

PARKMERCED ACTION COALITION

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September 28, 2015

Dear Board of Supervisors,

Please accept this record of PmAC's initial evaluation of the Tentative Map information to provide you with some semblance of the magnitude of the issues before you. We look forward to presenting tomorrow at 3:00pm under the Special Order Calendar on the Agenda for September 29, 2015, Item 45. 150854. Please note that Diane Carpio will be presenting on behalf of PmAC.

**INTRODUCTION:**

Given this appeal is for three maps for five proposed blocks with twelve lots, we respectfully request that this Board provide appellant ten minutes per project (30 minutes) to present their findings thus far, as well as three minutes per project to rebut (9 minutes).

It is reasonable to provide this given the sheer magnitude of concerns enveloping these Subdivision of Lots and Condominium Maps submissions.

**BACKGROUND:**

An EIR for the Parkmerced Development Agreement ["DA"] was signed on behalf of the people in San Francisco for the Parkmerced project submitted over five years ago on May 11, 2011. This document is curiously absent on the Planning Website when I looked today. (<http://www.sf-planning.org/index.aspx?page=2529>) Though there were some public hearings over five years ago, it is interesting that there have been next to none recently – other than an Information Hearing with the Planning Commission on the design of eight new towers held on August 6, 2015, which also raised concerns (SEE EXHIBIT A, "August 6, 2015 Letter to Planning Commission from Diane Carpio").

Mayor Lee signed the EIR and the Board of Supervisors voted to approve – by a 6 to 5 vote - the Development Agreement on behalf of the residents of the City and County of San Francisco on July 7, 2011, yet the Mayor, District 7 Supervisor, and the BOS has failed to provide a mitigator to this project on behalf of the people. Though we have approached District 7 Supervisor Norman Yee on multiple occasions to request his assistance in putting into place at least one full time mitigator to this project, our efforts have been largely ignored since 2013. (SEE Attachment to EXHIBIT A, "October 7, 2013 Revised Agenda for Sup. Yee meeting")

Over a year later, on December 9, 2014, Diane Carpio followed up with Supervisor Yee's office and the Mayor's office, requesting current and historical information from both the Mayor's Office and District 7 Supervisor's office. This Sunshine request yielded zero response from the Mayor's office and bare minimum information – mainly relating to the detriment of the environment at Parkmerced in recent years. Mr. Mormino stated, "Please note that Supervisor Yee was not in office until January 8<sup>th</sup> 2013 and therefore we have no records

preceding this date, [sic]" (SEE EXHIBIT B, "October 8, 2013 through December 10, 2014 communication with Supervisor Yee's Office").

On January 28, 2015 Parkmerced Action Coalition (PmAC) sent a letter to the Mayor's Office Of Housing and City Administrator requesting the City and County of San Francisco's ["CCSF"] position relating to several issues tied to the DA and current "ownership" of the property (SEE EXHIBIT C, January 28, 2015 through February 18, 2015 communication with CCSF") On February 18, 2015, PmAC received a response, however, it was deficient and did not fully provide any reasonable answers.

On February 19, 2015, PmAC sent another letter with more specific questions in an attempt to understand the impacts of the progression of this DA on tenants who live in Parkmerced. (SEE EXHIBIT D, "February 19, 2015 to March 31, 2015 communication with CCSF") The Office of Workforce and Development responded over a month later, on March 31, 2015 attaching a section of the DA, a Draft Assignment and Assumption, the Recorded Assignment and Assumption, our letter and their 3/31/15 letter. Their response failed to address all of the concerns raised in our January 28, 2015 and February 19, 2015 letters.

In April 2015 a Parkmerced Newsletter called "Pulse 'April 2015'" was mailed to residents. This newsletter presents Phase 1, with specifics on Subphase A & B noting eight new structures (from 4 stories to 14 stories tall) and referencing them as "Apartment Homes".

- 1) There is no mention of construction of condominiums that will be for sale, nor any mention of plans to subdivide the property. It should be noted here that 800 Summit and the deforestation of Brotherhood Way were original parcels of the "Parkmerced" property. How 800 Summit was allowed to move forward in violation of Government Subdivision Codes is also at issue. At this time, condominium construction regulations have not been researched, but is something the City should ensure compliance with prior to any approval of any tentative maps or any permits.
- 2) Though there is mention of a Planning Commission hearing on the Designs of the new buildings, there was no date, time, place noted. It was simply listed under "Summer 2015".
- 3) Per our request, where we were assured by the Department of Planning, instructions for becoming a "Recognized Resident Organization" was included in the newsletter. It also notes that the current Residents' Organization is "Parkmerced Residents Organization" – an organization that has been inactive on tenant concerns since 2012 and the death of it's president, Robert Pender. PmAC has notified the Planning Department and Parkmerced Management that we would like to be listed as a recognized resident organization, however, Mr. Polacci has requested information that we feel is unreasonable.
- 4) Finally, Parkmerced touts that they have held over 500 meetings with residents, neighbors, and other stakeholders since 2006.

On May 11, 2015 Parkmerced held a meeting at 777 Brotherhood Way. It is unknown how many residents attended or what the fire code at the meeting place was.

On August 6, 2015 the Planning Commission held an information hearing on the Design of the eight new towers ranging from 5 stories to 14 stories.

In September 2015, residents of Parkmerced received the "Pulse Resident Newsletter 'Fall 2015'" noting "APPROVALS TO DATE";

- 1) 2011: Project Entitlement and Development Agreement;
- 2) May 2015: Development Phase 1;
- 3) August 2015: Tentative Maps for Subphase 1A & 1B.

On August 26, 2015, PmAC members received a letter dated August 24, 2015 from the Department of Public Works ["DPW"] (SEE EXHIBIT E, "DPW 8/24/15 Notice") notifying tenants that the City and County Surveyor has "approved" a tentative map for proposed subdivision located within Parkmerced, listing:

- 1) three projects,
- 2) hundreds of addresses, and
- 3) fifty-nine block/lots.

The notice also states the subdivision will result in "Lot & Condominium Subdivision" and states "If you would like to file an appeal of the *"tentative approval"*: You must do so in writing with the Clerk of the Board of Supervisors within ten (10) days of the date of this letter along with a check in the amount of \$298.00 payable to the SF Public Works." There was also a signature "for Bruce Storrs" that was illegible.

This letter – to a layman – lends confusion as to:

- a) the approval of the tentative maps (tentative is not an option per the DPW Subdivision regulations",
- b) the impact on residents – as no map was included to visually identify block/lot,
- c) What was approved – condominiums or subdivisions,
- d) The appeal process and costs, and
- e) Who sent the notice.

Furthermore, there was no map identifying the locations of the proposed subdivisions provided with the notice, leaving residents clueless as to whether they would be directly impacted or not.

As such, on August 28, 2015, PmAC called the number provided and requested the maps that the notice referred to.

On August 31, 2015, PmAC received an email from Steven Leibof containing three links (SEE Exhibit F, "email from City with links to tentative maps"). After entering the link, signing into the registering system, and printing the maps (SEE EXHIBIT G, "Tentative Final Maps"), we reviewed the maps and compared them to the 8/24/15 Notice.

Upon first inspection of the documents from the links provided, we found the following items that warrant clarification:

- 1) It is probable that there are two typos in the 8/24/15 Notice as they relate to block/lot reference (highlighted in Exhibit E), specifically block/lot (a) 7235-001 should be 7325-001; and (b) 7333C-001 is duplicated;
- 2) The Map Titles – "Tentative Final Maps" – are not found anywhere in DPW's Subdivision Regulations WO 183,447 (SEE EXHIBIT H, DPW WO 183,447") or Government Codes and must be clarified;
- 3) Finally, there were blocks/lots on the notice that were not part of the tentative maps that were approved. The three "Tentative Final Maps" received only list twelve (12) blocks/lots. Presuming the duplication error on one block/lot – and not a typo, this notice seems to represent that all fifty-eight (58) blocks/lots have been approved for Lot & Condominium subdivision.

On September 3, 2015, PmAC filed an Appeal of the Approval of the maps (SEE EXHIBIT I, "9/3/15 PmAC Appeal") which sites six basis for appeal (1. Violation of Right of Due Process; 2. Inconsistency between Notice and Maps; 3. Inadequacy of documentation for subdivision approvals; 4. Lack of notice of the status of mitigation measures/timelines; 5. Questions about Project Ownership; and, 6. Tax liability status.

Based on the responses from the CCSF thus far, it is apparent that all leg work to confirm the accuracy and legality of these items will unjustly be held to individuals and non-profit groups using their own time and

resources without CCSF cooperation or a designated mitigator for the residents in an impossible timeframe – yet another unfair advantage to the project sponsors.

These discrepancies found in our initial review prompted the request for more information. On September 13, 2015 – Sunday – PmAC requested documents from the Director of DPW/Planning/Mapping (SEE EXHIBIT J, “9/13/15 TIME SENSITIVE Appeal info request”) based on an initial read of the DPW WO 183,447.

On Monday, September 14, 2015, PmAC received a response from Steven Leibof confirming our records request and referring us to Frank Lee, Executive Assistant to the Director and Custodian of Records for the Department of Public Works (SEE EXHIBIT K, “9/14/15 email from DPW re: confirmation of information request”)

That same day, PmAC forwarded the request to Frank Lee to ensure receipt. On September 15, 2015, Mr. Lee responded to (a) item 3 of 10 with an attached copy of DPW WO 183,946, entitled “Directors Conditional Approval of Tentative Maps No. 8530, 8531, & 8532 For Parkmerced” electronically signed by Bruce R. Storrs and Mohammed Nuru on 8/21/15; and (b) to item #9 – which he states “We do not have any responsive records to this item because no Final Map Checkprint has been submitted”... (SEE EXHIBIT L, “September 13, 2015 through September 18, 2015 communication with Frank Lee” and “Attachment, DPW WO 183,946”). He also assigned a record request number to our request, #15-436.

On Friday, September 18, 2015 at 4:06pm Mr. Lee emailed PmAC, notifying us that:

- 1) He completed the research;
- 2) The information was too much to email and it was available for our pick up between 9:00am and 4:30pm at City Hall or that DPW could mail it to us;
- 3) Items 2, 7, 8, and 10 were not available “because the Final Map Checkprints have not been submitted and “do not presently exist”.

On Monday, September 21, 2015, PmAC arranged for the pick up of the CD that was referenced in Mr. Lee’s September 18, 2015 email. This CD contained 56 electronic pdf files. (SEE EXHIBIT M, “9/21/15 Electronic Files Received from DPW”).

On September 14, 2015, we were notified of a Letter that was submitted to the Board from “Parkmerced Owner, LLC”’s attorney, Jim Abrams. (SEE EXHIBIT N, “9/14/15 Letter from Parkmerced”). This letter alleges PmAC’s appeal is without merit. Mr. Abrams states:

- 1) DPW Met and Exceeded all Due Process Requirements
  - a) “The San Francisco Subdivision Code requires that such written notice be sent only to property owners within the 300’ feet of the to-be-subdivided property.” ... “By sending notice of the approval to all residents of Parkmerced, DPW surpassed all applicable noticing requirements.”;
  - b) “Second, DPW surpassed the applicable notice requirements by sending written notice to all residents within 300 feet of the 152 acre Project Site.”; and,
  - c) “...no public hearing is required (or is typically conducted by DPW)”
- 2) The Notice Contains the Correct Property Description
  - a. “... the notice contains all of the APNs composing the overall project.”...“the APNs shown on the Tentative Subdivision Maps are therefore a subset of those shown on the notice.”; and,
  - b. “DPW could have theoretically and legally issued this notice with only the APNs related to the first phase of the Project.”
- 3) DPW Correctly did not Attach all Application Material to the Notice of Approval: Including all Application Materials in Public Notices is Neither Customary nor Legally Required
  - a. “Mr. Flashman objects that certain supporting materials (such as the list of notified persons and a list of community benefits) were not provided with the notice of approval.”;

- b. "The notice issued by DPW is consistent with DPW's practices, except that, as discussed above, it was sent to far more households than required by law."
- 4) All Actions Necessary to Approve the Tentative Subdivision Maps Have Occurred
  - a. "None of the actions listed by Mr. Flashman must occur prior to DPW approving the Tentative Subdivision Maps. Most importantly, most of the actions (such as installing new fire safety lines and water pipes) are not legally permitted to occur until after the Tentative Subdivision Maps (and other associated permits, such as Street Improvement Permits) have been approved.";
  - b. "DPW approved the Tentative Subdivision Maps with nearly three-hundred (300) detailed conditions of approval, all of which must be satisfied prior to construction of the Project."
- 5) The Owner of the Property is Currently Parkmerced Owner, LLC
  - a. "Like most real property in San Francisco, the ownership of Parkmerced has changed from time to time.";
  - b. "The Project site is currently owned by the project sponsor, Parkmerced Owner, LLC.";
  - c. "The Development Agreement required that written notice be provided to the City concurrent with any transfer of the Project Site."We acknowledge that DPW issued the Tentative Subdivision Maps with a typographical error – the owner should be "Parkmerced Owner, LLC" rather than "Parkmerced Owners, LLC.";
- 6) No taxes are unpaid
  - a. "Mr. Flashman indicates that certain taxes are past due for APN 7236/001. This parcel is not part of the Project Site -..."

On September 21, 2015, a letter to the Board of Supervisors from DPW was submitted, digitally signed by Paul Mabry, for Bruce R. Storrs (SEE EXHIBIT O, "9/21/15 Letter to BOS from DPW"). This letter provided a red line map entitled "Parkmerced Areas subject to Tentative Map Approvals". The map represents two parcels to be subdivided, noting three (3) maps, with four blocks. This is inconsistent with the individual maps provided on September 21, 2015. In his letter, Mr. Mabry states:

- a) "Public Works has reviewed the response by the Project Sponsor on September 14, 2015, and agrees with and supports this response in all respects, including but not limited to public noticing, property ownership, and satisfaction of public infrastructure requirements.";
- b) "The project approvals are consistent with the process the Department uses in other tentative map reviews.";
- c) "The map approvals consist of ....conditions that the project sponsor must meet prior to recording future final maps or obtaining other project approvals."
- d) "Many of the issues that appellant raises relate to the satisfaction of the tentative map conditions, which are not required prior to tentative map approval, but rather before future final map approval.; and,
- e) "The Department also does not recommend that a continuance be granted for the hearing presently scheduled for September 29, 2015. Public Works timely notified the appellant on Friday, September 18, 2015 that the approximately 250mb of project information he requested was available for pick up during regular business hours, Monday through Friday, at City Hall, Room 348. With the provided information, the appellant has had adequate time to review the project history and respond."

After review of items provided and given the responses of the project sponsor and Mr. Mabry, more questions have been raised than answered. We will continue to work full speed on a presentation to articulate our concerns should the BOS decide not to continue the hearing.

More recently, Department of Public Works has revised San Francisco's Subdivision Regulations, Work Order 183,447 signed on March 24, 2015 (SEE EXHIBIT H, "DPW 3/24/15 Subdivision Regulations"). These regulations essentially provide sole discretion to the Director of the Department of Public Works on whether to hold public hearings or not, as well as many other potentially dangerous exceptions to regulated process. This poses many conflicts of interest, as (1) this position is appointed by the Mayor; (2) there is no checks and balances for approval/denial; (3) the Director is not required to document in writing why they decide not to gain public input or make an exception to a process or deadline; (4) there is no way to know if the Director, the Mayor, or their relatives hold a vested interest in any project that receives preferential treatment under these rules and the Director's sole discretion authority; and, (5) it is not clear that this Work Order is subject to review and approval by any governing body prior to implementation.

#### **THE BASIS FOR THIS APPEAL:**

##### **A) Violation of due process:**

The City and County of San Francisco policies are pretty clear for single Block/Lot properties. Common sense says applying these rules when large projects are processed is inadequate and presents an unfair advantage to the project sponsor. For a project involving over 57 blocks and lots is near criminal. This violates public trust and confidence, in addition to not meeting the standards of civic and fiducial duties that these public offices hold and has impacts on San Francisco as a whole, as well as the surrounding communities (Daly City) and neighborhoods (Lake Merced, Ingleside, West Side).

In the case herein, we see the City and County Surveyor puts forth the same lame reason for not holding a public hearing as the Planning Department used to excuse not putting forth an annual report because it was not "required" when he exercising the term "may" file an annual report in the DA, DPW is relying on the phrase that the Director/Surveyor "may" hold a public hearing to justify that a public hearing is not required. Thwarting public input from those people who will be directly impacted is unjust and a failure of any good faith effort to represent the citizens of this City and County. Providing a 10 day notice with minimum information at a cost of \$298 (presumably per person/appeal) for three projects was the only venue a person who lives in the "general" area of what is left of the Parkmerced property is, frankly beyond inadequate.

It is interesting that the Director/Surveyor did not feel that a public hearing was necessary to pro-actively address potential concerns with subdivision and condo construction in Parkmerced. Input by the community that actually live in an impacted area are essentially ignored when they have the most knowledge of the history of the place. It should be noted that per the list of those noticed, the Brotherhood Way community, the new 800 Summit condominiums – which are not yet recognized in the Tax Assessor Parcel look up (SEE EXHIBIT P, "800 Summit recorded info") – and whose pile driving impacted several residents in the newly defined Parkmerced property whose ceilings fell, the "Parkmerced" residents who reside in the apartments allegedly owned by the State of California – who have not been noticed by State, The Lake Merced community, Interstate 280, and Daly City local government do not appear to have been noticed, therefore, not remain uninformed.

It is also interesting to note that Mr. Mabry felt that four days was adequate for a layman to review the 56 pdf files, as well as review hundreds of pages of subdivision codes.

Granted, there is a LOT going on in San Francisco over the last few years, and inadvertent or by design, this discretion provided to the Directors of the agencies approving these projects to inform the public of updates on a project as large as Parkmerced warrants a mandate to DPW, Planning, and DBI to hold public hearings more

often. Conflict of interest must be investigated if public hearings are waived and not held prior to approval and mandates a closer look from the BOS on an ordinance to prevent this blatant violation of public trust.

The Project Sponsors letter dated September 14, 2005 is misleading and does not respond to the concerns raised in our appeal. Specifically it states that the "Project Sponsor has "exceeded" the noticing requirements by sending all Parkmerced Residents a notice." This is actually a mandate of California Government Code for rental residential properties.

As the Director opted not to hold a public hearing, this notice created panic, uncertainty, stress, and fear amongst some of the residents and business owners. In turn, this added burden to City departments, employees, and resources and has now created additional cost through this appeal hearing. It would have been more economical and straight forward had a hearing been held for the purpose of noticing the public on these plans and is a waste of taxpayer funds.

Finally, submitting one notice with a ten calendar date from the date of a mailed letter with zero maps on three large project, when the City has 10 business days to respond to any information request is a bad faith effort to skirt public input.

This approval must be denied, re-noticed with appropriate time to respond – at minimum – 30 days (10 days per project).

#### **B) INCONSISTENCY BETWEEN MAPS AND NOTICE**

In the case herein, PmAC requested the maps associated with the notice upon receipt of the August 24, 2015 notice. On Monday, August 31, 2015 (7 days into the 10 day appeal period) the City responded with links to a website that required a person to sign in in order to access the maps. This raises another concern, as these maps were not available on the Project's website and readily available to the public.

These maps raised several more concerns in that they were all labeled "Tentative Final Maps" – which upon research of both local and California Code – was not a term that matched a given process for an application for submission of a map. There were the following types of maps – each with specific conditions to be met before moving to the next stage: Tentative Map, Vesting Map, Final Map, Transfer Map.

Given the time we had to research, there may be a Map category that we inadvertently missed, however the title on these maps provided by the City must be clarified and resubmitted prior to renoticing. Any inference on these Maps to indicate they are "Final" can be used to circumvent the "Tentative" and "Vesting" stages of the subdivision process.

It is also interesting to note the title of the maps "Tentative Final Map" in conjunction with Frank Lee of DPW who claims the Final Checklist Map and application does not exist, when the CD provided on 9/21/15 has just that. Mr. Mabry's reference to "future final maps" in his 9/21/15 letter to the BOS from DPW is also curious and warrants his testimony under penalty of perjury at this hearing.

Mr. Abrams representation in his 9/14/15 letter to this Board is also willfully misleading and warrants clarification. He infers that Mr. Flashman wanted DPW to submit entire applications with these projects, when in our appeal, we simply wanted Maps to be mailed with the notice, as renters (as Mr. Abrams points out there are over 3,000) are not intimately familiar with their Block and lot numbers and the addresses in Parkmerced are such that the construction on one Street could technically be next door to an address with a different street. Not mailing the associated maps is yet another unfair advantage and attempt to skirt public input.

Another item that adds convulsion to the Noticing process is the Notice states the purpose of the Subdivision is for Condominiums. Though the applications submitted seem to note that the condos will be constructed, the

addresses for most Parkmerced residents (townhomes) are listed in the Department of Building Inspection as individual residential units. Certificates of Occupancy are not listed, and it is not clear when the last certificate was issued or if these have ever been issued. It seems that it may be an initial way to skirt rules relating to condo-conversion versus construction.

Additionally, there are 57 blocks/lots listed when only 12 blocks/lot are tied to the three maps provided. It is not clear if this notice is intended to be used in future years as the development moves into future phases? The explanation that DPW mandated Project Sponsor to list all Blocks/lots pertaining to the project, however some of the blocks/lots in the deed tied to the development agreement are not listed.

We have reconciled the blocks/lots to Deed referenced in the DA to the notice to the maps and this is attached for your review. (SEE ATTACHMENT 1)

To add further confusion, the CD we picked up from the City on 9/21/15 contained – amongst other things – (a) Final Checklist Map applications and letters dated January 29, 2015 for the three projects; and (b) red-line notice Maps.

Finally, on page 2 of Mr. Mabry's letter to the BOS, there is a red line map showing two areas for subdivision – not three. This raises a question on whether the submission of three maps to skirt notice and processes for subdivisions over 5 acres are at issue. We have reconciled the acreage per Project, and feel this warrants additional review. (SEE ATTACHMENT 2)

It is also curious that Project Sponsor was allowed to submit three maps when there is one Project Sponsor and one address tied to this development.

In light of these issues, DPW and Project Sponsor must (1) clearly mark the maps to match the subdivision stage they are in; (2) clearly mark the project associated with each map; (3) apply under one application; and, (4) renotice or hold a public meeting.

The BOS must deny these approvals of DPW on these maps.

#### **C) INADEQUACY OF DOCUMENTATION FOR SUBDIVISION APPROVALS**

On Monday, September 21, 2015 we picked up a CD from City Hall and this contained, among other things, a pdf file of DPW Work Order 183,946. This file is 36 pages of conditions of approval, however we have not had any time to review this document to the EIR, agency policies of the various City Departments, or analyze missing requirements.

This was not posted on the Project website or provided in our initial request for information – which was via telephone. This was not provided until we specifically requested it after filing the appeal on September 3, 2015, and after reviewing the regulations associated with subdivisions for the first time. Should this Board mandate corrections to the Maps, applications, and renoticing, we will have some time to review this, and thus request the right to reserve this issue.

#### **D) CLARIFICATION OF ACTIONS NEEDED TO MITIGATE THE SUBDIVISION AND COMMUNITY BENEFITS**

On Monday, September 21, 2015 we picked up a CD from City Hall and this contained, among other things, a pdf file of DPW Work Order 183,946. This file is 36 pages of conditions of approval, however we have not had any time to review this document to the EIR, agency policies of the various City Departments, or analyze missing requirements.

Again, this was not posted on the Project website or provided in our initial request for information – which was via telephone. This was not provided until we specifically requested it after filing the appeal on September 3,



2015, and after reviewing the regulations associated with subdivisions for the first time. Should this Board mandate corrections to the Maps, applications, and renoticing, we will have some time to review this, and thus request the right to reserve this issue.

We do believe that Community benefits should be in a separate document, however we are not sure at this point, so any input from DPW, Project Sponsor, or this BOS would be appreciated. This item is also requested to be reserved.

#### **E) QUESTIONS ABOUT PROJECT OWNERSHIP**

This issue has been raised on multiple occasions to several City Agencies. It seems that the City would require a clear chain of title prior to entering into the Development Agreement, however after multiple trips to the Assessor Recorder's office, our efforts to understand ownership have not been easy.

It looks like the Project Sponsor provided a Title Search from the First American Title Company. This search does not make reference to the many recordations relating to the grant deeds, leasing rights, buildings and fixtures associated with the blocks/lots that were laid out in the deed recorded in 1970 between Metlife and Serra Towers Corp.

Nor does it reference the three deeds filed on November 10, 2014 between various Maximus LLCs, Parkmerced Investors Properties, LLC, Parkmerced Owners, LLC, or the dissolving of Parkmerced Company in 2005, nor the mortgage backed securities (CD 2006 CD2) which mature in September 2015 and are mortgage backed securities for the Villas at Parkmerced....a company no longer in existence in California.

Finally, various transfers of property to State, Olympic View Realty (aka RCS 800 Summit, LLC), and other land and lease holds must be evaluated. A clear chain of title from inception is prudent and should be made publicly available.

Relying on Project Sponsor's representation that "Like most real property in San Francisco, the ownership of Parkmerced has changed from time to time." And "The Project site is currently owned by the project sponsor, Parkmerced Owner, LLC", or the three Applications, Page 3, signed under penalty of perjury where Seth Mallen declares he is the owner of the property in the application – where his name is on the Deeds recorded in the Assessor Recorder Office lends further questions and warrants confirmation. The last thing San Francisco needs in this time is a Madoff situation or a Riverton Houses exodus.

As such, we respectfully request that this BOS mandate a Clear Chain of Title for all Blocks/Lots for the Original Parkmerced Property. It is fiscally prudent given the amount of resources expended using tax payer dollars over the last nearly 10 years.

The other aspect to the title search is to verify the warranties and conditions that run with the titles.

#### **F) TAX LIABILITY**

It would also be prudent, as the title has changed on multiple occasions since and from 1990, to review the assessments, payments, and exemptions of taxes to the properties at question prior to any further approvals. Though the Preliminary Report from First American Title Company states that the 2015 – 2016 taxes have been paid, there are questions as to the status of payment on prior tax years. Obviously, State and Local ownership of land are not taxed, however it would be interesting to know if State received property in lieu of tax payments, or whether there are any Federal, State, Local leases to the holders of the Buildings/fixtures and taxes on the rental income. Most of the companies identified in the Deeds on these Blocks/lots are Delaware Limited Liability companies – or faceless entities and a prudent look at each Block/lot is a fiducial responsibility.

