



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Full Analysis

HEARING DATE JULY 20, 2017

*Date:* July 10, 2017  
*Case No.:* 2014.1509DRP  
*Project Address:* 188 Octavia Boulevard a.k.a. Central Freeway Parcel T  
*Permit Application:* 2016.1005.9557  
*Zoning:* Hayes-Gough NCT (Neighborhood Commercial Transit)  
50-X Height and Bulk District  
*Block/Lot:* 0853/034  
*Project Sponsor:* Jaqui Braver  
DM Development  
448 Linden Street  
San Francisco, CA 94102  
*Staff Contact:* Carly Grob – (415) 575-9138  
[carly.grob@sfgov.org](mailto:carly.grob@sfgov.org)  
*Recommendation:* **Do not take DR and approve the project as proposed.**

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

Reception:  
**415.558.6378**

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**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal is to construct a five-story mixed-use building on a vacant lot, also known as Central Freeway Parcel T. The subject lot is approximately 120 by 46 feet, four inches, and 5,556 square feet in lot area. The project includes 27 dwelling units and approximately 3,000 square feet of ground floor retail, as well as a private roof deck. The project does not include off-street vehicle parking, but provides 27 Class 1 bicycle parking spaces onsite.

### SITE DESCRIPTION AND PRESENT USE

The subject lot is a vacant, paved lot that with approximately 120 feet of frontage along Octavia Boulevard and 46 feet, four inches of frontage on Page Street and Rose Street.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located within the Hayes-Gough Neighborhood Commercial Transit District, a mixed-use commercial district adjacent to Civic Center which contains a limited range of neighborhood-serving retail, restaurants, and art galleries. The existing building scale is generally two to five stories in height, with two- to three-story buildings along east-west streets, and four- to five-story buildings along Octavia Boulevard. The Hayes-Gough NCT, as well as surrounding Zoning Districts are transit-oriented, and encourage active ground floor uses at a pedestrian scale of development, while discouraging ground-story medical, business, and professional office and prohibiting drive-up or automobile uses. The code controls for the District are supported and augmented by the design guidelines and policies in the Market and Octavia Area Plan.

The site immediately adjacent to the subject property is a three-story commercial building that covers the full lot, and has frontage on both Page Street and Rose Street. Parcel T is located to the south of Parcel S across Page Street, and is north of Parcel U across Rose Street. Both Parcels S and U are vacant, and are planned as 100% affordable housing projects.

## BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
312 Notice	30 days	March 29, 2017 – April 28, 2017	April 28, 2017	July 20, 2017	83 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	July 10, 2017	July 10, 2017	10 days
Mailed Notice	10 days	July 10, 2017	July 10, 2017	10 days

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	1	0	0

The Department has received one letter in support of the project as proposed from the Hayes Valley Neighborhood Association (HVNA). HVNA states that the project is an appropriate density for the site, and the project is consistent with the Market/Octavia Plan. They acknowledge that rents in San Francisco have escalated to untenable levels, but they support that project incorporates the required affordable units onsite.

## DR REQUESTOR

The DR Requestor is Harold Darling. Mr. Darling resides at 102 Haight Street, which is located across Octavia Boulevard from the project site.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

**Issue #1:** The DR requestor states that constructing the proposed residential project is inconsistent with the City's mandate to preserve and enhance affordable housing, because the proposed apartments would "rent for at least \$6,000." Mr. Darling asserts that the construction of [27] units on City-owned property is an "egregious violation of housing priority policies."

**Issue #2:** The DR requestor also states that since the proposed five-story building is taller and denser than surrounding properties, the project would lead to a loss of sunlight, open space, vistas, and parking spaces. He states that since the project sponsor was seeking a Usable Open Space variance, that the project violates priority policy 8, which states that "our parks and open space and their access to sunlight and vistas be protected from development."

**Proposed Alternatives:** The DR requestor's proposed alternative is to decrease the anticipated monthly rental rate for each apartment to \$1,200, to decrease the density to eight dwelling units instead of 27, or to change the proposed use of the property to an arts organization or nonprofit instead of residential uses. The DR Requestor states that "Hayes Valley has been inundated with hundreds of expensive condos. The impact of gentrification upon Hayes Valley is disproportionate and unfair."

Please see the attached *Discretionary Review Application* for additional information.

## PROJECT SPONSOR'S RESPONSE

The project sponsor states that there are no exceptional or extraordinary circumstances that would warrant a DR. The project, as proposed, includes 15% on-site inclusionary rental units. The subject property is being sold to the project sponsor at full market value pursuant to the precise urban design standards and policy objectives of the Market and Octavia Plan, including dense, mixed-use residential infill, on-site affordable housing, and neighborhood design and bulk patterns. The project sponsor was awarded the rights to develop the property in direct response to a City -prepared Request for Proposals, and the Zoning Administrator granted a Variance for rear yard and usable open space on April 26, 2017 to justify a Costa Hawkins Waiver for onsite rental BMR units. The DR requestor's requested alternatives to reduce the density of the project or to provide 100% affordable units is neither reasonable nor feasible.

Since initially submitting their site permit, the project sponsor has modified the project in the following ways:

1. A dwelling unit was added;
2. The sponsor requested a Variance from rear yard and usable open space in order to justify a Costa Hawkins Agreement;
3. The sponsor entered into a written agreement with the immediate neighbor at 165 Page to modify the building's flashing details, gap screening material, and design between structures, and provided funds to the adjacent owner to improve the existing skylights and provide greater access to light and air to the existing office; and
4. Communicated with a Rose Street resident regarding construction staging, parking, and improved construction equipment traffic management.

The project sponsor is not willing to modify the project further.

It is not feasible for the project sponsor to reduce the density of the project or to provide 100% affordable units. The DR requestor is incorrect that the project violates the Planning Code or General Plan, or would adversely impact the neighborhood. The project site was previously occupied by an elevated freeway, and no existing housing is adversely affected. The project would not cast shadows on, or adversely affect any parks or open space, and the provision of rooftop open space would alleviate pressure on the current parks in the neighborhood. The project includes both market-rate and affordable housing, which would provide new housing units that are consistent with the Market and Octavia Plan.

Cumulatively, the City's redevelopment of the 22 Central Freeway parcels will create 15 new market-rate sites with onsite affordable housing to satisfy the City's inclusionary housing requirement, and seven sites that are 100% affordable. The implementation of this project is consistent with an eight-year City and community led planning effort, and is not exceptional or extraordinary. Finally, neither the City nor the sponsor may amend the parcel's purchase and sale agreement, because the property valuation would be significantly decreased with a lower density or a 100% affordable project, and there is an explicit public purpose for the funds generated by the parcel sale.

