

Mayor's Office of Housing and Community Development  
City and County of San Francisco



Edwin M. Lee  
Mayor

Olson Lee  
Director

September 13, 2016

Supervisor David Campos  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

Re: 2070 Bryant

Dear Supervisor Campos:


We are writing today to confirm our prior discussions regarding affordable housing development through a land dedication at 2070 Bryant. Should the principal project (2000 Bryant) secure its land use entitlements and the proposed land dedication move forward, the Mayor's Office of Housing and Community Development commits to prioritizing the release of a Request for Proposals (RFP) for that site and moving as quickly as possible to construction commencement. Given the recent RFPs MOHCD has issued in the Mission neighborhood (e.g., 17<sup>th</sup> & Folsom, 1296 Shotwell, 490 S. Van Ness, and 1950 Mission), we can build upon that work and issue an RFP within four weeks from the date of the project approval. We also commit to expediting the development team selection once we receive the RFP submissions.

We do not see obstacles to implementing rapid action on the 2070 Bryant site because the developer would deliver the land "shovel-ready", and we have reserved \$30 million in funding for the project. \$2 million in Affordable Housing Fund (Inclusionary Fees) is immediately available in FY 16-17. The gap funds, set at \$28 million (also AHF Fees), are reserved in FY 18-19, which reflects the normal development schedule for affordable housing financing.

Our review of the project documents indicates that the project can provide up to 136 units of affordable housing for low-income families, in addition to arts-related space on the ground floor. The final number of units will be determined by the selected development team and its design architects. We will require in the RFP that the development team maximize the unit count while still maintaining excellent design standards. In no even do we expect the final unit count to drop below 100 units.

Please don't hesitate to contact us if you have further questions about MOHCD's ability to expedite this project, should it proceed.

Sincerely yours,

  
Olson Lee  
Director



San Francisco Ethics Commission  
Complaint Form

Please type or print legibly, and attach additional pages if necessary.

**Complainant Information\***

<b>Name of Complainant</b>	Spike Kahn
<b>Address</b>	2830 20 <sup>th</sup> Street, San Francisco CA
<b>Zip</b>	94110
<b>Home Phone</b>	
<b>Work Phone</b>	415-935-3641

\* If you wish to remain anonymous, do not complete this section or the verification below.

**Respondent Information**

<b>Name of Respondent</b>	Sophie Hayward
<b>Business Title</b>	Director of Policy and Legislative Affairs
<b>City Department</b>	Mayor's Office of Housing and Community Development
<b>Business Address</b>	1 South Van Ness Blvd., 5 <sup>th</sup> Floor, San Francisco CA 94103
<b>Work Phone</b>	415-701-5508

If more space is needed to list additional complainants or respondents, please check this box and attach additional sheets as necessary.

## Type of Allegation(s)

Check the appropriate box(es) below indicating the type of allegation(s) stated in this complaint.

- Campaign Finance Reform Ordinance
- Campaign Consultant Ordinance
- Lobbyist Ordinance
- Sunshine Ordinance (The Ethics Commission can only investigate alleged violations of the Sunshine Ordinance if: 1) you notified the Respondent of the alleged violation at least 40 days before filing a complaint with the Ethics Commission; and 2) the Respondent did not cure the alleged violation).
- Multiple Campaign Accounts
- False Endorsements on Campaign Literature
- Political Activity by City Officers and Employees
- Acceptance of Gifts, Contributions and Future Employment by Public Officials Who Approve Contracts and Other Public Benefits
- Contracts Between Members of Boards and Commissions and the City
- Dual Officeholding for Compensation
- City Officers Representing Private Parties Before City Boards and Commissions
- Intimidation or Retaliation by a City Officer or Employee Against Persons Who File Complaints with the Ethics Commission
- X Financial Conflicts of Interest by City Officers and Employees
- Payment for Appointment to City Service or Employment
- Disclosure of Confidential Information by City Officers and Employees
- City Officer or Employee Appearing Before Former Board or Agency
- Private Compensation of City Officers and Employees for City Service
- City Officers or Employees Voting on Own Character or Conduct
- Decisions Involving Family Members
- Disclosure of Personal, Business or Professional Relationships
- Referrals
- Other\*\* \_\_\_\_\_

*\*\* Complaints that allege that a City officer or employee engaged in some form of misconduct that is not within the Commission's authority to resolve will be forwarded to the appropriate agency for review and possible enforcement.*

## Description of Facts

Provide a specific description of the facts constituting the violation(s), including any relevant dates. Attach additional sheets as necessary.

See Attachment A.

**Witnesses**

Provide the following information about person(s) you believe may have information that would assist the Commission in its evaluation of this complaint.

<b>Name of Witness</b>	Kate Hartley, Mayor's Office of Housing and Community Development
<b>Address</b>	1 South Van Ness Blvd., 5 <sup>th</sup> Floor, San Francisco CA 94103
<b>Phone</b>	415-701-5528
<b>Information you believe this person can provide to support the allegations stated in this complaint</b>	Received email from respondent.

<b>Name of Witness</b>	Chandra Egan, Mayor's Office of Housing and Community Development
<b>Address</b>	1 South Van Ness Blvd., 5 <sup>th</sup> Floor, San Francisco CA 94103
<b>Phone</b>	415-701-5546 / 415-701-5500
<b>Information you believe this person can provide to support the allegations stated in this complaint</b>	Received email from respondent.

X *If more space is needed to list additional witnesses, please check this box and attach additional sheets as necessary.*

**Documentation**

Attach copies of any documents in your possession that relate to the allegations stated in this complaint. In addition, indicate below whether there are other records, not in your possession, that you believe may assist the Commission in its evaluation of this complaint.

**See Exhibits A through J.**

**There is a risk that emails and other documentary evidence may have been destroyed or may be destroyed. The investigating agency may wish to issue an advisement and instruction to employees of the Mayor's Office of Housing and Community Development to preserve all emails and documents referring to or mentioning the Nick Podell Company, Podell, Linsey Perlov, Farella Braun + Martel, LLP, 2000 Bryant Street, 2070 Bryant Street, the Beast on Bryant, the Beauty on Bryant, the Bryant project.**



Attachment A

Complaint against Respondent Sophie Hayward  
San Francisco Ethics Commission

**Attachment A – Description of Facts**

1. At all relevant times respondent Sophie Hayward (“respondent”) was and is employed by the City and County of San Francisco (the City) as Director of Policy and Legislative Affairs in the Mayor’s Office of Housing and Community Development (MOH), and was and is a public official within the meaning of California Government Code sections 82048, 87100 and 87103, and an officer and employee of the City and County and San Francisco within the meaning of San Francisco Campaign & Government Code section 3.206. Complainant is informed and believes that respondent is married to Boe Hayward (“Hayward”).

2. During the first and second quarters of 2016, Hayward was affiliated with Goodyear, Peterson, Hayward & Associates, LLC and Lighthouse Public Affairs, as a lobbyist. Complainant is informed and believes that Hayward was a principal and member in Goodyear, Peterson, Hayward & Associates, LLC, and a principal in Lighthouse Public Affairs, and that fees paid to these firms by their clients inure in part to him. (Attached hereto and labeled as **Exhibits A, B, C, D,** and **E** are true and correct copies of Hayward’s individual lobbyist activity webpage for the first and second quarters of 2016, Goodyear, Peterson, Hayward & Associates, LLC’s webpage for the first and second quarters of 2016, and Lighthouse Public Affairs’ webpage for the second quarter of 2016, as published by the San Francisco Ethics Commission, recounting information reported to the Ethics Commission under penalty of perjury, including Hayward’s affiliation with these firms. < [https://netfile.com/Sunlight/sf/Lobbyist/ ...](https://netfile.com/Sunlight/sf/Lobbyist/) > [as of September 2, 2016].)

3. During the first and second quarter of 2016, Goodyear, Peterson, Hayward & Associates, LLC was retained and paid by the Nick Podell Company (“Podell”) to

lobby City officials. (See Exhibits A, B, C, D and E, identifying the “Nick Podell Company” as a client.)

4. Podell is engaged in the business of real estate development and construction, is the developer of a proposed project at 2000 - 2070 Bryant Street in the City and County of San Francisco (the “project”). The project would require demolition of 6 existing buildings, and construction of a 6-story, 68-foot tall mixed-use building of approximately 203,656 square feet, and an 8-story, 85-foot tall, 136-unit residential and arts activity building of 127,983 square feet. Completed, it would be the largest market-rate unit in the Mission District. It is estimated that Podell and its affiliates expect to realize a profit in excess \$20 million from the project. It is controversial and is referred to by opponents, detractors and in media as the “Beast on Bryant.”

5. During the first and second quarters of 2016, Hayward personally lobbied City officials for and on behalf of Podell in order to advance the project. (See Exhibits A and B, recounting contacts made for and on behalf of Podell to advance “2070 Bryant” and “200 Bryant” [sic].)

6. The project must meet the requirements for inclusionary, affordable housing under San Francisco Planning Code sections 415, *et seq.*, and sections 419, *et seq.* To satisfy those requirements Podell proposes to develop and construct 3 on-site affordable housing units, and to subdivide an existing lot at the project site, dedicating the land to MOH for affordable housing units to be developed and constructed in the future.

7. Under San Francisco Planning Code section 419.5, subdivisions (a) (2) (G) and (a) (2) (H), and section 419.6, the City may accept the dedication of land in lieu of other alternatives for provision of affordable housing if MOH determines that the dedication is equivalent to the alternative requirements, and the developer obtains a letter from MOH verifying acceptance of the site.



8. On or about May 12, 2016, Lee Olsen, the Director of MOH, sent a letter to Podell stating MOH's conditional acceptance of the proposed land dedication in satisfaction of the affordable housing inclusionary obligations. The acceptance of the dedication was based in part on a density study, which is not part of the public record, concluding that 136 units could be developed and constructed on the dedicated land. (Attached hereto and labeled as **Exhibit F** is a true and correct copy of the San Francisco Planning Commission staff's Executive Summary memo, dated May 19, 2016, stating Podell's proposal to fulfill its affordable housing requirement, at pages 3 and 4. Attached hereto and labeled as **Exhibit G** is a true and correct copy of Olsen's letter to Podell. Both were submitted to the Planning Commission in advance of the meeting at which it considered the project. <<http://commissions.sfplanning.org/cpcpackets/2013.0677X2016-05-12.pdf>> [as of September 2, 2016]. The memo is at pages 1 through 6; the letter is at pages 508-09.)

9. At its meeting on June 2, 2016, the San Francisco Planning Commission, by vote of 5 to 2, accepted the recommendation of the Planning Commission staff and granted a conditional use authorization pursuant to Planning Code sections 303 and 317, and a large project authorization pursuant to Planning Code Section 329. The Commission staff's recommendation and the Commission's vote to approve the conditional use and large project authorization were based on MOH's conditional acceptance of the proposed dedication of land in satisfaction of the inclusionary housing requirements. (Attached hereto and labeled as **Exhibit H** is a true and correct copy of the minutes of the meeting as published by the Planning Commission on its website. <<http://sf-planning.org/meeting/planning-commission-june-2-2016-minutes>> [as of September 2, 2016]. The agenda items are at pages 11 and 15.)

10. The Planning Commission's approval of the project has been appealed to the San Francisco Board of Appeals and Board of Supervisors. A hearing has been calendared for September 13, 2016, for the Board of Supervisors to hear and consider an

appeal of the conditional use authorization and the determination to exempt the project from environmental impact review. A hearing has been calendared for September 14, 2016, for the Board of Appeals to hear and consider an appeal of the large project authorization.

11. Respondent had a material financial interest, within the meaning of California Government Code sections 87100 and 87103 and San Francisco Campaign & Government Code section 3.206, in MOH's decision to accept Podell's proposed land dedication, in the Commission staff's decision to recommend that Podell be granted the conditional use and large project authorization, and in Commission's decision to grant Podell the conditional use and large project authorization, for the following reasons:

(a) The project would have a material financial effect on Hayward that is distinguishable from its effect on the public generally, in that his professional reputation and the goodwill of his firms would be and was enhanced by the decisions;

(b) In addition, complainant is informed and believes that Podell was a source of income to respondent in excess of \$500 in the 12 months prior to the decisions, in that respondent has a community property interest in income paid to Hayward, and it is reasonably foreseeable that the decisions would have a material financial effect on Podell that is distinguishable from its effect on the public generally;

(c) In addition, complainant is informed and believes that it is reasonably foreseeable that the decisions would have a material financial effect on Hayward that is distinguishable from its effect on the public generally, in that Hayward is or was entitled to a contingent payment, bonus or commission at some juncture in the approval process;

(d) In addition, complainant is informed and believes that it is reasonably foreseeable that approval of the project would have a material financial

effect on respondent and Hayward that is distinguishable from its effect on the public generally, in that they have been granted a contingent interest in the project and the real property, to vest at some juncture in the approval process;

(e) In addition, complainant is informed and believes that Podell is a donor, or is the intermediary and agent of a donor, of gifts which have value in excess of \$500, given to respondent and Hayward in the 12 months prior to the decisions, and it is reasonably foreseeable that final approval of the project would have a material financial effect on Podell and the donor that is distinguishable from its effect on the public generally.

12. Under California Government Code section 87100 respondent was under a duty to not participate in making or in any way attempt to use her official position to influence any governmental decision concerning the project, and under San Francisco Campaign & Finance Code section 3.206, to not seek to influence a decision of the City and County of San Francisco concerning the project. Under 2 California Code of Regulations section 18704, respondent was under a duty to not contact any official in her agency for the purpose of affecting a decision on the project.

13. On multiple occasions, respondent has violated these duties:

(a) On March 4, 2016, respondent contacted Kate Hartley, Chandra Egan, Mara Blitzer, all who are officials in MOH, to advise on the process of presenting MOH's acceptance of the land dedication to the Commission's staff, and on the required content of MOH's presentation to the Commission. (Attached hereto and labeled as **Exhibit I** is a true and correct copy of an email thread containing respondent's March 4 email to MOH officials.)

(b) On March 18, 2016, respondent contacted Mara Blitzer and Kevin Kitchingham, who is also an official in MOH, to indirectly advise on the content of the entitlement application. (Attached hereto and labeled as **Exhibit J** is a true

and correct copy of an email thread containing respondent's March 18 email to MOH officials.)

(c) Complainant is informed and believes that on numerous other occasions respondent has intervened to advance the project, and that her efforts to advance the project will be revealed in email, and was in addition carried out by unrecorded conversation.

14. Complainant is informed and believes that respondent knew and understood that she had a material financial interest in the project when she engaged in the conduct described in the foregoing paragraphs; that she has received training on conflicts of interest and is otherwise aware of her obligations when a conflict of interest arises; and that she knowingly and willfully violated her obligations and Government Code section 87100 and Campaign & Finance Code section 3.206 for the purpose advancing the project.