There have been several Appeals on assessment for this property – applied for – withdrawn – discussed in closed meetings - and this must be reconciled prior to moving forward.

**IN SUMMARY AND PRAYER REQUEST:**

**Should the Board of Supervisors decide not to continue this hearing to provide adequate time to identify all issues with these submissions, the following must be made into a motion and or resolution to this appeal:**

- 1) This Board Of Supervisors must deny the approval of all three Tentative Maps; Tentative Final Maps; any maps produced by Project Sponsor which are before them. There is no active Recognized Resident Organization as PRO has not been active for tenants since 2012, when the President passed away. There is no clear chain of title on the property in question. There is no comprehensive report on the tax status of the property in questions.
- 2) The BOS must make a resolution to mandate the following prior to Project Sponsor applying for any further Maps, Permits, etc.:
  - a) An appointment of a Full Time Mitigator and Enforcement team to this Project to inform and bring forth the public's concerns and to report violations of permit requirements to BOS;
  - b) A clear chain of title to the property, including warranties, etc.;
  - c) A report on taxes due and owing on the property;
  - d) Verification of business registration in San Francisco and California of all LLCs associated with ownership, as well as affiliate companies;
  - e) A Moratorium on permit applications where feasible (ie – tree removal permits except those approved by mitigator; DBI permits for demolition; Tentative Map Applications; etc.);
  - f) DPW and all City agencies hold public hearings prior to further approvals of any applications;
  - g) Parkmerced Action Coalition be recognized in the Development Agreement as a Recognized Resident Organization;
  - h) A report from Project Sponsor on the number of empty units at the time this notice went out.
- 3) The BOS should also enlist the City Attorney office to prepare to terminate the Development Agreement should these conditions not be met.

Sincerely,

PmAC

# **ATTACHMENT 1**

## **Reconciliation of Deed to Notice to Maps**

Red type  
KEY = Blocks/lots in Deed, but not included in 8/24/15 Notice  
Listed on Tentative Final  
Maps

DEED DOC 2014-J970575-00			8/24/15 NOTICE			DPW ORDER 183946	
Parcel	Block	Lot	Parcel	Block	Lot	Map	Dev. Block
	7303			7303	001		1
	7303A			7303A	001		1
	7304			7304	001		
	7306			7306	001		
	7307			7307	001		
	7308			7308	001		1
	7309			7309	001		
	7309A			7309A	001		
	7310			7310	001		
	7311			7311	001		
	7312			7312	001		
	7313			7313	001		
	7314			7314	001		
	7315			7315	001		
	7316			7316	001		
	7317			7317	001		
	7318			7318	001		
	7319			7319	001		
	7320			7320	001		
	7321			7321	001		
	7322			7322	001		
	7323			7323	001		
	7324			7324	001		
	7325			7325	7235		
	7326			7326	001		20, 21S, 22
	7330			7330	001		20, 21S, 22
	7331			7331	004		20, 21S, 22
	7332			7332	004		
	7333			7333	001		
				7333	002		
				7333	003		1
	7333A			7333A	001		
	7333B			7333B	001		

	7333C			7333C	001		
	7333D			7333D	001		
	7333E			7333E	001		
	7334			7334	001		
	7335			7335	001		6
	7336			7336	001		
	7337			7337	001		
	7338			7338	001		
	7339			7339	001		
	7340			7340	001		
	7341			7341	001		
	7342			7342	001		
	7343			7343	001		
	7344			7344	001		
	7345			7345	001		
	7345A			7345A	001		
	7345B			7345B	001		
	7345C			7345C	001		
	7346			7346	001		
	7347			7347	001		
	7348			7348	001		
	7349			7349	001		
	7350			7350	001		
	7351			7351	001		
	7352			7352	001		
	7352A			7352A	001		
	7353			7353	001		
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	7355			7355	001		
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	7358			7358	001		
	7359			7359	001		
	7360			7360	001		
	7361			7361	001		
	7362			7362	001		
	7363			7363	001		
	7364			7364	001		20, 21S, 22
	7365			7365	001		20, 21S, 22
	7366			7366	001		20, 21S, 22
	7367			7367	001		
	7368			7368	001		
	7369			7369	001		
	7370			7370	001		20, 21S, 22

# **ATTACHMENT 2**

**Reconciliation of Dev. Blocks to acreage to existing Blocks/lots**

## Reconciliation of Dev. Blocks to acreage to existing Blocks/lots

		DPW ORDER 183946								
acres	Project	Map #	Dev. Block							
*6.51	8530	none	20	7326	7330	7331	7364	7365	7366	7370
4.55	8530	none	22	7326	7330	7331	7364	7365	7366	7370
*???	8530	none	21S??	7326	7330	7331	7364	7365	7366	7370
4.59	8531	none	6	7335						
4.68	8532	none	1	7303	7303-A	7308	7333-D			

\*3 out of 5 Blocks are less than 5 acres, where less stringent noticing required by Government Code

It is presumed that Project Sponsor will submit a revised Final map for 8530 reflecting acreage in Dev. Block 21S that will reduce Dev. Block 20 to under 5 acres to thwart major agency notification

# EXHIBIT LIST

EXHIBIT A, "August 6, 2015 Letter to Planning Commission from Diane Carpio"

Attachment to EXHIBIT A, "October 7, 2013 Revised Agenda for Sup. Yee meeting"

EXHIBIT B, "October 8, 2013 through December 10, 2014 communication with Supervisor Yee's Office"

EXHIBIT C, January 28, 2015 through February 18, 2015 communication with CCSF"

EXHIBIT D, "February 19, 2015 to March 31, 2015 communication with CCSF"

EXHIBIT E, "DPW 8/24/15 Notice"

EXHIBIT F, "Email from City with links to Tentative Final Maps"

EXHIBIT G, "Tentative Final Maps"

EXHIBIT H, "DPW WO 183,447" – Electronic

EXHIBIT I, "9/3/15 PmAC Appeal

EXHIBIT J, "9/13/15 TIME SENSITIVE Appeal info request"

EXHIBIT K, "9/14/15 email from DPW re: confirmation of information request"

EXHIBIT L, "September 13, 2015 through September 18, 2015 communication with Frank Lee" and "Attachment, DPW WO 183,946" – See Exhibit M

\*EXHIBIT M, "Electronic Files received from DPW Record Custodian at City Hall" See below for description of documents - Electronic

EXHIBIT N, "9/14/15 Letter from Parkmerced

EXHIBIT O, "9/21/15 Letter to BOS from DPW"

EXHIBIT P, "800 Summit recorded info"

\*EXHIBIT M Contents: On September 21, 2015, PmAC picked up the CD referenced in Frank Lee's September 18, 2015 email in response to our information request. This CD contained the following items: Highlighted items have been briefly reviewed and are referenced in this Appeal, therefore are included in the electronic Exhibit Disc:

09.18.15 Response to Susan Suval.pdf

09.18.15 to Susan Suval - INVOICE

Document labeled: A – Public works Order 183,946

Folder B – Subdivision Applications containing the 44 pdf files:

- 1) 00\_20150129 Cover Letter, App & Checklist Block 7308\_Final
- 2) 00\_20150129 Cover Letter, App & Checklist Block 7335\_Final
- 3) 00\_20150129 Parkmerced App and Checklist Block 7326\_7330\_Final
- 4) 02\_20150220 Block 1 TM



- 5) 02\_20150220 Block 1 Utility Exhibit
- 6) 02\_20150220 Block 6 TM
- 7) 02\_20150220 Block 6 Utility Exhibit
- 8) 02\_20150220 Block 20-22 TM
- 9) 02\_20150220 Block 20-22 Utility Exhibit
- 10) 04\_Preliminary Report – NCAL
- 11) 05\_Grant Deed-DOC-2014-J970575-00
- 12) 06\_Form No 01\_7308
- 13) 06\_Form No 01\_7326\_7330
- 14) 06\_Form No 01\_7335
- 15) 06\_Form No 02\_7308
- 16) 06\_Form No 02\_7326\_7330
- 17) 06\_Form No 02\_7335
- 18) 08\_Mailing List\_7308
- 19) 08\_Mailing List\_7326
- 20) 08\_Mailing List\_7330
- 21) 08\_Mailing List\_7335
- 22) 09\_Photos\_7308
- 23) 09\_Photos\_7326\_7330
- 24) 09\_Photos\_7335
- 25) 10\_Form No 03\_7308
- 26) 10\_Form No 03\_7326\_7330
- 27) 10\_Form No 03\_7335
- 28) 11\_20150129 Form 04\_7326\_7330
- 29) 11\_20150129 Form 04\_7335
- 30) 11\_20150129 Form 04\_7308
- 31) 13a\_Development Agreement Resolution
- 32) 13fb Parkmerced\_Development\_Agreement\_As\_Recorded
- 33) 13c\_Zoning Map Amendments
- 34) 13d\_Board of Supervisors Transmittal Letter
- 35) 13e\_CEQA Findings Resolution
- 36) 13f\_EIR Certification Resolution
- 37) 13g\_General Plan Amendment
- 38) 13h\_General Planning Code resolution
- 39) 13i\_Special Use District
- 40) 20150806 PM\_300FootMAPv2\_Redacted
- 41) TM8530 – B1 300FT
- 42) TM8531 – B6 300FT
- 43) TM8532 – B20 300FT
- 44) TM8532 – B22 300FT

Folder C- City Agency Review containing 9 files:

- 1) DCP\_TM\_8350\_DCP Referral.pdf;
- 2) DCP\_TM\_8351\_DCP Referral.pdf;
- 3) DCP\_TM\_8352\_DCP Referral.pdf;
- 4) PID\_8350\_Distribution\_List.xls;
- 5) PID\_8351\_Distribution\_List.xls;

- 6) PID\_8352\_Distribution\_List.xls;
- 7) TM\_8350\_City Agency Request\_.pdf;
- 8) TM\_8351\_City Agency Request\_.pdf;
- 9) TM\_8352\_City Agency Request\_.pdf;

OTHER:

Pulse Newsletter – not included in exhibits – request from Project Sponsor

ATTACHMENTS

- 1) Reconciliation of Deed to Notice to Maps
- 2) Reconciliation of Dev. Blocks to acreage to existing Blocks/lots

Exhibit A

**From:** carpihole <carpihole@aol.com>

**To:** commissions.secretary <commissions.secretary@sfgov.org>

**Cc:** amgodman <amgodman@yahoo.com>; parkmercedac <parkmercedac@gmail.com>

**Subject:** Aug 6th Planning Commission Hearing - Items 5, (6a and 6b)

**Date:** Thu, Aug 6, 2015 10:54 am

**Attachments:** Yee Agenda revised.docx (25K), Parkmerced Resulting Public Works Order 183499.pdf (292K)

---

at Dear Planning Commission,

I would like to echo the concerns raised by Aaron Goodman, as well as expand on them. The news of Ed Lee's alleged corruption charges is timely. It is imperative that this commission thoroughly vet the concerns of individuals relating to the Parkmerced project **prior** to the issuance of any further building permits. As it stands, there has been several projects going on that have skirted public notice, hearings, and CEQA mandates.

As one of San Francisco's Red-Headed Step Children of the propagandized "City Family", Ed Lee's office violated my Sunshine request (as well as other's) for information/communication relating to Parkmerced and it's authorized agents by simply not responding. While Supervisor Yee's office provided bare minimum info under the guise that they had no records from the prior District 7 Supervisor on Parkmerced, Supervisor Yee has done nothing to enlist (a) an independent mitigator to this DA despite several serious concerns brought to his office in October 2013 (see attached Agenda/summary of discussion); (b) a CAC - as he did for the Balboa project....a significantly smaller project impacting thousands less than Parkmerced; or (c) a Recognized Tenant Organization since PRO - the listed organization in the DA - has been inactive since 2012. This blatant disregard and lack of representation to the concerns of the people of San Francisco for this very large project - in my opinion - certainly lends credibility to the motion filed against Mayor Lee two days ago.

Gavin Newsom signed the first DA in 2005 "**on behalf of** the people in San Francisco", as did Ed Lee in 2011, but **neither has provided** mitigation "on behalf of the people in San Francisco" in over 10 years. The Planning Director has also passed the buck with his failure to produce any annual reports in over 10 years - despite deforestation of Brotherhood Way, the soil erosion due to that massacre of the Monterey Pines, the CEQA exempt 800 Summit Project on the original Parkmerced parcel, and the installation of a potentially cancer causing imitation soccer field on Font Blvd.

It is interesting that:

- 1) the Resident Services building on Varella and 19th was exempt from CEQA. This 4 month project used jackhammers in an area with huge pedestrian usage, being across from SFSU and a MUNI stop;
- 2) the "bocci ball" courts - constructed solely by Parkmerced employees, where **no permit** was obtained despite using heavy equipment and being located in a PROW, as the easements throughout Parkmerced are presumably owned by the City - went virtually unchecked by planning despite several complaints to 311 over the 3 months it took to build;
- 3) there is currently major de-construction going on between Font and Arballo with zero permits posted.

Please take a moment to consider the following:

**TREES IN PARKMERCED:** Parkmerced was fined almost \$5,000 for illegal tree removal on one street after a citizen - mainly me - provided BUF with a report that took over 80 hours to prepare, took time to follow up on the enforcement, took time to attend an appeal hearing, and to follow up on that. I had been assured that BUF would continue to monitor/reconcile the illegal tree removal and failure to replant trees over a year ago - however, there has been no updates provided with the exception of verbal assurances that this is being looked into. Once these trees are gone, a fine and/or replanting does not make up for the loss of wildlife, ecology, and green. The petty \$5K they were fined is insulting given the repeated violations of Arborwell, an alleged authorized agent of Parkmerced (see attached).

"BROWN IS THE NEW GREEN" signs are posted on State's alleged property in Parkmerced. Again - propaganda to support creating the fire hazard, increase in allergens, an excuse to pocket more money saved by not watering at all versus managing the overwatering and fixing an outdated sprinkler system. I say, if it is Brown, flush it down.

OWNERSHIP/LIABILITY - it would behoove the City to ensure that the entities on the applications submitted match the entities in the assessors office and true ownership of various components: Land/Building/Rents/easements are provided, as well as any authorized agents and the contact person for each. Understanding who is liable/responsible is critical - especially for the citizens of San Francisco. There were 3 (and I use the term loosely) "deeds" filed in the assessor's office on November 10, 2014 transferring property 3 times in one afternoon. This is - to even a novice - a bit sketchy and should be questioned and answered with documentation for public review prior to approving any new permits.

DELINQUENT TAX STATUS: Mayor Lee's office was asked if they planned on ensuring that property taxes were current prior to issuing any permits. The response came from a different office, and basically stated tax status did not fall under their purview. It would be criminal to approve a permit of this magnitude when - per the SF tax website - Parkmerced is delinquent since at least 2007 and owes taxes. They already over-utilize City resources. It is a good thing Mayor Lee put Carmen Chu into the Assessor's office!~ (I believe that she was the *only* candidate)....

CHANGES IN PLANS: In the printed material Parkmerced provided to residents in May 2015, there was zero mention of a 17 - story building on Felix/Cambon. It is concerning that the public is only given a week to absorb and respond to this major change, in addition to any curiosities with the other 3 sites. Another concern is the address posted for the 25 Chumaseo building indicates that it would be built where the playground is - not the parking garage. And finally, it is not clear that Parkmerced addressed the 186 items that various City Departments noted as deficient in Parkmerced's original application.

Again, to echo Mr. Goodman's concerns, on the issue of historic preservation, Parkmerced has a couple of "New Street" entries in their design. The original streets of Parkmerced were named after the explorers in the Portola Expedition. What will the new streets be named? Ed Lee Lane? Bert Pollacci Place? The historic significance of the original design has been seriously overlooked, ignored, not mitigated.

On the issue of the environment, the soil erosion on the hillside at Brotherhood Way is impacting the streets/sidewalks/ and drainage systems on the road. No one has managed this....so again, the taxpayers will pick up the tab for Parkmerced to clean up.

On the issue of Public/Private dealings, a hard look at Conflicts of Interest and potentials for a few individuals to make out like bandits while leaving thousands of residents in upheaval (collateral damage) is a high sign of genocide. Government has it's purpose, and skirting certain rules, regs, and laws due to the "Fix It", "Get it done", and other vague threats to a person's livelihood should not be tolerated and should be formally reported to a mitigator who can actually have the power to address the root cause and source of these accepted practices - as Shrimp Boy did not act alone, neither does Parkmerced.

2010 - 2011 Civil Grand Jury reports of Parkmerced - Developer by Government - should be looked at again and a report on changes/updates should be documented. It would be a good refresher for this body, as humans tend to forget easily, not know or understand the history, and repeat mistakes.

Parkmerced's recent Union busting and neglect of property are also of great concern.

I am out of time, but could go on. Hopefully this information will be considered in this commission's decision, where a civic duty to follow up and address/remedy/report will occur.

Sincerely,

Diane Carpio  
The Red-Headed Step Child of the SF Family

**October 7, 2013 4:30pm Agenda**

**(revised 12/6/13 to reflect content of each item discussed on 10/7/13)**

**Supervisor Yee**

Development Agreement – Need for a Mitigator – suggest a pilot project funded by City, specifically District 7

Sign off on Planning EIR Letter noting violation of EIR and illegal tree removal on Brotherhood Way

Facilitate Communication with PM Management; City; and Community Groups

Public/Private – rules/regs: When issues are in question, PM Employees and contractors give one version, City gives another, Charter/Code reads another

Roundtable Meetings (see below) are a must to discuss, develop, and determine who is responsible for what and processes/costs

Notices to residents – are currently thwarted by existing requirements. PM is 152 acres and only property owners 150 ft from the property boundaries are notified of items....ignoring the people that actually live in the area.

EIR Compliance/Enforcement – there is no one accepting responsibility for this. Left to tenants.

Housing Authority (Affordable Housing compromised) – without understanding true ownership, the risk of foreclosure is entirely possible.

Lake Merced (watershed) – DPW approved temporary occupancy permit for the removal of trees on Brotherhood, violating EIR, where wildlife, watershed, hillside stability, air quality, noise impact (from gun range), and other negative impacts on residents were not taken into consideration.

PM Zone – notice impact on residents, no annexation process, appears to be a done deal per zoning web site

Transportation impact (from 7,000 – 18,000??) – who is in charge here? This is the most dangerous intersection as is. More than doubling occupancy will ensure an increase in pedestrian harm.

Existing tenants (survey and rights per DA) – no surveys or existing tenants list are available since signing the DA. Who is providing updates and oversight on this?

Ellis Act and other potential mass Evictions – impact on city with a lot of Dog/pet owners

Vibrations (800 Summit) pile driver – supposed new owners (RCS 800 Brotherhood Way) located per tax assessor office website at 700 Brotherhood Way – No EIR? caused PM tenant damage, impacts on PM tenants with noise, air quality, pathways (easements), etc. Zoning said this was a vacant lot, but this was slated to be open space in the Sandborn maps

Sirens – in our district are always long and used more than needed. This creates fear and needs to be addressed.

Tree Removal – Citizens/residents are left to monitor this free of charge, and at their own expense

Cell Antenna – this was approved despite knowing there is a potential for RF to exceed limits – who will monitor this or ensure teenagers won't enter the radiation filled roof area?

Garbage – Zero Waste is ignored, dumping is not managed...simply charged back to residents where they are expected to police and notice violators – Noise – garbage caravans are constantly moving throughout PM and going to their private on-site garbage management – is there anyone regulating this? Was there a conditional use permit for this facility? PM is zoned as residential.

***Interior trees – Landmark? (public right of way – courtyards) – sidewalks and pathways are in serious and dangerous disrepair. No one has monitored this and it is out of control.***

Historic Preservation – why would this site not be considered for historic preservation. Since the inception of the area we now call SF, this was a major part of SF's growth.

Hire SF – are PM's various entities/contractors required to meet the SF Hires ordinance? If not, why? If so, who is tracking this?

Yelp (Park Merced 197 reviews 1.5 stars) – the façade of PM does not tell the real conditions of the living conditions. Circumventing certificate of occupancy, Public Health and safety seems to be accepted by City agencies. DPH would not test black mold – even with 3 phone calls. Individual names are being used to pull building permits for rented apartments. Tenants have to call PM security and SFPD to report vandalism to their vehicles.

PRO – The President of this organization died in 2012. The status of this “resident organization” has it's own curiosities surrounding it. There were a couple of law suits on file due to exclusion of participation and to date, nearly two years after the president passed away, no other tenant interaction has occurred...or if it has, it has been selective.

Funding for non-profits – the City should provide tenant watchdog groups, such as PMaC and Saveparkmerced, funding to maintain some sort of oversight. The costs to these groups, as well as other tenant groups to advocate and pursue litigation due to a lack of City enforcement or consideration has been immense and is not right. The City holds individual property owners accountable, but has essentially ignored PM tenant complaints and issues, and processes required by Charter and Code which serve to inform the public and ensure public safety.

Roundtable – Rent Board/City Attorney/DBI/Tax Assessor/Planning/Tenants Together/EDC/DPH

- Mold/asbestos/roofing/leaks/aged appliance and heaters/boilers – Certificates of Occupancy
- Bedbugs/spiders/vermin
- Garbage – Zero Waste
- Article 16 – citizen/non-profit forced to expend legal funds to ensure good faith efforts (amend)
- Existing tenants (reduced services)
- False advertising/sandbagging leases/dogs
- Entry Notices
- Court/relationships presents unfair advantage (fund EDC)

- Ownership questions present unfair advantage in evictions
- Block/Lot Ownership
- Affordable housing alternatives
- Settled Law Suits – not reported/tracked
- Notices to residents not adequate due to how PM is listed in assessors office

***Round Table – DPW/DUF/DPE/Contracting/DOE/DPH – permits for Gonzalez?/business registration/copy of removal-disposal plans/amending ordinance relating to legal fees***

- ***Permits – 72 hour, street TO, street closure, sidewalk closure***
- ***Reporting Violations - State Department of Corporations/Better Business Bureau/ State Department of Agriculture/ Urban Forest Council/ EPA***
- ***Arborist registration – special requirements***
- ***In-Lieu Fees/ application fees (10+ should be revised)***
- ***Replanting regulation (to ensure Street/significant trees are not placed in areas that exclude them from protection***
- ***Define public right of way***
- ***Whistleblower – (enforcement budget) – friends of the Urban Forest? Grant CAfire?***
- ***Ordinance (PM moratorium/renter protection)***
- ***Significant vs. Street***
- ***Herbicide/Pesticide/mushrooms/bark beetle/pitch canker***
- ***Verify if parking is public/private – notice is still required, therefore TO permit is still required.***
- ***Sidewalks***
- ***Trees – Hort Report***
- ***Courtyard Right of Way (Public Safety)***

**Roundtable – SFPD (Taraval)/PM Management/Community groups/Supervisor/PM Security/SF State PD**

- Crime/drug dealing; car break-ins and theft; drinking and driving; graffiti; mugging
- Citations for illegal work performed by PM contractors
- Noise pollution (motorcycles/sirens/gunfire/garbage)
- Division of Duties (PM security/SFPD/SF State PD)
- Possible drug drop off/gun drop off events
- Informing vs. suppressing crime data
- NERT

POPRA legislation

-----

Ownership – taxes, assessor, deed? Madoff



Exhibit B

**From:** carpihole <carpihole@aol.com>  
**To:** matthias.mormino <matthias.mormino@sfgov.org>  
**Cc:** norman.yee <norman.yee@sfgov.org>; parkmercedac <parkmercedac@gmail.com>  
**Subject:** Re: Park Merced Development Agreement concerns - Sunshine request  
**Date:** Wed, Dec 10, 2014 11:13 am

---

Thank you Mathias. I understand that Supervisor Yee is "new" in comparison to the Development Agreement, however it is concerning that with such a significant portion of the population of his district that this is all he has done to alleviate concerns brought to him over a year ago. Your efforts were actually more impactful - unfortunately to zero avail. It is very disappointing.

Thank you.

Diane Carpio

-----Original Message-----

**From:** Mormino, Matthias (BOS) (BOS) <matthias.mormino@sfgov.org>  
**To:** carpihole <carpihole@aol.com>  
**Cc:** Yee, Norman (BOS) (BOS) <norman.yee@sfgov.org>  
**Sent:** Tue, Dec 9, 2014 4:38 pm  
**Subject:** RE: Park Merced Development Agreement concerns - Sunshine request

Dear Diane

Supervisor Yee has had 2 meetings with Park Merced management since taking office: one on March 25<sup>th</sup> 2013 and one on December 2<sup>nd</sup> 2014. The 2013 meeting was an introduction meeting. The 2014 meeting was an opportunity for Supervisor Yee to receive the same presentation given to residents on November 10<sup>th</sup>. In addition I, Matthias Mormino, attended the meeting with Park Merced management and residents on November 10<sup>th</sup>.

We have no agenda or notes from those meetings.

In addition please find attached communications with Parkmerced management.

Please note that Supervisor Yee was not in office until January 8<sup>th</sup> 2013 and therefore we have no records preceding that date,

Regards,

Matthias

**Matthias Mormino**

Legislative Aide

Supervisor Norman Yee | District 7

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

P | 415.554.6517 F | 415.554.6546

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---

**From:** carpihole@aol.com [mailto:carpihole@aol.com]  
**Sent:** Tuesday, December 09, 2014 2:44 PM  
**To:** Mormino, Matthias (BOS); Yee, Norman (BOS); Lee, Mayor (MYR); parkmercedac@gmail.com  
**Subject:** Re: Park Merced Development Agreement concerns - Sunshine request

Hello Mathias, Supervisor Yee, and Mayor Lee,

Thank you for the tree permit issue attachments. Please note, I have already requested tree information from the Bureau of Urban Forestry and have not received any response from them - thereby necessitating a formal sunshine complaint against Ms. Short.

Though the tree issue was certainly one of the 20plus bullet points provided to and discussed with Supervisor Yee over a year ago (see attached), the main request was for any/all communication specifically related to the issue of not having an appointed mitigator for this project and development agreement.