Please see the attached *Response to Discretionary Review* for additional information.

## **PROJECT ANALYSIS**

As proposed, the project is consistent with policies outlined in the General Plan and in the Market and Octavia Plan. The project provides 27 dwelling units to the existing housing stock of the city, which is consistent with General Plan Policies and Mayor's Executive Directive to prioritize housing development. Of the 27 proposed units, the project includes 11 two-bedroom units, which is consistent with the Department's priorities to provide family friendly housing and larger units. In order to satisfy their inclusionary housing requirement pursuant to Section 415, the project would provide four below-market rate units on-site as rental housing. The project demonstrates exceptional design, and is consistent with transit-first policies, as it does not provide any off-street vehicle parking.

The addition of 27 dwelling units would incrementally address the City's housing shortage; however, drastically reducing residential density on the subject property would have the opposite effect, as it would result in fewer dwelling units in areas that have been planned to support higher density, transit-oriented residential development. As such, the Department recommends that the Commission does not take Discretionary Review and approve the project as proposed.

## **PLAN AREA BACKGROUND AND PROJECT SELECTION PROCESS**

In 1989 the Loma Prieta earthquake rendered the double deck Central freeway seismically deficient and in need of reconstruction. The proposed freeway redesign would bring a new side by side freeway structure within inches of existing buildings. An alternative was proposed to construct a multi-lane boulevard in its place.

In 1998 a voter initiative called the Central Freeway Replacement Project (otherwise known as Proposition E, which was one of three initiatives) passed to remove the freeway and build Octavia Boulevard, which opened in 2005. In doing so, and via California State Senate Bill 798 (Burton), 22 parcels



from the former freeway were transferred to the City from the State for sale and for development of affordable and market rate housing. The proceeds are required under an agreement between San Francisco and the State of California (2000) to fund the construction of the boulevard and other community transportation benefits, including bringing portions of Van Ness to a “State of Good Repair”, a project which is finally imminent, thanks to the sale of these Caltrans former Freeway parcels. The sales have also funded a myriad of area improvements, including Patricia’s Green. This voter initiative, the Senate Bill and the agreement with the State all contemplated the whole package of the 22 former Central Freeway Parcels that we now refer to as parcels A through V; this includes the subject property.

In a 1999 Proposition (I), San Franciscans voted to establish two priorities: Transportation Improvements and Mixed-Income Housing Development. The voter-approved Proposition established priorities for the use of those excess parcels. It includes this requirement: “It is the expressed intent of the voters that housing, mixed-use and/or complementary development be constructed on the excess freeway parcels.”

To build on the voter initiative to remove the freeway (E), as well as the separate voter initiative that established priorities (I) and the City obligations to the State, The Planning Department, supported by the Hayes Valley Neighborhood Association, started working on the Market Octavia Area Plan in 2000. Adopted in 2008, the Market Octavia Plan was a comprehensive plan to enhance and provide for substantial growth in this central-city neighborhood that is well served by transit. HVNA continues to be actively involved in oversight of the plan. The Planning Code was amended specifically for the Octavia boulevard parcels, which included waiving the rear yard requirement, and prohibiting parking off the Octavia frontage.

The core Market and Octavia Plan principles include promoting innovative housing types and transportation choices, balancing preservation with contemporary infill development, incorporating density with livability, and investing in public infrastructure with citizen involvement. Projects in the Market and Octavia Plan aim to repair the urban fabric, promote density and a range of housing types, and promote livability with a high quality public realm.

In 2005, HVNA community members initiated an ideas design competition to set a high expectation for high-quality contemporary design to complement the civic grandeur of the new boulevard. The intent was that the scale, density, and uses enhance and complement the civic investment of the Boulevard and the Area plan. The Office of Economic and Workforce Development (OEWD), in its disposition of parcels M&N, P, R, S, T, and V embraced the aspiration of world class architecture and set design as part of the criteria for the competitive disposition RFPs.

The proposed project won the subsequent RFP for sale of parcel T and supports the Market Octavia Area Plan architectural vision with exceptional design. Additionally, proceeds from the sale of the land fund the City’s continuing obligations to the priorities laid out by San Francisco voters and the City’s obligations to the State. I should also note that, besides adding over 1000 units of new housing on the former Central Freeway parcels, OEWD projects that the overall rate of permanently affordable housing collectively on those parcels will be over 50% by project end (final parcel sale and development).

## **ENVIRONMENTAL REVIEW**

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class \_\_ categorical exemption. On April 5, 2007, the San Francisco Planning Commission certified the program level Environmental Impact Report (PEIR) for the Market and Octavia Neighborhood Plan (Case No. 2003.0347E; State Clearinghouse No. 2004012118). The PEIR analyzed amendments to the Planning Code and Zoning Maps and to the Market and Octavia Neighborhood Plan, an element of the San Francisco General Plan. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Neighborhood Plan. The PEIR also provided a project-level environmental analysis for the redevelopment of the 22 vacant Central Freeway parcels. Parcel T is one of these parcels that were created as a result of the removal of the elevated Central Freeway.

Subsequent to the certification of the PEIR, in May 30, 2008, the Board of Supervisors approved, and the Mayor signed into law, revisions to the Planning Code, Zoning Maps, and General Plan that constituted the “project” analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls which allows for flexible types of new housing to meet a broad range of needs, reduces parking requirements to encourage housing and services without adding cars, balances transportation by considering people movement over auto movement, and builds walkable “whole” neighborhoods meeting everyday needs. The Market and Octavia Neighborhood Plan, as evaluated in the PEIR and as approved by the Board of Supervisors, accommodates the proposed use, design, and density of the proposed project on Parcel T.

On March 9, 2017, the Planning Department prepared a Note to File for the proposed project in accordance with local CEQA procedures under Chapter 31 of the San Francisco Administrative Code. San Francisco Administrative Code Section 31.19(c)(1) states that a proposed project must be reevaluated and that, “If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter.” Thus, the Note to File provided written documentation for the case record that the proposed project does not warrant additional environmental review.

The note to file concluded that the proposed project at Parcel T is consistent with and was encompassed within the analysis in the PEIR for the Market and Octavia Neighborhood Plan and for the project-level review of the Central Freeway parcels. The PEIR adequately anticipated and described the impacts of the proposed project, and identifies the PEIR mitigation measures applicable to the proposed project. Since the PEIR was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require revisions to the PEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the PEIR. Therefore, no further CEQA evaluation is necessary.