Exhibit A

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## Lobbyist Activity Details



### Boe Hayward

TERMINATED EFFECTIVE 5/31/2016

Activity Summary for 1st Quarter 2016

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Firm or Employer	Goodyear Peterson Hayward & Associates, LLC
Activity Expenses	\$0.00
Contacts of Public Officials	57 Reported Contacts
Political Contributions	\$1,000.00
Payments Promised by Clients	\$0.00

### Client List

Client	Business Address	Business Phone
Au Energy	41805 Albrae Street Fremont, Ca 94538	(510) 270-3410
Ch2m Hill, Inc.	9191 South Jamaica Street Englewood, Co 80112	(888) 242-6445
San Francisco Bar Pilots	Pier 9 San Francisco, Ca 94111	(415) 393-0450
Strada Investment Group	100 Spear Street, Suite 2080 San Francisco, Ca 94105	(415) 263-9150
Market Street Place	8343 Douglas Avenue, Suite 200 Dallas, Tx 75225	(214) 561-8800
Hudson Pacific Properties, Inc.	101 Spear Street, Suite 200 San Francisco, Ca 94105	(415) 777-4100
Red & White Fleet	Pier 43 1/2 San Francisco, Ca 94133	(415) 673-2900
At&T California	525 Market Street, Room 1946 San Francisco, Ca 94105	(415) 778-1250
Integral Development LLC	191 Peachtree Street, Ne Atlanta, Ga 30303	(404) 224-1860
Hearst Corporation	300 W. 57Th Street New York, Ny 10019	212903500
Facebook	1 Hacker Way MenLo Park, Ca 94025	650-543-4800
Uber Technologies	706 Mission Street San Francisco, Ca 94103	(866) 576-1039
Veritas Investments Inc	500 Washington St. #448 San Francisco, Ca 94111	(415) 294-1228
Meyer Capital Partners	400 Pacific Avenue, Suite 2E San Francisco, Ca 94133	(415) 362-1546
California Pacific Medical Center	633 Folsom Street, 7Th Floor San Francisco, Ca 94107	(415) 600-7690
Royal Motors Of San Francisco	280 South Van Ness Avenue San Francisco, Ca 94103	(415) 241-8159
The Hamlin School	2120 Broadway	(415) 922-0300

	San Francisco, Ca 94115	
Target Corporation	1000 Nicollet Mall Minneapolis, Mn 55403	(612) 304-6073
Nick Podell Company	100 Drumm Street San Francisco, Ca 94111	(415) 296-8800
Presidio Bay Ventures, LLC	185 Berry Street, Suite 1200 San Francisco, Ca 94107	(760) 214-8753
Luxe Valet	2 Bryant Street San Francisco, Ca 94105	(415) 660-9866
Grocery Outlet	5650 Hollis Street Emeryville, Ca 94608	(510) 845-1999
Ddg Partners, LLC	60 Hudson Street, 18Th Floor New York, Ny 10013	(212) 612 - 3250
Lasalle Hotel Properties	7550 Wisconsin Avenue Bethesda, Md 20814	(391) 941-1500
Oceanwide Holdings, Ltd	88 First Street, 6Th Floor San Francisco, Ca 94105	(415) 518 - 0959
Paradigm Hotels Group	150 W Harris Avenue South San Francisco, Ca 94080	(650) 872-2017
40 Bernal Heights Boulevard	40 Bernal Heights Boulevard San Francisco, Ca 94110	(415) 732-7700
Hospital Council Of Northern & Central California	235 Montgomery Street, Suite 1158 San Francisco, Ca 94104	(415) 616-9990
Iron.io	288 7Th Street San Francisco, Ca 94103	(888) 939-4623
Ebay	199 Fremont Street San Francisco, Ca 94105	(202) 572-1720
Cypress Security	478 Tehama Street San Francisco, Ca 94103	(866) 345-1277
Collateral Lender	201 Kearny Street San Francisco, Ca 94108	(415) 929-7251
Whole Foods Market	5980 Horton Street, Suite 200 Emeryville, Ca 94608	(510) 428-7400
Rt Partners LLC	14 Sunshine Avenue Sausalito, Ca 94965	(415) 332-9242
Victory Automotive Group	46352 Michigan Ave, 2Nd Floor Canton, Mi 48188	(415) 732-7700
Instacart	50 Beale Street, #600 San Francisco, Ca 94105	888 245 7822
Schools Of Sacred Heart	1715 Octavia Street San Francisco, Ca 94109	(415) 345-5811
Hc&M Commercial Properties	1234 Mariposa Street San Francisco, Ca 94107	(415) 865 - 3740
American Airporter Shuttle	819 Ellist Street San Francisco, Ca 94109	415 202 0733
Francisco Parks Conservancy	Po Box 475035 San Francisco, Ca 94147	415 298-9880

Activity Expenses this Quarter

No Activity Expenses reported for this period.

**Political Contributions this Quarter**

Date	Amount	Committee	Candidate	Fund Source
1/16/2016	\$500.00	Sandra Lee Fewer For Supervisor 2016	Fewer, Sandra	Hayward, Boe
2/23/2016	\$500.00	Aaron Peskin For Supervisor 2016	Peskin, Aaron	Hayward, Boe

**Contacts of Public Officials this Quarter**

Date	Public Official	Client	Subject Area	Issue
1/6/2016	Buckley, Jeff	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/6/2016	Rich, Ken	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/6/2016	Dennis-Phillips, Sarah	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/6/2016	Sider, Dan	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/6/2016	Sucre, Richard	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/6/2016	Lee, Olsen	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/11/2016	Campos, David	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/22/2016	Hartley, Kate	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
1/22/2016	Cohen, Malia	Facebook	Transportation	Private Employee Shuttle
1/25/2016	Rhorer, Trent	Cypress Security	Public Safety	Security Contract Rfp
1/27/2016	Dido, Matt	At&T California	Planning and Building Permits	455 Clement - Cricket Wireless
1/28/2016	Breed, London	Strada Investment Group	Planning and Building Permits	1629 Market Street
1/29/2016	Winnicker, Tony	Facebook	Transportation	Private Employee Shuttle
1/29/2016	Mcguire, Tom	Facebook	Transportation	Private Employee Shuttle
1/29/2016	Jones, Sarah	Facebook	Transportation	Private Employee Shuttle
1/29/2016	Wise, Victoria	Facebook	Transportation	Private Employee Shuttle
2/2/2016	Lee, Ed	Veritas Investments Inc	Housing/Property Tax	Affordable Housing
2/3/2016	Breed, London	Facebook	Transportation	Private Employee Shuttle
2/3/2016	Campos, David	Facebook	Transportation	Private Employee Shuttle
2/3/2016	Yee, Norman	Facebook	Transportation	Private Employee Shuttle
2/5/2016	Antonini, Michael J.	Au Energy	Planning and Building Permits	988 Harrison
2/8/2016	Chung Hagen, Sheila	Nick Podell Company	Planning and Building Permits	200 Bryant Street
2/9/2016	Breed, London	Facebook	Transportation	Private Employee Shuttle
2/9/2016	Yee, Norman	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Buckley, Jeff	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
2/10/2016	Buckley, Jeff	Rt Partners Llc	Planning and Building Permits	2918 Mission Street
2/10/2016	Dennis-Phillips, Sarah	Rt Partners Llc	Planning and Building Permits	2918 Mission Street
2/10/2016	Winnicker, Tony	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Campos, David	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Low, Jen	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Chung Hagen, Sheila	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Chung Hagen, Sheila	Nick Podell Company	Planning and Building Permits	200 Bryant Street
2/10/2016	Farrell, Mark	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Wiener, Scott	Facebook	Transportation	Private Employee Shuttle
2/10/2016	Johnston, Connor	Facebook	Transportation	Private Employee Shuttle
2/12/2016	Cretan, Jeff	Facebook	Transportation	Private Employee Shuttle
2/12/2016	Johnston, Connor	Facebook	Transportation	Private Employee Shuttle
2/12/2016	Richards, Dennis	Au Energy	Planning and Building Permits	988 Harrison
2/22/2016	Hillis, Rich	Au Energy	Planning and Building Permits	988 Harrison
2/22/2016	Wu, Cindy	Au Energy	Planning and Building Permits	988 Harrison
2/22/2016	Fong, Rodney	Au Energy	Planning and Building Permits	988 Harrison
3/8/2016	Rich, Ken	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
3/8/2016	Buckley, Jeff	Nick Podell Company	Planning and Building Permits	2070 Bryant Street



## Lobbyist Activity Details

3/8/2016	Buckley, Jeff	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
3/9/2016	Antonini, Michael J.	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/9/2016	Fong, Rodney	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/9/2016	Moore, Kathrin	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/9/2016	Hillis, Rich	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/9/2016	Johnson, Christine	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/9/2016	Richards, Dennis	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/9/2016	Townes, Chris	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/10/2016	Richards, Dennis	Royal Motors Of San Francisco	Planning and Building Permits	1531 & 1581 Howard Street
3/14/2016	Rich, Ken	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
3/14/2016	Havens, Robin	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
3/18/2016	Givens, Robin	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
3/23/2016	Dayton, Andrew	Red & White Fleet	Transportation	Hydrogen Ferry Proposal
3/24/2016	Forbes, Elaine	Red & White Fleet	Transportation	Hydrogen Ferry Proposal

**Payments Promised by Clients this Quarter**

No Payments Promised by Client reported for this period.

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Exhibit B

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## Lobbyist Activity Details

	<b>Boe Hayward</b>		TERMINATED EFFECTIVE 5/31/2016
	Activity Summary for <u>2nd Quarter 2016</u>		<a href="#">Previous Quarter</a> <a href="#">Next Quarter</a>
	Firm or Employer	Goodyear Peterson Hayward & Associates, LLC	
	Activity Expenses	\$0.00	
	Contacts of Public Officials	76 Reported Contacts	
Political Contributions	\$1,500.00		
Payments Promised by Clients	\$0.00		

### Client List

Client	Business Address	Business Phone
Au Energy	41805 Albrae Street Fremont, Ca 94538	(510) 270-3410
Ch2m Hill, Inc.	9191 South Jamaica Street Englewood, Co 80112	(888) 242-6445
San Francisco Bar Pilots	Pier 9 San Francisco, Ca 94111	(415) 393-0450
Strada Investment Group	100 Spear Street, Suite 2080 San Francisco, Ca 94105	(415) 263-9150
Market Street Place	8343 Douglas Avenue, Suite 200 Dallas, Tx 75225	(214) 561-8800
Hudson Pacific Properties, Inc.	101 Spear Street, Suite 200 San Francisco, Ca 94105	(415) 777-4100
Red & White Fleet	Pier 43 1/2 San Francisco, Ca 94133	(415) 673-2900
At&T California	525 Market Street, Room 1946 San Francisco, Ca 94105	(415) 778-1250
Integral Development LLC	191 Peachtree Street, Ne Atlanta, Ga 30303	(404) 224-1860
Hearst Corporation	300 W. 57Th Street New York, Ny 10019	212903500
Facebook	1 Hacker Way Menlo Park, Ca 94025	650-543-4800
Uber Technologies	706 Mission Street San Francisco, Ca 94103	(866) 576-1039
Veritas Investments Inc	500 Washington St. #448 San Francisco, Ca 94111	(415) 294-1228
Meyer Capital Partners	400 Pacific Avenue, Suite 2E San Francisco, Ca 94133	(415) 362-1546
California Pacific Medical Center	633 Folsom Street, 7Th Floor San Francisco, Ca 94107	(415) 600-7690
Royal Motors Of San Francisco	280 South Van Ness Avenue San Francisco, Ca 94103	(415) 241-8159
The Hamlin School	2120 Broadway	(415) 922-0300

## Lobbyist Activity Details

	San Francisco, Ca 94115	
Target Corporation	1000 Nicollet Mall Minneapolis, Mn 55403	(612) 304-6073
Nick Podell Company	100 Drumm Street San Francisco, Ca 94111	(415) 296-8800
Presidio Bay Ventures, LLC	185 Berry Street, Suite 1200 San Francisco, Ca 94107	(760) 214-8753
Luxe Valet	2 Bryant Street San Francisco, Ca 94105	(415) 660-9866
Grocery Outlet	5650 Hollis Street Emeryville, Ca 94608	(510) 845-1999
Ddg Partners, LLC	60 Hudson Street, 18Th Floor New York, Ny 10013	(212) 612 - 3250
Lasalle Hotel Properties	7550 Wisconsin Avenue Bethesda, Md 20814	(391) 941-1500
Oceanwide Holdings, Ltd	88 First Street, 6Th Floor San Francisco, Ca 94105	(415) 518 - 0959
Paradigm Hotels Group	150 W Harris Avenue South San Francisco, Ca 94080	(650) 872-2017
40 Bernal Heights Boulevard	40 Bernal Heights Boulevard San Francisco, Ca 94110	(415) 732-7700
Hospital Council Of Northern & Central California	235 Montgomery Street, Suite 1158 San Francisco, Ca 94104	(415) 616-9990
Iron.io	288 7Th Street San Francisco, Ca 94103	(888) 939-4623
Ebay	199 Fremont Street San Francisco, Ca 94105	(202) 572-1720
Cypress Security	478 Tehama Street San Francisco, Ca 94103	(866) 345-1277
Collateral Lender	201 Kearny Street San Francisco, Ca 94108	(415) 929-7251
Whole Foods Market	5980 Horton Street, Suite 200 Emeryville, Ca 94608	(510) 428-7400
Rt Partners LLC	14 Sunshine Avenue Sausalito, Ca 94965	(415) 332-9242
Victory Automotive Group	46352 Michigan Ave, 2Nd Floor Canton, Mi 48188	(415) 732-7700
Instacart	50 Beale Street, #600 San Francisco, Ca 94105	888 245 7822
Schools Of Sacred Heart	1715 Octavia Street San Francisco, Ca 94109	(415) 345-5811
Hc&M Commercial Properties	1234 Mariposa Street San Francisco, Ca 94107	(415) 865 - 3740
American Airporter Shuttle	819 Ellist Street San Francisco, Ca 94109	415 202 0733
Francisco Parks Conservancy	Po Box 475035 San Francisco, Ca 94147	415 298-9880

Activity Expenses this Quarter

No Activity Expenses reported for this period.

**Political Contributions this Quarter**

Date	Amount	Committee	Candidate	Fund Source
4/12/2016	\$1,000.00	London Breed For Democratic County Central Committee 2016	Breed, London	Hayward, Boe
4/12/2016	\$500.00	Supervisor Mark Farrell For Democratic County Central Committee 2016	Farrell, Mark	Hayward, Boe

**Contacts of Public Officials this Quarter**

Date	Public Official	Client	Subject Area	Issue
4/2/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/3/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/4/2016	Sider, Dan	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
4/4/2016	Rich, Ken	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
4/4/2016	Rich, Ken	Oceanwide Holdings, Ltd	Planning and Building Permits	Street Vacation Ordinance
4/4/2016	Lee, Olsen	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
4/4/2016	Hartley, Kate	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
4/4/2016	Havens, Robin	Oceanwide Holdings, Ltd	Planning and Building Permits	Street Vacation Ordinance
4/4/2016	Tugbenyoh, Mawuli	Red & White Fleet	Transportation	Hydrogen Ferry Proposal
4/4/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/6/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/12/2016	Farrell, Mark	At&T California	Technology	Fiber Optic Network
4/12/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/16/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/17/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/18/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/20/2016	Rich, Ken	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
4/20/2016	Kim, Jane	Oceanwide Holdings, Ltd	Planning and Building Permits	Street Vacation Ordinance
4/20/2016	Kim, Jane	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/20/2016	Ginsburg, Phil	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
4/20/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/21/2016	Buckley, Jeff	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/21/2016	Lee, Olsen	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/21/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/22/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/23/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/24/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/25/2016	Wu, Cindy	Grocery Outlet	Planning and Building Permits	1390 Silver Avenue
4/25/2016	Wu, Cindy	Grocery Outlet	Planning and Building Permits	1245 S. Van Ness
4/25/2016	Johnson, Christine	Grocery Outlet	Planning and Building Permits	1390 Silver Avenue
4/25/2016	Johnson, Christine	Grocery Outlet	Planning and Building Permits	1245 S. Van Ness
4/25/2016	Richards, Dennis	Grocery Outlet	Planning and Building Permits	1390 Silver Avenue
4/25/2016	Richards, Dennis	Grocery Outlet	Planning and Building Permits	1245 S. Van Ness
4/25/2016	Moore, Katherine	Grocery Outlet	Planning and Building Permits	1390 Silver Avenue

## Lobbyist Activity Details

4/25/2016	Moore, Katherine	Grocery Outlet	Planning and Building Permits	1245 S. Van Ness
4/25/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/26/2016	Sucre, Richard	Strada Investment Group	Planning and Building Permits	1601 - 1637 Market Street
4/26/2016	Dennis-Phillips, Sarah	Strada Investment Group	Planning and Building Permits	1601 - 1637 Market Street
4/26/2016	Small, Maia	Strada Investment Group	Planning and Building Permits	1601 - 1637 Market Street
4/26/2016	Langlois, Lily	Strada Investment Group	Planning and Building Permits	1601 - 1637 Market Street
4/27/2016	Buckley, Jeff	Oceanwide Holdings, Ltd	Planning and Building Permits	1601 - 1637 Market Street
4/27/2016	Lee, Ed	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/27/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/28/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
4/29/2016	Low, Allan	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/3/2016	Antonini, Michael J.	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
5/3/2016	Antonini, Michael J.	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/3/2016	Hillis, Rich	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
5/3/2016	Hillis, Rich	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/3/2016	Richards, Dennis	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
5/3/2016	Richards, Dennis	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/3/2016	Moore, Katherine	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
5/3/2016	Moore, Katherine	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/3/2016	Johnston, Connor	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
5/5/2016	Buckley, Jeff	Oceanwide Holdings, Ltd	Planning and Building Permits	50 First Street
5/9/2016	Bohee, Tiffany	Hudson Pacific Properties, Inc.	Arts	Public Art Ordinance
5/9/2016	Watty, Elizabeth	Presidio Bay Ventures, LLC	Planning and Building Permits	502 7Th Street
5/16/2016	Peskin, Aaron	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/18/2016	Kim, Jane	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/18/2016	Richards, Dennis	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/23/2016	Wiener, Scott	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/23/2016	Rich, Ken	Nick Podell Company	Economic Development	Community Outreach
5/23/2016	Bruss, Andrea	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/23/2016	Buckley, Jeff	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/23/2016	Buckley, Jeff	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/23/2016	Kim, Jane	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/23/2016	Veneracion Ang, April	Oceanwide Holdings, Ltd	Economic Development	Community Benefits Package
5/23/2016	Watty, Elizabeth	Meyer Capital Partners	Planning and Building Permits	22 Moore Place
5/23/2016	Hartley, Kate	Nick Podell Company	Economic Development	Community Outreach
5/24/2016	Rich, Ken	Nick Podell Company	Economic Development	Community Outreach
5/24/2016	Buckley, Jeff	Nick Podell Company	Economic Development	Community Outreach
5/24/2016	Hartley, Kate	Nick Podell Company	Economic Development	Community Outreach
5/25/2016	Rich, Ken	Nick Podell Company	Economic Development	Community Outreach
5/25/2016	Buckley, Jeff	Nick Podell Company	Economic Development	Community Outreach
5/26/2016	Rich, Ken	Nick Podell Company	Planning and Building Permits	2070 Bryant Street
5/26/2016	Buckley, Jeff	Nick Podell Company	Planning and Building Permits	2070 Bryant Street

**Payments Promised by Clients this Quarter**

No Payments Promised by Client reported for this period.