Surely, there must have been some notes - if not from Supervisor Yee - then perhaps with the Mayor - from their December meeting a year ago.....and I might add that it is concerning that there has only been one attempt made by Supervisor Yee to address these concerns - if these were even discussed at the meeting as there appears to be no record of any conversation, in addition to zero response - zero correspondence by the Supervisor as it relates to our questions about the City's responsibility to look out for the interest of their citizens...especially since the City entered into this agreement despite a multitude of concerns.

TO BOTH THE MAYOR'S OFFICE AND SUPERVISOR YEE'S OFFICE:

Please provide any and all:

- 1) communication between the Mayor and Supervisor Yee as it relates to the Parkmerced Development Agreement, the EIR, and/or any communication with Parkmerced, it's representatives and/or management - since and from January 2004; and;
- 2) a list of (a) dates of meetings, (b) agendas/topics, and (c) attendees of Supervisor Yee (ie - District 7 Supervisor's Office) and/or of Mayor Lee (including any meetings while holding other City Offices - City Administrator, etc.) with Parkmerced representatives, management, etc. (formal or informal, but on the City dime) - since and from January 2004.

Thank you again for your cooperation in this request.

Sincerely,

Diane Carpio

-----Original Message-----

From: Mormino, Matthias (BOS) (BOS) <[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>

To: carpihole <[carpihole@aol.com](mailto:carpihole@aol.com)>

Sent: Tue, Dec 9, 2014 2:42 pm

Subject: RE: Park Merced Development Agreement concerns

In addition to the attached files, the Supervisor discussed your concerns at his monthly meeting with the Mayor on December 18<sup>th</sup> 2013, I wasn't in attendance and the Supervisor has no notes from the meeting.

Please feel free to contact me if you have any further requests,

Regards,

Matthias

**Matthias Mormino**

Legislative Aide

Supervisor Norman Yee | District 7

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

P | 415.554.6517 F | 415.554.6546

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**From:** [carpihole@aol.com](mailto:carpihole@aol.com) [mailto:[carpihole@aol.com](mailto:carpihole@aol.com)]  
**Sent:** Monday, December 08, 2014 3:53 PM  
**To:** Mormino, Matthias (BOS)  
**Subject:** Re: Park Merced Development Agreement concerns

Thank you. I look forward to hearing from you.

Diane

-----Original Message-----

**From:** Mormino, Matthias (BOS) (BOS) <[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>  
**To:** [carpihole](mailto:carpihole@aol.com) <[carpihole@aol.com](mailto:carpihole@aol.com)>  
**Sent:** Fri, Dec 5, 2014 4:38 pm  
**Subject:** Re: Park Merced Development Agreement concerns

Hi Diane,

I'm just seeing this as I was out of the office for a week and I will get back to you with all relevant documents by Close of Business on Monday,

Thanks for your patience,

Matthias

---

**From:** [carpihole@aol.com](mailto:carpihole@aol.com) <[carpihole@aol.com](mailto:carpihole@aol.com)>  
**Sent:** Tuesday, November 25, 2014 1:01 PM  
**To:** Yee, Norman (BOS); Mormino, Matthias (BOS)  
**Cc:** [parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)  
**Subject:** Fwd: Park Merced Development Agreement concerns

Dear Supervisor Yee and Matthias;

It has been a year and a month since I have heard from your office, with the exception of accidentally bumping into Matthias at the Parkmerced community meeting October 10, 2014- which was held in the clubhouse at Parkmerced to discuss the Phase 1 Project Application.

It would be interesting to know the approved occupancy maximum of this space, as it was clearly not enough space to inform a full 1% of the occupants of this apartment complex.

Please note that there are other concerns cropping up as well, with the "new" management and "new" ownership of the leasing rights of the buildings on this property. It would be prudent to step up efforts to assist tenants and allay their concerns before a major upheaval and overburdened city resources are needed.

It is imperative that your office get involved at this time, as this project will impact at least 7,000 voters in your district.

I am requesting from your office. Specifically, all communication relating to our meeting last year (agenda attached), including:

- 1) any correspondence to any entity or City Department - including the Mayor's Office - relating to our concerns with Parkmerced as listed and expounded upon at our meeting; and,
- 2) any correspondence relating to attempts to address the mitigation concerns brought to last year.

As Sunshine requires, a response is required within 10 days of this request.

We look forward to hearing from you.

Happy Holidays.

Sincerely,

Diane Carpio

-----Original Message-----

From: carpihole <[carpihole@aol.com](mailto:carpihole@aol.com)>

To: norman.yee <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; matthias.mormino <[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>

Sent: Tue, Oct 8, 2013 1:12 pm

Subject: Thank you for your time yesterday

Dear Supervisor Yee and Matthias;

I wanted to say thank you for your time yesterday. I know that I presented a lot of information and that it will take some time to process~ The goal of the meeting was to demonstrate the need identify potential issues prior to the City entering into any Development Agreement, and the need to have an independent consultant for mitigation at the execution of and at various intervals throughout the pendency of any Development Agreement.

There are many complex (and not so complex) issues that have now escalated to the point of overwhelming for the average individual to have to deal with compromising time for their own work, health, and family. Though some of the major issues are being addressed, it is at the expense, time, and frustration of the individual tenants and "unofficial" tenant groups - who do not have the authority to mitigate.... especially a project this large and are forced to hire or search for pro bono attorneys to better evaluate impacts of or gain insight to the true plans of a given developer.

The wheels of progress are barreling over San Francisco renters with nowhere for us to run.....but out of San Francisco.....despite this being our home....our children's home.

I look forward to hearing from you and please feel free to contact me with further questions/concerns/clarification~

Sincerely,

Diane Carpio  
415-713-8984

Attached Message

From: Bert Polacci <[bert@publicadvocacypartners.com](mailto:bert@publicadvocacypartners.com)>

To: PmAC <[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)>

Cc: Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Mormino, Matthias (BOS) <[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>; [ssomerville@parkmerced.com](mailto:ssomerville@parkmerced.com) <[ssomerville@parkmerced.com](mailto:ssomerville@parkmerced.com)>

Subject: Re: Meeting on May 13th with Parkmerced Action Coalition

Date: Fri, 22 Aug 2014 17:44:55 +0000

Thank you for your patience in awaiting this response. it has taken a while to thoroughly research your concerns and would like to give you the following information.

I want to stress that Parkmerced's primary focus is on making every effort to alleviate the danger of diseased or dead trees from falling on our residents or the general public. With that intention, we will err on the conservative side of judgement every time a decision is made.

Any tree that is removed from the entire Parkmerced property is done so in full compliance with San Francisco law. All required permits are secured and the full knowledge of City departments (DPW, DPT, MTA, Urban Forestry, etc) is ensured. No work is attempted without proper authority.

The arborists report of 2013 is a study in the moment. Conditions change daily on site and if additional problem trees are discovered, they are removed with full acknowledgement of the arborist. Again, we need to attempt to alleviate the falling trees if possible.

The condition of soil erosion is a concern when trees are removed. We have been advised to leave the stumps of removed trees in place to help with erosion control. An added benefit of leaving the stumps in place is that the remaining root systems sprout new tree growth which naturally reforests the area. If you look up and down Brotherhood Way at the slope you will notice hundreds of young saplings have already sprouted. You will also

notice the expanding Acacia shrubs that are flourishing in the sunlight and spreading across the slope.

As dead and diseased trees are removed from the entire Parkmerced property, they will be replaced either in the natural way described above or with replacement trees in keeping with proper horticultural standards and, of course, San Francisco law. There is no schedule or list of replacement trees available at this time.

As far as the Parkmerced Long Range Vision Plan and the future landscaping you referred to in the EIR documents, we will always be in compliance with the approved Planning documents and the Development Agreement.

As far as the Ficus trees you referred to at 346 Serrano; we will have our Maintenance Department inspect those trees.

Thank you for your concern

Bert Polacci

From: **PmAC** <[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)>  
Date: Sat, May 17, 2014 at 11:47 AM  
Subject: RE: Meeting on May 13th with Parkmerced Action Coalition  
To: [ssomerville@parkmerced.com](mailto:ssomerville@parkmerced.com), Parkmerced Action Coalition <[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)>, "[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)" <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>, Matthias Mormino <[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>

May 17, 2014

Shawn,

First let me say "Thank you" for meeting with us regarding the deforestation of Brotherhood Way. We are grateful for your time.

I would like to recap our discussion.

Please forward this to Burt. We do not have his email address.

We understood that Burt said a tree species in 24 inch boxes would be planted in a single row 30 ft. from the top of Brotherhood and 30 ft. from the bottom of Brotherhood. We assume this includes Lake Merced Blvd. as well. If this is not correct, please, clarify. Second, we heard Burt say the middle of the hill would be planted with acacia and lower plants, i.e. scrub oak planting.

We requested a time frame and planting list for this planting.

We provided a plant list of a mixed forest plant palette by a landscape architect for your review. We also know you have your own architects working on this.

We heard Burt say that there is to be construction on or around the Brotherhood Way slope. Therefore, planting large trees is not suitable at this time. Again, if this is not correct, please, clarify.

It is our understanding that the slope was and is to remain a conifer forest. The only reason the trees were taken down was because of pedestrian safety. We refer you to the EIR map: Parkmerced Project Volume 1, May 2010; figure 111.23 Proposed Phased Tree Removal Plan 111.63. As you can see, the Brotherhood Way trees show that they are to remain. There is no mention of removal now or in the future.

We also refer you to the Parkmerced Project volume 2 Appendices. 02.14 - open space-stream corridor. The map shows existing slope and forest. 2.18 open space-Belvedere Garden shows existing monterey forest to the left and forest to the right of the path.

We have found nothing in the EIR of soccer and baseball fields being cantilevered on the slope. They appear to be set much further back. It seems to us that since the Parkmerced Project is causing adverse environmental impacts for the first 15-20 years before it turns around, you would want to replant this slope as soon as possible. This will help mitigate noise, wind and pollution. It will also reintroduce the 50 year green belt which has been historically here.

Next we discussed the Arborist Report of June 2013. We did not study in detail all the logged cut blocks. We focused on cut block A which was logged roughly a month ago. It is located on Lake Merced Blvd. It appears to us that the arborist indicated only 5 trees were to be removed. In fact, we counted 15 that were removed creating a new clear cut strip along Lake Merced Blvd. Burt said that Parkmerced never removes a tree unless there is an arborist report. Again, please clarify this.

Michael Russom commented on two dead Chinese elms in front of his house. It appears they were significant trees. Please, confirm and if so, they should legally be replaced.

Shawn, you stated in the 8 months you have been manager all the trees that have been removed have been replanted. That is good. Because before that time they have not been replaced.

Next residents at 346 Serrano have written and called services twice to ask for a Ficus in their backyard to be pruned. They expressed mold concerns from lack of light.

No response was given to them. They would like their tree professionally pruned.

We stated in our opinion there has been no maintenance or professional pruning of large trees in the last 2 years. The trees either live or die. As soon as they cause a problem they are either butchered or cut down. Leona Helmsly used to go through the patios every 2 years and pruned the trees

with some measure of professionalism.

The current tree maintenance standards appear to be pretty much nonexistent to us. We would like to see that change.

Again, thank you for your time in addressing our concerns. We look forward to hearing back on the timeline for replanting Brotherhood Way and Lake Merced Blvd.. This is of importance to residents and to the City as a whole. The clear cut is a blight upon the environment. Who wants to look at a clear cut every day. I know you want to replant as soon as possible. I know you want to preserve this beautiful historic property whose landscaping was designed by Thomas Church, as long as possible.

We look forward to working with you on this issue.

You can always reach us at: [parkmercedac@mail.com](mailto:parkmercedac@mail.com)

Sincerely,  
Parkmerced Action Coalition  
PmAC

Attached Message

From: Bert Polacci <[bpolacci@maximusrepartners.com](mailto:bpolacci@maximusrepartners.com)>  
To: PmAC <[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)>  
Cc: Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Mormino, Matthias (BOS) <[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>; [ssomerville@parkmerced.com](mailto:ssomerville@parkmerced.com) <[ssomerville@parkmerced.com](mailto:ssomerville@parkmerced.com)>  
Subject: Re: Meeting on May 13th with Parkmerced Action Coalition  
Date: Thu, 7 Aug 2014 00:21:57 +0000

Thank you for the reminder. You will have it within the week  
Thank you for your patience

Sent from my iPhone

On Aug 6, 2014, at 5:18 PM, "PmAC" <[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)> wrote:

This is our third attempt to get some verification on our take away from the reforestation meeting.

Thanks,

Parkmerced Action Coalition - PmAC  
<http://www.pmacsf.org>

On Wed, Jul 9, 2014 at 10:36 AM, Bert Polacci <[bpolacci@maximusrepartners.com](mailto:bpolacci@maximusrepartners.com)> wrote:



My apologies for the delay in responding to your inquiry. I have been traveling and will respond as soon as I return in the middle of July. Thank you. Bert

**From:** PmAC [<mailto:parkmercedac@gmail.com>]  
**Sent:** Tuesday, June 24, 2014 2:01 PM  
**To:** Shawn Somerville - Parkmerced General Manager  
**Cc:** [norman.yee@sfgov.org](mailto:norman.yee@sfgov.org); Matthias Mormino  
**Subject:** Fwd: Meeting on May 13th with Parkmerced Action Coalition

We are awaiting a response and verification that we are on the same page regarding the outcome of our meeting.

Thanks,

Parkmerced Action Coalition - PmAC  
<http://www.pmacsf.org>

----- Forwarded message -----

**From:** PmAC <[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)>  
**Date:** Sat, May 17, 2014 at 11:47 AM  
**Subject:** RE: Meeting on May 13th with Parkmerced Action Coalition  
**To:** [ssomerville@parkmerced.com](mailto:ssomerville@parkmerced.com), Parkmerced Action Coalition  
<[parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)>, "[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)"  
<[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>, Matthias Mormino  
<[matthias.mormino@sfgov.org](mailto:matthias.mormino@sfgov.org)>

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We look forward to working with you on this issue.

You can always reach us at: [parkmercedac@mail.com](mailto:parkmercedac@mail.com)

Sincerely,  
Parkmerced Action Coalition  
PmAC

Exhibit c



Parkmerced Action Coalition <parkmercedac@gmail.com>

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## Response to January 28 Letter

---

**Lesk, Emily (MYR)** <emily.lesk@sfgov.org>  
To: "parkmercedac@gmail.com" <parkmercedac@gmail.com>  
Cc: "Tsang, Francis" <francis.tsang@sfgov.org>

Wed, Feb 18, 2015 at 12:35 PM

Dear Parkmerced Action Coalition members,

Please find attached the City's collective response to your letter dated January 28, 2015.

Best regards,

Emily Lesk

Project Manager

Office of Economic and Workforce Development

San Francisco City Hall

1 Dr. Carlton B. Goodlett Place, Room 448

San Francisco, CA 94102

Direct: (415) 554-6162

Email: emily.lesk@sfgov.org

[www.oewd.org](http://www.oewd.org)

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### 2 attachments



**Letter to Parkmerced Action Coalition 2 18 2015.pdf**  
126K



**Letter to Housing, Jan 27.doc**  
32K

**PARKMERCED ACTION COALITION**  
**P.O. Box 320162, San Francisco, CA 94132**  
**Phone: 415.586-8103**  
**Email: parkmercedac@gmail.com**

January 28, 2015

Dear Mayor's Office of Housing/City Administrator;

The purpose of this letter is to request the City's position on multiple items as it relates to the Development Agreement [DA] with Parkmerced Investors, LLC – a California LLC, a New York LLC, and a Delaware LLC on the following items:

- 1) Tenants were notified on October 30, 2014 in a letter dated October 31, 2014 that rental payments should be made to Parkmerced Owners, LLC – (no state referenced as to which state company is incorporated in). As such, can the City provide records of any notification relating to this change in ownership and whether the DA is impacted in anyway due to the change in ownership;
- 2) The DA required the Developers [Parkmerced Investors, LLC] to submit a list of long-term tenants within 60 days of the execution of the DA – which it is our understanding they had. With the Phase 1 application being recently submitted nearly five (5) years later, will the City (a) request an updated list; (b) provide a forum for confirmation of this list to the public – affected tenants; (c) provide a mitigator to manage conflicting perspectives of tenants vs. Parkmerced Investors, LLC; and (d) reconcile to ensure accuracy of this critical aspect of the DA;
- 3) Tax Assessor records are hinky due to the size of the Parkmerced property, in addition to the allocation/sale?? of certain parts of the original property to SF State and RCS 800 Summit. As payment/delinquency status is not easily deciphered looking at various blocks/lots in the electronic system, nor is it clear if tax is assessed solely on the buildings or if it is based on the property (land) and buildings. Furthermore, it is not clear if a new assessment has been made, given the sale of the property/leasing rights from Parkmerced Investors, LLC to Parkmerced Owners, LLC and lack of access to any Deed of trust reflecting the sale online. As such, did the City (a) perform an audit on any delinquent taxes prior to the approval of the Phase 1 application; (i) and if so, what was the result of this audit; and (ii) if not, will they perform an audit; (b) assess the property based on the recent sale of the property; (i) if so, can you provide a copy of this (as the electronic system does not appear to be updated; and (ii) if not, why?
- 4) The DA requires a Hire SF clause. Has the City requested any reports on their employees, subcontractors (various Management, Security, Arborwell Tree Service, Legacy Roofing Companies, etc.) since the execution of the DA?
- 5) The DA lists PRO – Parkmerced Resident Organization – as the official tenant organization. This company has not been active with the tenants for several years and it is our understanding that it has not submitted any tax returns as required for several years. It is not clear if this organization is

**PARKMERCED ACTION COALITION**  
**P.O. Box 320162, San Francisco, CA 94132**  
**Phone: 415.586-8103**  
**Email: parkmercedac@gmail.com**

still active or who funds this organization. Does the City have a contingent plan or mitigation measure for this inadvertent underrepresentation of the tenants? How does a tenant organization apply to be an advocate for the multi-faceted issues as they relate to the DA?

As Parkmerced developers – regardless of the LLC they submit under – have submitted a Phase 1 application which (a) was seriously deficient relating to mitigation measures as described in the DA -which in turn, caused multiple City Departments/staff to expend time and City resources to respond to the application citing almost 100 points/deficiencies that Parkmerced failed to address with their initial application; (b) the Planning Director has opted not to require an annual report on the status of this DA; (c) the Planning Director has opted not to hold public hearings for any Phase of the DA despite major changes to the original submission and approved EIR; (d) the Mayor and District 7 Supervisor have not supported a Mitigator of this DA despite the obvious need for one; and (e) is questionable, at best.

The impacts to all San Francisco residents – directly and indirectly - are immeasurable should the City continue to ignore the need of a mitigator team and fail to provide it's citizens adequate protections as described in the DA. There is a need to update and ammend this DA as with the passage of time and changes in City Charter/ordinances, and changes in ownership - at minimum, best practices should include the afore mentioned concerns. Have we not learned from Riverton Houses in New York and Park La Brea in Los Angeles?

The timing of the submission of the application is also highly suspect. The application for Phase 1 was submitted under Parkmerced Investor Properties, LLC in September 2014, where tenants were notified on October 30, 2014 that there was new ownership...less than two months after this application was submitted. It would be prudent for the City to understand who in fact they are issuing approval to.

We also noticed that an RFP was posted via City Contracts for Parkmerced Investors, LLC for a Lite Consultant – posted January 12, 2015, closing on January 26, 2015 (FA38184)- see attached. This RFP should reflect the correct owner.

We look forward to your response.

Sincerely,

Parkmerced Action Coalition



**To:** Parkmerced Action Coalition

**From:** Office of Economic and Workforce Development

**Date:** February 18, 2015

**Re:** Letter from Parkmerced Action Coalition dated January 28, 2015 Regarding the Development Agreement with Parkmerced Investors Properties, LLC dated as of July 6, 2011 (the "DA")

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We write this letter in response to your letter dated January 28, 2015 regarding various issues relating to the DA. Thank you for your inquiry, and we hope that this letter responds to all of the items set forth in your letter. We have consulted affected City departments in preparing this response to ensure that we have obtained all relevant and responsive information.

#### **Change of Ownership**

As set forth in DA Section 11.1, the Parkmerced project sponsor, or developer, has the right to transfer the entirety of the project site, together with its interest in the DA, without the City's consent. The developer is required, however, to enter into an assignment and assumption agreement with respect to any such transfer. The developer notified the City of the property transfer, and entered into the required assignment and assumption agreements. See attached letter dated November 6, 2014.

Although the project site was transferred, there remains one developer that owns the entirety of the project site. There are no changes to the DA as a result of this change in ownership.

#### **Tenant List Updates and Dispute Resolution**

The City does not intend to request a list of all Existing Tenants at this time, but the DA does require Existing Tenant lists to be provided in conjunction with relevant project milestones. Specifically, DA Section 4.4 requires the developer to hold a public information presentation before the issuance of the first building permit in a development phase, and for the developer to prepare a Tenant Relocation Plan before submitting an application for a Replacement Building (all capitalized terms used in this letter are defined in the DA). Because the Existing Tenants in a unit may change over time, the DA contemplates the identification of Existing Tenants within 60 days after the start of construction of a Replacement Building. Specifically, Section 4.4 requires the applicable Tenant Relocation Plan to include, among other things, a list of the affected Existing Tenants. Proposed Tenant Relocation Plans must be made available to Existing Tenants in hard copy at the Parkmerced resident services office and presented at at least one public meeting.



While the City shall remain actively involved to ensure that Developer fulfills all of its DA obligations regarding tenant relocations, Section 4.4 of the DA specifies that the Rent Board will resolve any disputes regarding whether a person qualifies as an Existing Tenant under the DA, as well as other specified matters relating to the tenant relocations. Nonetheless, the City will retain firm oversight throughout the tenant relocation process and will promptly investigate any alleged DA violation and respond appropriately to ensure that all Existing Tenants retain the significant rights afforded to them under the DA.

### **Tax Audit**

The Tax Assessor's Office assesses all property in the City, and the Tax Collector sends out notices if and when property owners fail to pay taxes. It is not the City's intent to perform additional tax audits based upon the existence of the DA.

### **Workforce Programs**

The City and the developer entered into a First Source Hiring Program for Construction and Equal Opportunity Employment Program ("EOEP") agreement. This EOEP agreement sets workforce goals for third-party contracts related to the design and construction of new buildings and facilities at the Project Site, as well as to the commercial tenants of newly constructed commercial spaces, but it does not impose workforce requirements for existing buildings and facilities. Confirmation of the developer's compliance with the workforce requirements will be performed as part of the annual review process outlined in the DA. During each annual review of the DA, the developer must provide information regarding, and the City must review and confirm, compliance with the Local Business Enterprises (LBE) requirements.

### **Formation of Tenant Organizations**

The DA recognizes that there can be one or more Recognized Residents' Association. To be a Recognized Residents' Association, the DA requires that the group have more than 10 members (defined as tenants of the Project Site, each occupying a separate unit) and that it exist for at least 24 months. It also must notify the developer and the Planning Department of its existence in writing. We have asked the developer to include information in its next quarterly newsletter on how a group of tenants can create a Recognized Residents' Association. We expect the developer to provide meeting space at the Project Site at no cost for tenants that wish to form such a group. As for a contingent plan, we have required extensive public outreach and public review process in the DA. In addition to any activities of a Recognized Residents' Association, all interested tenants have the right to appear at public meetings if they have concerns or issues that they wish to bring to the City's attention.

### **Phase 1 Review Process**

The initial Phase 1 phase application was reviewed thoroughly by many different City agencies, which provided a number of thoughtful questions, comments, and suggestions for slight revisions. The developer promptly addressed these points, and the City is currently evaluating the developer's responses. This level of scrutiny and back-and-forth is to be expected for a project of this size and complexity, and is what will occur now and in the future to ensure that all DA requirements, as well as all City concerns and issues, are

appropriately addressed as the Project is built out in phases. We hope that our efforts will result in a more streamlined process for later applications, but we will continue to provide similarly detailed review and feedback throughout the development phasing.

### **Annual Review**

The Planning Director has until June of each year to initiate an annual review and may elect not to conduct reviews for years during which no significant construction activity has occurred. Because no substantial construction activity of any kind has occurred to date, such annual reviews have not yet been conducted.

### **Consistency with DA and EIR**

The Planning Director is in the process of reviewing whether the Phase 1 application is consistent with the requirements of the DA. The Planning Department's Environmental Planning group is also reviewing the Phase 1 application to ensure that it includes all required mitigation measures, as identified in the mitigation monitoring and reporting program. Consistent with other large development projects in the City, no phase application will be approved unless and until it includes all required mitigation measures and meets all requirements of the DA.

### **Request for Mitigator and for Changes to the DA**

The City is responsible for enforcing the DA. At this time, there are no known developer defaults. If the City discovers a default, it will take appropriate action. The DA is a contract, approved by all necessary parties in accordance with law. There is no unilateral right for the City to amend this enforceable contract. The City remains committed to defending the extensive public benefits that were negotiated as part of this contract, and will investigate any alleged violation with appropriate diligence.

Thank you for your time and your commitment to this important development project. We are always willing to listen to the community members that we serve, and continue to make the development of this site, in strict compliance with the DA and the extensive public and community benefits that are contained in the DA, a priority. Please do not hesitate to contact us if you need additional information or if we can be of assistance.

Exhibit D



Parkmerced Action Coalition <parkmercedac@gmail.com>

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## Response to February 19 Letter

1 message

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**Lesk, Emily (ECN)** <emily.lesk@sfgov.org>

Tue, Mar 31, 2015 at 1:33 PM

To: PmAC <parkmercedac@gmail.com>

Cc: "Switzky, Joshua (CPC)" <joshua.switzky@sfgov.org>, "Shaw, Jeremy (CPC)" <jeremy.shaw@sfgov.org>, "Sullivan, Charles (CAT)" <charles.sullivan@sfgov.org>

Dear Parkmerced Action Coalition members,

Please find attached the City's collective response to your letter dated February 19, 2015.