## **RESIDENTIAL DESIGN TEAM REVIEW**

The Residential Design Guidelines do not apply to the subject parcel, as it is not located within a Residential District. The Urban Design Advisory Team has reviewed the project, and determined that

there are no exceptional or extraordinary circumstances which would result in modifications to the design.

## BASIS FOR RECOMMENDATION

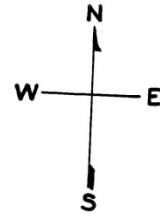
- The project provides 27 dwelling units to the City’s housing stock without displacing any existing residential, commercial, or industrial uses.
- The project includes two retail suites that incorporate roll-up doors in their entries, which would enrich the pedestrian realm and provide greater continuity of active uses along Octavia Boulevard.
- No off-street vehicle parking is proposed as part of the project.
- The project incorporates high-quality materials and unique design elements to enliven the Octavia Street wall.
- The project site is an identified infill site in the Market & Octavia Plan, and the design is consistent with the goals stated in the Plan.
- Project approval would help the City implement its 2014 selection of the proposed project in a City run public RFP process.

<b>RECOMMENDATION:</b> <b>Do not take DR and approve the project as proposed.</b>
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### Attachments:

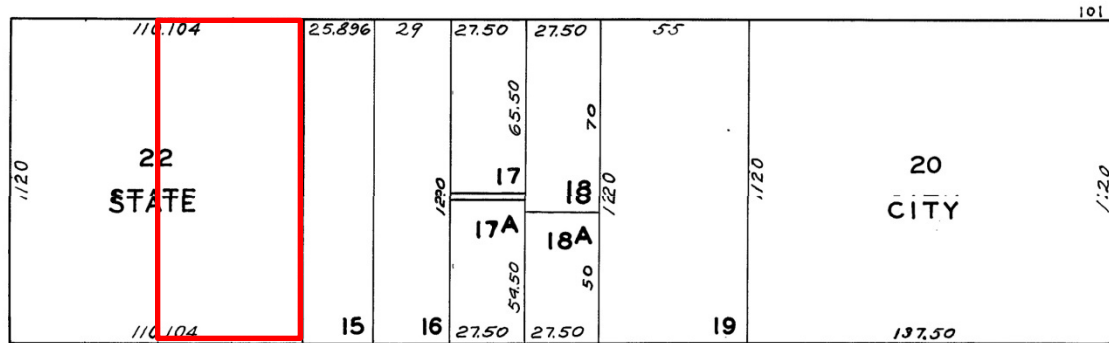
Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photos  
Section 312 Notice  
DR Application  
Response to DR Application dated June 9, 2017  
3-D Rendering  
Reduced Plans

