1
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7.	Physical Inspection Report or Receipt of application for Physical Inspection from DBI	2	1	1		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.	Owner's Release of Interest in Common Areas [Sec. 1323 (6)]	2	1	1		Form No. 2
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.	Neighborhood Notification package for Notice of Tentative Map decision [Section 1313 & 1314]	<input type="checkbox"/> 300-Foot Radius Map	1	1		
				<input type="checkbox"/> Address List	1	1			
				<input type="checkbox"/> Envelopes	1	1			

Submitted per guidelines and in this order?		Official Use Only OK?	No.	Item Description and Order	Total of copies	Which and how many of total required items are needed for each agency?			Form No. (where applicable)
Yes	No					DPW	DCP	DBI	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10.	Photographs of subject property streetscape, as follows[Public Works Code Sec. 723.2 & Planning Code] <input type="checkbox"/> Front photo from the street looking at the property, including sidewalk without obstructions <input type="checkbox"/> Photo from left side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo from right side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo of rear of property	2	1	1		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.	Proposition "M" Findings demonstrating consistency with Eight Priority General Plan Policies [Planning Code Sec. 101.1(b)]	2	1	1		Form No. 3

F. FORMS

Form No. 1

Building History

Assessor's Block _____ Lot _____ Address _____

Item No. 6 - Building History

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Form No. 2

Owner's Release of Interest in Common Areas

In accordance with section 1323(a)(6) of the San Francisco Subdivision Code, this is my statement that neither I nor any of my agents shall retain any right, title, or interest in any common area or areas or facilities except those common areas in which I might retain any individual interest by virtue of ownership of one or more of the individual units.

Dated: _____

Signed: _____

Dated: _____

Signed: _____

Dated: _____

Signed: _____

Dated: _____

Signed: _____

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Form No. 3

Proposition "M" Findings Form **The Eight Priority Policies** **of Section 101.1 of the San Francisco Planning Code**

Date: _____

City Planning Case No. _____ (if available)

Address _____

Assessor's Block _____ Lot(s) _____

Proposal: _____

EIGHT PRIORITY GENERAL PLAN POLICIES

As a result of the passage of Proposition M (Section 101.1 of the San Francisco Planning Code), findings that demonstrate consistency with the eight priority policies of Section 101.1 must be presented to the Department of City Planning as part of your project application review for general conformity with San Francisco's General Plan.

Photographs of the subject property are required for priority policy review and must be submitted as part of the application.

INSTRUCTIONS TO APPLICANTS: Please present information in detail about how your application relates to each of the eight priority policies listed below. The application will be found to be incomplete if the responses are not thorough. Use a separate document and attach if more space is needed.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood;

3. That the City's supply of affordable housing be preserved and enhanced;

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

7. That landmarks and historic buildings be preserved; and

8. That our parks and open space and their access to sunlight and vistas be protected from development.

Signature of Applicant

Date