Best regards,

Emily Lesk

Project Manager

Office of Economic and Workforce Development

San Francisco City Hall

1 Dr. Carlton B. Goodlett Place, Room 448

San Francisco, CA 94102

Direct: (415) 554-6162

Email: emily.lesk@sfgov.org

www.oewd.org

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### 5 attachments



**Response to 2 19 15 PAC Letter.pdf**

130K



**Parkmerced Recorded Assignment and Assumption Agreement ALL.pdf**

1127K



**Parkmerced DRAFT Assignment and Assumption Agreement.pdf**

2299K



**Parkmerced DA Section 9.pdf**

206K



**EWD Response to 2.18.15 letter.docx**

25K

PARKMERCED ACTION COALITION (PmAC)  
P.O. BOX 320162, SAN FRANCISCO, CA 94132  
PHONE: 415.586.8103  
parkmercedac@gmail.com

February 19, 2015

Dear Mr. Rufo;

We are in receipt of and appreciate your response to our letter dated 01/28/15 regarding the Parkmerced Development Agreement, however your response did not really address our concerns. These are specifically as follows:

**Change in Ownership:**

- 1) You reference the notification letter dated 11/6/14, but this was not attached. Your office sent new assignment and assumption agreements dated 12/18/14, but again, did not provide that letter dated November 6, 2014. Though this is helpful, we still would like the correspondence referenced in your letter. Please send the referenced letter dated November 6, 2014.
- 2) You state "although the project site was transferred, there remains one developer that owns the entirety of the project site." This sentence seems to contradict itself. Can you please explain in clear terms specifically, can you define what exactly does "project site" encompass, and which Developer is responsible and the contact for communications?

**Tenant List Updates and Dispute Resolution:**

- 1) Though Parkmerced held a public information presentation last winter at their Clubhouse relating to the Phase 1 application, the fire code for this location is severely deficient to house even 1% of tenant residents. Can the City ensure that Parkmerced provide an adequate forum to accommodate at least 25% of tenants for these required community meeting? Which City Department (and/or person) would this request go to? It concerns us that this will continue to be the meeting place for the public hearings to be held – from which people were turned away due to lack of space and overcrowding.
- 2) Per your response, Parkmerced must:
  - a. Present the tenant relocation plan at least one public hearing;
  - b. Make available a tenant relocation plan in hard copy at the Parkmerced Resident Offices;
  - c. Provide a list of Existing Tenants within 60 days after the start of construction of a replacement building.
- 3) Per your response, the Rent Board will resolve any disputes regarding whether a person qualifies as an Existing Tenant, however there was no response to our concerns relating to Long-Term Tenants.
  - a. Please provide a definition of Existing Tenant versus Long-Term Tenant so that we may convey this to residents to avoid confusion.

**Tax Audit:**

- 1) Per your response, it is not the intent of the City to ensure that property taxes are current on this 156 acre property prior to the approval of any Phase of Development and issuance of building permits.
- 4) In order to understand the status of any assessment and payment of property taxes, you are basically stating that we need to investigate this on our own.

**Workforce Programs:**

- 5) Per your response, the EOEP does not impose workforce requirements for existing buildings and facilities. With the new ownership in November 2014, wouldn't this trigger current mandates with LBE and other City ordinances? If not, can you please explain why the new owner is exempt?

**Formation of Tenant Organizations:**

- 1) As you may or may not be aware, Parkmerced Action Coalition has been an active group since it's inception in 2006. It's members are primarily tenants of Parkmerced and we have advocated on behalf of the residents since and from our creation. We have requested to be a recognized resident group, and are on some of the mailings, mainly for tree preservation and EIR violations, however we have never received confirmation or recognition of being an official tenant organization.
- 2) Per your response, we qualify, so we will inform the planning department and Parkmerced...however with the change of ownership, we need a letter to understand who should receive notification of our new status. Please advise.
- 3) Also per your response, mitigation measures of "extensive public outreach and public review process in the DA" are required, yet Parkmerced has held meetings in deficient facilities and the planning department does not plan on holding any public hearings as it relates to Phase 1 application, so your statement – though seemingly assuring, is really not. Can you expand your brief response to include:
  - a. who/which departments in "the City" will be responsible to hear issues related to this; and,
  - b. what are the consequences if the DA is violated in this regard?

We had brought a series of concerns (including the above) to our District 7 Supervisor over a year ago, which yielded ZERO results. We brought an extensive violation of the approved EIR to the Planning Department, which yielded ZERO results. It would be helpful to have a list of which City Officials and departments are responsible for various concerns, so we can proactively inquire about contacts, division of duties, and consequences to various violations.

- 4) We look forward to the developer's next quarterly newsletter, which should provide information on becoming a recognized tenant organization.
- 5) We will submit a notification to the Planning Department and Parkmerced owners – once you provide this information to us – that we qualify and intend to be a Recognized Resident Organization.

**Phase 1 Review Process:**

- 1) Per your response, you indicate the City provided "a number of thoughtful questions, comments, and suggestions for *slight* revisions." It is our understanding that there were 99 points raised by 6 or more departments, including the lack of several reports as a part of the mitigation measures listed in the DA.
- 2) We will contact the Planning Department again to request a copy of the Developer's responses. It is of concern that the public is being left out of this process – with no City hearings which would undoubtedly bring real life and real time concerns that City employees may miss and Parkmerced Developers may not address prior to approving any phase of this project. Leaving the 9,000 tenants out of this process is concerning, given that the City signed the agreement on behalf of the people of San Francisco...but are excluding all impacted residents from participating further.

**Annual Review:**

- 1) Per your response, you state "because no substantial construction activity of any kind has occurred to date, such annual reviews have not yet been conducted." This statement is insulting to the citizens of San Francisco. In the last year, Parkmerced residents have endured Major Impacts from:
  - a. the construction of the 800 Summit project;
  - b. the logging and destruction of Brotherhood Way; and,
  - c. the installation of 9 cell antennas on the Arballo towers.
- 2) The City continues to allow Parkmerced to move forward with these serious and questionable activities without penalty, while wildlife, the environment, and the residents are directly negatively impacted with ZERO recourse. We are still waiting for the City to say "no" – to preserve some sort of quality of life for those who have to live here, especially given the housing crisis....but it seems that the City's position is – as long as the developers commit future money to the City – that this behavior is acceptable. Would you or the planning director, or the Supervisor want to live with your families in or near the tower with 9 cell antennas on it?
- 3) The Planning Director's hands off approach is very concerning. As such, we request that the City provide us with:
  - a. The anticipated content of what an annual review would look like;
  - b. what information would be reported on; and,
  - c. what oversight/enforcement would look like.
- 4) It is also concerning that this response undermines the Phase 1 application that was seriously deficient relating to mitigation measures as described in the DA -which in turn, caused multiple City Departments/staff to expend time and City resources to respond to the application citing almost 100 points/deficiencies which Parkmerced failed to address.

The impacts to all San Francisco residents – directly and indirectly - are immeasurable should the City continue to ignore the need of a mitigator team and fail to provide it's citizens adequate protections as described in the DA.

We look forward to your expeditious response.

Sincerely, Parkmerced Action Coalition





**To:** Parkmerced Action Coalition

**From:** Office of Economic and Workforce Development

**Date:** March 31, 2015

**Re:** Letter from Parkmerced Action Coalition dated February 19, 2015 Regarding the Development Agreement with Parkmerced Investors Properties, LLC dated as of July 6, 2011 (the "DA")

---

We write this letter in response to your letter dated February 19, 2015. We appreciate your continued interest in the Parkmerced project, and we hope that this letter responds to your additional questions.

Please note that the answers to many of these questions can also be found within the Parkmerced development agreement ("DA"), a public document that can be accessed online at [http://www.sf-planning.org/ftp/files/publications\\_reports/parkmerced/Parkmerced\\_Development\\_Agreement\\_As\\_Recorded.pdf](http://www.sf-planning.org/ftp/files/publications_reports/parkmerced/Parkmerced_Development_Agreement_As_Recorded.pdf). This contractual agreement binds the City and the Parkmerced property owner to follow a defined set of processes and requirements for the property's development. We encourage you to consult this document directly to find immediate answers to future questions.

In addition to your questions and requests, which we have addressed below, your February 19 letter also reiterates and responds to certain portions of the City's prior communication without raising questions. We appreciate these comments as well.

### **Change in Ownership**

We apologize for any confusion surrounding the assignment and assumption agreements attached to our previous letter. The documents that you received are a portion of the final, recorded versions of these documents. Attached is a copy of the recorded documents in their entirety.

The developer originally transmitted a draft of these documents to the City on November 6, 2014. Attached is a copy of that transmittal.

The "Project Site" is described in Exhibits A and B of the DA, with both a map and a list of parcel numbers. When the DA was executed, all of these parcels were owned by Parkmerced Investors Properties, LLC. Ownership of all of these parcels has now been transferred to Parkmerced Owner LLC, together with all rights and obligations under the DA, consistent with DA Section 11.1. More information about the property transfer is found within the assignment and assumption agreements, along with the following contact information for the current owner:

Parkmerced Owner LLC  
c/o Maximus Real Estate Partners  
345 Vidal Drive  
San Francisco, CA 94132  
Attn: Robert Rosania  
Tel: (415) 584-4832  
Fax: (415) 584-8096

The new owner/developer is currently utilizing the same project management staff as the previous owner, so you can also continue to contact the project representatives you have worked with in the past.

### **Tenant List Updates and Dispute Resolution**

We agree that it is important for public information meetings to be held in venues with enough space to accommodate all who wish to attend. We will work with Parkmerced management to ensure that meeting space is sufficient to accommodate all residents who wish to attend the public meetings.

Section 4.3.2 of the DA defines an Existing Tenant as the tenant of an apartment at the time when that apartment's replacement building commences construction. Section 3.4.1 of the DA defines Long-Term Existing Tenant as someone who meets the definition of an Existing Tenant and who, as of July 9, 2011, had occupied his or her unit for more than ten years.

### **Workforce Programs**

The new Parkmerced owner is subject to the DA, the Equal Opportunity Employment Program ("EOEP"), and City workforce ordinances. None of these impose new workforce requirements for the existing buildings at Parkmerced as a consequence of the change of ownership. The workforce requirements are tied to the development of the project, not the transfer of ownership.

### **Formation of Tenant Organizations**

The forthcoming resident newsletter from the developer should include instructions for how to formally establish a Recognized Residents' Association. If these instructions are not clear, or if you have additional questions, we have provided the new ownership entity's contact information above. If you believe that the developer has improperly failed to recognize your group or any other group, please let us know so that we can investigate the matter.

### **City Communications and DA Monitoring**

The Planning Department and Office of Economic and Workforce Development ("OEWD") are responsible for implementing the DA. Please continue to direct your questions and comments to staff at these departments, who will convey them to their colleagues at other departments as necessary. As with all large and complex development projects, implementation actions under the DA require meaningful and frequent interaction with numerous City departments, with significant back and forth as needed to ensure that all DA and City requirements are met at each stage of development.

In addition, the DA mandates a specific public review process, including the annual review process described in the DA. Affected tenants are also required to be notified under the tenant relocation processes described in the DA. We are not aware of any DA violations to the required review processes, and remain satisfied that the processes established by the DA and City law, including the development phase

applications, are sufficient to ensure that all DA requirements can and will be satisfied and that the public has appropriate opportunity to express any concerns about the development.

We further note that the DA (Sections 12.3 and 12.4) outlines a process to be undertaken if either of the two parties to the DA, the City or the developer, believes that the other party has failed to meet a requirement of the DA. The two parties must try to negotiate a mutually agreeable remedy to the situation; if they are not able to do so, then either party may initiate legal proceedings or terminate the DA.

### **Annual Review**

The DA and its reporting requirements only pertain to development of the Project as described in the DA and the Parkmerced Plan Documents. The 800 Summit and Brotherhood Way activities are not within the Project Site, are not part of the Project, and are not owned by the same entity as Parkmerced, so activities occurring at these sites do not trigger the DA's reporting or other requirements. Similarly, the installation of cell antennas on "Arballo Towers" is not part of the Project or the proposed development covered by the DA, and therefore is subject only to standard City procedures and requirements and not the project-specific requirements of the DA.

The annual reporting process is defined thoroughly in Section 9 of the DA, which includes a list of the topics the annual review must cover and what the review process must entail. Please find attached Section 9, excerpted from the DA.

Thank you again for your persistent commitment to the Parkmerced development project.

Exhibit E



Date: 8/24/2015

## THIS IS NOT A BILL.

The City and County Surveyor has approved a tentative map for a proposed subdivision located within Parkmerced at:

Project ID	Address	Block-Lot
8530	111-125 CAMBON DR, 100-150 FONT BLVD, 20 FONT BLVD, and 55 CHUMASERO DR	7303-001, 7303-A-001, 7308-001, 7309-001, 7309-A-001, 7310-001, 7311-001, 7315-001, 7316-001, 7317-001, 7318-001, 7319-001, 7320-003, 7321-001, 7322-001, 7323-001, 7235-001, 7326-001, 7330-001, 7331-004, 7332-004, 7333-001, 7333-003, 7333-A-001, 7333-B-001, 7333-C-001, 7333-C-001, 7333-D-001, 7333-E-001, 7334-001, 7335-001, 7336-001, 7337-001, 7338-001, 7339-001, 7340-001, 7341-001, 7342-001, 7343-001, 7344-001, 7345-001, 7345-A-001, 7345-B-001, 7345-C-001, 7356-001, 7357-001, 7358-001, 7359-001, 7360-001, 7361-001, 7362-001, 7363-001, 7364-001, 7365-001, 7366-001, 7367-001, 7368-001, 7369-001, and 7370-001
8531	2-28 BUCARELI DR, 401-425 FONT BLVD, 700-750 GONZALEZ DR, 810 GONZALEZ DR, 80-116 JUAN BAUTISTA CIRCLE, 301-355 SERRANO DR, and 405 SERRANO DR	
8532	310-350 ARBALLO DR	

Edwin M. Lee  
Mayor

Mohammed Nuru  
Director

Jerry Sanguinetti  
Bureau of Street Use & Mapping  
Manager

**Bruce R. Storrs P.L.S.**  
City and County Surveyor

Bureau of Street Use & Mapping  
1155 Market St., 3rd floor  
San Francisco, CA 94103  
tel (415) 554-5827  
Subdivision.Mapping@sfdpw.org

sfpublicworks.org  
facebook.com/sfpublicworks  
twitter.com/sfpublicworks

This subdivision will result in:

### Lot & Condominium Subdivision

This notification letter is to inform you of your right to appeal this tentative approval.

#### IF YOU WOULD LIKE TO FILE AN APPEAL OF THE TENTATIVE APPROVAL:

You must do so in writing with the Clerk of the Board of Supervisors within ten (10) days of the date of this letter along with a check in the amount of \$298.00, payable to SF Public Works.

The Clerk of the Board is located at: City Hall of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-5184

If you have any questions on this matter, please call us at (415) 554 – 5827 or our email address: [Subdivision.Mapping@sfdpw.org](mailto:Subdivision.Mapping@sfdpw.org).

Sincerely,


  
Bruce R. Storrs, P.L.S.  
City and County Surveyor  
City and County of San Francisco.

Exhibit F



Parkmerced Action Coalition <parkmercedac@gmail.com>

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## FW: Parkmerced - hyperlinks to tentative maps

1 message

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**Leibof, Steven (DPW)** <steven.leibof@sfdpw.org>  
To: "parkmercedac@gmail.com" <parkmercedac@gmail.com>

Mon, Aug 31, 2015 at 9:46 AM

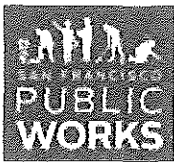
Per our conversation, I have supplied links below to download the tentative maps.

<http://1drv.ms/1JCmxL3>

<http://1drv.ms/1JCmCOW>

<http://1drv.ms/1JCmFu3>

Regards,



**Steven Leibof**

Bureau of Street Use and Mapping | San Francisco Public Works | City and County of San Francisco

Direct: 415-554-5831 | Main: 415-554-5827 | Fax: 415-554-5324 | Email: [steven.leibof@sfdpw.org](mailto:steven.leibof@sfdpw.org)

1155 Market Street, 3rd Floor | San Francisco, CA 94103 | [sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

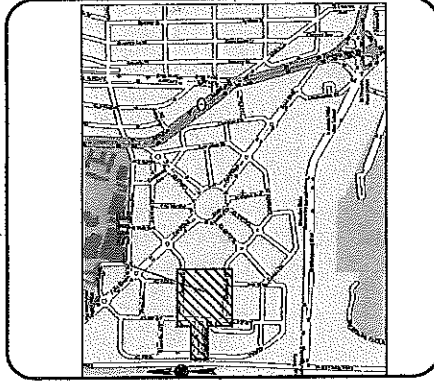
\*\*\*\*\* THIS E-MAIL MESSAGE AND ANY ATTACHMENTS ARE UNCLASSIFIED AND FOR PUBLIC RELEASE \*\*\*\*\*

Exhibit G





**SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA**



**FILE PROTECTION:**  
CITY OF SAN FRANCISCO  
600 SECOND STREET  
SAN FRANCISCO, CA 94107  
(415) 398-2000

THE PROJECT IS LOCATED WITHIN THE MANHATTAN COMMUNITY IN SAN FRANCISCO, CA. THIS PORTION OF THE PROJECT INCLUDES THE VACATION AND DEDICATION OF PUBLIC RIGHT-OF-WAY, SUPERVISION OF AN EXISTING BLOCK, AND THE CONSTRUCTION OF NEW EXISTING STREETS, BUILDINGS AND INFRASTRUCTURE. THE COMPLETED PROJECT IS DESIGNED TO BE FINISHED IN PHASES TOTALING 24 BLOCKS AND 240 LOTS COMBINING OF PRIVATE AND PUBLIC CONSTRUCTION INCLUDING RESIDENTIAL, COMMERCIAL, OPEN SPACE, RETAIL, AND SCHOOL IMPROVEMENTS.

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY  
SUPERVISION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICES.



Address/Name	Area (Acres)
AREA TO BE DONATED TO THE CITY AND COUNTY OF SAN FRANCISCO	0.47
AREA TO BE WAIVED BY THE CITY AND COUNTY OF SAN FRANCISCO	0.10

LOT	AREA (ACRES)	NEW RESIDENTIAL UNITS	EXIST. RESIDENTIAL UNITS	TOTAL	DESCRIPTION
1	0.50	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR 30 UNITS
2	0.58	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR 30 UNITS
3	0.58	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR 30 UNITS
4	1.02	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR 30 UNITS
5	1.00	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR 30 UNITS
6	0.50	15	15		OPEN SPACE
7	0.48	240	0	240	OPEN SPACE
				TOTAL	

C1.0	TITLE SHEET
C1.1	LEGEND & APPROPRIATIONS
C1.2	TYPICAL STREET SECTIONS
C1.3	TYPICAL STREET SECTIONS
C2.0	LOT PLAN
C2.1	LOT PLAN
C2.2	EXISTING SITE PLAN
C2.3	PROPOSED SITE PLAN
C2.4	PROPOSED SITE PLAN
C2.5	PROPOSED UTILITY PLAN
C2.6	PROPOSED UTILITY PLAN

**OWNED/BOUNDED**  
PRODUCED OWNERS, LLC  
345 TELL DRIVE  
SAN FRANCISCO, CA 94133  
(415) 384-4832

**ENGINEER**  
BET CHAMBERS  
255 SHORELINE DRIVE, SUITE 200  
REDWOOD CITY, CA 94063

3. RECORD OF SURVEY MAP OF MANHATTAN, SAN FRANCISCO, CALIFORNIA, RECORDED IN BOOK "D" PAGES 87-101, RECORDED AUGUST 2, 1981, ALSO ON FILE IN THE CITY OF SAN FRANCISCO BUREAU OF STREETS AND MAPS AS SURVEY MAPS 1-17-81.

	NUMBER OF BLOCKS	1	RECORDING/TAPING DEVICES
	NUMBER OF LOTS	7	RECORDING/MULTIMEDIA DEVICES
	EXISTING USE		PREPARED USE

NUMBER OF LOTS	EXISTING USE	PROPOSED USE	7	RESIDENTIAL OPEN SPACES	RESIDENTIAL OPEN SPACES

C1.0	TITLE SHEET
C1.1	LEGEND & ABBREVIATIONS
C1.2	TYPICAL STREET SECTIONS
C1.3	TYPICAL STREET SECTIONS
C2.0	LOT PLAN
C2.1	LOT PLAN
C2.2	EXISTING SITE PLAN
C2.3	PROPOSED SITE PLAN
C2.4	PROPOSED SITE PLAN
C2.5	PROPOSED UTILITY PLAN
C2.6	PROPOSED UTILITY PLAN

LOT	AREA (ACRES)	NEW RESIDENTIAL UNITS	EXIST. RESIDENTIAL UNITS	TOTAL	USE
1	0.50	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR THE BLINDINGS
2	0.50	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR THE BLINDINGS
3	0.50	15	15		RESIDENTIAL FAMILY ATTACHED HOUSING FOR THE BLINDINGS
4	1.00	30	30		RESIDENTIAL FAMILY ATTACHED HOUSING FOR THE BLINDINGS
5	1.00	30	30		OPEN SPACE
6	0.18	5	5		OPEN SPACE
7	4.28	240	240		TOTAL

Address/Name	Area (Acres)
AREA TO BE DONATED TO THE CITY AND COUNTY OF SAN FRANCISCO	0.47
AREA TO BE WAIVED BY THE CITY AND COUNTY OF SAN FRANCISCO	0.10



Exhibit H

# SUBDIVISION REGULATIONS

2015

DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF SAN FRANCISCO

Adopted by Department of Public Works Order No. 183447

Approved March 24, 2015

  
Mohammed Nuru, Director of Public Works

  
Fuad Sweiss, City Engineer

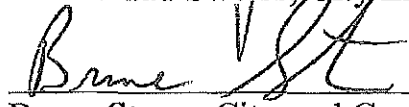
  
Bruce Storrs, City and County Surveyor



Exhibit I

Law Offices of  
**Stuart M. Flashman**  
5626 Ocean View Drive  
Oakland, CA 94618-1533  
(510) 652-5373 (voice & FAX)  
e-mail: [stu@stuflash.com](mailto:stu@stuflash.com)

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2015 SEP -3 AM 10:48

  
September 2, 2015

Clerk of the Board of Supervisors  
City Hall of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room  
244  
San Francisco, CA 94102

Re: Appeal of Tentative Final Subdivision Maps for Parkmerced Project.

To the Clerk of the Board of Supervisors:

On behalf of the Parkmerced Action Coalition and its members who are tenants of Parkmerced, I am filing this appeal to ask the Board of Supervisors to review and reverse the decision of the City and County Surveyor granting tentative approval to three tentative final subdivision maps: Development blocks 20, 21S and 22 (assessor's blocks 7326, 7330, 7331, 7364, 7365, 7366, and 7370), Development Block 6 (assessor's block 7335), and Development Block 1 (assessor's blocks 7303, 7303-A, 7308, and 7333-D). The bases for this appeal are laid out briefly below, and will be elaborated at greater length in a brief that will be filed once this appeal has been set for hearing.

### **BASES FOR APPEAL**

The bases for this appeal are as follows:

1. Violation of Right of Due Process: In violation of the provisions of the California Constitution and the United State Constitution, the subdivision approval denied my clients their right of due process, and specifically the right to adequate notice and an adequate opportunity to be heard.

These subdivision approvals were given administratively with no prior notice to my clients, who will be directly and adversely affected by these approvals. Nor were my clients provided an opportunity to be heard prior to the granting of these approvals.

The notice of subdivision approval was only sent to properties within 300 feet of the proposed subdivisions. However, given the size and density of the subdivisions, their significant effects, including effects on property values, will extend far beyond 300 feet. Therefore the notice also fails to comply with due process requirements in terms of those being notified.

In addition, my clients were only provided notice of their right to appeal the approvals after the approvals had already been granted, and while the notice theoretically gave ten days, starting on August 24, 2015, in which to appeal, it was not received by my clients until August 26<sup>th</sup> at the earliest. After reviewing the bare-bones notice they received, on August 28<sup>th</sup> my clients requested, via e-mail, copies of the maps for their review.

On August 31<sup>st</sup>, they were provided, via e-mail, links to download copies of the maps. This allowed my clients only three days to review the complex information contained in the subdivision maps, as well as to research other problems with the subdivision approvals. Given the amount of research required, this is clearly inadequate. For this reason, my clients reserve the right to add additional issues to this appeal that could not be adequately reviewed in the limited time available. Further, it is unclear whether the notice was made available in any language other than English. Thus inadequate notice was given non-English-speaking residents of the area.

2. Inconsistency between Notice and Maps: A preliminary review of the maps appears to indicate that they are inconsistent with the notice of subdivision approval. This would make the notice inaccurate and therefore inadequate on that basis alone. Further, the notice indicated that blocks beyond those for which maps were provided were also approved; yet only three maps were provided. Either the notice or the documentation was in error, and in either case the inconsistency requires that the approvals be renoticed with a consistent set of maps and adequate time to review the maps.
3. Inadequacy of documentation for subdivision approvals: According to the Department of Public Works Order #183447 (3/15/15), the subdivision maps should have been accompanied by supporting materials, including a notification list, description of community benefits, and other documents. It does not appear that these were provided and considered, or at least they were not provided in response to my clients' request.
4. It is unclear from the documentation provided whether actions necessary for subdivision approval have been taken: a) whether high pressure fire safety lines have been provided within all the subdivision areas, b) whether the high-rise buildings in the area have been conformed to meet required seismic safety standards, c) whether all water and sewer line changes have been reviewed and approved, d) whether a replanting plan has been prepared and approved for the subdivision areas, e) whether the community benefits that were to accompany subdivision approval have been confirmed, f) whether all necessary mitigation measures identified in the project approvals or the development agreement have been completed or committed to.
5. Questions about Project Ownership: There is a considerable degree of question about the actual ownership of the properties included in these subdivision approvals. My clients' attempts to obtain a complete history of the title for the project parcels have been thwarted by the fact that the Assessor/Recorder's office does not appear to have in its possession the microfiches for the 1930's and early 1940's when crucial changes in ownership, including transfer of title to Metropolitan Life Insurance Company, would have occurred. The lack of these documents means that there is a cloud over whether actual ownership of the parcels is validly held by the current purported owner/developer of the property. This cloud must be cleared up and resolved before any actual construction of the project begins. Otherwise, literally hundreds of millions of dollars may be wasted. Much more recently, on November 10, 2014, three deeds were recorded: (DOC-2014-J970573-00) transferring blocks/lots from Parkmerced Investors, LLC, a Delaware LLC to Maximus PM Mezzanine 2, LLC a Delaware LLC; (DOC-2014-J970573-00) transferring the same block/lots from Maximus PM Mezzanine 2, LLC a Delaware LLC to Maximus PM Mezzanine 1, LLC a Delaware LLC; and (DOC-2014-J970573-00), transferring the same



blocks and lots from Maximus PM Mezzanine 1, LLC a Delaware LLC to Parkmerced Owners, LLC, a Delaware LLC. The authorized agent on all of these deeds and for all of the companies listed was Robert Rosania – President of all four companies. This filing of three deeds for the same property within minutes on the same day is highly unusual and the purposes of these transfers needs to be investigated and explained.