# Parcel Map



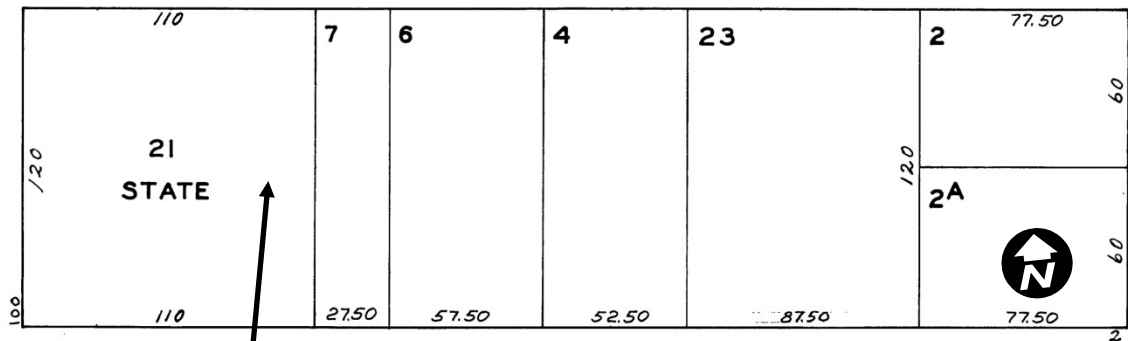
PAGE

OCTAVIA



ROSE

GOUGH

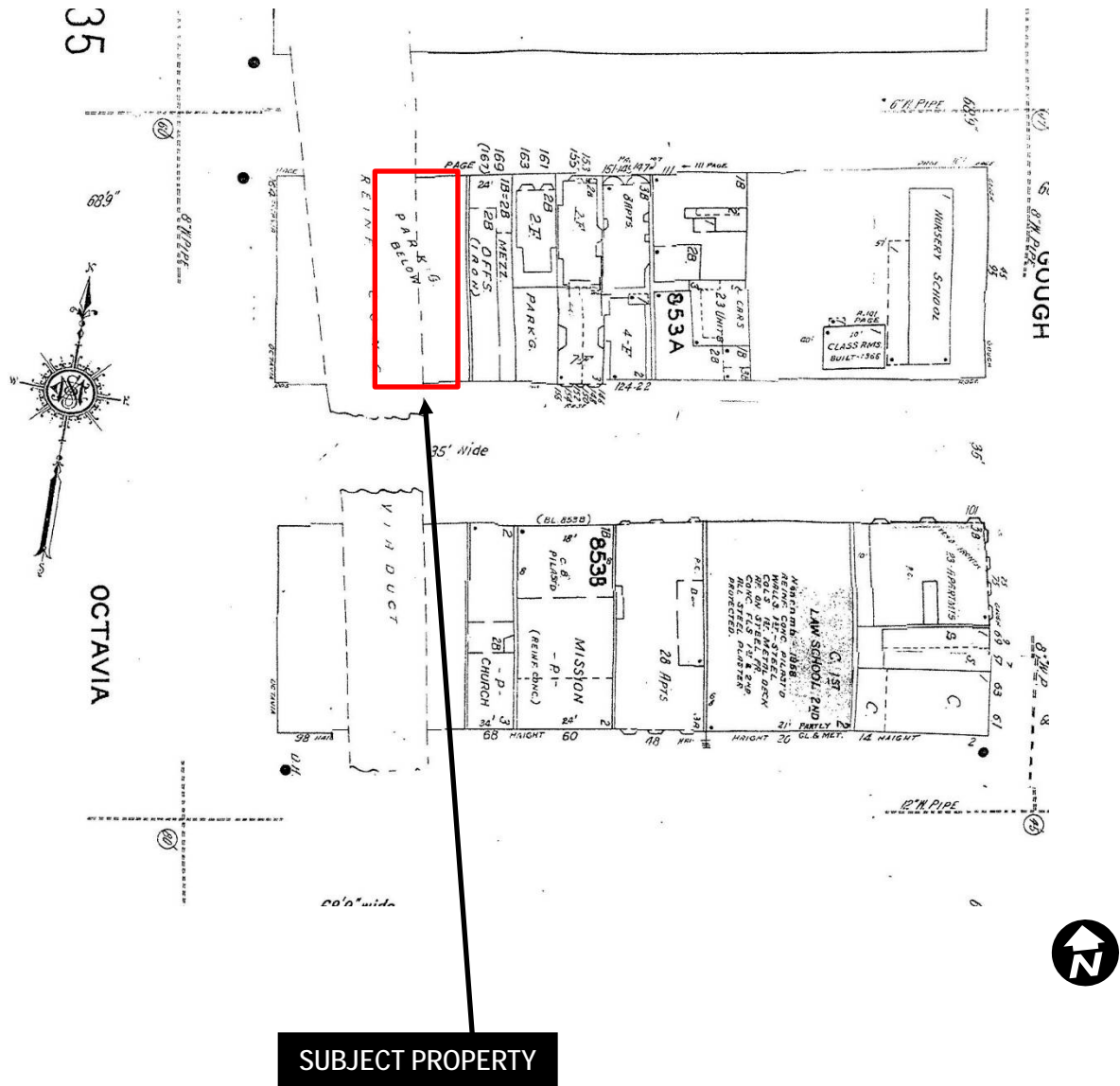


HAIGHT

SUBJECT PROPERTY

Discretionary Review Hearing  
Case Number 2014.1509DRP  
188 Octavia – Parcel T

# Sanborn Map\*

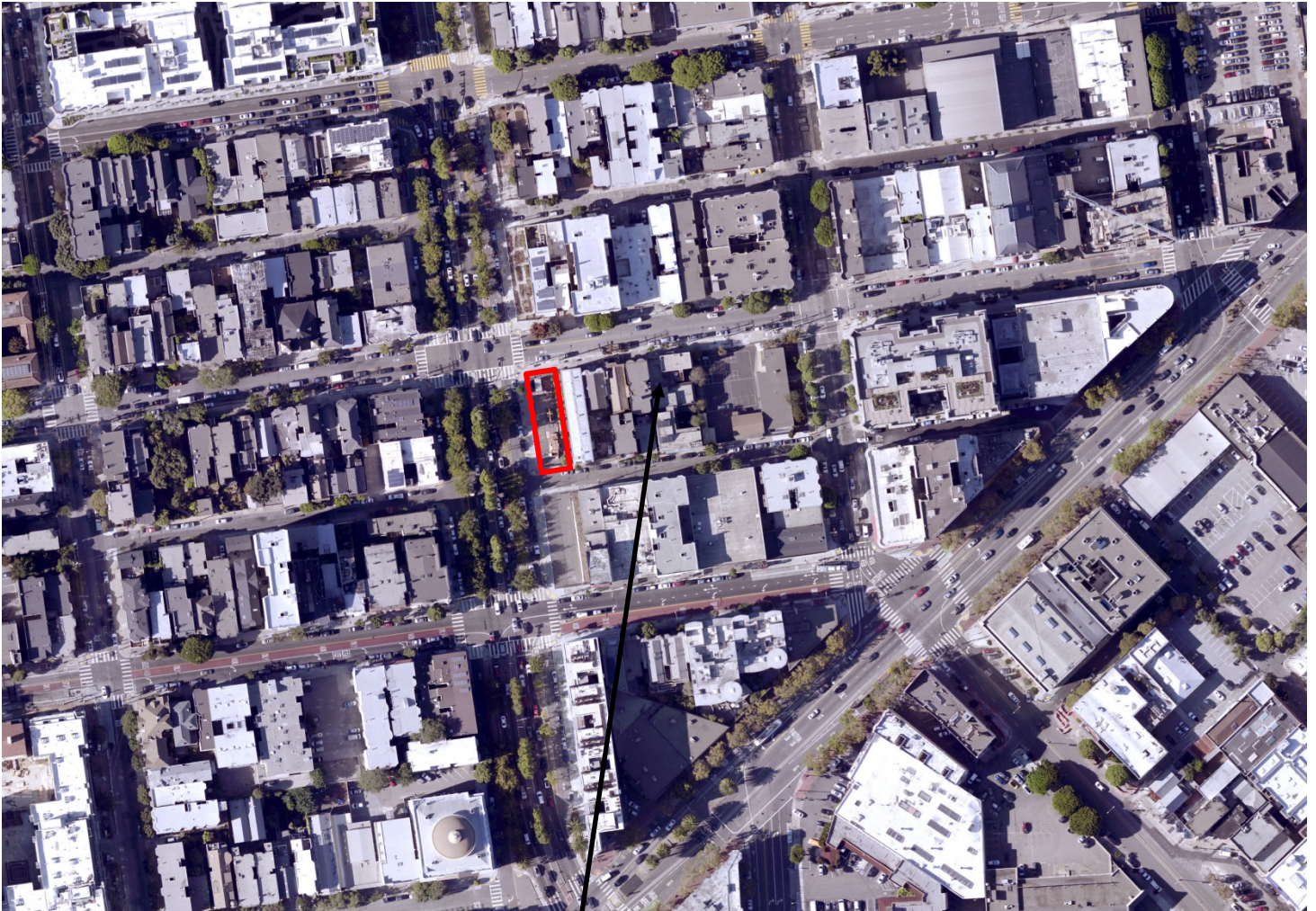


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Discretionary Review Hearing  
Case Number 2014.1509DRP  
188 Octavia – Parcel T