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### Firm or Employer Details

#### Goodyear Peterson Hayward & Associates, Llc

 Activity Summary for 1st Quarter 2016
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Lobbyists	<a href="#">Hayward, Boe</a> <a href="#">Bell, Veronica</a>
Reported Contacts	73 reported contacts
Client Payments Promised	\$21,600.00
Total Activity Expenses	No Activity Expenses
Total Political Contributions	\$1,350.00
Subject Areas Influenced	<ul style="list-style-type: none"> <li>• Planning and Building Permits</li> <li>• Transportation</li> <li>• Public Safety</li> <li>• Housing/Property Tax</li> <li>• Economic Development</li> </ul>
Candidates Supported or Opposed	<ul style="list-style-type: none"> <li>• FEWER, SANDRA</li> <li>• PESKIN, AARON</li> <li>• LEE FEWER, SANDRA LEE FEWER</li> <li>• WIENER, SCOTT</li> </ul>
Municipal Decisions Influenced	<ul style="list-style-type: none"> <li>• 2070 BRYANT STREET</li> <li>• TRANSPORTATION TAXES</li> <li>• MOBILE VALET REGULATIONS</li> <li>• SHUTTLE PROGRAM</li> <li>• PRIVATE EMPLOYEE SHUTTLE</li> <li>• SECURITY CONTRACT RFP</li> <li>• 455 CLEMENT - CRICKET WIRELESS</li> <li>• 1629 MARKET STREET</li> <li>• AFFORDABLE HOUSING</li> <li>• 988 HARRISON</li> <li>• 1600 JACKSON STREET</li> <li>• 200 BRYANT STREET</li> <li>• 2918 MISSION STREET</li> <li>• 50 FIRST STREET</li> <li>• 1531 &amp; 1581 HOWARD STREET</li> <li>• HYDROGEN FERRY PROPOSAL</li> </ul>

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### Firm or Employer Details

Goodyear Peterson Hayward & Associates, Llc	
Activity Summary for	2nd Quarter 2016
	<a href="#">Previous Quarter</a> <a href="#">Next Quarter</a>
Lobbyists	<a href="#">Hayward, Boe</a> <a href="#">Bell, Veronica</a>
Reported Contacts	96 reported contacts
Client Payments Promised	\$14,400.00
Total Activity Expenses	No Activity Expenses
Total Political Contributions	\$2,000.00
Subject Areas Influenced	<ul style="list-style-type: none"> <li>• Economic Development</li> <li>• Transportation</li> <li>• Planning and Building Permits</li> <li>• Technology</li> <li>• Arts</li> </ul>
Candidates Supported or Opposed	<ul style="list-style-type: none"> <li>• FARRELL, MARK</li> <li>• BREED, LONDON</li> <li>• PESKIN, AARON</li> </ul>
Municipal Decisions Influenced	<ul style="list-style-type: none"> <li>• COMMUNITY BENEFITS PACKAGE</li> <li>• HYDROGEN FERRY PROPOSAL</li> <li>• 2070 BRYANT STREET</li> <li>• STREET VACATION ORDINANCE</li> <li>• PRIVATE EMPLOYEE SHUTTLE</li> <li>• AIRPORT SHUTTLE RFP</li> <li>• FIBER OPTIC NETWORK</li> <li>• HEARING AND ECONOMIC REPORT ON THE GIG ECONOMY AND WORKFORCE</li> <li>• 50 FIRST STREET</li> <li>• MOBILE VALET REGULATIONS</li> <li>• 1390 SILVER AVENUE</li> <li>• 1245 S. VAN NESS</li> <li>• 1601 - 1637 MARKET STREET</li> <li>• CONDITIONAL USE PERMIT</li> <li>• VALET STAND PERMITS</li> <li>• 502 7TH STREET</li> <li>• PUBLIC ART ORDINANCE</li> <li>• COMMUNITY OUTREACH</li> <li>• 22 MOORE PLACE</li> <li>• BENEFITS FOR GIG EMPLOYEES</li> <li>• 2435 - 2445 16TH STREET</li> </ul>

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**Firm or Employer Details**

<b>Lighthouse Public Affairs</b>	
Activity Summary for <a href="#">2nd Quarter 2016</a>	<a href="#">Previous Quarter</a> <a href="#">Next Quarter</a>
<b>Lobbyists</b>	<a href="#">Peterson, Rich H.</a> <a href="#">Hayward, A. Boe</a> <a href="#">Bell, Veronica N.</a> <a href="#">Guehring, Ross E.</a> <a href="#">Clemens, Alexander</a> <a href="#">Jordan, K. Taylor</a>
<b>Reported Contacts</b>	88 reported contacts
<b>Client Payments Promised</b>	\$250,277.50
<b>Total Activity Expenses</b>	No Activity Expenses
<b>Total Political Contributions</b>	\$52,500.00
<b>Subject Areas Influenced</b>	<ul style="list-style-type: none"> <li>• Planning and Building Permits</li> <li>• Recreation and Parks</li> <li>• Housing/Property Tax</li> <li>• Technology</li> </ul>
<b>Candidates Supported or Opposed</b>	<ul style="list-style-type: none"> <li>• NORTON, RACHEL</li> <li>• A, MEASURE</li> <li>• MAYOR ED LEE, FOR SAN FRANCISCO.</li> <li>• RONEN, HILLARY</li> </ul>
<b>Municipal Decisions Influenced</b>	<ul style="list-style-type: none"> <li>• 502 7TH STREET</li> <li>• 2070 BRYANT</li> <li>• 50 FIRST STREET</li> <li>• 203 COTTER STREET</li> <li>• FRANCISCO PARK PROPOSAL</li> <li>• 935 - 965 MARKET STREET</li> <li>• PROJECT APPROVALS</li> <li>• CONDITIONAL USE PERMIT</li> <li>• ACCESSORY DWELLING UNIT LEGISLATION</li> <li>• 875 - 899 HOWARD STREET</li> <li>• 22 MOORE PLACE</li> <li>• 65 POST STREET</li> <li>• 473 HAIGHT STREET</li> <li>• RESOLUTION TO OPPOSE AB 2788</li> <li>• 85 BLUXOME</li> <li>• 615 BAYSHORE</li> </ul>

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Exhibit F



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Large Project Authorization & Conditional Use Authorization

HEARING DATE: MAY 19, 2016

AMENDED

*Date:* May 12, 2016  
*Case No.:* 2013.0677CUA & 2013.0677X  
*Project Address:* 2000-2070 BRYANT STREET  
*Zoning:* UMU (Urban Mixed Use) Zoning District  
68-X Height and Bulk District  
*Block/Lot:* 4022/001, 002 and 021  
*Project Sponsor:* Nick Podell, Nick Podell Company  
22 Battery Street, Ste. 404  
San Francisco, CA 94111  
*Staff Contact:* Richard Sucre – (415) 575-9108  
[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)

*Recommendation:* **Approval with Conditions**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The Project includes demolition of the six existing buildings on the project site (collectively measuring approximately 68,690 square feet), and new construction of a six-story, 68-ft tall, mixed-use building (approximately 203,656 square feet) with 199 dwelling units, ground floor retail/trade shop spaces along 18<sup>th</sup> Street and Florida Street (collectively measuring 7,007 square feet, which are divided into three separate spaces), 3,938 square feet of ground floor PDR space, 1 car-share parking space, 84 off-street parking spaces, 128 Class 1<sup>st</sup> bicycle parking spaces, and 18 Class 2 bicycle parking spaces. The Project includes a dwelling unit mix consisting of 80 two-bedroom units, 89 one-bedroom units, and 30 studio units. The Project also incorporates one off-street freight loading space within the private mid-block alley. The Project includes common open space (approximately 15,920 square feet) via two interior courtyards and a roof terrace. The Project would also include a lot merger and subdivision of Lots 001, 002 and 021 on Block 4022.

### SITE DESCRIPTION AND PRESENT USE

The proposed project is located on three lots (with a lot area of approximately 65,000 square feet), which are bounded by Florida, 18<sup>th</sup> and Bryant Streets, which have approximately 325-ft of frontage along Florida Street, and 325-ft of frontage along Bryant Street, and 200-ft of frontage along 18<sup>th</sup> Street. Currently, the subject lot contains six buildings, including: 2000 Bryant Street, a two-story mixed-use building with a ground floor commercial space and a dwelling unit on the second floor; 2010-2012 Bryant

Street, a two-story arts activity building; 2028 Bryant Street, a two-story residential building with two dwelling units; 2815 18<sup>th</sup> Street, a two-story office building; 611 Florida Street, a one-to-two-story warehouse and automotive repair building; and 2044-2070 Bryant Street, a one-to-two-story warehouse/light industrial/arts activity building.

### **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The project site is located within the UMU Zoning Districts in the Mission Area Plan. The immediate context is mixed in character with mixed residential, commercial and industrial development along 18<sup>th</sup>, Bryant and Florida Streets. The immediate neighborhood includes a three-to-four-story former industrial building, two-story commercial properties, and a four-to-five-story larger-scale residential development. To the south of the project site on the same block, the adjacent buildings include two-to-three-story and six-story multi-family dwellings. The project site has three street frontages: 18<sup>th</sup> Street, which is 66-ft wide with parallel parking on either side of the street; Bryant Street, which is 80-ft wide with parallel parking on either side of the street and Florida Street, which is also 80-ft wide with perpendicular parking on the east side of the street bordering the project site. Other zoning districts in the vicinity of the project site include: RH-2 (Residential, House, Two-Family) and PDR-1-G (Production, Distribution, Repair-General).

### **ENVIRONMENTAL REVIEW**

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on May 12, 2016, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

### **AMENDED HEARING NOTIFICATION**

<b>TYPE</b>	<b>REQUIRED PERIOD</b>	<b>REQUIRED NOTICE DATE</b>	<b>ACTUAL NOTICE DATE</b>	<b>ACTUAL PERIOD</b>
Classified News Ad	20 days	April 29, 2016	April 29, 2016	20 days
Posted Notice	20 days	April 29, 2016	April 29, 2016	20 days
Mailed Notice	20 days	April 29, 2016	April 29, 2016	20 days

The proposal requires a Section 312 Neighborhood notification, which was conducted in conjunction with the required hearing notification for the Large Project Authorization & Conditional Use Authorization.

## PUBLIC COMMENT

As of May 12, 2016, the Department has numerous public correspondences regarding the proposed project. Much of this public correspondence has expressed opposition to the proposed project. In addition, the Department has received an electronic petition entitled "Turn the Beast on Bryant into a Beauty on Bryant." Copies of this correspondence are included in the Commission packet.

## ISSUES AND OTHER CONSIDERATIONS

- Large Project Authorization & Exceptions: Since the Project would construct more than 25,000 gross square feet within an Eastern Neighborhoods Mixed-Use District, the Project requires a Large Project Authorization from the Planning Commission. As part of the Large Project Authorization (LPA), the Commission may grant modifications from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests modifications from: 1) rear yard (Planning Code Section 134); 2) ground floor ceiling height for non-residential uses (Planning Code Section 145.1); 3) off-street freight loading (Planning Code Section 152.1); 4) horizontal mass reduction (Planning Code Section 270.1); and, 5) flexible units-modification of the accessory use provisions of Planning Code 803.3(b)(1)(c) (Planning Code Sections 329(d)(10)). Department staff is generally in agreement with the most of the proposed modifications given the overall project and its outstanding and unique design.

Since the public notice, the Project has modified the amount of on-site open space. The Project provides code-complying open space on the roof deck, and does not require an exception to residential useable open space, as defined in Planning Code Section 135.

- Conditional Use Authorization: Per Planning Code Sections 303 and 317, the Project requires Conditional Use Authorization from the Planning Commission for the removal of three dwelling units, which are located on the project site.
- Mission 2016 Interim Zoning Controls: Effective on January 14, 2016, the Planning Commission adopted interim zoning controls for the Mission, per Planning Resolution No. 19548. The Project is exempt from the Mission 2016 Interim Zoning Controls, since it provides a dedication of land to the Mayor's Office of Housing and Community Development (MOHCD), in amount equal to the equivalent of 33% units or greater as described in Table 419.5 under Planning Code Section 419.5.
- Inclusionary Affordable Housing: The Project has elected the on-site affordable housing alternative, identified in Planning Code Section 415.6 and 419.3, and the land dedication option outlined in Planning Code Section 419.6.

Per Planning Code Section 415.6 and 419.3, the Project will provide three on-site below-market rate (BMR) dwelling units for rent. As part of the project, the Project Sponsor will enter into a Costa-Hawkins Agreement with the City. A copy of this agreement will be provided at the Planning Commission Hearing.

Per Planning Code Section 419.6, the Project would satisfy the inclusionary affordable housing requirements by subdividing the existing lot (4022/021) and dedicating land to the Mayor's Office of Housing (MOH) for the purpose of developing affordable housing units. Based upon an initial density study, approximately 136 dwelling units could be created on the dedicated land. If



the Project were to pursue the on-site affordable housing alternative, the Project would be required to provide 16% or 32 affordable dwelling units on the project site. MOH has tentatively agreed to accept the dedicated land in fulfillment of the affordable housing requirements. Prior to the public hearing on May 19, the Commission will be provided a letter from MOH stating their acceptance of the land.

- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Eastern Neighborhoods Impact Fee (4,980 sq ft – Tier 1; Change in Use from Non-Residential to Non-Residential)	423 (@ \$0)	\$0
Eastern Neighborhoods Impact Fee (3,938 sq ft – Tier 1; Change in Use from PDR to PDR)	423 (@ \$0)	\$0
Eastern Neighborhoods Impact Fee (3,070 sq ft – Tier 1; Change in Use from Residential to Residential)	423 (@ \$0)	\$0
Eastern Neighborhoods Impact Fee (54,675 sq ft – Tier 1; Change in Use from PDR to Residential)	423 (@ \$6.37)	\$348,280
Eastern Neighborhoods Impact Fee (2,027 sq ft – Tier 2; Change in Use from PDR to Non-Residential)	423 (@ \$8.92)	\$18,081
Eastern Neighborhoods Impact Fee (122,972 sq ft – Tier 1; New Residential)	423 (@ \$10.19)	\$1,253,085
Transportation Sustainability Fee (TSF) [EE filed on 09/25/13 = Use TSF Rules – 50% Disc.] (58,613 gsf – Change in Use from PDR to Residential)	411A (@ \$0.13) x 50%	\$3,809
Transportation Sustainability Fee (TSF) [EE filed on 09/25/13 = Use TSF Rules – 50% Disc.] (66,714 gsf – New Residential, Up to 99 DU)	411A (@ \$7.74) x 50%	\$258,183
Transportation Sustainability Fee (TSF) [EE filed on 09/25/13 = Use TSF Rules – 50% Disc.] (67,384 gsf – New Residential, 99 DU to 199 DU)	411A (@ \$8.74) x 50%	\$294,468
Transportation Sustainability Fee (TSF) [EE filed on 09/25/13 = Use TIDF Rates – TSF Rules] (2,027 gsf – Change in Use from PDR to Retail)	411A (@ \$5.97)	\$12,102
Residential Child-Care Impact Fee (192,711 gsf – 10 Units or More)	414A (@ \$1.83)	\$352,661
	<b>TOTAL</b>	<b>\$2,540,669</b>

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant a Conditional Use Authorization to authorize the removal and replacement of three existing dwelling units, pursuant to Planning Code Sections 303 and 317, and a Large Project Authorization, pursuant to Planning Code Section 329, to allow the new construction of a six-story (68-ft tall) mixed use development (with approximately 203,656 square feet) with 199 dwelling units, approximately 7,007 gsf of ground floor retail, 3,938 gsf of ground floor PDR and to allow modifications to the requirements for: 1) rear yard (Planning Code Section 134); 2) ground floor ceiling height for non-residential uses (Planning Code Section 145.1); 3) off-street freight loading (Planning Code Section 152.1); 4) horizontal mass reduction (Planning Code Section 270.1); and, 5) flexible units-modification of the accessory use provisions of Planning Code 803.3(b)(1)(c) (Planning Code Sections 329(d)(10)).