In addition, the Subdivision Maps indicate that the owner is "Parkmerced Owners, LLC" located at 345 Vidal Drive, San Francisco. However, the California Secretary of State shows no such LLC, although it does show a Delaware LLC, "Parkmerced Owner, LLC" with offices at 575 Florida St., Ste. 150 in San Francisco. The discrepancy must be clarified.

6. Tax Liability: It is unclear at the moment whether taxes for the subdivision parcels have been paid, as is required. As of May 2015, one of the parcels, 7236-001 showed \$791,954.80 of tax due. Unfortunately, the City's tax website is currently down for maintenance, so updated information was not available for September 1.

For all of the above reasons, the subdivision approvals should be reversed and the matter remanded for further investigation prior to any reconsideration of approval.

Most Sincerely,

Stuart M. Flashman  
Robert Cheasty

Attorneys for Parkmerced action Coalition

By: Stuart M. Flashman  
Stuart M. Flashman

Exhibit J



Parkmerced Action Coalition <parkmercedac@gmail.com>

---

## TIME SENSITIVE Appeal info request

1 message

---

Susan Suval <ssuval@sbcglobal.net>

Sun, Sep 13, 2015 at 4:18 PM

To: "parkmercedac@gmail.com" <parkmercedac@gmail.com>

To: Director of DPW/Planning/Mapping;

Thank you for the link to the three Tentative Final Maps. Though this was initially helpful, we will also require the following information for each individual project (8530, 8531, and 8532):

- 1) Clarification on the term "Tentative Final Map" (This is not listed anywhere in the policy dated 3/24/15 - see attached) ;
- 2) Property boundaries and title gaps as required by A.4.2;
- 3) Conditions of Approval as required by A.4.3 and A.4.4;
- 4) the list of City Agencies that reviewed the application prior to approval as required by B.;
- 5) the 300 foot radius map as required by C.1;
- 6) the address list for notice as required by C.4;
- 7) the letter from the PUC RE: water conditions as required by E.1;
- 8) the letter outlining public easements as required by E.2;
- 9) the spreadsheet submitted with the Final Map Checkprint outlining phased benefits as required by E.3;
- and;
- 10) the written explanation of the Director in why he elected not to hold a public hearing on these three projects.

Also, we would like to view the application submitted for each project.

We look forward to obtaining these items - which the City should have as a condition of their approval of the three projects - no later than the close of business on 9/15/15 so that we can review and address any other issues that these documents may bring forth at the 9/29/15 hearing, for which our presentation and notification must be completed this week.

Should you have any questions as to what we are requesting, please refer to SF DPW Subdivision Regulations dated March 24, 2015 by DPW Order 183447. If it is still not clear, feel free to contact me.

Thank you for sending the link to the tentative final maps of the three projects, however this was bare minimum information and require the above to adequately address the notice given on August 24, 2015 - received August 26, 2015.

Thank you,  
PMAC



Exhibit K



Parkmerced Action Coalition <parkmercedac@gmail.com>

---

## TIME SENSITIVE Information Request

---

**Leibof, Steven (DPW)** <steven.leibof@sfdpw.org>

Mon, Sep 14, 2015 at 12:51 PM

To: PmAC <parkmercedac@gmail.com>

Cc: "Yee, Norman (BOS)" <norman.yee@sfgov.org>, "Mormino, Matthias (BOS)" <matthias.mormino@sfgov.org>, "Lee, Frank (DPW)" <frank.w.lee@sfdpw.org>, "Mapping, Subdivision (DPW)" <Subdivision.Mapping@sfdpw.org>

Ms. Suval,

We are in receipt of your information request dated September 13, 2015.

Generally all requests and questions directed to our office should be made to [subdivision.mapping@sfdpw.org](mailto:subdivision.mapping@sfdpw.org) where they are reviewed by more than one staff person and processed in a more timely manner.

The information you requested must be made through Frank Lee (cc'ed), Executive Assistant to the Director and Custodian of Records for the Department of Public Works.

We will begin compiling the requested information and work with Mr. Lee to provide an estimated response time.

Regards,



**Steven Leibof**

San Francisco

Bureau of Street Use and Mapping | San Francisco Public Works | City and County of San

Direct: 415-554-5831 | Main: 415-554-5827 | Fax: 415-554-5324 | Email: [steven.leibof@sfdpw.org](mailto:steven.leibof@sfdpw.org)

1155 Market Street, 3rd Floor | San Francisco, CA 94103 | [sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

Exhibit L

**From:** susan suval <ssuval@sbcglobal.net>

**To:** Diane Carpihole <carpihole@aol.com>

**Subject:** FW: RE: Your Public Records Request #15-436 re: TIME SENSITIVE Information Request

**Date:** Mon, Sep 21, 2015 8:31 am

**Attachments:** image003.jpg (13K)

---

Sent from Yahoo Mail for iPad

----- Begin Forwarded Message -----

**From:** Lee, Frank (DPW)

**Date:** Sep 18, 2015, 4:06:11 PM

**To:** 'susan suval', Mapping, Subdivision (DPW)

**CC:** Yee, Norman (BOS), Mormino, Matthias (BOS), Leibof, Steven (DPW), 'Diane Carpihole', Rodis, Nathan (DPW)

**Subject:** RE: Your Public Records Request #15-436 re: TIME SENSITIVE Information Request

Dear Ms. Suval:

We've completed our research, found documents that respond to your request, and are making those documents available to you.

Since the number of responsive documents are numerous, we will not identify each document for you. However, since you are familiar with the three Tentative Map projects, we are hoping that you will be able to identify them. If not, please let me know by sending the document back to me and asking me for clarification.

Since the amount of responsive documents consists of over 242MB of data, emailing them to you will not be practical. Therefore, we will burn the responsive documents onto a CD and provide you with that CD. We generally charge \$3.00 for records on a CD; checks should be made out to "San Francisco Public Works". If you would like us to mail the CD to you, please give your mailing address to me. If you would like to pick up the CD, please let Nathan Rodis (copied on this email) know when you will be stopping by. Mr. Rodis' telephone number is (415) 554-6932. Our office is located at City Hall, Room 348. If you are coming by, we suggest coming between 9AM and 4:30PM.

The responsive documents that we are providing to you are: (B) the subdivision applications material from the applicant; and (C) the list of city agencies that reviewed the applications and cover letters to those agencies. If you recall, earlier we supplied you with (A) Public Works Order 183,946 – Director's Conditional Approval of Tentative Maps Nos. 8530, 8531 & 8532 for ParkMerced, approved on August 21, 2015.

Item A responded to your request item 3 for conditions of approval as required by A.4.3 and A.4.4.

Item B responds to your request item 5 for the 300-foot radius maps as required by C.1; request item 6 for the address lists for notice as required by C.4; and your request to view the application submitted for each project.

Item C responds to your request item 4 for the list of city agencies that reviewed the applications prior to approval as required by B.

The responsive record to your request item 1 for clarification on the term "Tentative Final Map" can be found in the California Subdivision Map Act at

[http://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=7.&=&chapter=2.&article=1.)

[lawCode=GOV&division=2.&title=7.&=&chapter=2.&article=1.](http://www.amlegal.com/nxt/gateway.dll/California/subdivision/subdivisioncode?templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1); in the San Francisco Subdivision Code at [http://www.amlegal.com/nxt/gateway.dll/California/subdivision/subdivisioncode?](http://www.amlegal.com/nxt/gateway.dll/California/subdivision/subdivisioncode?templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1)

[f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco\\_ca\\$sync=1](http://www.amlegal.com/nxt/gateway.dll/California/subdivision/subdivisioncode?templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1); or in the San Francisco



Subdivision Regulations at <http://www.sfdpw.org/modules/showdocument.aspx?documentid=4740>.

There are no responsive records to your request item 2 for property boundaries and title gaps as required by A.4.2. because these issues will be resolved during the production and review of the Final Map Checkprint.

There are no responsive records to your request item 7 for the letter from the PUC regarding water conditions as required by E.1 because we do not have such letter.

There is no responsive records to your request item 8 for the letter outlining public easements as required by e.2 because we do not have such letter and because this issue is usually not addressed at the Tentative Map phase of the project and is resolved during the production and review of the Final Map Checkprint.

As explained earlier, there is no responsive records to your request item 9 for the spreadsheet submitted with the Final Map Checkprint outlining phase benefits as required by E.3 because the Final Map Checkprints have not been submitted and do not presently exist.

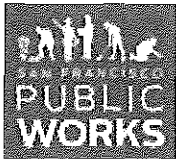
There is no responsive records to your request item 10 for the written explanation of the Director in why he elected not to hold a public hearing on these three projects because there is no written explanation and because hearings were not required. You may review Sections 1312 and 1313 of the San Francisco Subdivision Code regarding this topic.

This concludes your Public Records Request.

Please let Mr. Rodis know if and when you will be coming to pick up the CD.

Sincerely,

Frank W. Lee



**Frank W. Lee**

Executive Assistant to Director and Custodian of Records

Director's Office | San Francisco Public Works | City and County of San Francisco

City Hall, Room 348 - 1 Dr. Carlton B. Goodlett Pl. | San Francisco, CA 94102 | (415) 554-6993 | [sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

**From:** susan suval [<mailto:ssuval@sbcglobal.net>]

**Sent:** Tuesday, September 15, 2015 2:30 PM

**To:** Lee, Frank (DPW); Mapping, Subdivision (DPW)

**Cc:** Yee, Norman (BOS); Mormino, Matthias (BOS); Leibof, Steven (DPW); Diane Carpihole

**Subject:** Re: Your Public Records Request #15-436 re: TIME SENSITIVE Information Request

Thanks for your prompt reply and we look forward to receiving your information as it is available.

The interpretations of Mapping and Planning should be fine.

Susan for

PmAC

On Tuesday, September 15, 2015 8:58 AM, "Lee, Frank (DPW)" wrote:

Dear Ms. Suval:

We are acknowledging receipt of your request, which we will treat as a Public Records Request and will assign as Request #15-436.

Attached for you is item (A) Public Works Order 183,946 – Director's Conditional Approval of Tentative Maps Nos. 8530, 8531 & 8532 for ParkMerced, approved on August 21, 2015. This document responds to – what I believe is – your request item 3 for conditions of approval as required by "A.4.3 and A.4.4". Since you did not provide me with the meaning of "A.4.3 and A.4.4", I am assuming that our Subdivision and Mapping staff – who are compiling the requested information for you – understands what you are requesting because you have been communicating with them. They provided me with Item (A) as responsive to your request item 3.

Please know that we do not have any records that would respond to your request item 9 for the spreadsheet submitted with the Final Map Checkprint outlining phased benefits as required by "E.3". We do not have any responsive records to this item because no Final Map Checkprint has been submitted; therefore, there is no spreadsheet submitted with the Final Map Checkprint.

Our department will identify and compile the remaining requested items (nos. 1 to 2, nos. 4 to 8, no. 10, and the application submitted for each project). We understand that you asked that the responsive records be provided to you by the end of today. However, the nature of your request will require more than a day for staff to compile the information and to coordinate with me. At the same time, we understand that you would like the requested records so that you could prepare for a September 29 hearing, two weeks from now. Therefore, we will aim to provide you with the remaining responsive records by this Friday.

Please note that the Public Records Act requires an agency to make available to any person a copy of an "identifiable record or records" in its possession, unless the record is specifically exempt from disclosure. (Please see California Government Code § 6253(b).) The City's obligation under the Sunshine Ordinance, like the Public Records Act, is to produce public records in its custody. (See San Francisco Administration Code § 67.20(b).) There is no requirement that a department or officer construct a document to meet the specifications of the request.

If you would like to share with me the descriptions or meanings of the "required by" numbers so that there is no misunderstanding, please feel free to let me know. Otherwise, I will assume that our Subdivision and Mapping staff's interpretations will be sufficient.

Public Records Requests for San Francisco Public Works could be sent directly to me because I manage the Records Requests for our department.

Sincerely,

Frank W. Lee



**Frank W. Lee**

Executive Assistant to Director and Custodian of Records

Director's Office | San Francisco Public Works | City and County of San Francisco

City Hall, Room 348 - 1 Dr. Carlton B. Goodlett Pl. | San Francisco, CA 94102 | (415) 554-6993 | [sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

**From:** susan suval [<mailto:ssuval@sbcglobal.net>]

**Sent:** Monday, September 14, 2015 1:56 PM

**To:** Lee, Frank (DPW); Mapping, Subdivision (DPW)

**Cc:** Yee, Norman (BOS); Mormino, Matthias (BOS); Leibof, Steven (DPW); Diane Carpihole

**Subject:** Re: TIME SENSITIVE Information Request

Mr Lee,

I understand that this request has been forwarded to you so I just want to reiterate our appreciation for your timely attention to this matter.

Thank you,

Susan Suval

PmAC

To: Director of DPW/Planning/Mapping;

Thank you for the link to the three Tentative Final Maps. Though this was initially helpful, we will also require the following information for each individual project (8530, 8531, and 8532):

- 1) Clarification on the term "Tentative Final Map" (This is not listed anywhere in the policy dated 3/24/15 - see attached) ;
  - 2) Property boundaries and title gaps as required by A.4.2;
  - 3) Conditions of Approval as required by A.4.3 and A.4.4;
  - 4) the list of City Agencies that reviewed the application prior to approval as required by B.;
  - 5) the 300 foot radius map as required by C.1;
  - 6) the address list for notice as required by C.4;
  - 7) the letter from the PUC RE: water conditions as required by E.1;
  - 8) the letter outlining public easements as required by E.2;
  - 9) the spreadsheet submitted with the Final Map Checkprint outlining phased benefits as required by E.3;
- and;
- 10) the written explanation of the Director in why he elected not to hold a public hearing on these three projects.

Also, we would like to view the application submitted for each project.

We look forward to obtaining these items - which the City should have as a condition of their approval of the three projects - no later than the close of business on 9/15/15 so that we can review and address any other issues that these documents may bring forth at the 9/29/15 hearing, for which our presentation and notification must be completed this week.

Should you have any questions as to what we are requesting, please refer to SF DPW Subdivision Regulations dated March 24, 2015 by DPW Order 183447. If it is still not clear, feel free to contact me.

Thank you for sending the link to the tentative final maps of the three projects, however this was bare minimum information and require the above to adequately address the notice given on August 24, 2015 - received August 26, 2015.

Thank you,

PMAC

PS. if you have any questions please email me at [parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)

Susan

On Monday, September 14, 2015 12:51 PM, "Leibof, Steven (DPW)" <[steven.leibof@sfdpw.org](mailto:steven.leibof@sfdpw.org)> wrote:

Ms. Suval,

We are in receipt of your information request dated September 13, 2015.

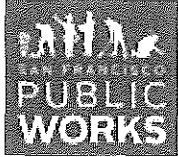
Generally all requests and questions directed to our office should be made to [subdivision.mapping@sfdpw.org](mailto:subdivision.mapping@sfdpw.org) where they are reviewed by

more than one staff person and processed in a more timely manner.

The information you requested must be made through Frank Lee (cc'ed), Executive Assistant to the Director and Custodian of Records for the Department of Public Works.

We will begin compiling the requested information and work with Mr. Lee to provide an estimated response time.

Regards,



**Steven Leibof**

Bureau of Street Use and Mapping | San Francisco Public Works | City and County of San Francisco

Direct: 415-554-5831 | Main: 415-554-5827 | Fax: 415-554-5324 | Email: [steven.leibof@sfdpw.org](mailto:steven.leibof@sfdpw.org)

1155 Market Street, 3rd Floor | San Francisco, CA 94103 | [sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

**From:** PmAC [<mailto:parkmercedac@gmail.com>]

**Sent:** Sunday, September 13, 2015 4:36 PM

**To:** Leibof, Steven (DPW)

**Cc:** Yee, Norman (BOS); Mormino, Matthias (BOS)

**Subject:** TIME SENSITIVE Information Request

To: Director of DPW/Planning/Mapping;

Thank you for the link to the three Tentative Final Maps. Though this was initially helpful, we will also require the following information for each individual project (8530, 8531, and 8532):

- 1) Clarification on the term "Tentative Final Map" (This is not listed anywhere in the policy dated 3/24/15 - see attached) ;
  - 2) Property boundaries and title gaps as required by A.4.2;
  - 3) Conditions of Approval as required by A.4.3 and A.4.4;
  - 4) the list of City Agencies that reviewed the application prior to approval as required by B.;
  - 5) the 300 foot radius map as required by C.1;
  - 6) the address list for notice as required by C.4;
  - 7) the letter from the PUC RE: water conditions as required by E.1;
  - 8) the letter outlining public easements as required by E.2;
  - 9) the spreadsheet submitted with the Final Map Checkprint outlining phased benefits as required by E.3;
- and;
- 10) the written explanation of the Director in why he elected not to hold a public hearing on these three projects.

Also, we would like to view the application submitted for each project.

We look forward to obtaining these items - which the City should have as a condition of their approval of the three projects - no later than the close of business on 9/15/15 so that we can review and address any other issues that these documents may bring forth at the 9/29/15 hearing, for which our presentation and notification must be completed this week.

Should you have any questions as to what we are requesting, please refer to SF DPW Subdivision

Regulations dated March 24, 2015 by DPW Order 183447. If it is still not clear, feel free to contact me.

Thank you for sending the link to the tentative final maps of the three projects, however this was bare minimum information and require the above to adequately address the notice given on August 24, 2015 - received August 26, 2015.

Thank you,

PMAC

PS. if you have any questions please email me at [parkmercedac@gmail.com](mailto:parkmercedac@gmail.com)

Susan

Parkmerced Action Coalition - PmAC  
<http://www.pmacsf.org>

1 Attached Images



Exhibit M

# Parkmerced

January 29, 2015

Application for Final Map Subdivision

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

Re: APN 7308/001

Dear Sir:

In compliance with the California Subdivision Map Act, the San Francisco Subdivision Code, the San Francisco Subdivision Regulations, and all amendments thereto, I, the undersigned subdivider, hereby submit to you for your review and processing a proposed Final Map subdivision, together with the Final Map Application and Checklist and all applicable items, fees, documents and data checked thereon.

Respectfully,

Seth Mallen  
Parkmerced Owner, LLC

Attachment: Application Packet

## D. APPLICATION

Property Address:

310/350 ARBALLO DR, SAN FRANCISCO, CA 94132

Assessor's Block: 7308

Lot Number(s): 001

For DPW-BSM use only  
ID No.:

ID  
No.:

<b>Owner:</b>			
Name:	Parkmerced Owner, LLC (Attn: Seth Mallen)		
Address:	345 Vidal Drive, San Francisco, CA 94132		
Phone:	415.584.4561	E-mail:	smallen@maximusrepartners.com
<b>Person to be contacted concerning this project: (If different from owner)</b>			
Name:	Jim Abrams, J. Abrams Law, P.C.		
Address:	345 Vidal Drive, San Francisco, CA 94132		
Phone:	415.999.4402	E-mail:	jabrams@jabramslaw.com
<b>Firm or agent preparing the subdivision map:</b>			
Name:	BKF Engineers (Attn: Brian Scott)		
Address:	255 Shoreline Drive, Suite 200, Redwood City, CA 94065		
Phone:	650.482.6335	E-mail:	bscott@bkf.com
<b>Subdivider: (If different from owner)</b>			
Name:			
Address:			

Existing number of lots: 1

Proposed number of lots: 5

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

This subdivision creates an addition to an existing building: ☒ No ☐ Yes (shown on Tentative Map)

Check only one of the following options:

	Indicate project type
<b>Residential Only</b>	<input checked="" type="checkbox"/>
<b>Mixed-Use</b>	<input type="checkbox"/> If checked, Number of Residential Unit(s): Number of Commercial Unit(s):



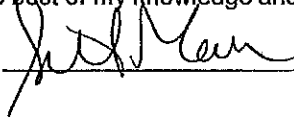
STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

I, Parkmerced Owner, LLC

declare, under penalty of perjury, that I am the owner of the property that is the subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my knowledge and belief.

Date: 2/20/18

Signed: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "John Man", is written over a horizontal line.

## E. New Construction Condominium Application Checklist

Check the following items enclosed where applicable:

Submitted per guidelines and in this order?		Official Use Only:	No.	Item Description and Order	Total of copies	Which and how many of total required items are needed for each agency?			Form No. (where applicable)
Yes	No	OK?				DPW	DCP	DBI **	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1.	Four (4) copies of Tentative Parcel Map [DPW copies: 3-BSM Mapping; 1-City Planning] <b>Note:</b> One additional copy will be required if project falls within the jurisdiction of SFRA. (see page 7)	4	3	1	1*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.	Six (6) copies of Tentative Final Map [DPW copies: 5-BSM Mapping; 1-City Planning] <b>Note:</b> One additional copy will be required if project falls within the jurisdiction of SFRA. (see page 7)	6	5	1	1*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.	Subdivision Fee (\$ <u>10,059</u> )	1				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.	Preliminary Title Report (dated within 3 months)	2	1	1		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.	Grant Deeds and any other recorded documents for: <input checked="" type="checkbox"/> Subject Site and <input type="checkbox"/> Adjoiners	1	1			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6.	Previous Land Use.	2	1	1		Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6a.	Permit numbers for any approved building permits.	2	1	1		Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7.	Owner's Release of Interest in Common Areas [Sec. 1323 (6)]	2	1	1		Form No. 2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.	Neighborhood notification package for Tentative Map decision. <input type="checkbox"/> 300-Foot Radius Map <input type="checkbox"/> Address List <input type="checkbox"/> Envelopes	1	1			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.	Photographs of subject property, as follows: [Public Works Code Sec. 723.2 & Planning Code] <input type="checkbox"/> Front photo from the street looking at the property, including sidewalk without obstructions <input type="checkbox"/> Photo from left side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo from right side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo of rear of property	3	2	1		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10.	Proposition "M" Findings demonstrating consistency with Eight Priority General Plan Policies [Planning Code Sec. 101.1(b)]	2	1	1		Form No. 3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.	Review by Department of Building Inspection, if required, See Page 8.	2			1	Form No. 4

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12.	Provide proposed sales prices for Below Market Rate (BMR) units (Form No.1)	1	1			Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13.	A copy of the signed Planning Dept. or Planning Commission motion approving the project	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	14.	Provide copies of any Notices of Special Restrictions associated with this site.	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15.	3R report <u>required</u> for existing dwelling units – See Page 8 for details.	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.	Copy of Building Permits – See Page 8 for details.	1	1			

**ADDITIONAL COPY TO DBI – SEE REQUIREMENTS PAGE 8, ITEM 11**

# Parkmerced

January 29, 2015

Application for Final Map Subdivision

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

Re: APN 7335/001

Dear Sir:

In compliance with the California Subdivision Map Act, the San Francisco Subdivision Code, the San Francisco Subdivision Regulations, and all amendments thereto, I, the undersigned subdivider, hereby submit to you for your review and processing a proposed Final Map subdivision, together with the Final Map Application and Checklist and all applicable items, fees, documents and data checked thereon.