# Aerial Photo

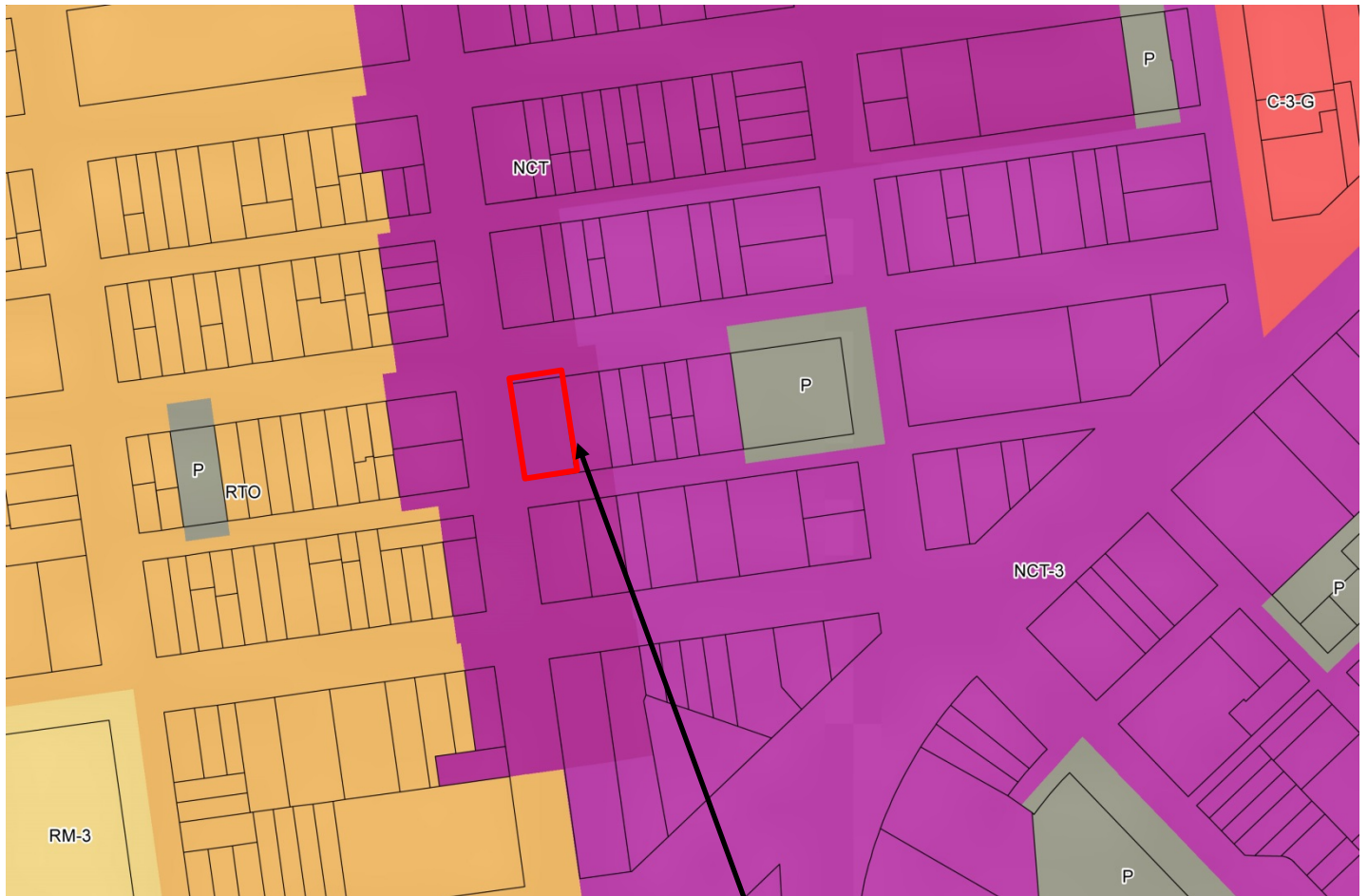


SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2014.1509DRP  
188 Octavia – Parcel T

# Zoning Map



SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2014.1509DRP  
188 Octavia – Parcel T



# Site Photo (Vacant)



Discretionary Review Hearing  
Case Number 2014.1509DRP  
188 Octavia – Parcel T





# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On **October 5, 2016**, the Applicant named below filed Building Permit Application No. **2016.1005.9557** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>188 Octavia Blvd. (aka Parcel T)</b>	Applicant:	<b>Jaqui Braver</b>
Cross Street(s):	<b>Page and Rose Streets</b>	Address:	<b>448 Linden Street</b>
Block/Lot No.:	<b>0853/034</b>	City, State:	<b>San Francisco, CA 94102</b>
Zoning District(s):	<b>Hayes-Gough NCT/50-X</b>	Telephone:	<b>(415) 378-7566</b>
Record No.:	<b>2014.1509</b>	Email:	<b>Jaqui.braver@dm-dev.com</b>

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	None	Mixed-Use – Residential over Retail
Front Setback	None	None
Side Setbacks	None	None
Building Depth	None	Approx. 46 feet by 120 feet
Rear Yard	None	None
Building Height	None	55 feet
Number of Stories	None	5 stories
Number of Dwelling Units	0	27
Number of Parking Spaces	0	0
PROJECT DESCRIPTION		
<p>The proposal is to construct a five-story mixed-use building on a vacant lot, also known as Central Freeway Parcel T. The project includes 27 dwelling units and approximately 3,000 square feet of ground floor retail, as well as a roof deck. The applicant is seeking a Variance from Planning Code Section 134 (Rear Yard), Section 135 (Usable Open Space) and 136 (Permitted Obstructions over Streets and Alleys). The Zoning Administrator will consider the requested variances at a regularly scheduled hearing on April 26, 2017. See attached plans.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.</p>		

**For more information, please contact Planning Department staff:**

Planner: Carly Grob  
Telephone: (415) 575-9138  
E-mail: carly.grob@sfgov.org

**Notice Date: 3/29/2017**  
**Expiration Date: 4/28/2017**

## GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at [www.communityboards.org](http://www.communityboards.org) for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at [www.sfplanning.org](http://www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org). If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

**Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

### BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

### ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at [www.sfplanning.org](http://www.sfplanning.org). An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

# APPLICATION FOR Discretionary Review

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: Harold Darling		
DR APPLICANT'S ADDRESS: 102 Haight Street, Front	ZIP CODE: 94102	TELEPHONE: (415 ) 666-5949
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: City and County of San Francisco		
ADDRESS: c/o Jaqui Braver, DM DEVELOPMENT 448 Linden Street	ZIP CODE: 94102	TELEPHONE: (415 ) 378-7566
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> Harold Darling		
ADDRESS: 102 Haight Street, Front	ZIP CODE: 94102	TELEPHONE: (415 ) 666-5949
E-MAIL ADDRESS: harolddarling@hotmail.com		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 188 Octavia Street		ZIP CODE: 94102
CROSS STREETS: Page		
ASSESSORS BLOCK/LOT: 0853 /034	LOT DIMENSIONS: 46 by 120 ft	LOT AREA (SQ. FT.): 5556
ZONING DISTRICT: HAYES NCT		HEIGHT/BULK DISTRICT: 50-x

## 3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☒ Alterations ☐ Demolition ☐ Other ☐Additions to Building: Rear ☐ Front ☐ Height ☐ Side Yard ☐

Present or Previous Use: Parking lot

Proposed Use: 5 story, 27 unit apartment building

Building Permit Application No. 201610059557

Date Filed: 10/5/2016

#### 4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

Applicant claims that decreasing density, and/or reducing the anticipated rental rates would render the project unfeasible.