## **BASIS FOR RECOMMENDATION**

The Department believes this project is approvable for the following reasons:

- The Project complies with the applicable requirements of the Planning Code.
- The Project is consistent with the objectives and policies of the General Plan.
- The Project exhibits overall quality design, which relates to the surrounding context and neighborhood.
- The Project is located in zoning districts where residential, ground floor commercial and PDR uses are principally permitted.
- The Project produces a new mixed-use development with ground floor retail, ground floor PDR, and significant site updates, including landscaping, site furnishings, corner bulb outs and private and common open space.
- The Project is consistent with and respects the varied neighborhood character, and provides an appropriate massing and scale for the adjacent contexts.
- The Project complies with the First Source Hiring Program.
- The Project, as revised by the conditions of approval, is necessary and desirable, is compatible with the surrounding neighborhood, and would not be detrimental to persons or adjacent properties in the vicinity.
- The Project adds 199 new dwelling units to the City's housing stock, including 80 two-bedroom units, 89 one-bedroom units, and 30 studio units.
- In addition to 3 on-site BMR dwelling units, the Project would be using the Land Dedication Alternative to satisfy the inclusionary affordable housing requirements. This alternative provides a unique opportunity to develop more affordable housing units than would be required through the on-site affordable housing option.

- The Project will fully utilize the Eastern Neighborhoods Area Plan controls, and will pay the appropriate development impact fees.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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**Attachments:**

Draft Motion-Large Project Authorization (Revised)  
Draft Motion-Conditional Use Authorization (Revised)  
Parcel Map  
Sanborn Map  
Aerial Photograph  
Zoning Map  
Major Projects within .25 Radius  
Architectural Drawings  
Project Sponsor Submittal  
Affordable Housing Affidavit  
Costa-Hawkins Agreement (Pending)  
First Source Hiring Affidavit  
Anti-Discriminatory Housing Affidavit  
Letter from MOHCD  
Public Correspondence  
Community Plan Exemption

Exhibit G

Mayor's Office of Housing and Community Development  
City and County of San Francisco



Edwin M. Lee  
Mayor

Olson Lee  
Director

May 12, 2016

Mr. Nick Podell  
Nick Podell Company  
22 Battery Street, Ste. 404  
San Francisco, CA 94111

Re: 2070 Bryant Street Land Dedication

Dear Mr. Podell:

Pursuant to San Francisco Planning Code Section 419.5(a)(2), the Mayor's Office of Housing and Community Development (MOHCD) conditionally accepts the dedication of 2070 Bryant Street (Site) for affordable housing development from 2070 Bryant Street, JV LLC, an affiliate of the Nick Podell Company (Sponsor), as satisfaction of inclusionary housing obligations generated by the Sponsor's principal development project at 2000 Bryant Street.

As required by Section 419.5(a)(2) and MOHCD's Inclusionary Housing Procedures Manual, MOHCD is in receipt of the following documents and information related to 2070 Bryant:

- 1) Preliminary title report
- 2) Site survey
- 3) Geotechnical Report
- 4) Phase 1 Report
- 5) Phase 2 Report
- 6) Cost Estimate for Mitigation of Hazardous Materials
- 7) Land Use Memo re: Existing Zoning, Occupancy and Use Restrictions
- 8) Fair market Value Appraisal
- 9) Infrastructure Study
- 10) Density Studies
- 11) Cost Studies

Based upon our review of the materials provided, the Site is suitable for affordable housing development and meets the City's threshold regulatory requirements for a land dedication.

Conditions related to the land dedication include the following:

- 1) Fee title interest to the Site must be conveyed clear of all title exceptions except those that MOHCD in its sole discretion accepts.
- 2) The Sponsor shall secure CEQA clearance for the land dedication and proposed affordable housing development at the Site.
- 3) The Sponsor shall establish an escrow account to pay for hazardous materials mitigation at a cost to be confirmed by MOHCD and the Sponsor prior to Site conveyance. The current estimated cost of the Site's remediation is \$584,954.00.
- 4) The Sponsor shall demolish any existing structures on the Site at its own expense and deliver the parcel vacant.

As authorized in MOHCD's Inclusionary Procedures Manual, the conditions stated above are not intended to be exhaustive, and MOHCD and the Sponsor shall further refine the terms of the Site transfer in a purchase and sale agreement after Sponsor succeeds in fully entitling the Site and 2000 Bryant Street.

We look forward to working with you on this development.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Olson Lee". The signature is fluid and cursive, with a long horizontal stroke extending from the middle of the name.

Olson Lee

cc: John Rahaim, Department of City Planning  
Rich Sucre, Department of City Planning

Exhibit H

# Planning Commission - June 2, 2016 - Minutes

Meeting Minutes Commission Chambers, Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689 Thursday, June 2, 2016 12:00 p.m. Regular Meeting  
**COMMISSIONERS PRESENT:** Fong, Richards, Antonini, Hillis, Johnson, Moore, Wu  
**THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:12 P.M.**  
**STAFF IN ATTENDANCE:** John Rahaim – Planning Director, Aaron Starr, Claudine Asbagh, Dan Sider, Diego Sanchez, Kimberly Durandet, Veronica Flores, Brittany Bendix, Nancy Tran, Jeffrey Speirs, Rich Sucre, and Jonas P. Ionin – Commission Secretary  
**SPEAKER KEY:** + indicates a speaker in support

of an item;-

indicates a speaker in opposition to an item; and

= indicates a neutral speaker or a speaker who did not indicate support or

opposition.

## **CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

2014.1279ENX

(C. TOWNES: (415) 575-9195)

**249 PENNSYLVANIA AVENUE** - east side of Pennsylvania Avenue between 18<sup>th</sup> and Mariposa Streets; Lots 010, 013, and 014 in Assessor's Block 3990- Request for a **Large Project Authorization (LPA)**, pursuant to Planning Code Section 329, to demolish two existing one-story warehouses (collectively measuring 19,125 square feet) and to construct a new 4-story, 40-foot tall, mixed-use building (measuring 76,070 gross square feet) with 59 dwelling units and 3,426 square feet of ground floor commercial space. The project includes 44 below-grade off-street parking spaces, 2 car share parking spaces, and 78 bicycle parking spaces. Under the LPA, the project is seeking modification to certain Planning Code requirements, including: 1) Rear Yard (Planning Code Section 134); 2) Dwelling Unit Exposure (Planning Code Section 140); and 3) Horizontal Mass Reduction (Planning Code Section 270.1). The subject property is located within the UMU (Urban Mixed Use) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions (Proposed for Continuance to June 30, 2016)

**SPEAKERS:** None                      **ACTION:** Continued to June 30, 2016

**AYES:** Fong, Richards, Antonini, Hillis, Moore, Wu                      **ABSENT:** Johnson

**CONSENT CALENDAR** All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

2. **2015-014314MAP**

(A. STARR: (415) 558-

6362)

## **1493-1497 POTRERO AVENUE HEIGHT REZONING - Initiation of Planning Code and Zoning Map**

**Amendments** to correct an error in Section Map HT08 of the Zoning Map to rezone the Height and Bulk



- Designation for 1493-1497 Potrero Avenue, Block 4277, Lot 16, from OS (Open Space) to 55-X, as a result of the Eastern Neighborhoods Rezoning.

Preliminary Recommendation: Adopt a Resolution to Initiate, and schedule an adoption hearing on or after July 28, 2016

SPEAKERS: None ACTION: Adopted a Resolution Recommending Approval

AYES: Fong, Richards, Antonini, Hillis, Moore, Wu ABSENT: Johnson

RESOLUTION: 19652

3. 2015-007396CUA (C. ASBAGH: (415) 575-9165)

1750 TAYLOR STREET - east side of Taylor Street, between Green and Vallejo Streets; lot 021 of Assessor's Block 0128 (District 3) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 317 to merge two dwelling units within a 72 unit building. The project would merge a 935 square foot, two-bedroom, two-bath unit (#804) with a 2,330 square foot, three-bedroom, two and a half-bath unit (#805) within the RM-2 (Residential, Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions (Continued from Regular Meeting of May 12,

2016) NOTE: On May 12, 2016, after hearing and closing public comment, the Commission adopted a motion of intent to Disapprove and continued the item to June 2, 2016 by a vote of +4 -2 (Antonini, Hillis against; Fong absent). SPEAKERS: = Claudine Asbagh – Staff presentation-

Sue Hestor - Support for denial

+ Alice Barkley – Available for questions ACTION: After being pulled off of Consent and a

Motion to Disapprove failed +3 -4 (Antonini; Hillis; Johnson; Fong against); Approved the original motion authorizing the merger with Conditions as amended to include a Finding to encourage reestablishing the merged units into two in the future

AYES: Fong, Antonini, Hillis, Johnson

NAYES: Richards, Moore, Wu MOTION: 19653

### C. COMMISSION MATTERS

4. Consideration of Adoption: SPEAKERS: Sue Hestor – IMP ACTION: Adopted as

Amended AYES: Fong, Richards, Antonini, Hillis, Moore, Wu

ABSENT: Johnson

SPEAKERS: None ACTION: Adopted AYES: Fong, Richards, Antonini, Hillis, Moore, Wu

ABSENT: Johnson

5. Commission Comments/Questions

Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).

- **Future Meetings/Agendas.** At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Antonini: Today on my way into Planning, I drove by as I do almost every week, Commerce High School, well the former Commerce High School, which is across Van Ness Avenue and is in my opinion a beautiful building, needs a lot of repairs, but it is in the same Mission Revival Style as Mission High School, Galileo High School. It was probably built around the same time, actually maybe a little bit earlier, because there is a report from Jim Haas that part of Commerce maybe an earlier rendition was moved from the site of this City Hall for it to be able to build on this site, but in any case, there was a plan some years ago for that to become School of the Arts, which was a wonderful plan. Unfortunately, the funding was not there when the time came for it to happen and School of the Arts is now up on Portola Drive, which is a long ways from too many arts activities. So, I think the original plan is a really good one, and I am hoping that the City restores that building in its entirety, because there was talk about part of it being torn down, which I think, I'd be terrible because it is a beautiful architectural building, much in the vain of John King's comments today in the Chronicle when he contrast some of the newer buildings that don't have a lot of style like some of the oldest buildings in the area of the new MOMA, so, anyway just hoping, that we'll see something done in that regard with very historic building in a perfect site for an educational institution that deals with the arts.D. DEPARTMENT MATTERS6.

Director's Announcements Director Rahaim: Good afternoon, Commissioners just a couple of announcements. One, I want to let you know that I drove down the Peninsula last week to testify at a Mountain View Council hearing, where they were having a hearing on the proposed development on the North Bay Shore Area, which is the area where Google is – where they're considering the development of 10,000 units of new housing, which has been a site that's been considered a while ago, but not until a year ago they move forward with an EIR. I testified to thank them for moving ahead with that project, and talked about that site, I thought was one of probably a dozen regionally that would really help move forward the housing for the region. They asked me to send a message back, which was that and first of all, they thanked me for coming and for the offer of assistance, but secondly, one of the council members in particular asked that I send a message back to the elected officials in San Francisco to stop beating up on them for not doing their part. So, I offered – I made a point of saying I'll accept that and that task from them. I also offered and I will move forward with this to convene a meeting of the cities around the region that has such sites that are closed to transit, close to jobs, to see how we can mutually be supportive in moving those sites forward. Secondly, a lot of the news lately and I know there has been some discussion lately about the Governor's proposal regarding as-of-right development. It is happening very quickly. We are looking at it right now. We are considering comments on it. Frankly it is happening very quickly is a trailing piece of legislation to the governor's budget, and so we will inform you as we move forward as to the progress on that. We are simply kind of digging through that ourselves and we will let you know about the details in an upcoming meeting. Thank you, that concludes my report.7. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission The Board was on break this week for the Memorial Day Holiday, but did meet last week.

#### **LAND USE COMMITTEE:**

- **160346 Planning Code - Mid-Block Alley and Rooftop Screening and Enclosure Controls.** Sponsor: Planning. Staff: T. Chang. At last week's Land Use Committee hearing, the Committee heard the Planning Commission sponsored ordinance that would allow for greater flexibility in the screening of rooftop mechanical

equipment, and make mid-block alley controls more consistently applied throughout the zoning districts in which mid-block alleys are required. The Planning Commission heard this item on March 24 of this year and voted unanimously to recommend approval. At the land use hearing Staff presented an overview of the ordinance. There was no public comment and no questions from the Committee members. The item was referred to the full board with a positive recommendation.

#### **FULL BOARD:**

- **160293 Planning Code - Landmark Designation - 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center).** Sponsor: Avalos. Staff: Ferguson/Frye. Passed its First Read

#### **INTRODUCTIONS:**

- **160599 Interim Zoning Controls - Hotel Conversion Ordinance.** Sponsors: Peskin, Kim. Staff: TBD
- **160657 Planning, Administrative Code - Construction of Accessory Dwelling Units.** Sponsors: Farrell, Wiener. Staff: Haddadan
- **160656 Planning Code - Medical Service Use - Sacramento Street Neighborhood Commercial District.** Sponsor: Farrell. Staff: TBD. Ordinance amending the Planning Code to prohibit a change of use from a business or professional service use to a medical service use on the first floor or below in the Sacramento Street Neighborhood Commercial District

#### **BOARD OF APPEALS:**

No Report

#### **HISTORIC PRESERVATION COMMISSION:**

Good afternoon Commissioners, Tim Frye, here to share with you a couple of items from yesterday's Historic Preservation Commission hearing. The Commission held its second hearing on two pending landmarks designations, one for 140 Maiden Lane, the V.C. Morris Gift Shop, this is the Frank Lloyd Wright Building on Maiden Lane that is currently designated, but only the exterior is protected under Article 10 of the Planning Code. The proposal is to amend the existing landmark designation to include the interior. Representatives from the ownership were on hand at the hearing and are supportive of the landmark designation which will now be forwarded to the Board of Supervisors for consideration. The Commission also forwarded a positive recommendation for the landmark designation of 1345 Ocean Avenue. This is the Ingleside Presbyterian Church, which also includes designating the collage mural by Reverend Gordon, titled The Great Cloud of Witnesses. It is a mural that extends throughout the entire interior of the church, except the sanctuary, and the Commission was also very supportive of that designation. Reverend Gordon was there in support of the proposed Article 10 designation as well as members from the community. Finally, the Commission provided review and comment on a code amendment that this Commission will review shortly regarding wireless facilities and our review of wireless facilities. In particular, the Commission was reviewing changes to the process for wireless facilities on buildings designated to Articles 10 and 11 of the Planning Code, and overall they were supportive of staff's recommendation for those amendments. That concludes any comments unless you have any questions.

#### **E. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items,

- your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. NoneF.

REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

8. 2006.1523PCA (M. BOUDREAUX: (415) 575-9140)

40/50/62/78/88 1<sup>ST</sup> STREET, 512/516/526 MISSION STREET "OCEANWIDE CENTER" -(Assessor Block 3708/Lots 003, 006, 007, 009, 010, 011, 012 and 055) (District 6) - **Administrative and Planning Code Amendments**, establishing the new Downtown Neighborhoods Preservation Fund; including waivers to Planning Code Sections 413 and 415; requiring the Project to satisfy its affordable housing requirements in an alternative manner, by depositing an equivalent, or greater, amount into the Fund. The associated Project proposes demolition of three buildings, construction of two new towers with occupied building heights of 850 feet (First Street Tower) and 605 feet (Mission Street Tower) and retention, or partial retention, of two existing buildings, plus street vacation. In total, the Project proposes approximately 1.08 million gross square feet of office, 265 residential units, 169-room hotel, and ground floor retail and open space uses. The Project site is located within Transit Center District and Downtown Plan Areas, and C-3-O (SD) (Downtown Office – Special Development) Zoning District and 550-S and 850-S-2 Height and Bulk Districts. The Planning Commission will consider a resolution recommending this to the Board of Supervisors; affirming environmental findings; adopting Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

*Preliminary Recommendation: Adopt a Recommendation for Approval*

SPEAKERS: = Marcelle Boudreaux – Staff presentation+ Dan Fratten – Project presentation+ Malcolm Young – Support+ Phil Chin – Support+ Mae Jong Kim – Support ACTION: Adopted a Resolution Recommending Approval AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore RECUSED: Wu RESOLUTION: 19654

9. 2016-001823PCA (D. SÁNCHEZ: (415) 575-9082)

PROHIBITING FORMULA RETAIL IN POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT [BOARD FILE NO. 160102] - **Planning Code Amendment**, introduced by Supervisor Peskin, to prohibit formula retail in the Polk Street Neighborhood Commercial District; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings including findings of public necessity, convenience, and welfare under Planning Code Section 302 and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Preliminary Recommendation: Adopt a Recommendation for Approval with Modification SPEAKERS: = Diego Sanchez – Staff report+ Sunny Anguolo – Aide to Supervisor Peskin+ Stan Hayes – Support- Richard Cordello – Opposition

- -  
Sara Tater – Enough protection

-  
Lori Ungeretti – CU process is working

-  
Mindy Boxer – Strongly opposed

-  
John Ritch – Blanket bans are not appropriate these days

-  
Anne Rubaker – Competition only makes us strong

-  
Frank Carr – Opposed, existing CU process

+ Brian Wallace – We don't want formula retail+ Joe LazaRetti – Support+ Jolisa Hernandez – Support-  
(F) Speaker – Polk is blighted street. Peskin should clean up the street first

+ Gail Baugh – Support without modification to square footage-  
Adam Smith – Whole Foods opposition

-  
Rob Twyman – Whole Foods opposition

-  
Greg McKenny – Wholesome groceries

+ Lynne Newhouse Segal – Support+ Frank Canada – Support, plenty of markets within 6 blocks-  
Leslie Gould – Current processes, why limit our choice

= Sharon Solomon – Allow Whole Foods-  
(M) Speaker - There is not a saturation of formula retail on Polk Street

-  
Emily Harold – Affordability of daily life

-  
(F) Speaker – No ban on formula retail, CU process works

-  
Pamela Mendelsen – Competitive prices, wider selection

-  
Charles Pendell – Opposition

+ Stephen Hornell – CU process does not work+ Henry Karmlowicz – Support -  
Michael Scholnick – Retail blight

-  
Miko Moorland – Opposed full ban

-  
Nick Harcroft – Opposed

-  
Madeline Southet – Opposition

-  
Rebeca Evans – Village

+ Marlene Morgan – Support + Paul Werner – Support+ Dan Trennert – Village in the City+ Tony Giogonzaga -  
\_\_\_ shop concerns, support-

Judith Ronny – Empty store fronts

+ Serena Bardell –+ Chris Schulman – Partner with developers+ Chris Gambinski – Village in the City -  
Deedee Workman – Opposed to full ban

+ Mitchell Berg –+ Kathleen Dooley – Increase in rents+ Ray Baer – Support+ Joseph Omran –+ (M) Speaker –  
Working in other neighborhoods-  
Rob Issakson – Whole Foods site

-  
(F) Speaker -

**ACTION:** Adopted a Resolution Recommending Disapproval with Commission Comments  
incorporated as findings **AYES:** Fong, Antonini, Hillis, Johnson**NAYES:**

Richards, Moore, Wu**RESOLUTION:** 19655

10. 2014.0599ENX

(K. DURANDET: (415) 575-

6816)

540 DE HARO STREET - west side between Mariposa and 18<sup>th</sup> Streets; Lot 002 of Assessor's Block 4008  
(District 9) - Request for **Large Project Authorization** pursuant to Planning Code Section 329 to permit the  
demolition of the existing industrial building and the new construction of a 40 feet tall, 41,772 square foot  
building with 17 dwelling units, 16 off-street parking spaces and 17 Class I bicycle parking spaces. The project  
involves a dwelling unit mix consisting of (15) 2-bedroom, and (2) 1-bedroom units in the UMU (Urban Mixed  
Use) Zoning District, and 40-X Height and Bulk District. The proposed project is seeking a rear yard exception  
per Section 134 for the ground floor which has full lot coverage and permitted obstructions per Section 136.  
This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco  
Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions(Continued from Regular Meeting of March 3, 2016)**SPEAKERS:** = Kimberly Durandet+ Steve Vettel – Project presentation= Amy Baker – Light to sacred space= Vernon Edwards – Light to the church= Paul Fromberg – Why the light is significant vs a 14' x 14' kitchen area= John Goldman – Church Architect= (F) Speaker – Significance of light= Rich Fabien – Founding rector, public treasure= Olivia Kuzar – Columbarian= Mark Pritchard – Project notification= Jen Blecka – Columbarian relocation= Julia McCray- Goldsmith – St. Gregory's= Sam Soffman – Reduced light= John Baker – Light= Sara Miles – Food pantry= Ceatris Polite – Do not put the light out in God's house= (F) Speaker – St. Gregory's light= Carl Nolan – Natural light= Katherine Kreps – Preserve the light= Carmela Ciccone – Place of refuge= (M) Speaker – -  
Spice Khan – Preserve PDR

= John Spangler – Alameda process, comprehensive policies to meet face to face, no public benefit here-  
Alison Heath – Condition of approval

-  
Mary Eliza – Loss of PDR

**ACTION:** Approved with Conditions as amended to include:

1.  
A 14'x14' (196 sq ft) carve out at the fifth floor to provide direct light to the adjacent property;
2.  
Require transparent railings or parapets for the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> level setbacks, now permitted to become decks;
3.  
Provide access to the south wall of the Church after demolition for repair; and
4.  
Develop a protection plan for the Church and Columbarium prior to excavation and foundation work

**AYES:** Fong, Richards, Antonini, Hillis, Moore, Wu**ABSENT:** Johnson**MOTION:**

19656

11a. 2014-002548CUA

(V. FLORES: (415) 575-

9173)

14-16 LAIDLEY STREET - south side of Laidley Street, at 30<sup>th</sup> Street; Lot 004 in Assessor's Block 7538 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Section 209.1, for the retention of a second unit on a lot greater than 6,000 square feet in the RH-1 district. Pursuant to Planning Code Section 317, the project scope is tantamount to the demolition of a unit; however, by granting the Conditional Use Authorization the unit will be reestablished through its reconstruction. There are currently two units in a single building located in the front of the subject property. The project proposes two family-sized units in two distinct structures: one unit in the front of the property created by combining the existing units, and one unit in a newly constructed structure in the rear of the property. There will be a central courtyard between the two units. The subject property is located within a RH-1 (Residential – House, One Family) Zoning District and 40-X Height and

Bulk District. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions  
 to June 30, 2016  
 SPEAKERS: None  
 ACTION: Continued  
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Wu  
 NAYES: Richards

11b. 2014-002548VAR (V. FLORES: (415) 575-9173)

14-16 LAIDLEY STREET - south side of Laidley Street, at 30<sup>th</sup> Street; Lot 004 in Assessor's Block 7538 (District 8) - Request for **Variance** pursuant to Planning Code Section 132. The subject property is located within a RH-1 (Residential – House, One Family) District and 40-X Height and Bulk District.

SPEAKERS: None  
 ACTION: ZA Continued to June 30, 2016

12. 2015-003686CUA (N. TRAN: (415) 575-9174)

437 HOFFMAN AVENUE - east side of Hoffman Avenue, between 24<sup>th</sup> and 25<sup>th</sup> Streets, Lot 024 in Assessor's Block 6503 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 (tantamount to demolition), for a project proposing to demolish an existing three-story over basement, single-family residence and construct additions to create a three-story over basement building with two dwelling units. Exterior changes such as raising the structure ~6 feet for a new garage door, front porch, entry stairs, rear terrace/deck as well as extensive interior remodeling are also proposed. The subject property is located within a RH-2 (Residential-House, Two-Family) Zoning District and 40-X Height and Bulk District. These actions constitute the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. Preliminary Recommendation: Approve with Conditions (Continued from Regular Meeting of April 7, 2016)

SPEAKERS: Georgia Schuttish – 437 Hoffman (F)  
 Speaker – No notice of continuance  
 Derrick Law – No notice of continuance  
 ACTION: Continued to June 30, 2016  
 AYES: Fong, Antonini, Hillis,  
 Johnson, Moore, Wu  
 NAYES: Richards

13. 2014.1604CUA (B. BENDIX: (415) 575-9114)

1848-1850 GREEN STREET - north side of Green Street between Octavia and Laguna Streets; Lot 012 in Assessor's Block 0543 (District 2) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317(d), to allow a major alteration that is tantamount to the demolition of a three-story two-family dwelling within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. The proposal includes vertical and horizontal additions, renovation of the front façade, and demolition of the detached garage. The resulting four-story building will contain two dwelling units. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. Preliminary Recommendation: Approve with Conditions

SPEAKERS: None  
 ACTION: Continued to June 30, 2016  
 AYES: Fong, Antonini, Hillis,  
 Johnson, Moore, Wu  
 NAYES: Richards



14. 2014-000550CUA  
9114)

(B. BENDIX: (415) 575-

2920 FRANKLIN STREET - east side of Franklin Street, between Chestnut and Lombard Streets; Lot 020 in Assessor's Block 0498 (District 2) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317(d), to allow the demolition of a two-story single-family dwelling and the new construction of a four-story two-family dwelling within a RH-3 (Residential, House, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. Preliminary Recommendation: Approve with Conditions

SPEAKERS: None ACTION: Continued to June 30, 2016

AYES: Fong, Antonini, Hillis, Johnson, Moore, Wu NAYES: Richards

G.

**DISCRETIONARY REVIEW CALENDAR** The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

15a. 2015-002243DRP  
9165)

(C. ASBAGH: (415) 575-

1615-1633 GRANT AVENUE & 12-26 MEDAU PLACE - west side of Grant, between Filbert and Greenwich Streets, Lot 005 in Assessor's Block 0645 (District 3) - Request for **Discretionary Review** of Building Permit Application Nos. 2015.02.27.9626 & 9627 proposing alterations to the existing vacant buildings including the reconfiguration of 16 existing dwelling units (four would expand into ground-floor storage space), reconfiguration of the interior courtyard stairs, and the addition of roof-top decks and four stair penthouses within a RM-2 (Residential, Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District. In addition, the Zoning Administrator will consider a Variance from the requirements for rear yard (per Section 134) and dwelling unit exposure (Section 140). This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

*Preliminary Recommendation: Take Discretionary Review and Approve with Modifications*

(Continued from Regular Meeting of May 12, 2016) SPEAKERS: None ACTION: Continued to  
June 30, 2016 AYES: Fong, Antonini, Hillis, Johnson, Moore, Wu NAYES:  
Richards

15b. 2015-002243VAR  
9165)

(C. ASBAGH: (415) 575-

1615-1633 GRANT AVENUE & 12-26 MEDAU PLACE - located on the west side of Grant between Filbert and Greenwich Streets, Lot 005 in Assessor's Block 0645 (District 3) - Request for **Variations** pursuant to Planning Code Sections 134 and 140 to allow the reconfiguration of stairs and dwelling units within the interior courtyard. The project is located in a RM-2 (Residential, Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District.

(Continued from Regular Meeting of May 12, 2016)SPEAKERS: NoneACTION: ZA Continued to June 30, 2016

16a. 2015-002632DRP (J. SPEIRS: (415) 575-9106)

1152 POTRERO AVENUE - west side of Potrero Avenue, south of 23<sup>rd</sup> Street, north of 24<sup>th</sup> Street; Lot 011 in Assessor's Block 4211 (District 9) - Request for **Discretionary Review** of Building Permit Application No. 2015.02.24.9220, proposing the addition of two dwelling units with vertical and horizontal additions to an existing one-unit residential building within a RH-3 (Residential - House, Three-Family) Zoning District and 55-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Staff Analysis: Abbreviated Discretionary Review Preliminary Recommendation: Do Not Take Discretionary Review and ApproveSPEAKERS: NoneACTION: Continued to June 30, 2016

AYES: Fong, Antonini, Hillis, Johnson, Moore, WuNAYES: Richards

16b. 2015-002632VAR-02 (J. SPEIRS: (415) 575-9106)

1152 POTRERO AVENUE - west side of Potrero Avenue, south of 23<sup>rd</sup> Street, north of 24<sup>th</sup> Street; Lot 011 in Assessor's Block 4211 (District 9) - Request for **Variances** pursuant to Planning Code Sections 132 to construct within the required front setback. The Project includes the addition of two dwelling units with vertical and horizontal additions to an existing one-unit residential building within a RH-3 (Residential - House, Three-Family) Zoning District and 55-X Height and Bulk District.

SPEAKERS: NoneACTION: ZA Continued to June 30, 2016H. **3:30 P.M.**Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

17a. 2013.0677CUA (R. SUCRE: (415) 575-9108)

2000-2070 BRYANT STREET - located along the west side of Bryant Street at 18<sup>th</sup> Street, Lots 001, 002, and 021 in Assessor's Block 4022 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, for the demolition of three existing dwelling units. The subject property is located within the UMU (Urban Mixed-Use) Zoning District, and 68-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions(Continued from Regular Meeting of May 19,

2016)SPEAKERS: = Rich Sucre – Staff report+ Nick Podell – Project presentation-

Spike Khan – Org. Opp. PPR

Peter Papadopoulos – Org. Op. EIR

-  
Luis Hernandez – Org. Opp.

-  
Larry Mazola Jr. – Building Trades opposition

= Michael Theriot – Union assurances-

David A. Gibson – Mission not designed for this kind of housing

-  
Jordan Gwendelyn Davis – Mission should choose its own density

+ Rob Poole – Support+ Candace Owens – Support+ (F) Speaker – Support+ (F) Speaker - Support-

Eduardo Palomo – Affordable housing in the Mission

-  
(M) Speaker – PDR, labor, precedence

-  
Deepa Verma – Get enough in return

-  
(M) Speaker – Displacement, homelessness

-  
Susan Marsh – Mission is a vibrant neighborhood

-  
Christy – Affordability

-  
(M) Speaker – Issues of the community

-  
Rachel Lieberman – Artists

-  
Vander Hill – Cell space, danced space

-  
Krista Award – Community space

-  
(F) Speaker – Housing inatability

-  
Tommy Arecola Mecca – Tenant rights

- Kathrin Gibson – Affordable housing

- Scott Weaver – EIR, PDR, neighborhood character

- Shia Bhukta – No future because of the housing crisis

- Mari Eliza – Disapprove the project, drainage

- Jesus Gomez – Skin in the game

- Marina Delta – Sustainable community

- Sarah Bradley – Mission culture, community based planning

- Lou DeMatais – Community input

- Allison Heath – PDR loss, replacement, full EIR

- Magie – Do the right thing

+ Ron Yuen – Union workforce-

Tony Ray – Project does not give back to the community

- Mary McGee – Economic apartheid

- Mark Harris – SF values – “America is taking basic necessity of the masses to make luxury for the classes”

- (F) Speaker – Gentrification, over-scaled architecture

+ Mary Martinez – Union contractors-

Amy Reynolds – Housing, crisis, better beast

- (M) Speaker – Displacement and racism

- + Jay Bradshaw – Union jobs, now is the time to approve the project-
- Kristen Ponti – We do not need another luxury housing project
- 
- Aaron Bustamente – Homelessness
- 
- Josh Wolfe – More than 50% at affordable rates
- 
- Tracy Rosenberg – Commission’s role, projects in compliance with the plan
- 
- (M) Speaker – Commission’s role
- 
- Eric Arguello – Opposed
- 
- Vy Nguyen – Beauty on Bryant
- 
- (F) Speaker – Rubber stamping Commission
- 
- Susan Siertat – Spanish speaking families of the Mission
- 
- Jonathan Ute – Cell space
- 
- (M) Speaker – Few with so much, many with so little
- 
- Jim Salinas – 100% union
- 
- Maria Sorenson – More affordable housing
- 
- Rich Hall – EN plan is obsolete, CPE
- 
- (M) Speaker – Cell spaced
- 
- Cindy Saison – Vote from the heart

+ Adrian Simi – How much money can we squeeze out of Nick Podell-

(M) Speaker – Loss of tremendous resource

Alex Landsberg – History of this project

Sue Hestor - Opposition

ACTION: Approved as amended Motion (errata) with conditions as amended to include 12,000 sq ft of PDR on the market rate site

AYES: Fong, Richards, Antonini, Hillis,

JohnsonNAYES: Moore, Wu MOTION: 19657

17b. 2013.0677X

(R. SUCRE: (415) 575-

9108)

2000-2070 BRYANT STREET - located along the west side of Bryant Street at 18<sup>th</sup> Street, Lots 001, 002, and 021 in Assessor's Block 4022 (District 9) - Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, for the demolition of the existing buildings on the project site, and the new construction of a six-story mixed-use building (measuring approximately 203,656 gross square feet; approximately 68-ft tall) with up to 199 dwelling units, approximately 7,007 square feet of ground floor retail, 3,938 square feet of ground floor PDR space, up to 84 off-street parking spaces, 128 Class 1 bicycle parking spaces, 18 Class 2 bicycle parking spaces, and private and common open spaces. Under the LPA, the project is seeking a modification to certain Planning Code requirements, including: 1) rear yard (Planning Code Section 134); 2) ground floor ceiling height for non-residential uses (Planning Code Section 145.1); 3) off-street freight loading (Planning Code Section 152.1); 4) horizontal mass reduction (Planning Code Section 270.1); and, 5) flexible units-modification of the accessory use provisions of Planning Code 803.3(b)(1)(c) (Planning Code Sections 329(d)(10)). The subject property is located within the UMU (Urban Mixed-Use) Zoning District, and 68-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions(Continued from Regular Meeting of May 19,

2016)SPEAKERS: Same as item 17a.ACTION: Approved with Conditions

AYES: Fong, Richards, Antonini, Hillis, JohnsonNAYES: Moore, Wu

MOTION: 19658.

#### PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to: (1) responding to statements made or questions posed by members of the public; or(2) requesting staff to report back on a matter at a subsequent

meeting; or (3) directing staff to place the item on a future agenda. (Government Code Section

54954.2(a))NoneAdjournment – 11:17 p.m.

ADOPTED: June 16, 2016

Exhibit I



On Mar 4, 2016, at 5:59 PM, Hartley, Kate (MYR) <[kate.hartley@sfgov.org](mailto:kate.hartley@sfgov.org)> wrote:

Hi guys: we're moving along with the land dedication for 2000 Bryant. I've sent Podell a laundry list of the other items we need, per our Procedures Manual. And I've corresponded with Planning to make sure the land percentage, unit count, and other physical things meet Section 419.

Can either of you advise if this also has to go to CAO?

Thanks much.

Kate Hartley  
Deputy Director – Housing  
Mayor's Office of Housing and Community Development  
1 South Van Ness, 5<sup>th</sup> Floor  
San Francisco, CA 94103  
tel: 415.701.5528 fax: 415.701.5501  
[kate.hartley@sfgov.org](mailto:kate.hartley@sfgov.org)

**From:** Steven Vettel [<mailto:SVettel@fbm.com>]  
**Sent:** Thursday, March 03, 2016 6:40 PM  
**To:** Hartley, Kate (MYR); Linsey Perlov; Blitzer, Mara (MYR)  
**Cc:** Nick Podell  
**Subject:** RE: 2000-2070 Bryant - Site Dedication Memo

Kate, I'll add your language, but kept in the deletion. Planning Code section 207.6 allows either 40% 2-bedroom or 30% 3-bedroom. Here's the final memo.

**From:** Hartley, Kate (MYR) [<mailto:kate.hartley@sfgov.org>]  
**Sent:** Thursday, March 03, 2016 4:21 PM  
**To:** Linsey Perlov; Blitzer, Mara (MYR)  
**Cc:** Nick Podell; Vettel, Steven (25) x4902  
**Subject:** RE: 2000-2070 Bryant - Site Dedication Memo

Hi – Here's my suggestion:

**In either option, not less than 40% of the units would 2-bedroom or larger. MOHCD retains the right to adjust the unit count in order to create larger family units, so long as the minimum unit count required under Planning Code Section 419.5 and the Inclusionary Procedures Manual is maintained. ~~or not less than 30% of the units would be 3-bedroom or larger,~~**

Kate Hartley  
Deputy Director – Housing

**From:** Egan, Chandra (MYR)  
**To:** Hayward, Sophie (MYR); Hartley, Kate (MYR)  
**Cc:** Blitzer, Mara (MYR)  
**Subject:** RE: 2000-2070 Bryant - Site Dedication Memo  
**Date:** Monday, March 07, 2016 4:42:03 PM

---

I think this email from this morning was stuck in my outbox until now...

Great- this is exciting! I suggest we coordinate with Kate Conner and Rich Sucre and work out the process. Perhaps we can review the rules together and make sure everyone knows their role. This stands to be the first land dedication that's completed with proper coordination between our agencies – no one's fault, just an opportunity.

Should we try to get together next week, say Monday or Tuesday?

I know that the COA was involved last time. Also, I think you know that Lydia has a ton of knowledge about this process from the MOHCD end.

Thank you,  
Chandra

For developer information on the Inclusionary Housing Program, please visit <http://sfmohcd.org/inclusionary-housing-program-developer-and-agent-information>.

Chandra Egan  
San Francisco Mayor's Office of Housing and Community Development  
1 South Van Ness Avenue, 5<sup>th</sup> Floor  
San Francisco, CA 94103  
Main: (415) 701-5546  
Front Desk: (415) 701-5500  
[chandra.egan@sfgov.org](mailto:chandra.egan@sfgov.org)  
[www.sfmohcd.org](http://www.sfmohcd.org)

**From:** Hayward, Sophie (MYR)  
**Sent:** Friday, March 04, 2016 6:04 PM  
**To:** Hartley, Kate (MYR) <kate.hartley@sfgov.org>  
**Cc:** Egan, Chandra (MYR) <chandra.egan@sfgov.org>; Blitzer, Mara (MYR) <mara.blitzer@sfgov.org>  
**Subject:** Re: 2000-2070 Bryant - Site Dedication Memo

Hi there,

I will look at the Code, but I believe that we need to write a memo to Planning indicating that affordable housing development (with the associated unit count described) is feasible. And there may be an action/acceptance required by Planning. It would need to be acknowledged in their motion, as the attachments suggest. I do t think that there is an explicit requirement that it go to the CAO. I'm sure Chandra can weigh in more thoroughly!

Sophie

Sent from my iPhone

Mayor's Office of Housing and Community Development  
1 South Van Ness, 5<sup>th</sup> Floor  
San Francisco, CA 94103  
tel: 415.701.5528 fax: 415.701.5501  
[kate.hartley@sfgov.org](mailto:kate.hartley@sfgov.org)

**From:** Linsey Perlov [<mailto:Linsey@Podell.com>]  
**Sent:** Thursday, March 03, 2016 4:08 PM  
**To:** Hartley, Kate (MYR); Blitzer, Mara (MYR)  
**Cc:** Nick Podell; Steven L. Vettel  
**Subject:** 2000-2070 Bryant - Site Dedication Memo

Hello Kate & Mara:

Will you review the redline of the attached site dedication memo? Is it enough to say that 40% of units must be 2bds or 30% 3bds, or do you require a statement regarding the fluctuation of the unit count if we increase 3bds? I am sorry, I neglected to write down the exact code referenced on our call yesterday.

Best Regards,  
Linsey

**Linsey Perlov**  
Nick Podell Company, 22 Battery Street, Suite 404, San Francisco, CA 94111  
Office: (415) 296-8800 | Cell: (415) 305-9925 | [linsev@podell.com](mailto:linsev@podell.com)

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This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you.

Farella Braun + Martel LLP

<2016-03-03 land use diligence memo for MOHCD site.PDF>

Exhibit J

**From:** [Hayward, Sophie \(MYR\)](#)  
**To:** [Blitzer, Mara \(MYR\)](#)  
**Cc:** [Kitchingham, Kevin \(MYR\)](#)  
**Subject:** Re: Bryant St. rent-controlled units  
**Date:** Friday, March 18, 2016 7:19:11 PM

---

All I know of them are that they are imagined to be inclusionary on-site units that would be monitored by our inclusionary team. But we need to make sure that they are reflected/accounted for in the entitlement application.  
Sophie

Sent from my iPhone

> On Mar 18, 2016, at 5:58 PM, Blitzer, Mara (MYR) <[mara.blitzer@sfgov.org](mailto:mara.blitzer@sfgov.org)> wrote:  
>  
> Hi - either of you know anything about these units at Bryant?  
>  
> Developer did not share anything to me about these units except that there will be 3 onsite BMR units at 55% ami on the market rate parcel as proposed.  
>  
> Mara  
>  
>  
> Sent from my iPhone  
>  
>> On Mar 18, 2016, at 4:28 PM, Joe Rivano Barros <[joe.rivanobarros@missionlocal.com](mailto:joe.rivanobarros@missionlocal.com)> wrote:  
>>  
>> Hi Mara,  
>>  
>> Joe here from Mission Local. I had a question on those three below-market-rate units that are replacing the three rent-controlled units in the 2000 Bryant St. development.  
>>  
>> Are those units managed by MOHCD?  
>>  
>> I heard initially that they were rent-controlled but thought that wouldn't be possible under Costa Hawkins, and saw at Wednesday's meeting that they were BMRs and assumed they would be managed by MOHCD, but wanted to make sure.  
>>  
>> Thanks, and best. JRB  
>>  
>> --  
>> work: 415-374-7329  
>> cell: 510-798-0730

Attachment B

Complaint against Respondent Sophie Hayward  
 San Francisco Ethics Commission

**Attachment B – Additional Witnesses**

<b>Name of Witness</b>	Mara Blitzer, Mayor’s Office of Housing and Community Development
<b>Address</b>	1 South Van Ness Blvd., 5 <sup>th</sup> Floor, San Francisco CA 94103
<b>Phone</b>	415-701-5546
<b>Information you believe this person can provide to support the allegations stated in this complaint</b>	Received email from respondent.

<b>Name of Witness</b>	Kevin Kitchingham, Mayor’s Office of Housing and Community Development
<b>Address</b>	1 South Van Ness Blvd., 5 <sup>th</sup> Floor, San Francisco CA 94103
<b>Phone</b>	415-701-5546
<b>Information you believe this person can provide to support the allegations stated in this complaint</b>	Received email from respondent.

<b>Name of Witness</b>	Boe Hayward, Lighthouse Public Affairs
<b>Address</b>	857 Montgomery Street, San Francisco, CA 94133
<b>Phone</b>	(415) 364-0000
<b>Information you believe this person can provide to support the allegations stated in this complaint</b>	Mr. Hayward can attest that he represented and lobbied for the Nick Podell Company to advance the proposed project at 2000 – 2070 Bryant Street, in San Francisco, and that he was paid to do so. He can attest to the manner of payment and compensation.

**Name of Witness**

Nick Podell, The Nick Podell Company

**Address**

22 Battery Street, Suite 404, San Francisco, CA 94111

**Phone**

415-296-8800

**Information you believe this person can provide to support the allegations stated in this complaint**

Mr. Podell can attest that the Nick Podell Company was and is represented by Mr. Hayward, who lobbied City officials to advance the proposed project at 2000-2070 Bryant Street, in San Francisco. He can attest to the manner of payment and compensation provided to Mr. Hayward.



Attachment C



**Person(s) Who Allegedly Violated the Political Reform Act: (If there are multiple parties involved, attach additional pages as necessary.)**

Last Name: Hayward

First Name: Sophie

Committee Name: \_\_\_\_\_  
(only if applicable)

Street Address: 1 South Vane Ness Blvd., 5th Floor

City: San Francisco State: CA Zip: 94103

Telephone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Fax: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

E-mail: \_\_\_\_\_

**Describe, With as Much Particularity as Possible, the Facts Constituting the Alleged Violation(s) and How You Have Personal Knowledge that it Occurred.\***

~~Sophie Hayward is an employee of the City and County of San Francisco, the Director of Policy in the Mayor's Office of Housing and Community Development ("MOH"). She is married to Boe Hayward, a lobbyist for the Nick Podell Company. Podell is the developer of a proposed project at 2000-2070 Bryant Street in San Francisco. Hayward has a material interest in the approval of the project because Podell is a source of income (Govt. Code sec. 87103, subd. (c)), as among other reasons.~~

~~The project must satisfy inclusionary affordable housing requirements. (SF Planning Code secs. 415, et seq. and 419 et seq.) To satisfy those requirements, Podell proposes to dedicate land to MOH for affordable housing. The dedication must be approved and accepted by MOH. (SF Planning Code secs. 419.5, subds. (a)(2)(G) and (a)(2)(H) and 419.6.) Hayward intervened in the approval process at MOH in order to advance the project.~~

~~The attached emails demonstrate Hayward's intervention on certain select occasions.~~

**\*IMPORTANT! Attach copies of any available documentation that is evidence of the violation, (for example, copies of checks, campaign materials, minutes of meetings, etc., if applicable to the complaint.) Note that a newspaper article is NOT considered evidence of a violation.**

**Provision(s)/Section(s) of the Political Reform Act Allegedly Violated and When the Violation(s) Occurred: (If specific sections are not known, please provide a brief summary)**

~~Government Code section 87100~~  
~~2 California Code of Regulations 18704~~  
~~San Francisco Campaign & Finance Code section 3.206~~  
\_\_\_\_\_  
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###

**Name and Addresses of Potential Witnesses, Other than Yourself, if Known:**

Last Name: Hayward

First Name: Boe

Street Address: 857 Montgomery Street

City: San Francisco State: CA Zip: 94133

Telephone: (415) 364 -0000

Fax: ( ) -

E-mail: contact@lh-pa.com

Last Name: Egan  
First Name: Chandra  
Street Address: 1 South Van Ness Blvd., 5th Floor  
City: San Francisco State: CA Zip: 94103  
Telephone: (415 ) 701 -5500  
Fax: ( ) -  
E-mail: chandra.egan@sfgov.org

###

Last Name: Blitzer  
First Name: Mara  
Street Address: 1 South Van Ness Blvd., 5th Floor  
City: San Francisco State: CA Zip: 94103  
Telephone: (415 ) 701 -5500  
Fax: ( ) -  
E-mail: mara.blitzer@sfgov.com

**I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

\_\_\_\_\_  
(Signature) September 6, 2016  
(Date)

Spike Kanh  
(Please Print Your Name)

Clear Page

Print Page

**From:** Kitchingham, Kevin (MYR)  
**To:** Blitzer, Mara (MYR)  
**Subject:** Re: Inclusionary Trailing Legislation  
**Date:** Wednesday, March 16, 2016 6:55:31 AM

---

Fun times.

On Mar 16, 2016, at 6:54 AM, Blitzer, Mara (MYR) <[mara.blitzer@sfgov.org](mailto:mara.blitzer@sfgov.org)> wrote:

Powell thinks this would kill his deal due to requirement for one to one PDR replacement OR higher inclusionary percent required.

Sent from my iPhone

Begin forwarded message:

**From:** "Hayward, Sophie (MYR)" <[sophie.hayward@sfgov.org](mailto:sophie.hayward@sfgov.org)>  
**Date:** March 15, 2016 at 9:31:50 PM PDT  
**To:** "Blitzer, Mara (MYR)" <[mara.blitzer@sfgov.org](mailto:mara.blitzer@sfgov.org)>  
**Subject:** Fwd: Inclusionary Trailing Legislation

Inclusionary amendment in its current state during negotiation. See page 8- ever-evolving, but not looking good for grandfathering for Bryant.

Sent from my iPhone

Begin forwarded message:

**From:** "Hayward, Sophie (MYR)" <[sophie.hayward@sfgov.org](mailto:sophie.hayward@sfgov.org)>  
**Date:** March 15, 2016 at 7:12:54 PM PDT  
**To:** "Lee, Olson (MYR)" <[olson.m.lee@sfgov.org](mailto:olson.m.lee@sfgov.org)>  
**Subject:** Re: Inclusionary Trailing Legislation

Pretty sure it was intentional.