Respectfully,

Seth Mallen  
Parkmerced Owner, LLC

Attachment: Application Packet

## D. APPLICATION

Property Address:

For DPW-BSM use only  
ID No.:

10 BUCARELI DR, SAN FRANCISCO, CA 94132  
12 BUCARELI DR, SAN FRANCISCO, CA 94132  
14 BUCARELI DR, SAN FRANCISCO, CA 94132  
16 BUCARELI DR, SAN FRANCISCO, CA 94132  
18 BUCARELI DR, SAN FRANCISCO, CA 94132  
20 BUCARELI DR, SAN FRANCISCO, CA 94132  
22 BUCARELI DR, SAN FRANCISCO, CA 94132  
24 BUCARELI DR, SAN FRANCISCO, CA 94132  
28 BUCARELI DR, SAN FRANCISCO, CA 94132  
2 BUCARELI DR, SAN FRANCISCO, CA 94132  
4 BUCARELI DR, SAN FRANCISCO, CA 94132  
6 BUCARELI DR, SAN FRANCISCO, CA 94132  
8 BUCARELI DR, SAN FRANCISCO, CA 94132  
401 FONT BLVD, SAN FRANCISCO, CA 94132  
403 FONT BLVD, SAN FRANCISCO, CA 94132  
405 FONT BLVD, SAN FRANCISCO, CA 94132  
407 FONT BLVD, SAN FRANCISCO, CA 94132  
409 FONT BLVD, SAN FRANCISCO, CA 94132  
411 FONT BLVD, SAN FRANCISCO, CA 94132  
413 FONT BLVD, SAN FRANCISCO, CA 94132  
415 FONT BLVD, SAN FRANCISCO, CA 94132  
417 FONT BLVD, SAN FRANCISCO, CA 94132  
419 FONT BLVD, SAN FRANCISCO, CA 94132  
421 FONT BLVD, SAN FRANCISCO, CA 94132  
423 FONT BLVD, SAN FRANCISCO, CA 94132  
425 FONT BLVD, SAN FRANCISCO, CA 94132  
700 GONZALEZ DR, SAN FRANCISCO, CA 94132  
702 GONZALEZ DR, SAN FRANCISCO, CA 94132  
704 GONZALEZ DR, SAN FRANCISCO, CA 94132  
706 GONZALEZ DR, SAN FRANCISCO, CA 94132  
708 GONZALEZ DR, SAN FRANCISCO, CA 94132  
710 GONZALEZ DR, SAN FRANCISCO, CA 94132  
712 GONZALEZ DR, SAN FRANCISCO, CA 94132  
714 GONZALEZ DR, SAN FRANCISCO, CA 94132  
716 GONZALEZ DR, SAN FRANCISCO, CA 94132  
718 GONZALEZ DR, SAN FRANCISCO, CA 94132  
720 GONZALEZ DR, SAN FRANCISCO, CA 94132  
722 GONZALEZ DR, SAN FRANCISCO, CA 94132  
724 GONZALEZ DR, SAN FRANCISCO, CA 94132  
726 GONZALEZ DR, SAN FRANCISCO, CA 94132  
728 GONZALEZ DR, SAN FRANCISCO, CA 94132  
730 GONZALEZ DR, SAN FRANCISCO, CA 94132  
750 GONZALEZ DR, SAN FRANCISCO, CA 94132  
810 GONZALEZ DR, SAN FRANCISCO, CA 94132  
100 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
102 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
104 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
106 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
110 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
112 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132

114 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
116 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
80 JUAN BAUTISTA CIR, SAN FRANCISCO, CA 94132  
301 SERRANO DR, SAN FRANCISCO, CA 94132  
303 SERRANO DR, SAN FRANCISCO, CA 94132  
305 SERRANO DR, SAN FRANCISCO, CA 94132  
307 SERRANO DR, SAN FRANCISCO, CA 94132  
309 SERRANO DR, SAN FRANCISCO, CA 94132  
311 SERRANO DR, SAN FRANCISCO, CA 94132  
313 SERRANO DR, SAN FRANCISCO, CA 94132  
315 SERRANO DR, SAN FRANCISCO, CA 94132  
317 SERRANO DR, SAN FRANCISCO, CA 94132  
319 SERRANO DR, SAN FRANCISCO, CA 94132  
321 SERRANO DR, SAN FRANCISCO, CA 94132  
323 SERRANO DR, SAN FRANCISCO, CA 94132  
325 SERRANO DR, SAN FRANCISCO, CA 94132  
327 SERRANO DR, SAN FRANCISCO, CA 94132  
329 SERRANO DR, SAN FRANCISCO, CA 94132  
331 SERRANO DR, SAN FRANCISCO, CA 94132  
333 SERRANO DR, SAN FRANCISCO, CA 94132  
355 SERRANO DR, SAN FRANCISCO, CA 94132  
405 SERRANO DR, SAN FRANCISCO, CA 94132

Assessor's Block/Lot: 7335

Lot Number(s): 001

Owner:			
Name:	Parkmerced Owner, LLC (Attn: Seth Mallen)		
Address:	345 Vidal Drive, San Francisco, CA 94132		
Phone:	415.584.4561	E-mail:	smallen@maximusrepartners.com
Person to be contacted concerning this project: (If different from owner)			
Name:	Jim Abrams		
Address:	345 Vidal Drive, San Francisco, CA 94132		
Phone:	415.999.4402	E-mail:	jabrams@jabramslaw.com
Firm or agent preparing the subdivision map:			
Name:	BKF Engineers (Attn: Brian Scott)		
Address:	255 Shoreline Drive, Suite 200, Redwood City, CA 94065		
Phone:	650.482.6335	E-mail:	bscott@bkf.com
Subdivider: (If different from owner)			
Name:			
Address:			

Existing number of lots: 1

Proposed number of lots: 7

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

This subdivision creates an addition to an existing building: ☒ No ☐ Yes (shown on Tentative Map)

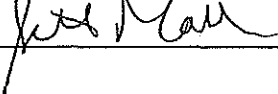
Check only one of the following options:

	Indicate project type
<b>Residential Only</b>	<input checked="" type="checkbox"/>
<b>Mixed-Use</b>	<input type="checkbox"/> If checked, Number of Residential Unit(s): Number of Commercial Unit(s):

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

I, Parkmerced Owner, LLC

declare, under penalty of perjury, that I am an owner of the property that is the subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my knowledge and belief.

Date: 2/20/15 Signed: 



## E. New Construction Condominium Application Checklist

Check the following items enclosed where applicable:

Submitted per guidelines and in this order?		Official Use Only:	No.	Item Description and Order	Total of copies	Which and how many of total required items are needed for each agency?			Form No. (where applicable)
Yes	No	OK?				DPW	DCP	DBI **	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1.	Four (4) copies of Tentative Parcel Map [DPW copies: 3-BSM Mapping; 1-City Planning] Note: One additional copy will be required if project falls within the jurisdiction of SFRA. (see page 7)	4	3	1	1*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.	Six (6) copies of Tentative Final Map [DPW copies: 5-BSM Mapping; 1-City Planning] Note: One additional copy will be required if project falls within the jurisdiction of SFRA. (see page 7)	6	5	1	1*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.	Subdivision Fee (\$ 10,059 )	1				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.	Preliminary Title Report (dated within 3 months)	2	1	1		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.	Grant Deeds and any other recorded documents for: <input checked="" type="checkbox"/> Subject Site and <input type="checkbox"/> Adjoiners	1	1			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6.	Previous Land Use.	2	1	1		Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6a.	Permit numbers for any approved building permits.	2	1	1		Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7.	Owner's Release of Interest in Common Areas [Sec. 1323 (6)]	2	1	1		Form No. 2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.	Neighborhood notification package for Tentative Map decision. <input type="checkbox"/> 300-Foot Radius Map <input type="checkbox"/> Address List <input type="checkbox"/> Envelopes	1	1			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.	Photographs of subject property, as follows: [Public Works Code Sec. 723.2 & Planning Code] <input type="checkbox"/> Front photo from the street looking at the property, including sidewalk without obstructions <input type="checkbox"/> Photo from left side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo from right side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo of rear of property	3	2	1		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10.	Proposition "M" Findings demonstrating consistency with Eight Priority General Plan Policies [Planning Code Sec. 101.1(b)]	2	1	1		Form No. 3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.	Review by Department of Building Inspection, if required, See Page 8.	2			1	Form No. 4

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12.	Provide proposed sales prices for Below Market Rate (BMR) units (Form No.1)	1	1			Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13.	A copy of the signed Planning Dept. or Planning Commission motion approving the project	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	14.	Provide copies of any Notices of Special Restrictions associated with this site.	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15.	3R report <u>required</u> for existing dwelling units – See Page 8 for details.	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.	Copy of Building Permits – See Page 8 for details.	1	1			

**ADDITIONAL COPY TO DBI – SEE REQUIREMENTS PAGE 8, ITEM 11**

# Parkmerced

January 29, 2015

Application for Final Map Subdivision

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

Re: APN 7326/001 & 7330/001

Dear Sir:

In compliance with the California Subdivision Map Act, the San Francisco Subdivision Code, the San Francisco Subdivision Regulations, and all amendments thereto, I, the undersigned subdivider, hereby submit to you for your review and processing a proposed Final Map subdivision, together with the Final Map Application and Checklist and all applicable items, fees, documents and data checked thereon.

Respectfully,

Seth Mallen  
Parkmerced Owner, LLC

Attachment: Application Packet

## D. APPLICATION

Property Address:

111 CAMBON DR, SAN FRANCISCO, CA 94132  
125 CAMBON DR, SAN FRANCISCO, CA 94132  
100 FONT BLVD, SAN FRANCISCO, CA 94132 150  
FONT BLVD, SAN FRANCISCO, CA 94132 20  
FONT BLVD, SAN FRANCISCO, CA 94132  
55 CHUMASERO DR, SAN FRANCISCO 94132

For DPW-BSM use only  
ID No.:

ID No.:

Assessor's Block: 7326 & 7330 Lot Number(s): 001

Owner:			
Name:	Parkmerced Owner, LLC (Attn: Seth Mallen)		
Address:	345 Vidal Drive, San Francisco, CA 94132		
Phone:	415.584.4561	E-mail:	smallen@maximusrepartners.com
Person to be contacted concerning this project: (If different from owner)			
Name:	Jim Abrams		
Address:	345 Vidal Drive, San Francisco, CA 94132		
Phone:	415.999.4402	E-mail:	jabrams@jabramslaw.com
Firm or agent preparing the subdivision map:			
Name:	BKF Engineers (Attn: Brian Scott)		
Address:	255 Shoreline Drive, Suite 200, Redwood City, CA 94065		
Phone:	650.482.6335	E-mail:	bscott@bkf.com
Subdivider: (If different from owner)			
Name:			
Address:			

Existing number of lots: 2

Proposed number of lots: 15

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

This subdivision creates an addition to an existing building: ☒ No ☐ Yes (shown on Tentative Map)

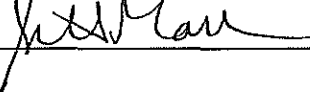
Check only one of the following options:

	Indicate project type
<b>Residential Only</b>	<input checked="checked" type="checkbox"/>
<b>Mixed-Use</b>	<input type="checkbox"/> If checked, Number of Residential Unit(s): Number of Commercial Unit(s):

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

I, Parkmerced Owner, LLC

declare, under penalty of perjury, that I am the owner of the property that is the subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my knowledge and belief.

Date: 2/20/15 Signed: 

## E. New Construction Condominium Application Checklist

Check the following items enclosed where applicable:

Submitted per guidelines and in this order?		Official Use Only:	No.	Item Description and Order	Total of copies	Which and how many of total required items are needed for each agency?			Form No. (where applicable)
Yes	No	OK?				DPW	DCP	DBI **	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1.	Four (4) copies of Tentative Parcel Map [DPW copies: 3-BSM Mapping; 1-City Planning] <b>Note:</b> One additional copy will be required if project falls within the jurisdiction of SFRA. (see page 7)	4	3	1	1*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.	Six (6) copies of Tentative Final Map [DPW copies: 5-BSM Mapping; 1-City Planning] <b>Note:</b> One additional copy will be required if project falls within the jurisdiction of SFRA. (see page 7)	6	5	1	1*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.	Subdivision Fee (\$ 10,059 )	1				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.	Preliminary Title Report (dated within 3 months)	2	1	1		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.	Grant Deeds and any other recorded documents for: <input checked="" type="checkbox"/> Subject Site and <input type="checkbox"/> Adjoiners	1	1			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6.	Previous Land Use.	2	1	1		Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6a.	Permit numbers for any approved building permits.	2	1	1		Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7.	Owner's Release of Interest in Common Areas [Sec. 1323 (6)]	2	1	1		Form No. 2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.	Neighborhood notification package for Tentative Map decision. <input type="checkbox"/> 300-Foot Radius Map <input type="checkbox"/> Address List <input type="checkbox"/> Envelopes	1	1			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.	Photographs of subject property, as follows: [Public Works Code Sec. 723.2 & Planning Code] <input type="checkbox"/> Front photo from the street looking at the property, including sidewalk without obstructions <input type="checkbox"/> Photo from left side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo from right side showing property line and sidewalk fronting subject site <input type="checkbox"/> Photo of rear of property	3	2	1		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10.	Proposition "M" Findings demonstrating consistency with Eight Priority General Plan Policies [Planning Code Sec. 101.1(b)]	2	1	1		Form No. 3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.	Review by Department of Building Inspection, if required, See Page 8.	2			1	Form No. 4

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12.	Provide proposed sales prices for Below Market Rate (BMR) units (Form No.1)	1	1			Form No. 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13.	A copy of the signed Planning Dept. or Planning Commission motion approving the project	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	14.	Provide copies of any Notices of Special Restrictions associated with this site.	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15.	3R report <u>required</u> for existing dwelling units – See Page 8 for details.	1	1			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.	Copy of Building Permits – See Page 8 for details.	1	1			

**ADDITIONAL COPY TO DBI – SEE REQUIREMENTS PAGE 8, ITEM 11**

# PARKMERCED DEVELOPMENT BLOCK 1 TENTATIVE FINAL MAP

ASSESSOR'S BLOCKS 7303, 7303-A, 7308, 7333-D  
SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA

## GENERAL NOTES

1. THIS TENTATIVE MAP IS INTENDED TO SHOW THE PROPOSED LAYOUT OF THE LOTS AND PUBLIC RIGHT-OF-WAYS FOR DEVELOPMENT BLOCK 1 OF THE PARKMERCED DEVELOPMENT.
2. THIS MAP WILL BE REVISIONED TO SHOW ALL NEW LOTS.
3. THE DEVELOPER AGREES TO MAINTAIN THE PROPOSED LOTS FOR DEVELOPMENT PURPOSES.
4. LAND LOTS BASED ON DESIGN STANDARDS AND DIMENSIONS (DSAD) PREPARED BY SAN FRANCISCO, LATER 2014, AND PARKMERCED SPECIAL USE DISTRICT 10 SAN FRANCISCO PLANNING COMMISSION, LATER 2014.
5. ALL LOTS ARE TO BE DEEDED TO THE CITY OF SAN FRANCISCO.
6. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
7. THE 400' PROJECT SQUARE AREA PROJECT SHOWN AREAS ARE FOR ALL LOTS OVER THE ENTIRE BLOCK.

## UTILITY NOTES

1. UNDERGROUND UTILITIES SHOWN HEREIN WERE PLACED FROM A COMBINATION OF OFFICIAL SURFACE RECORDS (EARTHWORK RECORDS) AND RECORD INFORMATION OBTAINED FROM THE UTILITIES COMPANIES, AND ARE NOT BEING REPRODUCED FROM ANY OTHER SOURCE. THEREFORE, ALL UTILITIES MUST BE MAINTAINED WITH RESPECT TO SIZE, DEPTH, LOCATION, AND MATERIALS. LOCATIONS BY THE OWNER AND CONTRACTOR PRIOR TO BEGIN OF CONSTRUCTION AND RECONSTRUCTION IS ADVISED BY THE AUTHOR FOR THE CONSTRUCTION AND RECONSTRUCTION OF THE PROJECT.

## BOUNDARY NOTES

1. PROPERTY AND BOUNDARY LINES SHOWN HEREIN ARE BASED ON RECORD DATA AND NOT PROVIDED TO BE A DETAILED FINAL SURVEY OF THE PROJECT. RECONSTRUCTION AND RECONSTRUCTION IS ADVISED BY THE AUTHOR FOR THE CONSTRUCTION AND RECONSTRUCTION OF THE PROJECT.

## SURVEY REFERENCE

- A. RECORDS OF SURVEY OF SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA, RECORDED IN BOOK 17, PAGE 15-16, AUGUST 11, 1911, AT THE CITY OF SAN FRANCISCO AS NOTED MAP T-15-16.
- B. RECORDS OF SURVEY OF SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA, RECORDED IN BOOK 17, PAGE 15-16, AUGUST 11, 1911, AT THE CITY OF SAN FRANCISCO AS NOTED MAP T-15-16.

## BENCHMARK

THE BENCH MARK OF THE SURVEY IS CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA. BENCHMARKS WERE PLACED AT A GROUP OF BENCH MARKS LOCATED AT THE INTERSECTION OF EAST BROADWAY AND ADJACENT BROADWAY STREET.

## BASE OF BEARING:

THE BEARING OF NORTH 42° 30' 00" WEST BETWEEN THE PLUMB LINE AND THE INTERSECTION OF BROADWAY AND BROADWAY STREET AND THE PLUMB LINE AND THE INTERSECTION OF BROADWAY AND BROADWAY STREET IS 114° 45' 00" IN THE CITY OF SAN FRANCISCO AS NOTED MAP T-15-16.

## UNAUTHORIZED CHANGES & NOTES

THE DEVELOPER AGREES TO MAINTAIN THE PROPOSED LOTS FOR DEVELOPMENT PURPOSES. THE DEVELOPER AGREES TO MAINTAIN THE PROPOSED LOTS FOR DEVELOPMENT PURPOSES. THE DEVELOPER AGREES TO MAINTAIN THE PROPOSED LOTS FOR DEVELOPMENT PURPOSES.

## UTILITY INFORMATION

**OWNED BY THE CITY OF SAN FRANCISCO**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**POWER AND GAS**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**WATER**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**SEWER AND GAS**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000

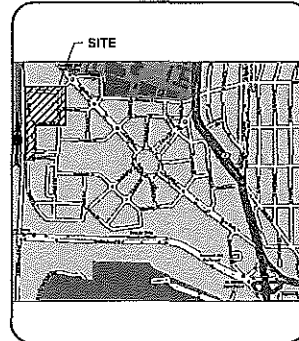
**TELEPHONE**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**CABLE**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**THE PROJECT**  
CITY OF SAN FRANCISCO  
1 PM, CLAYTON & CONSTITUTION PLACE  
CITY HALL, ROOM 300  
SAN FRANCISCO, CA 94102  
(415) 355-3000



LOCATION MAP



VICINITY MAP

## PROJECT DESCRIPTION

THE PROJECT IS LOCATED WITHIN THE PARKMERCED COMMUNITY IN SAN FRANCISCO, CALIFORNIA. THE PROJECT IS LOCATED WITHIN THE PARKMERCED COMMUNITY IN SAN FRANCISCO, CALIFORNIA. THE PROJECT IS LOCATED WITHIN THE PARKMERCED COMMUNITY IN SAN FRANCISCO, CALIFORNIA.

## ENGINEER'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

DATE: 2/20/15  
BY: [Signature]  
TITLE: [Signature]

## PROJECT INFORMATION

**OWNER/DEVELOPER:** PARKMERCED DEVELOPMENT, LLC  
300 W. BROADWAY  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**ENGINEER:** BKF ENGINEERS  
300 W. BROADWAY  
SAN FRANCISCO, CA 94102  
(415) 355-3000

**PROJECT DESCRIPTION:** A. RECORDS OF SURVEY OF SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA, RECORDED IN BOOK 17, PAGE 15-16, AUGUST 11, 1911, AT THE CITY OF SAN FRANCISCO AS NOTED MAP T-15-16.  
B. RECORDS OF SURVEY OF SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA, RECORDED IN BOOK 17, PAGE 15-16, AUGUST 11, 1911, AT THE CITY OF SAN FRANCISCO AS NOTED MAP T-15-16.

**ASSESSOR'S BLOCK NUMBER:** 7303, 7303-A, 7308, 7333-D

**NUMBER OF BLOCKS:** 1

**NUMBER OF LOTS:** 1

**EXISTING USE:** RESIDENTIAL, OPEN SPACE

**PROPOSED USE:** RESIDENTIAL, OPEN SPACE, PARKMERCED STREET

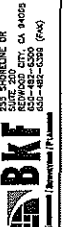
## SHEET INDEX

- C1.0 TITLE SHEET
- C1.1 LOTS & AMMENDATIONS
- C1.2 TYPICAL STREET SECTIONS
- C1.3 TYPICAL STREET SECTIONS
- C1.4 LOT PLAN
- C1.5 EXISTING SITE PLAN
- C1.6 EXISTING SITE PLAN
- C1.7 PROPOSED SITE PLAN
- C1.8 PROPOSED UTILITY PLAN
- C1.9 PROPOSED UTILITY PLAN

PARKMERCED - DEVELOPMENT BLOCK 1 TENTATIVE FINAL MAP SUMMARY						
LOT	AREA (SQUARE FEET)	TYPE	EXISTING SQUARE FEET	NEW SQUARE FEET	TOTAL SQUARE FEET	USE
1	1.53	73	153	153	306	EXISTING RESIDENTIAL, NEW RESIDENTIAL
2	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
3	0.09	73	9	9	18	NEW RESIDENTIAL, NEW RESIDENTIAL
4	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
5	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
6	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
7	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
8	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
9	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL
10	0.10	73	10	10	20	NEW RESIDENTIAL, NEW RESIDENTIAL

PARKMERCED DEDICATION/VACATION SUMMARY		
DESCRIPTION	AREA (SQUARE FEET)	AREA (SQUARE FEET)
AREA TO BE DEDICATED TO THE CITY AND COUNTY OF SAN FRANCISCO	0.10	0.10
AREA TO BE DEDICATED BY THE CITY AND COUNTY OF SAN FRANCISCO	0.10	0.10

© BKF ENGINEERS



**PARKMERCED  
DEVELOPMENT BLOCK 1  
TENTATIVE FINAL MAP  
TITLE SHEET**

**C1.0**

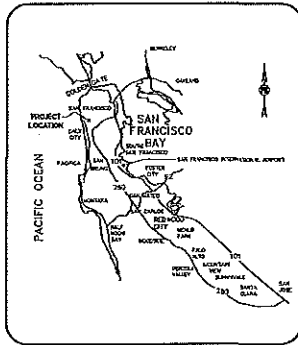
PROGRESS 2/20/15



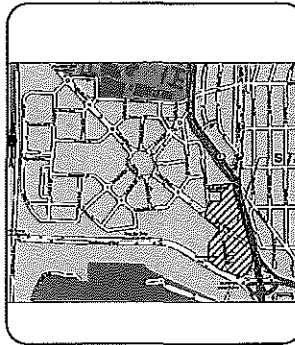


# PARKMERCED DEVELOPMENT BLOCKS 20, 21S & 22 TENTATIVE FINAL MAP

ASSESSOR'S BLOCKS 7326, 7330, 7331, 7364, 7365, 7366 & 7370  
SAN FRANCISCO, SAN FRANCISCO COUNTY, CALIFORNIA



LOCATION MAP  
N.T.S.



VICINITY MAP  
N.T.S.

## GENERAL NOTES

- THIS DOCUMENT IS INTENDED TO SHOW THE PRELIMINARY LAYOUT OF THE LOT AND PUBLIC RIGHT-OF-WAY FOR DEVELOPMENT BLOCKS 20, 21S AND 22 OF THE PARKMERCED DEVELOPMENT.
- THIS MAP HAS BEEN PREPARED TO SHOW THE PROPOSED LOTS FOR DEVELOPMENT.
- LAND LOTS BASED ON DESIGN STANDARDS AND DIMENSIONS (S.D.S.) PREPARED BY SAN FRANCISCO PLANNING DEPARTMENT (S.F.P.D.)
- ALL LOTS ARE NOT COVERED BY THIS MAP.
- ALL DIMENSIONS ARE MEASURED IN FEET AND DIMENSIONS THENCE.
- THE AREA PROJECTED ON THIS MAP, SHOWS DIMENSIONS BASED ON THE 1976 OVER THE ENTIRE BLOCK.

## UTILITY NOTES

- UNDERGROUND UTILITIES SHOWN HEREIN WERE PLACED FROM A COMPARISON OF RECORDED SURFACE EVIDENCE (CONDUIT PLANNING) AND RECORD INFORMATION (RECORDS OF THE SAN FRANCISCO PUBLIC UTILITY COMMISSION) AND ARE NOT INTENDED TO BE USED FOR ANY OTHER PURPOSE. ALL UTILITIES SHOWN ARE NOT TO BE USED FOR ANY OTHER PURPOSE.
- THE AREA PROJECTED ON THIS MAP, SHOWS DIMENSIONS BASED ON THE 1976 OVER THE ENTIRE BLOCK.

## BOUNDARY NOTES

- PROPERTY LINES AND BOUNDARY LINES SHOWN HEREIN ARE BASED ON RECORDS AND ARE NOT INTENDED TO BE A DETAILED FINAL SURVEY OF THE PROPERTY. BOUNDARY LINES ARE SHOWN HEREIN AT THE PLANNING DEPARTMENT'S DISCRETION.

## SURVEY REFERENCE

- THIS MAP IS BASED ON THE FOLLOWING RECORDS:  
A. RECORD OF SURVEY MAP OF PARKMERCED, SAN FRANCISCO, CALIFORNIA, RECORDED IN BOOK 10, PAGE 15-16, AUGUST 10, 1976, OFFICIAL RECORDS OF THE COUNTY OF SAN FRANCISCO.
- RECORD OF SURVEY MAP OF PARKMERCED, SAN FRANCISCO, CALIFORNIA, RECORDED IN BOOK 10, PAGE 15-16, AUGUST 10, 1976, OFFICIAL RECORDS OF THE COUNTY OF SAN FRANCISCO.
- RECORD OF SURVEY MAP OF PARKMERCED, SAN FRANCISCO, CALIFORNIA, RECORDED IN BOOK 10, PAGE 15-16, AUGUST 10, 1976, OFFICIAL RECORDS OF THE COUNTY OF SAN FRANCISCO.

## DESCRIPTORS

- THE MAPS OF BLOCKS 20, 21S AND 22 OF SAN FRANCISCO, CALIFORNIA, ARE BASED ON THE RECORDS OF THE SAN FRANCISCO PLANNING DEPARTMENT (S.F.P.D.) AND ARE NOT INTENDED TO BE A DETAILED FINAL SURVEY OF THE PROPERTY. BOUNDARY LINES ARE SHOWN HEREIN AT THE PLANNING DEPARTMENT'S DISCRETION.

## UNAUTHORIZED CHANGES & USES

- THE OWNERS AND PLANNERS OF THIS MAP ARE NOT RESPONSIBLE FOR THE MAPS FOR UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THESE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PLANNING DEPARTMENT.

## UTILITY INFORMATION

- OWNED STORM SEWERS (S.F.P.D.)  
CITY OF SAN FRANCISCO  
1000 FISHMAN BLVD., SUITE 200  
SAN FRANCISCO, CA 94109  
(415) 398-4871

- WATER  
CITY OF SAN FRANCISCO  
1000 FISHMAN BLVD., SUITE 200  
SAN FRANCISCO, CA 94109  
(415) 398-4871

- POWER AND GAS  
PACIFIC GAS & ELECTRIC  
1000 FISHMAN BLVD., SUITE 200  
SAN FRANCISCO, CA 94109  
(415) 398-4871

- TELEPHONE  
ATTN: 1000 FISHMAN BLVD., SUITE 200  
SAN FRANCISCO, CA 94109  
(415) 398-4871

- CABLE  
1000 FISHMAN BLVD., SUITE 200  
SAN FRANCISCO, CA 94109  
(415) 398-4871

- FIRE PROTECTION  
CITY OF SAN FRANCISCO  
1000 FISHMAN BLVD., SUITE 200  
SAN FRANCISCO, CA 94109  
(415) 398-4871

## PROJECT DESCRIPTION

THE PROJECT IS LOCATED WITHIN THE PARKMERCED COMMUNITY IN SAN FRANCISCO, CALIFORNIA. THE PROJECT INCLUDES THE DEVELOPMENT AND REDEVELOPMENT OF PUBLIC RIGHT-OF-WAY, CONSTRUCTION OF EXISTING BUILDINGS, PUBLIC IMPROVEMENTS AND PRIVATE IMPROVEMENTS. THE DEVELOPMENT IS INTENDED TO BE A MIXED-USE DEVELOPMENT WITH EXISTING STRUCTURES, EXISTING AND PROPOSED UTILITIES. THE DEVELOPMENT IS INTENDED TO BE A MIXED-USE DEVELOPMENT WITH EXISTING STRUCTURES, EXISTING AND PROPOSED UTILITIES.