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## Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

Constructing 24 apartments that will rent for at least \$6000 a month on city owned property is an egregious violation of Section 101.1(b) housing policy priorities. Projects utterly fails to comply with San Francisco Planning Code's unequivocal mandate that affordable housing be preserved and enhanced; and that housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods. Also, San Francisco Charter Section 4.105

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

Project is taller and denser than surrounding residential properties which will lead to a loss of sunlight, open space, vistas, and parking spaces. Project specifications violate the usable open space requirements under Section 134, 135 of the of the San Francisco Planning Code. Project parameters contradicts essential provisions of Section 101.1(b) of the San Francisco Planning Code's Priority Policy 8, which states that "That our parks and open space and their access to sunlight and vistas be protected from development"

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

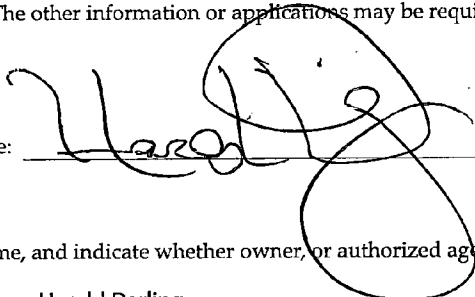
Dramatically decrease the anticipated rental rate for each apartments to \$1200 a month; decrease density to 8 units, not 27. Change use of property to an arts organization or a non-profit. not unduly expensive condos. Hayes Valley has been inundated with hundreds of expensive condos. The impact of gentrification upon Hayes Valley is disproportionate and unfair

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

April 28, 2017

Print name, and indicate whether owner, or authorized agent:

Harold Darling

☒ Owner ☐ Authorized Agent (circle one)

# Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and signed by the applicant or authorized agent.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input type="checkbox"/>
Address labels (original), if applicable	<input type="radio"/>
Address labels (copy of the above), if applicable	<input type="radio"/>
Photocopy of this completed application	<input type="checkbox"/>
Photographs that illustrate your concerns	<input checked="" type="checkbox"/>
Covenant or Deed Restrictions	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input checked="" type="checkbox"/>

## NOTES:

☐ Required Material.☒ Optional Material.☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

APR 28 2017

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
P.O.

For Department Use Only

Application received by Planning Department:

By: 

Date: 4/28/17



**SAN FRANCISCO  
PLANNING  
DEPARTMENT**

**FOR MORE INFORMATION:**  
Call or visit the San Francisco Planning Department

**Central Reception**  
1650 Mission Street, Suite 400  
San Francisco CA 94103-2479

TEL: 415.558.6378  
FAX: 415.558-6409  
WEB: <http://www.sfplanning.org>

**Planning Information Center (PIC)**  
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San Francisco CA 94103-2479

TEL: 415.558.6377  
*Planning staff are available by phone and at the PIC counter.  
No appointment is necessary.*



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OCCUPANT  
140 PAGE ST #6  
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OCCUPANT  
140 PAGE ST #9  
SAN FRANCISCO, CA 94102-5828

SHERYL MEREDITH  
176 PAGE ST  
SAN FRANCISCO, CA 94102-5811

DUDUM TRS  
2835 IRVING ST  
SAN FRANCISCO, CA 94122-1411

OCCUPANT  
144 PAGE ST #3  
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OCCUPANT  
144 PAGE ST #6  
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OCCUPANT  
150 PAGE ST #OFC  
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NAHM TRS  
10869 MORA DR  
LOS ALTOS HILLS, CA 94024-6532

OCCUPANT  
140 PAGE ST #1  
SAN FRANCISCO, CA 94102-5828

OCCUPANT  
140 PAGE ST #4  
SAN FRANCISCO, CA 94102-5828

OCCUPANT  
140 PAGE ST #7  
SAN FRANCISCO, CA 94102-5828

SARAH HODGSON  
170 PAGE ST  
SAN FRANCISCO, CA 94102-5811

OCCUPANT  
178 PAGE ST  
SAN FRANCISCO, CA 94102-5811

OCCUPANT  
144 PAGE ST #1  
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OCCUPANT  
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OCCUPANT  
144 PAGE ST  
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NEIL ABERNETHY  
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OCCUPANT  
150 PAGE ST #13  
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OCCUPANT  
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OCCUPANT  
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OCCUPANT  
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OCCUPANT  
170A PAGE ST  
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OAKLAND, CA 94612

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OCCUPANT  
144 PAGE ST #5  
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JACK JENSEN  
150 PAGE ST #2  
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DIANNE LYON  
150 PAGE ST #12  
SAN FRANCISCO, CA 94102-5831

CHRISTINA AUGELLO  
2141 POWELL ST  
SAN FRANCISCO, CA 94133-1948

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**GUTHETI VIVEK**

150 PAGE ST #21  
SAN FRANCISCO, CA 94102-5835

**R & R GUETTINGER**

3431 QUINTARA ST  
SAN FRANCISCO, CA 94116-1044

**CARRIE KAKEHASHI**

150 PAGE ST #25  
SAN FRANCISCO, CA 94102-5835

**LISA UHL**

20 BEAVER ST  
SAN FRANCISCO, CA 94114-1515

**MARK CALVEY**

150 PAGE ST #31  
SAN FRANCISCO, CA 94102-5836

**OCCUPANT**

150 PAGE ST #33  
SAN FRANCISCO, CA 94102-5845

**SHIYI LI**

150 PAGE ST #36  
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**GRACE CHEN**

2927 HARPER ST #B  
BERKELEY, CA 94703-2173

**SURVIVORS OF MA FMLY**

1155 MERRILL ST #205  
MENLO PARK, CA 94025-4364

**JIM PAUL**

150 PAGE ST #17  
SAN FRANCISCO, CA 94102-5831

**ALEXANDRA BALESTRIERI**

3033 DEL MONTE ST  
SAN MATEO, CA 94403-3236

**OCCUPANT**

150 PAGE ST #23  
SAN FRANCISCO, CA 94102-5845

**WILLIAM SMITH**

4140 3RD AV NW  
SEATTLE, WA 98107-5003

**OCCUPANT**

150 PAGE ST #27  
SAN FRANCISCO, CA 94102-5845

**ALLEN MARVUGLIO**

150 PAGE ST #32  
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**PAUL PENINGER**

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**SALLY HANSON TRS**

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**OCCUPANT**

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**DANIEL ORTIZ**

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**OCCUPANT**

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**DAVID MACIAS**

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SAN FRANCISCO, CA 94102-5835