Sent from my iPhone

On Mar 15, 2016, at 4:42 PM, Lee, Olson (MYR) <[olson.m.lee@sfgov.org](mailto:olson.m.lee@sfgov.org)> wrote:

Simple addition to onsite or land dedication adjacent to principle project.

**From:** Hayward, Sophie (MYR)  
**Sent:** Tuesday, March 15, 2016 4:22 PM  
**To:** Lee, Olson (MYR)  
**Subject:** FW: Inclusionary Trailing Legislation

The grandfathering provision on Page 8, lines 14-18 is, I imagine, aimed at the Bryant Street project, as it essentially removes the grandfathering. Although I think that the reference to 415.7 is incorrect and should be to 415.6.

Not sure yet where this will land as it's still in negotiation.

*(E) Notwithstanding the provisions set forth in Subsections 415.3(b)(1)(A), (B) and (C) herein, if a development project is located in a UMU Zoning District and proposes to eliminate a Production, Distribution and Repair (PDR) use, as defined in Planning Code Section 102, and is eligible and elects to provide on-site units pursuant to 415.5(g), such development project shall comply with the on-site requirements set forth in Section 415.7.*

Sophie Hayward  
Director of Policy and Legislative Affairs  
Mayor's Office of Housing and Community  
Development  
1 South Van Ness, 5<sup>th</sup> Floor  
San Francisco, CA 94103  
tel: 415.701.5508 fax: 415.701.5501  
[sophie.hayward@sfgov.org](mailto:sophie.hayward@sfgov.org)

**From:** Rich, Ken (ECN)  
**Sent:** Tuesday, March 15, 2016 10:39 AM  
**To:** Rodgers, AnMarie (CPC); Hayward, Sophie (MYR)  
**Subject:** FW: Inclusionary Trailing Legislation

Please review and lets talk soon.

**From:** Angulo, Sunny (BOS)  
**Sent:** Tuesday, March 15, 2016 9:15 AM  
**To:** Rich, Ken (ECN) <[ken.rich@sfgov.org](mailto:ken.rich@sfgov.org)>;  
Rosenfield, Ben (CON)  
<[ben.rosenfield@sfgov.org](mailto:ben.rosenfield@sfgov.org)>  
**Cc:** Ang, April (BOS) <[april.ang@sfgov.org](mailto:april.ang@sfgov.org)>  
**Subject:** Inclusionary Trailing Legislation

**Ken and Ben:**

**This is the draft legislation that we are working with based on our conversations with stakeholders. The City Attorney should be in this morning to take additional comments, but please note that the more we pull it apart with changes, the less likely we will be able to introduce something today.**

**I believe that April is in a staff meeting all morning, so please make sure to send any comments to both of us.**

**Thank you,**

Sunny Angulo  
*D3 Legislative Aide*  
[Sunny.Angulo@sfgov.org](mailto:Sunny.Angulo@sfgov.org)  
415.554.7451 DIRECT  
415.430.7091 CELL  
415.554.7450 VOICE



# Bryant St CEQA Appeal

2000-2070 Bryant St Project

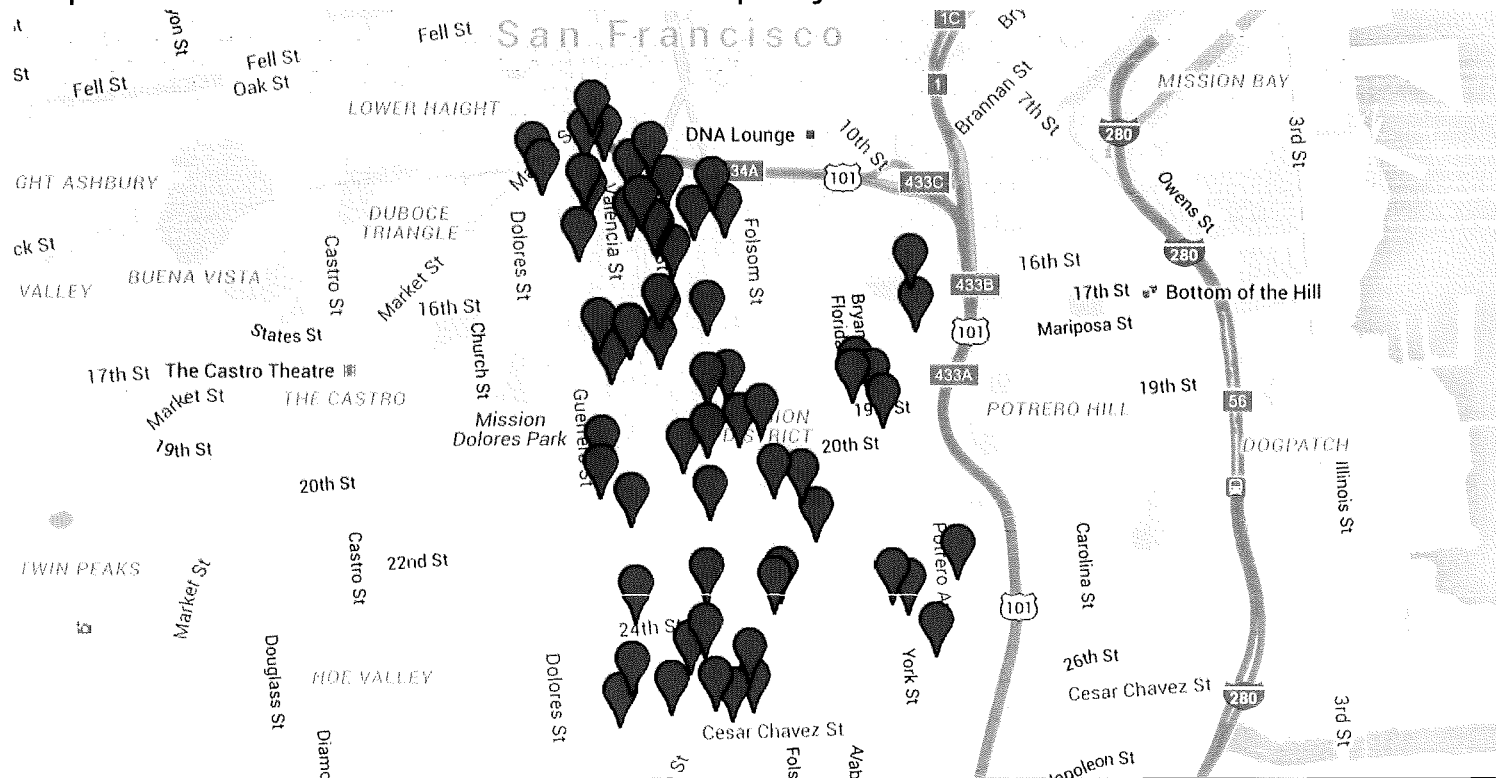
We request that you uphold the appeal of the Planning Commission's decision to adopt a Community Plan Exemption and require project level environmental review prior to further consideration of the project.

## Conditions Have Significantly Changed

The Eastern Neighborhoods Plan Environmental Impact Report was certified during the Great Recession 8 years ago. We are currently experiencing an unprecedented boom in housing development in San Francisco.

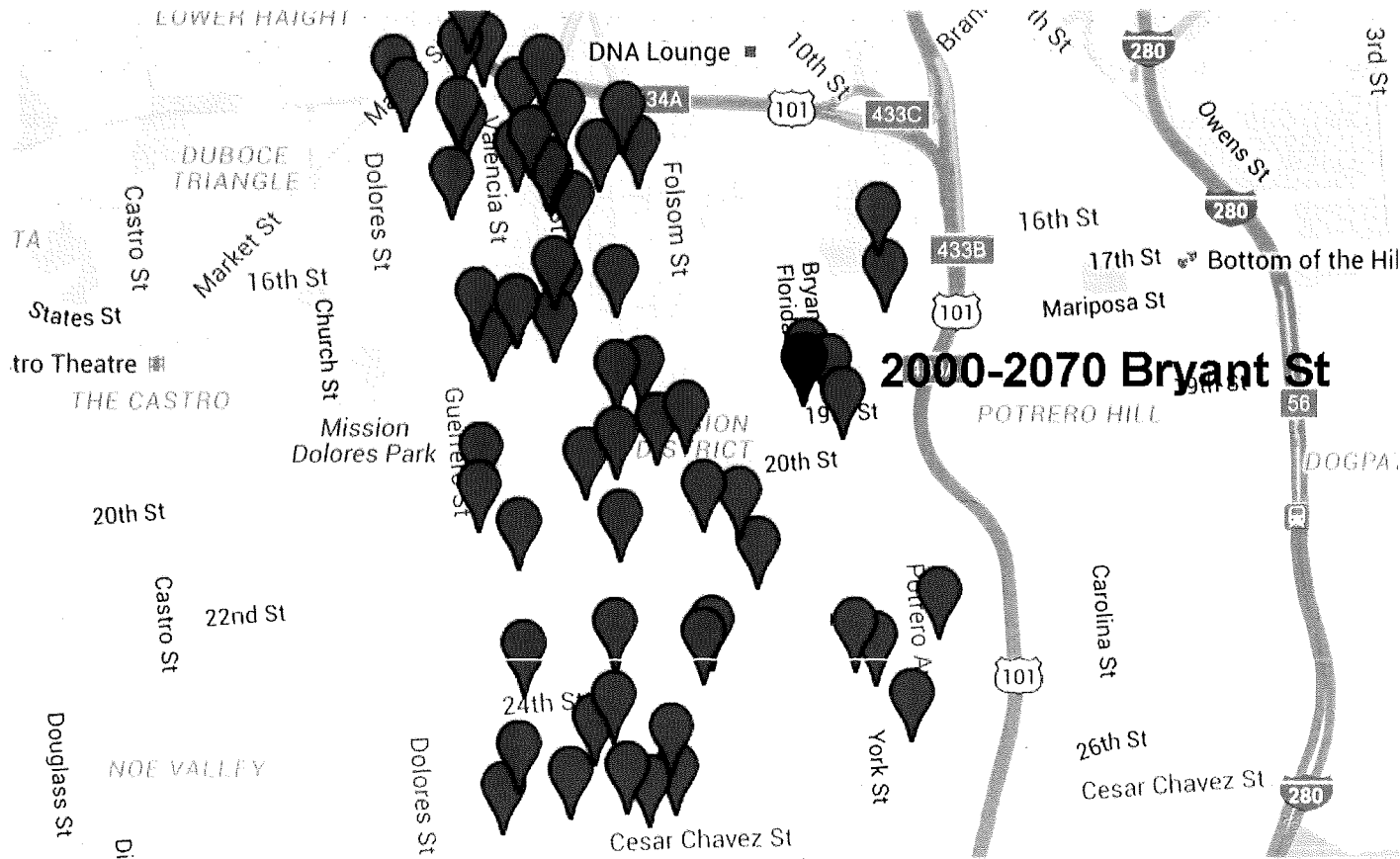
Since the EN Plan EIR was certified, a significant population and jobs surge has been accompanied by the unanticipated appearance of long reverse commutes to Silicon Valley and back, an increase in private shuttle buses and ride-share cars circling the city and boutique businesses that all result in significant negative health impacts for working class families and long commutes for the newly displaced returning to the city to work and obtain services.

Accompanying this surge in population is a rapid increase in housing development along with a commensurate level of social and environmental impacts associated with these projects.



There are currently more than 50 “foreseeable” projects and 2,000 units being built or in the pipeline to be built in the Mission.

This 2000-2070 Bryant St project is one of these 50 projects bringing cumulative impacts to the Mission.



The Bryant St project was granted a Community Plan Exemption instead of requiring project level environmental review to be conducted.

- Its approval rested on cumulative impact studies from the underlying Eastern Neighborhoods Plan EIR and was “excused” from doing its own environmental studies.

What’s the problem with this?

The potential cumulative impacts of Bryant St and other foreseeable housing projects *were not considered* in the Eastern Neighborhoods Plan EIR because this level of housing development was never considered.

**Mission Housing options studied:**

Option A	782 units
Option B	1,118 units
EN Preferred Alternative:	1,696 units
Option C	2,054 units

(Source: Eastern Neighborhoods EIR)

**Actual total (including Bryant St project):** 2,451 units

(Source: 2000-2070 Bryant St CPE Appeal Staff Report; numbers as of Feb 23, 2016)

**All housing options studied by the PEIR have been exceeded.**

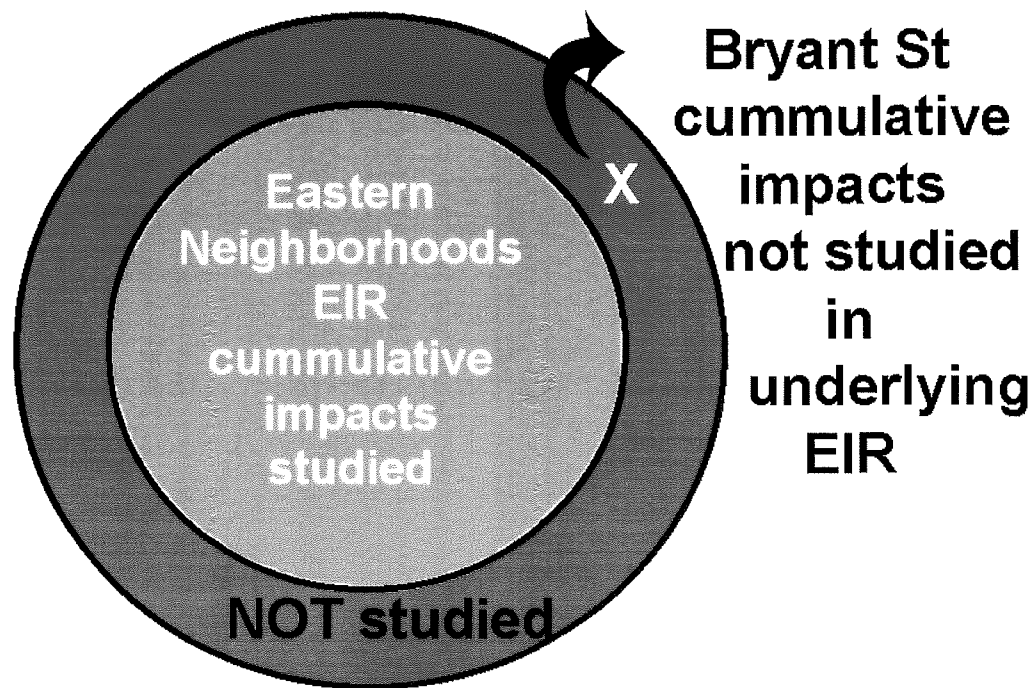
The Planning Dept was incorrect in its conclusion that the Bryant St project's impacts had been "analyzed and disclosed" in the underlying Eastern Neighborhoods EIR:

The Eastern Neighborhoods EIR forecast a range of housing growth measures and studied the impacts associated with each (A, B, Preferred, C). It also considered mitigations to these anticipated impact levels.

However, *no such studies* were done for our current level of housing development in the Mission, including this project on Bryant St.



There is no way to evaluate the Bryant St impacts against the underlying EN Plan EIR because the cumulative impacts of this project and the other 50+ under way in the Mission were not considered.



The Planning Dept's Bryant St Appeal Staff Report affirms that we have exceeded the housing numbers that were studied in the Mission EIR:

“the number of foreseeable dwelling units in the Mission Area Plan may exceed the range of development anticipated by the Eastern Neighborhoods PEIR by approximately 350 dwelling units...”

(2000-2070 Bryant St CPE Appeal Staff Report, p. 12)

This Staff Report goes on to assert that a combination of non-residential and residential totals, along with an estimated translation to a population increase, somehow allows CPEs to still be granted despite not having studied the impacts associated with these projects as required by CEQA.

“the total amount of non-residential space is well below the maximum evaluated in the Eastern Neighborhoods PEIR, as is the overall population increase...”

(2000-2070 Bryant St CPE Appeal Staff Report, p. 12)

Population is not identified in the EN Plan EIR as the central measurement tool for cumulative impact analysis for housing projects.

*Even if* non-residential development as translated to population were considered a valid measure:

1. The San Francisco population forecast used by the EN Plan EIR of 835,000 has already been exceeded more than a decade ahead of schedule.