## ENGINEER'S STATEMENT

THE TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

BRAND SCOTT  
P.E. #11524  
S.F. ENGINEERS



DATE

## PROJECT INFORMATION

DATE: 10/15/15

ENGINEER:

PROPERTY DESCRIPTION:

ASSESSOR'S BLOCK NUMBER:

HANDER OF BLOCKS:

EXISTING USE:

PROPOSED USE:

## SHEET INDEX

- C1.0 TITLE SHEET
- C1.1 LISTING & APPROPRIATIONS
- C1.2 TYPICAL STREET SECTIONS
- C1.3 LOT PLAN
- C1.4 LOT PLAN
- C1.5 EXISTING SITE PLAN
- C1.6 EXISTING SITE PLAN
- C1.7 EXISTING SITE PLAN
- C1.8 EXISTING SITE PLAN
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- C1.99 EXISTING SITE PLAN
- C1.100 EXISTING SITE PLAN

## PARKMERCED - DEVELOPMENT BLOCK 20

### TENTATIVE FINAL MAP SUMMARY

LOT	AREA (ACRES)	TYPE	REMARKS
1	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
2	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
3	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
4	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
5	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
6	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
7	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
8	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
9	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
10	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
11	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
12	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
13	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
14	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
15	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
16	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
17	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
18	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
19	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
20	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
21	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
22	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
23	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
24	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
25	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
26	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
27	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
28	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
29	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
30	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
31	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
32	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
33	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
34	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
35	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
36	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
37	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
38	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
39	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
40	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
41	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
42	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
43	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
44	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
45	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
46	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
47	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
48	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
49	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
50	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
51	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
52	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
53	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
54	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
55	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
56	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
57	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
58	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
59	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
60	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
61	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
62	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
63	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
64	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
65	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
66	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
67	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
68	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
69	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
70	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
71	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
72	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
73	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
74	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
75	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
76	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
77	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
78	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
79	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
80	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
81	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
82	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
83	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
84	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
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87	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
88	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
89	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
90	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
91	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
92	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
93	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
94	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
95	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
96	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
97	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
98	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
99	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
100	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING

(\*) LOT AREA NOT INCLUDED IN TOTAL AREA

## PARKMERCED - DEVELOPMENT BLOCK 22

### TENTATIVE FINAL MAP SUMMARY

LOT	AREA (ACRES)	TYPE	REMARKS
1	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
2	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
3	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
4	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
5	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
6	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
7	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
8	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
9	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
10	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
11	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
12	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
13	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
14	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
15	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
16	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
17	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
18	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
19	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
20	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
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22	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
23	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
24	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
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29	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
30	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
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73	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING
74	0.78	NEW RESIDENTIAL	NEW RESIDENTIAL BUILDING



**First American Title Company  
National Commercial Services**

**3281 E Guasti Road, Suite 440  
Ontario, CA 91761**

Sean Miller  
National Land Tenure Company LLC  
1122 Franklin Ave Ste 400  
Garden City, NY 11530  
Phone: (516)227-0800  
Fax: (516)227-1160

Customer Reference: NLT-24776-CA-14/ ParkMerced

Title Officer: Wendy Hagen Bowen  
Phone: (909)510-6225

Owner: Parkmerced Owner LLC, a Delaware limited liability company

Property: 3711 19th Avenue, San Francisco, CA

**PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of December 15, 2014 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Parkmerced Owner LLC, a Delaware limited liability company

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee Simple

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2015-2016, a lien not yet due or payable.
2. General and special taxes and assessments for the fiscal year

Lot	BLOCK	TRA	1st Half, STATUS	Penalty	2nd half, STATUS	Penalty
1	7303	01-000	2,408.84 PAID	0.00	2,408.84 PAYABLE	0.00
1	7303A	01-000	1,718.07 PAID	0.00	1,718.07 PAYABLE	0.00
1	7308	01-000	265,706.15 PAID	0.00	265,706.15 PAYABLE	0.00
1	7309	01-000	144,639.47 PAID	0.00	144,639.47 PAYABLE	0.00
1	7309A	01-000	11,032.62 PAID	0.00	11,032.62 PAYABLE	0.00
1	7310	01-000	164,635.59 PAID	0.00	164,635.59 PAYABLE	0.00
1	7311	01-000	107,479.47 PAID	0.00	107,479.47 PAYABLE	0.00
1	7315	01-000	14,585.23 PAID	0.00	14,585.23 PAYABLE	0.00
1	7316	01-000	14,181.00 PAID	0.00	14,181.00 PAYABLE	0.00
1	7317	01-000	108,170.65 PAID	0.00	108,170.65 PAYABLE	0.00

1	7318	01-000 108,137.74 PAID	0.00	108,137.74 PAYABLE 0.00
1	7319	01-000 13,806.68 PAID	0.00	13,806.68 PAYABLE 0.00
1	7321	01-000 105,504.66 PAID	0.00	105,504.66 PAYABLE 0.00
1	7322	01-000 108,006.09 PAID	0.00	108,006.09 PAYABLE 0.00
1	7323	01-000 92,020.86 PAID	0.00	92,020.86 PAYABLE 0.00
1	7325	01-000 108,247.74 PAID	0.00	108,247.74 PAYABLE 0.00
1	7326	01-000 395,977.40 PAID	0.00	395,977.40 PAYABLE 0.00
1	7330	01-000 182,830.48 PAID	0.00	182,830.48 PAYABLE 0.00
1	7333A	01-000 1,356.03 PAID	0.00	1,356.03 PAYABLE 0.00
1	7333B	01-000 1,356.03 PAID	0.00	1,356.03 PAYABLE 0.00
1	7333C	01-000 171.13 PAID	0.00	171.13 PAYABLE 0.00
1	7333D	01-000 3,330.83 PAID	0.00	3,330.83 PAYABLE 0.00
1	7333E	01-000 1,487.67 PAID	0.00	1,487.67 PAYABLE 0.00
1	7334	01-000 193,390.36 PAID	0.00	193,390.36 PAYABLE 0.00
1	7335	01-000 741,333.32 PAID	0.00	741,333.32 PAYABLE 0.00
1	7336	01-000 164,635.59 PAID	0.00	164,635.59 PAYABLE 0.00
1	7337	01-000 40,243.84 PAID	0.00	40,243.84 PAYABLE 0.00
1	7338	01-000 85,448.94 PAID	0.00	85,448.94 PAYABLE 0.00
1	7339	01-000 105,965.43 PAID	0.00	105,965.43 PAYABLE 0.00
1	7340	01-000 11,524.70 PAID	0.00	11,524.70 PAYABLE 0.00
1	7341	01-000 108,269.40 PAID	0.00	108,269.40 PAYABLE 0.00
1	7342	01-000 75,095.52 PAID	0.00	75,095.52 PAYABLE 0.00
1	7343	01-000 108,433.96 PAID	0.00	108,433.96 PAYABLE 0.00
1	7344	01-000 107,018.68 PAID	0.00	107,018.68 PAYABLE 0.00
1	7345	01-000 73,831.77 PAID	0.00	73,831.77 PAYABLE 0.00
1	7345A	01-000 22,223.24 PAID	0.00	22,223.24 PAYABLE 0.00
1	7345B	01-000 1,290.18 PAID	0.00	1,290.18 PAYABLE 0.00
1	7345C	01-000 3,857.44 PAID	0.00	3,857.44 PAYABLE 0.00
1	7356	01-000 5,931.00 PAID	0.00	5,931.00 PAYABLE 0.00
1	7357	01-000 2,475.08 PAID	0.00	2,475.08 PAYABLE 0.00
1	7358	01-000 11,954.20 PAID	0.00	11,954.20 PAYABLE 0.00
1	7359	01-000 11,954.20 PAID	0.00	11,954.20 PAYABLE 0.00

1	7360	01-000 2,475.08 PAID	0.00	2,475.08 PAYABLE	0.00
1	7361	01-000 5,305.66 PAID	0.00	5,305.66 PAYABLE	0.00
1	7362	01-000 2,475.08 PAID	0.00	2,475.08 PAYABLE	0.00
1	7363	01-000 72.39 PAID	0.00	72.39 PAYABLE	0.00
1	7364	01-000 5,503.14 PAID	0.00	5,503.14 PAYABLE	0.00
1	7365	01-000 1,224.37 PAID	0.00	1,224.37 PAYABLE	0.00
1	7366	01-000 368.62 PAID	0.00	368.62 PAYABLE	0.00
1	7367	01-000 763.57 PAID	0.00	763.57 PAYABLE	0.00
1	7368	01-000 763.57 PAID	0.00	763.57 PAYABLE	0.00
1	7369	01-000 1,158.54 PAID	0.00	1,158.54 PAYABLE	0.00
1	7370	01-000 467.36 PAID	0.00	467.36 PAYABLE	0.00
3	7320	01-000 31,898.39 PAID	0.00	31,898.39 PAYABLE	0.00
1	7333	01-000 198,303.61 PAID	0.00	198,303.61 PAYABLE	0.00
3	7333	01-000 3,133.36 PAID	0.00	3,133.36 PAYABLE	0.00
4	7331	01-000 299,109.54 PAID	0.00	299,109.54 PAYABLE	0.00
4	7332	01-000 222,091.78 PAID	0.00	222,091.78 PAYABLE	0.00

3. The lien of special tax for the following community facilities district, which tax is collected with the county taxes.

District: SF Unified School District CFD

(Affects Lot 1, Block 7308 thru 7312; 7315 thru 7319; 7321 thru 7323; 7325 thru 7326; 7330, 7334 thru 7344 and 7333 and 7331; and Lot 3, Block 7320)

4. The land lies within the boundaries of proposed Boundaries of City and County of San Francisco Special Tax District No. 2009-1, as disclosed by an assessment district map filed in Book 1, Page 33 of maps of assessment and community facilities districts, recorded December 07, 2009, as Instrument No. 2009-882362, Book/Reel K033, Page/Image 0323 of Official Records.
5. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code. None Currently due and payable
6. A non-exclusive easement for the "Ingleside Outlet Sewer", being various widths in various locations as provided in the following instruments:
- a. Reserved in the Deed from City and County of San Francisco to Spring Valley Company, Ltd., dated November 29, 1940, recorded December 07, 1940 in Book 3694 of Official Records, Page 271 and excepted and further reserve in the Deed by the City and County of San Francisco, State of California to Metropolitan Life Insurance Company, dated April 06, 1953, and recorded April 20, 1953, in Book 6139 of Official Records, Page 41.

- b. Granted in the Deed from Metropolitan Life Insurance Company to City and County of San Francisco, dated May 17, 1945 recorded July 13, 1945, in Book 4252 of Official Records, Page 85.
  - c. Granted in Deed of Exchange between Metropolitan Life Insurance Company and the City and County of San Francisco, dated April 10, 1953, and recorded April 17, 1953, in Book 6138 of Official Records, Page 152.
7. Subterranean water rights, claims or title to water, including rights of surface entry, disclosed in the following instruments:
- a. Granted in a deed from Spring Valley Company, Ltd. to the City and County of San Francisco dated March 03, 1930, recorded March 03, 1930 in Book 2002, of Official Records, Page 1.
  - b. Reserved in a Joint Deed by and between Spring Valley Company, Ltd. and City and County of San Francisco dated December 02, 1925 recorded December 11, 1935, in Book 2878, of Official Records, Page 241, and
  - c. Reserved in a Joint Deed by and between Spring Valley Company, Ltd. and City and County of San Francisco dated December 03, 1935, recorded December 11, 1935, in Book 2878, of Official Records, Page 245, and
  - d. Reserved in a deed from City and County of San Francisco to Metropolitan Life Insurance Company dated November 23, 1943, recorded January 20, 1944, in Book 4068, of Official Records, Page 37, and
  - e. Reserved in a deed from the City and County of San Francisco to Metropolitan Life Insurance Company dated September 06, 1944, recorded October 10, 1944, in Book 4135, of Official Records, Page 205, and
  - f. Reserved in a deed from Metropolitan Life Insurance Company to the City and County of San Francisco dated October 07, 1949, recorded November 04, 1949, in Book 5298, of Official Records, Page 129.
8. Non-exclusive easements for the "Baden-Merced Pipe Line" and "Lake Merced Suction and Force Mains" disclosed in the following instruments:
- a. In the deed from Spring Valley Water Company to the City and County of San Francisco, dated March 03, 1930, recorded March 03, 1930 in Book 2002 of Official Records, Page 1.
  - b. And reserved in a Joint Deed by and between Spring Valley Company Ltd. and the City and County of San Francisco dated December 02, 1925 recorded December 11, 1935, in Book 2878, of Official Records, Page 241.
  - c. And, as contained in a Joint Deed by and between the same parties dated December 03, 1925, recorded December 11, 1935 in Book 2878, Page 245.
  - d. And as modified by Deed of Exchange between Metropolitan Life Insurance Company



and the City and County of San Francisco dated June 05, 1953, recorded July 02, 1953, in Book 6185 of Official Records, Page 147. And re-recorded July 13, 1953 in Book 6191 of Official Records, Page 221.

- e. And, by Deed of Exchange between the same parties dated June 05, 1953 recorded July 02, 1953 in Book 6185 of Official Records, Page 139. And re-recorded July 13, 1953 in Book 6191 of Official Records, Page 231.
- 9. The terms, provisions and easement(s) contained in the document entitled "Grant of Easements" recorded April 18, 1951 in Book 5687, Page 501 of Official Records.
- 10. Non-exclusive easement for a Subsurface Sewer Tunnel 50 feet wide in a deed from Metropolitan Life Insurance Company to the City and County of San Francisco dated May 17, 1945 recorded on July 13, 1945 in Book 4252 of Official Records, Page 85 as modified and relocated by Exchange Deed by and between the City and County of San Francisco and Metropolitan life Insurance Company dated October 31, 1952 recorded November 19, 1952 in Book 6043 of Official Records, Page 288.
- 11. An easement for public pedestrian overpass and incidental purposes, recorded May 12, 1959 in Book 7527, Page 581 of Official Records.  
In Favor of: City and County of San Francisco  
Affects: A portion of Block 7331
- 12. An easement for underground gas transmission pipe line or main and incidental purposes, recorded February 25, 1964 in Book A722, Page 595 of Official Records.  
In Favor of: Pacific Gas and Electric Company  
Affects: A portion of Block 7320
- 13. The terms, provisions and easement(s) contained in the document entitled "Maintenance, Drainage, and Slope Easement Agreement" recorded October 03, 2005 as Instrument No. 2005-I046045 of Official Records, as modified by the document entitled "Amendment to Maintenance, Drainage and Slope Easement Agreement" recorded November 21, 2011 as Instrument No. 2011-J305998 of Official Records.
- 14. The terms, provisions and easement(s) contained in the document entitled "Subsurface Easement Agreement" recorded October 03, 2005 as Instrument No. 2005-I046046 of Official Records, as modified by the document entitled "Amendment to Subsurface Easement Agreement" recorded November 21, 2011 as Instrument No. 2011-J305996 of Official Records.
- 15. The terms, provisions and easement(s) contained in the document entitled "Access and Entry Easement Agreement" recorded October 03, 2005 as Instrument No. 2005-I046047 of Official Records, as modified by the document entitled "Amendment to Access and Entry Easement Agreement" recorded November 21, 2011 as Instrument No. 2011-J305995 of Official Records.
- 16. The terms, provisions and easement(s) contained in the document entitled "Construction Easement Agreement" recorded October 03, 2005 as Instrument No. 2005-I046048 of Official Records, as modified by the document entitled "Amendment to Construction Easement Agreement" recorded November 21, 2011 as Instrument No. 2011-J305997 of Official Records.

17. The terms, provisions and easement(s) contained in the document entitled "Easement Agreement" recorded October 3, 2005 as Instrument No. I046049 of Official Records.
18. The terms and provisions contained in the document entitled "Order No. 178,193" recorded November 19, 2009 as Instrument No. 2009-I874946-00 in Reel K023, Page 0317 of Official Records.

(Affects Assessor's Blocks 7315, 7316 and 7320)

19. An easement for public utilities and incidental purposes, recorded December 01, 2009 as Instrument No. 2009-I879772-00 in Reel K029, Page 0136 of Official Records.  
In Favor of: City and County of San Francisco, a municipal corporation  
Affects: Portion of said land
20. An easement for public utilities and incidental purposes, recorded December 04, 2009 as Instrument No. 2009-I881657-00 in Reel K032, Image 0321 of Official Records.  
In Favor of: Comcast of California III, Inc., its successors and assigns  
Affects: Portion of said land
21. Development Agreement recorded July 7, 2011 as Instrument No. 2011-J209959
22. The terms and provisions contained in the document entitled "Notice of Special Restrictions under the Planning Code" recorded October 01, 2013 as Instrument No. 2013-J764726 of Official Records.
23. A Deed of Trust to secure an original indebtedness of \$450,000,000.00 recorded November 10, 2014 as Instrument No. 2014-J970576 of Official Records.  
Dated: October 30, 2014  
Trustor: Parkmerced Owner LLC, a Delaware limited liability company  
Trustee: First American Title Insurance Company, a Nebraska corporation  
Beneficiary: Ladder Capital Finance I, LLC, a Delaware limited liability company

According to the public records, the beneficial interest under the deed of trust was assigned to Tuebor Captive Insurance Company, LLC, a Michigan limited liability company by assignment recorded November 13, 2014 as Instrument No. 2014-J971257 of Official Records.

The interest of Ladder Capital Finance I, LLC, a Delaware limited liability company under said Assignment of Assignment of Leases and Rents was purportedly assigned to Tuebor Captive Insurance Company, LLC, a Michigan limited liability company by document recorded November 13, 2014 as Instrument No. Instrument No. 2014-J971258 of Official Records.

24. Rights of parties in possession.

<b>INFORMATIONAL NOTES</b>
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1. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a Commercial Structure known as 3711 19th Avenue, San Francisco, California.
2. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:  
  
None
3. If this preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only, it is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.
4. Should this report be used to facilitate your transaction, we must be provided with the following prior to the issuance of the policy:
  - A. WITH RESPECT TO A CORPORATION:
    1. A certificate of good standing of recent date issued by the Secretary of State of the corporation's state of domicile.
    2. A certificate copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation.
    3. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
  - B. WITH RESPECT TO A CALIFORNIA LIMITED PARTNERSHIP:
    1. A certified copy of the certificate of limited partnership (form LP-1) and any amendments thereto (form LP-2) to be recorded in the public records;
    2. A full copy of the partnership agreement and any amendments;
    3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
    4. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
  - C. WITH RESPECT TO A FOREIGN LIMITED PARTNERSHIP:
    1. A certified copy of the application for registration, foreign limited partnership (form LP-5) and any amendments thereto (form LP-6) to be recorded in the public records;
    2. A full copy of the partnership agreement and any amendment;
    3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
    4. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
  - D. WITH RESPECT TO A GENERAL PARTNERSHIP:

1. A certified copy of a statement of partnership authority pursuant to Section 16303 of the California Corporation Code (form GP-1), executed by at least two partners, and a certified copy of any amendments to such statement (form GP-7), to be recorded in the public records;
  2. A full copy of the partnership agreement and any amendments;
  3. Requirements which the Company may impose following its review of the above material required herein and other information which the Company may require.
- E. WITH RESPECT TO A LIMITED LIABILITY COMPANY:
1. A copy of its operating agreement and any amendments thereto;
  2. If it is a California limited liability company, a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) to be recorded in the public records;
  3. If it is a foreign limited liability company, a certified copy of its application for registration (LLC-5) to be recorded in the public records;
  4. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, such document or instrument must be executed in accordance with one of the following, as appropriate:
    - (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such documents must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;
    - (ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.
  5. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
- F. WITH RESPECT TO A TRUST:
1. A certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company.
  2. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act in the pending transaction.
  3. Other requirements which the Company may impose following its review of the material require herein and other information which the Company may require.
- G. WITH RESPECT TO INDIVIDUALS:
1. A statement of information.

The map attached, if any; may or may not be a survey of the land depicted hereon. First American Title Insurance Company expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

#### **ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)**

##### **EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement erected on the Land;
  - iii. the subdivision of land; or
  - iv. environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
   
b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
  - e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - a. a fraudulent conveyance or fraudulent transfer, or
  - b. a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

San Francisco Assessor-Recorder  
Carmen Chu, Assessor-Recorder  
**DOC- 2014-J970575-00**

Check Number 3970

Monday, NOV 10, 2014 15:53:25

Ttl Pd \$42.00

Rcpt # 0005042861

0J1/FT/1-9

RECORDING REQUESTED BY AND WHEN  
RECORDED RETURN IT TO:

Greenberg Traurig, LLP  
MetLife Building  
200 Park Avenue  
New York, New York 10166  
Attention: Nicole Fenton, Esq.

*NCS 0666122*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN(s): 001 as to each of the following. Blocks: 7303, 7303-A, 7308, 7309, 7309-A, 7310, 7311, 7315, 7316, 7317, 7318, 7319, 7321, 7322, 7323, 7325, 7326, 7330, 7333-A, 7333-B, 7333-C, 7333-D, 7333-E, 7334, 7335, 7336, 7337, 7338, 7339, 7340, 7341, 7342, 7343, 7344, 7345, 7345-A, 7345-B, 7345-C, 7356, 7357, 7358, 7359, 7360, 7361, 7362, 7363, 7364, 7365, 7366, 7367, 7368, 7369, 7370 and Lot 3, as to Block 7320 and Lots 1 and 3, as to Block 7333 and Lot 4 as to Block 7331 and Lot 4 as to Block 7332  
345 Vdcl Drive

**THE UNDERSIGNED GRANTORS DECLARE:**

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$0.00  
SURVEY MONUMENT FEE \$0.00

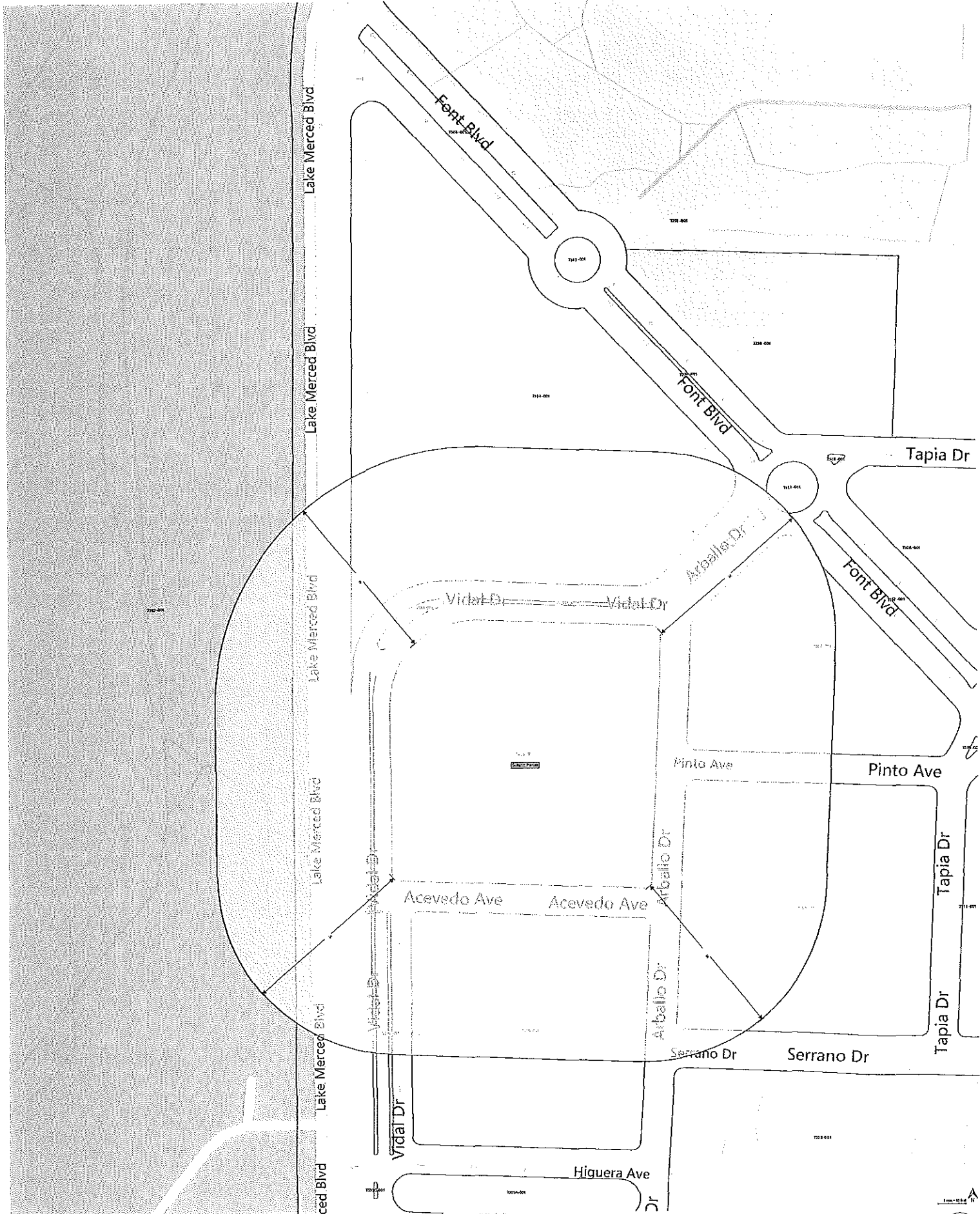
- [ ] computed on the consideration or full value of property conveyed, OR  
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,  
[ ] unincorporated area;  
[ xx ] Exempt from transfer tax; Reason: This conveyance is a transfer between legal entities that results solely in a change in the method of holding title in which the proportional ownership interests remain the same immediately after the transfer. CA Revenue and Taxation Code Section 11925(d) and San Francisco Business and Tax Regulations Code Article 12-C, Section 1108(d)

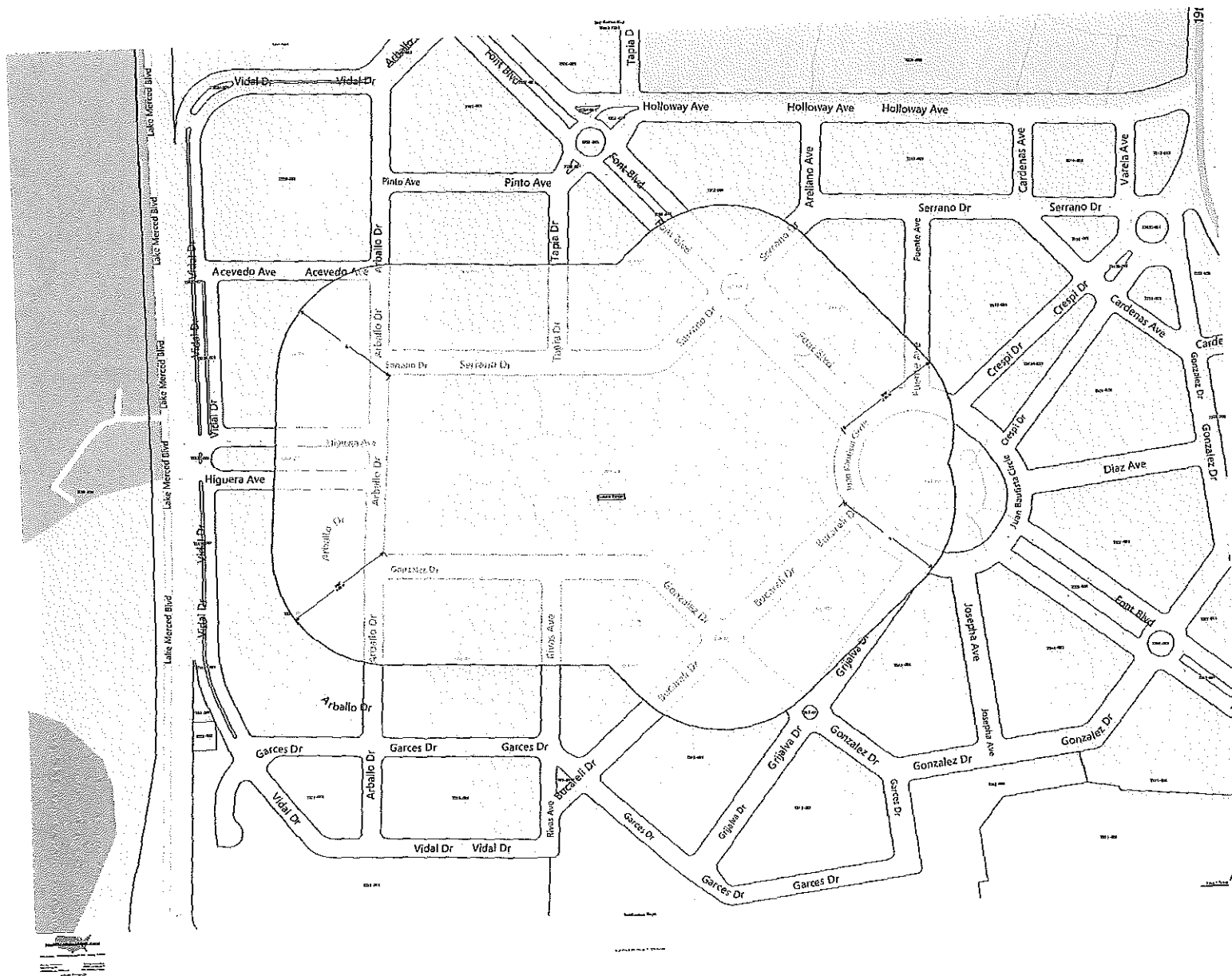
**GRANT DEED**

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MAXIMUS PM MEZZANINE 1 LLC, a Delaware limited liability company hereby GRANTS to PARKMERCED OWNER LLC, a Delaware limited liability company, the real property located in the City and County of San Francisco, State of California, and more particularly described in Exhibit A attached hereto and made a part hereof, together with, all and singular, the tenements, hereditaments, easements, rights-of-way and appurtenances belonging or in any way relating to the same, and the improvements thereon, subject to all matters of record.