**OCCUPANT**

150 PAGE ST #26  
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**TRACY JACKS**

150 PAGE ST #28  
SAN FRANCISCO, CA 94102-5836

**E & L ECKHARD**

65 MONTEREY DR  
TIBURON, CA 94920-2676

**DAVID LAUDENAT**

150 PAGE ST #35  
SAN FRANCISCO, CA 94102-5836

**E & J FAHY**

150 PAGE ST #38  
SAN FRANCISCO, CA 94102-5837

**PAUL KAVOUKSORIAN**

150 PAGE ST #42  
SAN FRANCISCO, CA 94102-5845

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MARCUS ALAN 150 PAGE ST #45 SAN FRANCISCO, CA 94102-5845	MARY HOOPES PO BOX 3600 YOUNTVILLE, CA 94599-3600	OCCUPANT 150 PAGE ST #46 SAN FRANCISCO, CA 94102-5845
STEPHEN ALBAIR TRS 150 PAGE ST #47 SAN FRANCISCO, CA 94102-5845	R & S ELWOOD 2435 FELT ST #69 SANTA CRUZ, CA 95062-4238	OCCUPANT 150 PAGE ST #48 SAN FRANCISCO, CA 94102-5845
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OCCUPANT 210 PAGE ST #3 SAN FRANCISCO, CA 94102-5656	OCCUPANT 210 PAGE ST #4 SAN FRANCISCO, CA 94102-5656	OCCUPANT 210 PAGE ST #5 SAN FRANCISCO, CA 94102-5656
OCCUPANT 210 PAGE ST #6 SAN FRANCISCO, CA 94102-5656	OCCUPANT 210 PAGE ST #7 SAN FRANCISCO, CA 94102-5656	OCCUPANT 201 OCTAVIA ST SAN FRANCISCO, CA 94102-5656
OCCUPANT 203 OCTAVIA ST SAN FRANCISCO, CA 94102-5656	DEL-CAMP INVESTMENTS INC 2120 MARKET ST #100 SAN FRANCISCO, CA 94114-1374	OCCUPANT 100 HAIGHT ST #1 SAN FRANCISCO, CA 94102-5704
OCCUPANT 100 HAIGHT ST #2 SAN FRANCISCO, CA 94102-5704	OCCUPANT 102 HAIGHT ST FRONT SAN FRANCISCO, CA 94102-5704	OCCUPANT 102 HAIGHT ST REAR SAN FRANCISCO, CA 94102-5704
BARBARA TICE TRS 129 OCTAVIA ST SAN FRANCISCO, CA 94102-5713	OCCUPANT 131 OCTAVIA ST SAN FRANCISCO, CA 94102-5713	F & G GOBAR 26 UNIONST1 DR SAN RAFAEL, CA 94903-0000
OCCUPANT 200 ROSE ST #1 SAN FRANCISCO, CA 94102-5758	OCCUPANT 200 ROSE ST #2 SAN FRANCISCO, CA 94102-5758	OCCUPANT 200 ROSE ST #3 SAN FRANCISCO, CA 94102-5758

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OCCUPANT 200 ROSE ST #7 SAN FRANCISCO, CA 94102-5758	OCCUPANT 200 ROSE ST #8 SAN FRANCISCO, CA 94102-5758	OCCUPANT 200 ROSE ST #9 SAN FRANCISCO, CA 94102-5758
OCCUPANT 200 ROSE ST #10 SAN FRANCISCO, CA 94102-5758	OCCUPANT 200 ROSE ST #11 SAN FRANCISCO, CA 94102-5758	OCCUPANT 200 ROSE ST #12 SAN FRANCISCO, CA 94102-5758
OCCUPANT 200 ROSE ST #13 SAN FRANCISCO, CA 94102-5758	VANESSA LARCO 159 OCTAVIA ST SAN FRANCISCO, CA 94102-5718	JEFFREY WHITTEN 159 OCTAVIA ST SAN FRANCISCO, CA 94102-5718
PETER HOWELLS 167 OCTAVIA ST SAN FRANCISCO, CA 94102-5718	CHARLES QUINTINA TRS 157 OCTAVIA ST #A SAN FRANCISCO, CA 94102-5718	ROBERT WELLENSTEIN TRS 163 OCTAVIA ST SAN FRANCISCO, CA 94102-5718
OCCUPANT 159 OCTAVIA ST #A SAN FRANCISCO, CA 94102-5718	ERIK LARSON 165 OCTAVIA ST SAN FRANCISCO, CA 94102-5718	OCCUPANT 161 OCTAVIA ST #A SAN FRANCISCO, CA 94102-5718
JAMES HESS 2344 VAN NESS AV #10 SAN FRANCISCO, CA 94109-1847	OCCUPANT 48 HAIGHT ST # 10 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 11 SAN FRANCISCO, CA 94102-5846
OCCUPANT 48 HAIGHT ST # 12 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 14 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 15 SAN FRANCISCO, CA 94102-5846
OCCUPANT 48 HAIGHT ST # 16 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 17 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 18 SAN FRANCISCO, CA 94102-5846
OCCUPANT 48 HAIGHT ST # 19 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 2 SAN FRANCISCO, CA 94102-5846	OCCUPANT 48 HAIGHT ST # 20 SAN FRANCISCO, CA 94102-5846

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SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 24  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 27  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 5  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 8  
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68 HAIGHT ST  
SAN FRANCISCO, CA 94102-5802

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165 PAGE ST  
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OCCUPANT  
163 PAGE ST  
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PATRICE RACKO  
3001 JACKSON ST  
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OCCUPANT  
150 ROSE ST  
SAN FRANCISCO, CA 94102-5839

OCCUPANT  
48 HAIGHT ST # 22  
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48 HAIGHT ST # 3  
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48 HAIGHT ST # 6  
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OCCUPANT  
48 HAIGHT ST # 9  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
66 HAIGHT ST  
SAN FRANCISCO, CA 94102-5802