Geography	April 1, 2010		Population Estimate (as of July 1)					
	Census	Estimates Base	2010	2011	2012	2013	2014	2015
San Benito County, California	55,269	55,269	55,557	56,197	56,885	57,605	58,308	58,792
San Bernardino County, California	2,035,210	2,035,212	2,041,642	2,064,200	2,079,526	2,091,599	2,110,386	2,128,133
San Diego County, California	3,095,313	3,095,308	3,104,386	3,142,256	3,184,358	3,223,645	3,265,700	3,299,521
San Francisco County, California	805,235	805,195	805,813	816,231	829,517	840,715	852,537	864,816
San Joaquin County, California	685,306	685,308	687,442	695,432	701,464	704,654	715,114	726,106
San Luis Obispo County, California	269,637	269,593	269,905	271,208	274,552	276,308	279,116	281,401

2. The EN Plan EIR’s office space population estimate being used is off by nearly 100% and hides daytime population density in the Eastern Neighborhoods.

- 2008 EN Plan EIR Planning Dept office density estimate: 1 employee per 300 sf
- 2017 office density forecast from CoreNet Global: 1 employee per 151 sf

In summary, CPE's can no longer be granted for Bryant St and similar projects because the underlying EIR doesn't support these individual exemptions:

1. Production of foreseeable housing units in the Mission has already been exceeded by nearly 400 units and the impacts of these housing units were not studied by the underlying EN Plan EIR.
2. Population is not identified in the EN Plan EIR as the central measurement tool for cumulative impact analysis on housing projects.
3. The EN Plan EIR population forecast for San Francisco for 2025 had already been exceeded by 2015.
4. Office population is nearly 100% more dense than anticipated in the EN Plan EIR.

The Bryant St CPE Checklist affirms that a project's specific contribution to cumulative impacts must be considered when granting a CPE.

“The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR.”

(Source: 2000-2070 Bryant St CPE Checklist)

This also confirms that the Board of Supervisors is the appropriate body to rule on the matter of an Exemption from the requirements of CEQA.

# The Board of Supervisors has jurisdiction

- Claims by Planning Department staff that the Board of Supervisors does not have jurisdiction are incorrect.
- The SF Planning Code on CEQA appeals is clear:

## ■ SEC. 31.16. APPEAL OF CERTAIN CEQA DECISIONS.

(a) **Decisions Subject to Appeal.** In accordance with the provisions set forth in this Section 31.16, the following CEQA decisions may be appealed to the Board of Supervisors (the "Board"): (1) certification of a final EIR by the Planning Commission; (2) adoption of a negative declaration by the first decision-making body; and (3) determination by the Planning Department or any other authorized City department that a project is exempt from CEQA.



# Housing numbers are not the only problem

- PDR loss is currently happening at a pace of 186% forecast and is nearing its maximum levels in “foreseeable projects” in the Urban Mixed Use zone (“UMU”).
- Additionally, there are a considerable number of illegally occupied buildings in the Production, Distribution, and Repair Zones (“PDR”).
- How much PDR loss has really happened in the EN Plan is unclear, and calls into question the reliability of the EN Plan’s EIR to assess PDR loss and its impacts.

EASTERN NEIGHBORHOODS PDR LOSS, PLANNING DATA, April 5, 2016

	<b>Anticipated PDR Conversion 2009-2034 (based on adopted Plan)</b>	Occurred Conversion (from Projects Completed and Under Construction, 2009-2015)	Impending Conversion (from Entitled Projects, 2009-2015)	<i>Sum of Occurred and Expected Conversion</i>	Proposed Conversion (from Projects Seeking Entitlement, 2009-2015)	<i>Sum of Occurred, Expected, and Proposed Conversion</i>	Percentage of 25-year pace
Eastern Neighborhoods	<b>-3,511,000</b>	(1,084,000)	(410,000)	<i>-1,494,000</i>	-547,000	<i>(2,041,000)</i>	178%
<i>Plan Areas</i>							
- Central Waterfront	<b>(413,000)</b>	(259,000)	(41,000)	<i>(300,000)</i>	299,000	<i>(1,000)</i>	
- East SoMa	<b>-1,075,000</b>	(264,000)	(321,000)	<i>(585,000)</i>	-234,000	<i>(819,000)</i>	
- Mission	<b>(915,000)</b>	(155,000)	(32,000)	<i>(187,000)</i>	-359,000	<i>(546,000)</i>	186%
- Showplace Square/Potrero	<b>-1,109,000</b>	(406,000)	(16,000)	<i>(422,000)</i>	-254,000	<i>(676,000)</i>	

This Community Plan Exemption appeal must be upheld:

1. The cumulative impacts of this housing project cannot be analyzed because the measures for housing growth and their impacts in the EN Plan EIR have been overrun.
2. Non-residential building and “translation” to population estimates are not reliable measures for accurately assessing dwelling units.
3. The Board of Supervisors is the appropriate body to rule on the appeal of the CEQA determination.
4. Your affirmative action on this appeal is critical for the protection of the Mission’s most vulnerable residents.

# Bryant St CU Appeal

2000-2070 Bryant St

We ask you to uphold the appeal of the Planning Commission's decision to approve a Conditional Use Authorization for this Bryant St project.

This project is not “necessary and desirable”:

This project will displace countless neighborhood-serving businesses including:

- Inner Mission/CELLspace, a longstanding Mission cultural institution
- Tortilla Flats Café, the last of the many family run local restaurants on that site for over 30 years
- SF Auto Repair, a small business in that same location over 30 years
- A.C.T. scene and prop shop, 25+ years providing good union jobs
- A music studio and a landscaping business

This project will result in additional indirect displacement.

- The influx of wealthier residents that will accompany this project will create pressure on lower-income residents and mom n' pop businesses in the immediate vicinity.
- Policies are needed to accompany such projects that will limit their direct and indirect displacement effects in communities such as the Mission.

# Design and affordable unit count concerns

- There remain concerns that the “up to 136” units of affordable housing that are the centerpiece of the community benefit in this project may not be achievable.
- Some of these units appear to be calculated at under the TCAC minimum sizes and may need to be increased to meet the standard.
- The mid-block alley is only 25 ft wide and surrounded by 8 and 6-story buildings, raising concerns about light and whether “stepping back” the affordable housing building design may be required when it is eventually designed, resulting in a further loss of affordable units.

## The Beauty on Bryant was the “community alternative”

- The developer continues to claim that he has met the requests of the “community building alternative” presented by Mission housing advocates. This is incorrect.
- The only plan put forward by Mission housing advocates for this project was the Beauty on Bryant plan, which called for 50% affordable housing between the two sites, 100% PDR replacement, and 100% union build.

The Mission needs Safe Development Policies before these large projects are allowed to go forward:

- Socioeconomic analysis attached to policies that protect the culture of the Mission and its most vulnerable community members.
- Mitigating policies to eliminate the significant impacts of projects such as Bryant St and end displacement and other impacts associated with them.
- A significant and ongoing financial investment in affordable housing for the next 5 years.
- Consideration and mitigation of the cumulative impacts of development in our micro-neighborhoods.



## **Carroll, John (BOS)**

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**From:** Board of Supervisors, (BOS)  
**Sent:** Tuesday, September 13, 2016 12:53 PM  
**To:** BOS Legislation, (BOS)  
**Subject:** FW: Public Comment Letter for Items 26-33 Sept13 BOS hearing regarding 2000-2070 Bryant st. and Arts Displacement  
**Attachments:** BOS\_Letter2000-2070Bryant.pdf

**Categories:** 160780, 160773, 160774, 160775, 160776, 160777, 160778, 160779

**From:** Skot Kuiper [mailto:videoamp@gmail.com]

**Sent:** Tuesday, September 13, 2016 11:35 AM

**To:** Lee, Mayor (MYR) <mayoredwinlee@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Summers, Ashley (BOS) <ashley.summers@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Choy, Jarlene (BOS) <jarlene.choy@sfgov.org>; Mar, Eric (BOS) <eric.mar@sfgov.org>; Farrell, Mark (BOS) <mark.farrell@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Wiener, Scott <scott.wiener@sfgov.org>; Campos, David (BOS) <david.campos@sfgov.org>; Chung Hagen, Sheila (BOS) <sheila.chung.hagen@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Avalos, John (BOS) <john.avalos@sfgov.org>; Pagoulatos, Nickolas (BOS) <nickolas.pagoulatos@sfgov.org>; Ang, April (BOS) <april.ang@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Pollock, Jeremy (BOS) <jeremy.pollock@sfgov.org>; Kane, Jocelyn (ADM) <jocelyn.kane@sfgov.org>; DeCaigny, Tom (ART) <tom.decaigny@sfgov.org>; Patterson, Kate (ART) <kate.patterson@sfgov.org>; John Elberling <johne@todco.org>; Tony Kelly <tonykelly@astound.net>; Rick <rclistad@gmail.com>; Papadooloo . <papadooloo@gmail.com>; Spike Kahn <spikekahn@gmail.com>; Jonathan Youtt <jyoutt@gmail.com>; Kate Sofis <kate@sfmade.org>; Sharon Steuer <ssteuer@mac.com>; Skot Kuiper <videoamp@gmail.com>

**Subject:** Public Comment Letter for Items 26-33 Sept13 BOS hearing regarding 2000-2070 Bryant st. and Arts Displacement

Public Comment Letter for items 26-33 at Sept 13-14 Board of Supervisors Hearing

Dear Supervisors:

Thank you for hearing concerns over the development planned for the NEMIZ block of 2000-2070 Bryant St by Nick Podell Company and JP Morgan's Junius Real Estate Partners known collectively as "The Beast on Bryant".

I am addressing you as a co-founder of the internationally recognized non-profit community arts and education center known as CELLspace, which operated at the 2050 Bryant St location starting in 1996 until transitioning to InnerMission in 2012. This vibrant community facility now sits empty and blighted because of the actions of the developers.

I served as the arts representative for the WSoMa citizens planning task force and was active during the Eastern Neighborhoods rezoning process which effects this parcel in the Urban Mixed Use area. I am currently abroad helping celebrate the city sponsored Berlin Art Week and regret I am not able to testify to you in person today.

-This project is a neighborhood game changer that deserves it's own EIR to be issued. Concerns were expressed to the planning department over 2 years ago contesting the blanket EIR at this site and are finally being addressed as I'm hoping you've heard in testimony today. We have already surpassed the number of units in the pipeline planned to be built under the old blanket EIR by over 400 so I believe the law requires a stand alone EIR be conducted before this large project site is authorized.

-This project is currently in egregious violation of the arts and community facilities component of the San Francisco General Plan.

[http://www.sf-planning.org/ftp/General\\_Plan/I9\\_Arts.htm](http://www.sf-planning.org/ftp/General_Plan/I9_Arts.htm)

We know time and again the arts plan is ignored in favor of development displacement of our precious dwindling facilities. This project is special and at some point we have to demand you, the supervisors and leaders of our city, step up and do your elected or hired duty to uphold the common interests and laws of San Francisco regarding cultural preservation.

This facility has served to host many of your community meetings, fundraisers and outreach activities and has been enjoyed by several members of the board and 100,000's of thousands of citizens over it's run. It's pictures are on the front pages of the Mission District Eastern Neighborhoods plan demonstrating community diversity and facilities. CELLspace / InnerMission represented one of the largest independent non-profit community run organizations in SF and served as an example for countless other spaces to organize and grow over the decades of it's existence. Hundreds of thousands in city and grant funding has been poured into infrastructure to meet code compliance over the years and millions of hours of combined volunteer labor and personal investment that is now lost.

The current development plan does not address the loss of arts space and resources at the project site. The PDR replacement proposed is a small fraction and half the height of the previous structures and with no affordable pricing guarantee or obligation of use in a developer agreement accomplishes nothing to replace the 50,000sqft + we are losing in a viable way.

There is no plan to:

Replace the 5+member affordable group housing that served as caretakers of the facility

Replace the 10,000sqft of permitted community arts education and entertainment space

Replace the workspaces of 20+ visual artists and trade workshops housed within.

And this is just speaking on behalf of 2050 Bryant st. whose previous pricing was set at about .60 cents /sqft.

When you address the 20,000 sqft of American Conservatory Theaters workshop, 10,000sqft of the Production Specialties machine shop, the community auto repair yard, the independent video production houses,

## **Carroll, John (BOS)**

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**From:** Board of Supervisors, (BOS)  
**Sent:** Tuesday, September 13, 2016 10:07 AM  
**To:** BOS-Supervisors; BOS Legislation, (BOS)  
**Subject:** SF Scoops Reporting on File 160773 - 160780

**Categories:** 160780, 160773, 160774, 160775, 160776, 160777, 160778, 160779

**From:** SF Scoops [mailto:sfscoops@yahoo.com]

**Sent:** Tuesday, September 13, 2016 9:37 AM

**To:** sfscoops@yahoo.com

**Subject:** CITY POLITICS: Will conflict of interest and campaign \$\$\$ sink the "Beast on Bryant" before today's vote?

## **WILL CONFLICT OF INTEREST AND CAMPAIGN CASH SINK THE CONTROVERSIAL "BEAST ON BRYANT" BEFORE TODAY'S VOTE?**

Reports of a San Francisco Ethics Commission investigation into the role of a lobbyist and his wife, as well as campaign contributions to a City Hall staffer seeking elected office, have raised questions about a controversial Mission District development project that opponents have dubbed "the Beast on Bryant."

Developer Nick Podell's proposal to build 300 units of housing at 2000 Bryant Street comes before the Board of Supervisors for final approvals this afternoon amid growing concerns and apparently a formal investigation about whether Podell's lobbyist Boe Hayward received help from Hayward's wife, who works in the Mayor's Office of Housing and Community Development, in securing a feasibility memo and initial approval for the project. City ethics rules prohibit public employees from influencing or even engaging in city decisions in cases of conflict of interest, such as the involvement of one's spouse, or when one or one's family stands to gain financially from a city decision.

Hayward's lobbying firm Lighthouse Public Affairs also raised more than \$3,000 for Board of Supervisors candidate Hillary Ronen, whose boss Supervisor David Campos will vote on the project later today, through donations from Lighthouse employees and clients including real estate developers.

While working as a City Hall legislative aide, Ronen allegedly had contacts with Hayward that went unreported to the Ethics Commission, as required by City law, at the same time that Ronen made favorable statements regarding the project to several news outlets as a candidate to replace Campos in the November election. It is illegal to receive financial gifts in connection with the performance of one's duties as a city employee, and lobbyist donations to city employees running for office may be banned by the voters this November under Proposition T.

The "Beast on Bryant" project is supported by pro-housing organizations and opposed by Mission affordability activists and labor unions. Sources in the City Attorney's office say that today's vote may end up being postponed pending the results of the Ethics Department's investigation and potential finding of wrongdoing.

###

designers shops, affordable family run eatery and housing that made up the rest of the block it's really quite staggering.

-As this project is now backed by the mayor's office I would imagine it's politically moving forward and this office should harness some responsibility for the displacement.

On behalf of the arts community and former CELLspace operators here is our ask.

Reinstate the \$1 million dollar relocation and new facilities agreement that Nick Podell and Junius REP obligated in negotiations with InnerMission and the community. As InnerMission was forced out of San Francisco to Alameda, this fund should be put in trust to Grants for the Arts until the new facility and management group is identified.

<http://sf.curbed.com/2015/6/18/9948758/developer-commits-to-funding-a-new-home-for-the-mission-arts-space>

-As this project is now partnered with the mayors office, we call on the BOS and Mayors Office to direct the Department of Real Estate to provide a dormant city owned property to serve as this new community center with the above \$1Million funds provided by Nick Podell and Junius REP to provide the seed money for renovations and operations.

An ideal location is the long dormant now fire damaged and blighted Police Station at 2300 3<sup>rd</sup> st. in District 10. The surrounding neighborhood is already in favor of a community facility at this site and there may be matching funds available from the community benefits portion of the Warriors Arena plan. This is one potential site but there are many which have long awaiting activation plans in the cities inventory.

-The Entertainment Permit, which the city eventually required CELLspace to acquire, cost several hundred thousand in building improvements and years of labor, almost killing the organization. Not for a nightclub, but a community serving arts based facility. We would like special attention for the transfer of this permit to a new location or several locations collectively adding up to the 10,000 sqft of the former facility. You know how difficult it is to even find a location allowing a full permit so we request a special allowance from planning and the entertainment commission to not lose this resource but instead reallocate it to otherwise challenged community serving arts organizations and locations.

It was difficult to hear the developers lie to the community and to the planning department about their reasons for pulling the facility relocation offer. Please don't let them pull one over on you today as well.

I can be reached via email if you have any questions comments or concerns about the arts component as you progress into final hearings for this development.

Thank you for your time-

Skot Kuiper- SF Arts Advocate