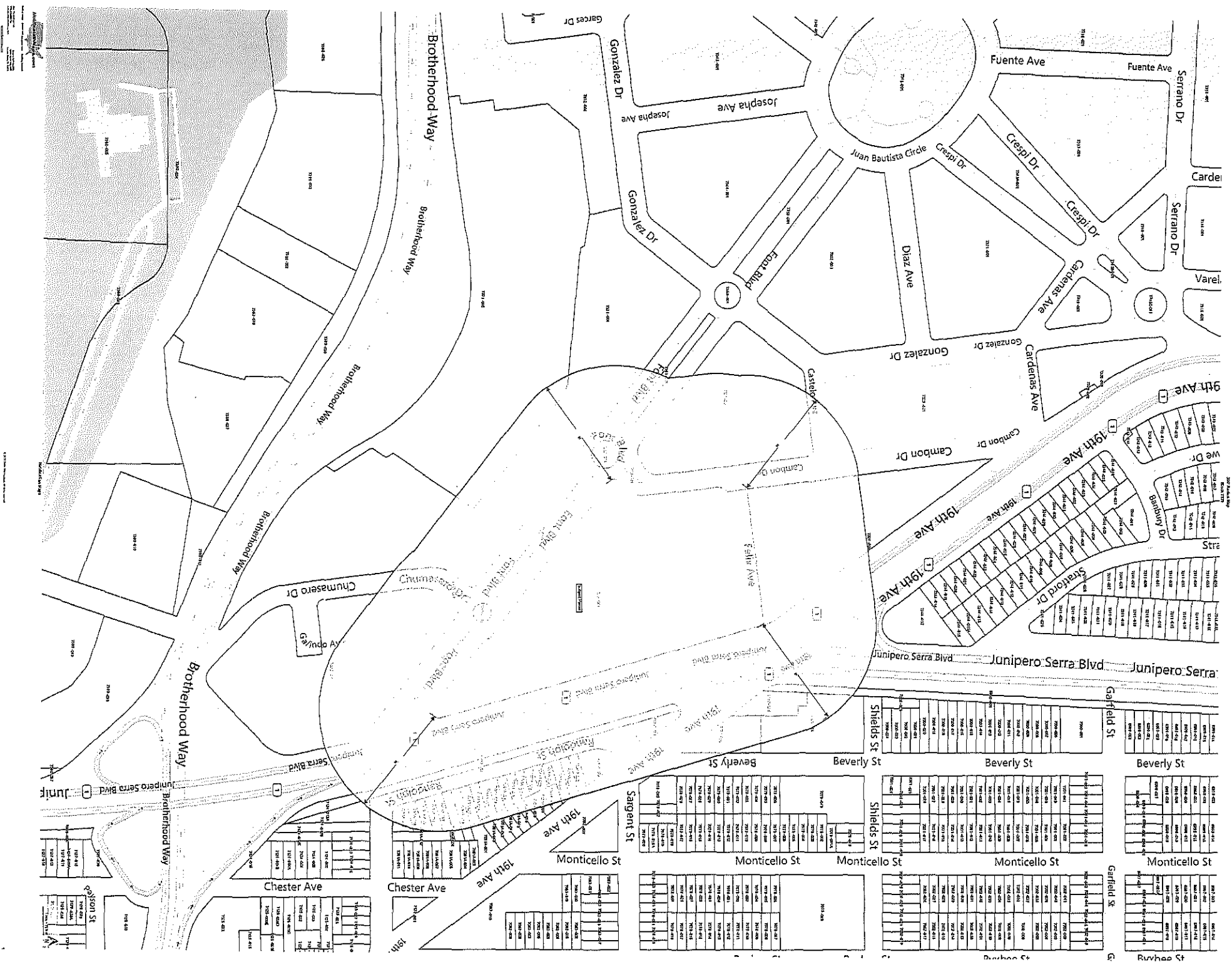
[Signature appears on following page.]

NY 244758055v1









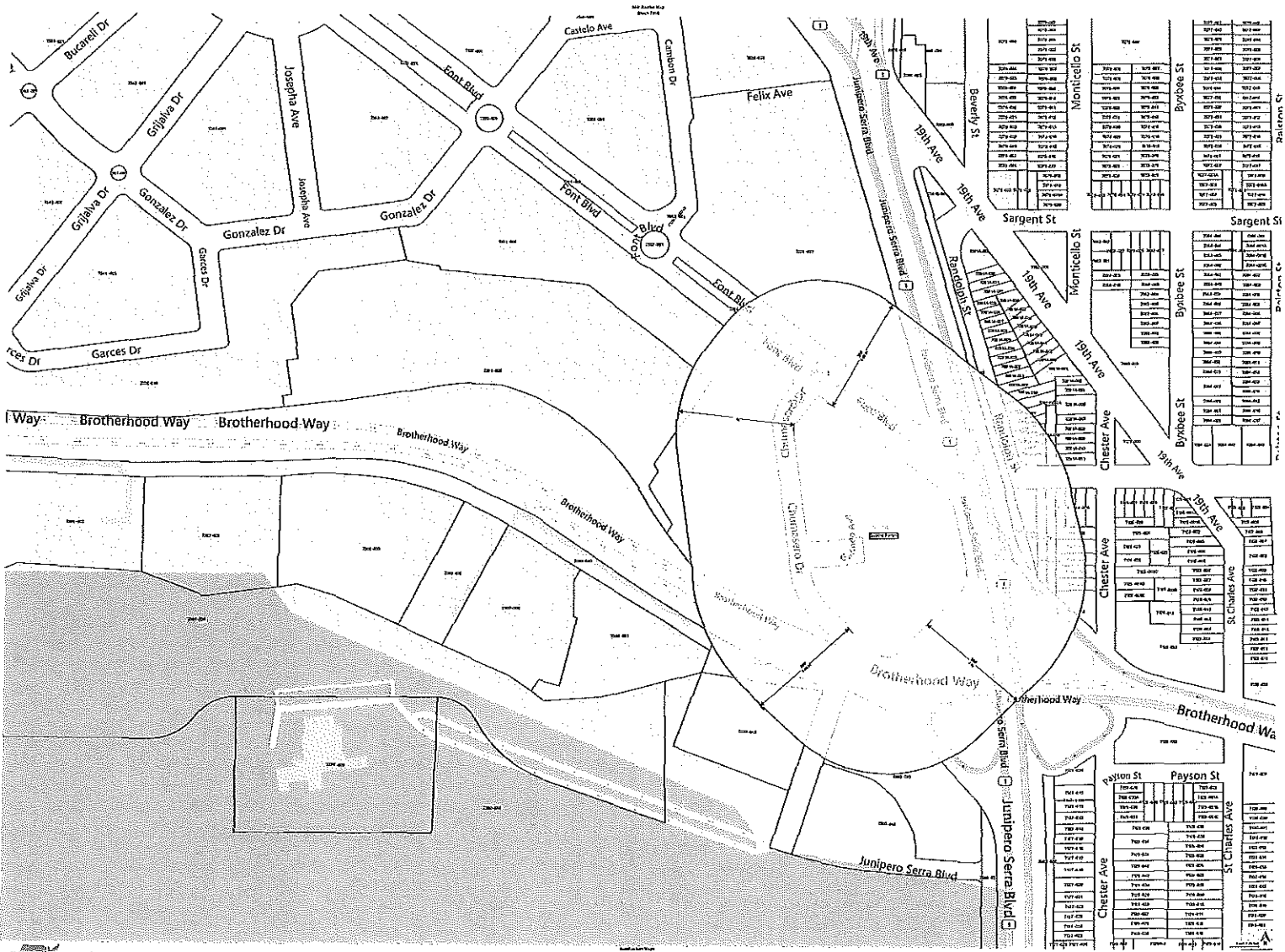


Exhibit N

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J. ABRAMS LAW, P.C.

415 999 4402  
jabrams@jabramslaw.com

575 Florida Street  
Suite 150  
San Francisco, CA 94110

September 14, 2015

President London Breed and Clerk of the San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689

Re: Appeal of Tentative Subdivision Maps Nos. 8530, 8531, and 8532  
(DPW Order No. 183946)

Dear President Breed and Clerk of the Board:

This firm represents Parkmerced Owner, LLC, project sponsor of the Parkmerced Mixed Use Development Project (the "Project"). This responds to the appeal of the tentative subdivision maps Nos. 8530, 8531, and 8532 (the "Tentative Subdivision Maps") filed by Mr. Stuart Flashman on behalf of his client Parkmerced Action Coalition ("PmAC") dated September 2, 2015.

Importantly, the Subdivision Maps relate only to the first phase of the Project, and therefore affect only a small subset of blocks within the overall Project site. Additional subdivision maps will be processed for subsequent Project phases as the Project is constructed over the anticipated 20-30 year development period.

For the reasons explained below, the appeal is without merit. We respectfully request that the Board of Supervisors affirm the approval of the Tentative Subdivision Maps by the Department of Public Works ("DPW"). We note as a preliminary matter that DPW issued notices of the approval to far more residents than required by law and therefore exceeded the noticing requirements of the San Francisco Subdivision Code and the California Subdivision Map Act. We object to Mr. Flashman's assertion that more residents should have been notified about the approval of the maps.

**1. DPW Met and Exceeded all Due Process Requirements**

Mr. Flashman first asserts that PmAC's due process rights were violated by a lack of appropriate notice and hearing of the approval of the Tentative Subdivision Maps. The opposite is the case—DPW sent notices to thousands of residents outside of the legally required noticing radius.

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First, DPW sent written notice of its approval to all residents of Parkmerced, as well as all property owners located within 300 feet of the Project site. The San Francisco Subdivision Code requires that such written notice be sent only to property owners within 300 feet of the to-be-subdivided property. SF Subdivision Code section 1313. By sending notice of the approval to all residents of Parkmerced, DPW surpassed all applicable noticing requirements.

Second, DPW surpassed the applicable notice requirements by sending written notice to all residents within 300 feet of the 152-acre Project site. DPW is required to notice only those properties within 300 feet of the to-be-subdivided property, which is a small subset of the overall 152-acre Project site. We support the City's decision to notify all of the residents of Parkmerced of the approval, despite the fact that such notice was not required by law.

Contrary to Mr. Flashman's assertions, no public hearing is required (or is typically conducted by DPW) for the approval of subdivision maps. SF Subdivision Code section 1312; 1313. All Constitutional Due Process rights have been met by providing PmAC with the opportunity to appeal DPW's approval of the Tentative Subdivision Maps, which PmAC has secured by filing this appeal.

## **2. The Notice Contains the Correct Property Description**

Mr. Flashman asserts that the (i) notice and (ii) Tentative Subdivision Maps each contain a distinct list of Assessor's Parcel Numbers (APNs) and are therefore confusing. The difference is easily explained—the notice contains all of the APNs comprising the overall Project, while the Tentative Subdivision Maps being processed pertain only to the first phase of the Project. The APNs shown on the Tentative Subdivision Maps are therefore a subset of those shown on the notice.

DPW correctly issued the notice, as the purpose was to apprise residents and neighbors of an approval related to the implementation of the overall Project. DPW could have theoretically and legally issued the notice with only the APNs related to the first phase of the Project. But had DPW done so, far fewer residents of Parkmerced would have been notified. We suspect that Mr. Flashman would have objected if DPW had limited its notice to including only those APNs subject to subdivision, as the Tentative Subdivision Maps are an implementing approval of the overall Project.

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**3. DPW Correctly did not Attach all Application Materials to the Notice of Approval; Including all Application Materials in Public Notices is Neither Customary nor Legally Required**

Mr. Flashman objects that certain supporting application materials (such as the list of notified persons and a list of community benefits) were not provided with the notice of approval. No City agency to our knowledge includes application materials in its public notices, as the inclusion of these materials would make the notices both (i) voluminous in size and (i) highly paper consumptive. The notice issued by DPW is consistent with DPW's practices, except that, as discussed above, it was sent to far more households than required by law.

**4. All Actions Necessary to Approve the Tentative Subdivision Maps Have Occurred**

Mr. Flashman questions whether certain actions have occurred, such as "whether high pressure fire safety lines have been provided within all the subdivision areas" and "whether all water and sewer line changes have been reviewed and approved".

None of the actions listed by Mr. Flashman must occur prior to DPW approving the Tentative Subdivision Maps. Most importantly, most of the actions (such as installing new fire safety lines and water pipes) are not legally permitted to occur until after the Tentative Subdivision Maps (and other associated permits, such as Street Improvement Permits) have been approved. The City would not allow Parkmerced to construct these facilities until after the Tentative Subdivision Maps and other permits have been approved and bonding has been provided for the public improvements.

DPW approved the Tentative Subdivision Maps with nearly three-hundred (300) detailed conditions of approval, all of which must be satisfied prior to construction of the Project. Many of these conditions of approval relate to items referenced by Mr. Flashman.

**5. The Owner of the Property is Currently Parkmerced Owner, LLC**

Like most real property in San Francisco, the ownership of Parkmerced has changed from time to time. The Project site is currently owned by the project sponsor, Parkmerced Owner, LLC. The Development Agreement requires that written notice be provided to the City concurrent with any transfer of the Project site.

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Notices of transfer were timely provided to the City in November 2014, when the Project site was transferred Parkmerced Owner, LLC. These notices met all requirements of the Development Agreement.

We acknowledge that DPW issued the Tentative Subdivision Maps with a typographical error—the owner should be listed at “Parkmerced Owner, LLC” rather than “Parkmerced Owners, LLC.” The inadvertent typographical error does not affect the validity of the approval and may be rectified by a minor correction of the Tentative Subdivision Maps. These types of minor corrections are anticipated and permitted by the San Francisco Subdivision Code and the California Subdivision Map Act.

**6. No Taxes Are Unpaid**

Mr. Flashman indicates that certain taxes are past due for APN 7236/001. This parcel is not part of the Project Site—it is located approximately two blocks from the Project site across 19th Avenue from the Stonestown shopping center.

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In sum, the Tentative Subdivision Maps comply with all applicable requirements of the San Francisco Subdivision Code and the California Tentative Subdivision Map Act. We respectfully request that the Board of Supervisors affirm the decision of DPW to approve the Tentative Subdivision Maps.

Sincerely,

A handwritten signature in black ink, appearing to be "Jim Abrams", with a long horizontal line extending to the right.

Jim Abrams

---

Exhibit O





Date: September 21, 2015

Briefing from:  
Bruce Storrs,  
City and County Surveyor

Edwin M. Lee  
Mayor

Mohammed Nuru  
Director

Jerry Sanguinetti  
Bureau of Street Use & Mapping  
Manager

**RE: ITEM No. \_\_\_\_\_ – Parkmerced Tentative Maps**  
**BOS Meeting Agenda Tuesday, September 29, 2015**

Bruce R. Storrs P.L.S.  
City and County Surveyor

Bureau of Street Use & Mapping  
1155 Market St., 3rd floor  
San Francisco, CA 94103  
tel (415) 554-5827  
Subdivision.Mapping@sfdpw.org

sfpublicworks.org  
facebook.com/sfpublicworks  
twitter.com/sfpublicworks

Project ID	Address	Block-Lot
8530	111-125 CAMBON DR, 100-150 FONT BLVD, 20 FONT BLVD, and 55 CHUMASERO DR	7303-001, 7303-A-001, 7308-001, 7309-001, 7309-A-001, 7310-001, 7311-001, 7315-001, 7316-001, 7317-001, 7318-001, 7319-001, 7320-003, 7321-001, 7322-001, 7323-001, 7325-001, 7326-001, 7330-001, 7331-004, 7332-004, 7333-001, 7333-003, 7333-A-001, 7333-B-001, 7333-C-001, 7333-C-001, 7333-D-001, 7333-E-001, 7334-001, 7335-001, 7336-001, 7337-001, 7338-001, 7339-001, 7340-001, 7341-001, 7342-001, 7343-001, 7344-001, 7345-001, 7345-A-001, 7345-B-001, 7345-C-001, 7356-001, 7357-001, 7358-001, 7359-001, 7360-001, 7361-001, 7362-001, 7363-001, 7364-001, 7365-001, 7366-001, 7367-001, 7368-001, 7369-001, and 7370-001
8531	2-28 BUCARELI DR, 401-425 FONT BLVD, 700-750 GONZALEZ DR, 810 GONZALEZ DR, 80-116 JUAN BAUTISTA CIRCLE, 301-355 SERRANO DR, and 405 SERRANO DR	
8532	310-350 ARBALLO DR	

Members of the Board,

This project is the first subdivisions in a multi-phase development of the Parkmerced area. Below is a summation from our subdivision tracking system:

- 2/10/2015 – Public Works/BSM received the application
- 3/10/2015 - Referred Maps to City Agencies
- 8/6/2015 - Approved by Department of City Planning
- 8/24/2015 - Approved by Public Works (with conditions)
- 9/3/2015 - Received a Notice of Appeal from Stuart Flashman on behalf of the Parkmerced action Coalition raising six separate bases for appeal
  - 9/14/2015 – Received a response to Appeal from James Abrams on behalf of the Parkmerced Owner, LLC addressing each of basis of appeal.
  - 9/18/2015 – Responded to Appellants request for information.

Block 1;  
Man No. 8532

Block 6;  
Man No. 8531

Blocks 20  
& 22; Map  
No. 8530

Public Works has reviewed the response made by the Project Sponsor on September 14, 2015, and agrees with and supports this response in all respects, including but not limited to public noticing, property ownership, and satisfaction of public infrastructure requirements. In addition, it is important to note that Public Works and other City Agencies reviewed this project at length to ensure that the tentative map and the map conditions met the requirements of the Subdivision Map Act, local codes and regulations and the Parkmerced Development Agreement. The project approvals are consistent with the process the Department uses in other tentative map reviews. The map approvals consist of approximately 37 pages of detailed conditions that the project sponsor must meet prior to recording future final maps or obtaining other project approvals. Many of the issues that appellant raises relate to the satisfaction of the tentative map conditions which are not required prior to tentative map approval, but rather before future final map approval.

The Department also does not recommend that a continuance be granted for the hearing presently scheduled for September 29, 2015. Public Works timely notified the appellant on Friday, September 18 that the approximately 250mb of project information he requested was available for pick-up during regular business hours, Monday through Friday, at City Hall, Room 348. With the provided information, the appellant has adequate time to review the project history and respond.

Sincerely,



Digitally signed by  
Paul Mabry  
Date: 2015.09.22  
15:57:15 -07'00'

for Bruce R. Storrs, P.L.S.  
City and County Surveyor  
City and County of San Francisco

Exhibit P

2010 Roll

(Block 7331 lots 2 & 3) & (Block 7332 lots 2 & 3) INTO

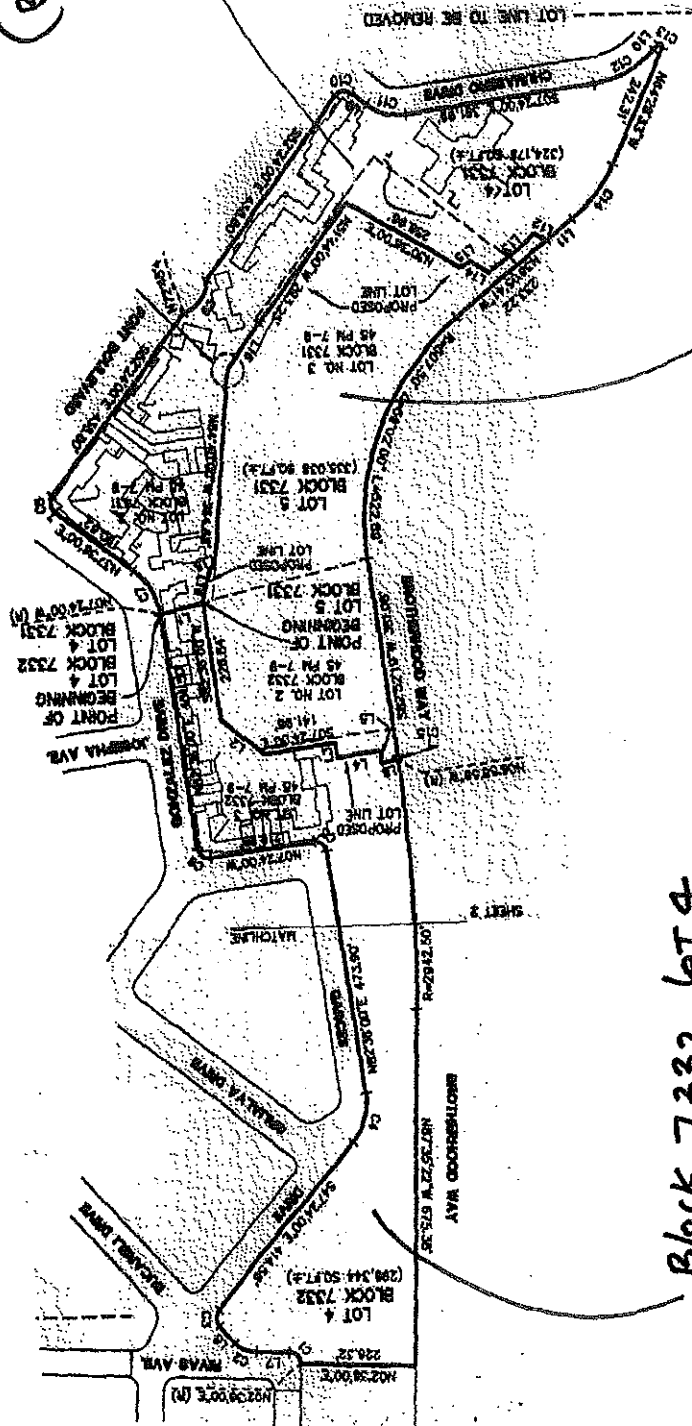
(Block 7331 lots 4 & 5) &

(Block 7332 lot 4)

Block 7331 lot 4

Block 7331 lot 5

Block 7332 lot 4





# San Francisco Property Information Map

*Public Access to Useful Property Information & Resources at the Click of a Mouse*

## Step 1: Search or Click on the Map

Search Examples: 400 Van Ness Ave 0787/001  
Mission and Van Ness 2011.0218  
Ferry Building

7331005



## Step 2: Review Property

Click tabs below to view property or parcel

Property

Zoning

Preservation

**Planning Apps**

## Select a Parcel

This parcel no longer exists, it was retired on 4/15/2014 and replaced by the parcels below. Please select a parcel to continue:

7331006  
7331007  
7331008  
7331009  
7331010  
7331011  
7331012  
7331013  
7331014  
7331015  
7331016  
7331017  
7331018  
7331019

Cancel