SCHOLTENLVG  
16 CARL ST  
SAN FRANCISCO, CA 94117-3918

M & S BUECHER  
153 PAGE ST  
SAN FRANCISCO, CA 94102-5810

OCCUPANT  
146 ROSE ST  
SAN FRANCISCO, CA 94102-5839

OCCUPANT  
152 ROSE ST  
SAN FRANCISCO, CA 94102-5839

OCCUPANT  
48 HAIGHT ST # 23  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 26  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 4  
SAN FRANCISCO, CA 94102-5846

OCCUPANT  
48 HAIGHT ST # 7  
SAN FRANCISCO, CA 94102-5846

JEWS FOR JESUS  
60 HAIGHT ST  
SAN FRANCISCO, CA 94102-5802

ANNE BEZANCON  
672 SANTA RAY AV  
OAKLAND, CA 94610-1758

OCCUPANT  
161 PAGE ST  
SAN FRANCISCO, CA 94102-5810

OCCUPANT  
155 PAGE ST  
SAN FRANCISCO, CA 94102-5810

OCCUPANT  
148 ROSE ST  
SAN FRANCISCO, CA 94102-5839

OCCUPANT  
154 ROSE ST  
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156 ROSE ST  
SAN FRANCISCO, CA 94102-5839

HARRY FONG  
175 ROLPH ST  
SAN FRANCISCO, CA 94112-3726

OCCUPANT  
147A PAGE ST  
SAN FRANCISCO, CA 94102-5810

OCCUPANT  
147B PAGE ST  
SAN FRANCISCO, CA 94102-5810

OCCUPANT  
149A PAGE ST  
SAN FRANCISCO, CA 94102-5810

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149B PAGE ST  
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OCCUPANT  
149C PAGE ST  
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OCCUPANT  
151A PAGE ST  
SAN FRANCISCO, CA 94102-5810

OCCUPANT  
151B PAGE ST  
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OCCUPANT  
151C PAGE ST  
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OK KIM  
741 35TH AV  
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OCCUPANT  
120 ROSE ST  
SAN FRANCISCO, CA 94102-5853

OCCUPANT  
122 ROSE ST  
SAN FRANCISCO, CA 94102-5853

OCCUPANT  
124 ROSE ST  
SAN FRANCISCO, CA 94102-5853

OCCUPANT  
126 ROSE ST  
SAN FRANCISCO, CA 94102-5853

SVCS COMPASS  
49 POWELL ST #3RD  
SAN FRANCISCO, CA 94102-2849

OCCUPANT  
111 PAGE ST #1  
SAN FRANCISCO, CA 94102-5892

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OCCUPANT  
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SAN FRANCISCO, CA 94102-3120

CALTRANS  
111 GRAND AV  
OAKLAND, CA 94612

20 HAIGHT LLC  
711 VAN NESS AV  
SAN FRANCISCO, CA 94102-3244

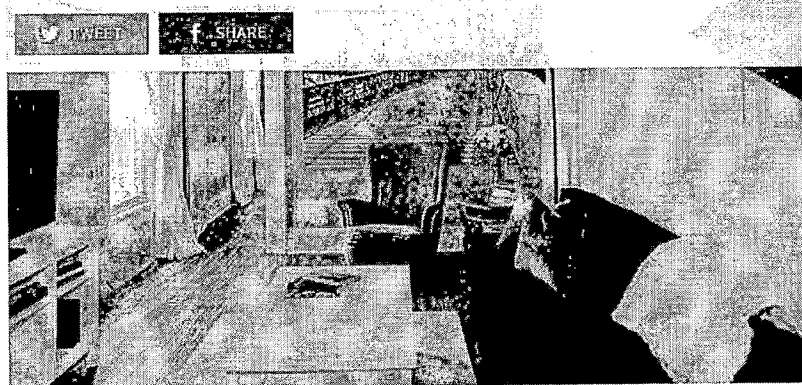
OCCUPANT  
20 HAIGHT ST  
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DM DEVELOPMENT  
448 LINDEN STREET  
SAN FRANCISCO, CA 94102

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SAN FRANCISCO



1 OF 14



↑ Next up: A two-bedroom, one-bathroom apartment in Hayes Valley that is almost Scandinavian in its aesthetic, with cool blue and gray accents. It's located at 535 Oak Street in an old Victorian which retains some vintage details. It's looking for a year-long lease and \$6,000/month, but we can't help but notice the photos have an Airbnb watermark, so we assume it was a vacation rental at some point. There's no mention of a laundry room, and the kitchen photos are quite skimpy, so we can't tell you much about the features in that room. However, it does come with a perk we've never spotted before: six months of free valet parking at home and anywhere else in SF. This is offered through the on-demand parking service Luxe (you have to wonder if the owner works there). Dogs and cats are welcome.



San Francisco, CA

0 SAVED



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\$5,500/mo

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Zillow Rental Manager  
(650) 384-9855

Hi,

My name is  and I am  
writing to find out more about 8 Octavia St  
#501, San Francisco CA. I can be contacted  
by email at  or by  
phone at

Add Comment

Please reach out to me soon.

☒ Enable 1-Click Request

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Love This Rental?

Save it now so you can easily come  
back to it!

FOR RENT

## 8 Octavia St #501

San Francisco, CA 94102 (Hayes Valley) See your commute times

2 Bedrooms

Multi-Family Home

Built in 2014

2 full, 1 partial Bathrooms

968 sqft

4 days on Trulia

## Home Details for 8 Octavia St #501

Report this Listing »

For Rent &gt; CA &gt; San Francisco &gt; 94102 &gt; Hayes Valley &gt; 8 Octavia St #501

Doorman

8 Octavia - Easiest Access to 101; Best layout ...



Schools

Beware of rental scams! Situations involving wire  
transfers or a landlord who is traveling and can't  
meet you in person can be red flags. Read more

xfinity

100%

**RESPONSE TO**  
**DISCRETIONARY  
REVIEW (DRP)**



**San Francisco**  
**Planning**

SAN FRANCISCO PLANNING DEPARTMENT  
1650 MISSION STREET, SUITE 400  
SAN FRANCISCO, CA 94103-2479  
MAIN: (415) 558-6378 SFPLANNING.ORG

---

**Project Information**

Property Address: 188 Octavia Boulevard

Zip Code: 94102

Building Permit Application(s): 2016.10.05.9557

Record Number: 2014.1509PRJ

Assigned Planner: Carly Grob

---

**Project Sponsor**

Name: Linden Partners Investments, LLC

Phone: (415) 692-5063

Email: jaqui.braver@dm-dev.com

---

**Required Questions**

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

Please see enclosure for answers to required questions

- 
2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

Please see enclosure for answers to required questions

- 
3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

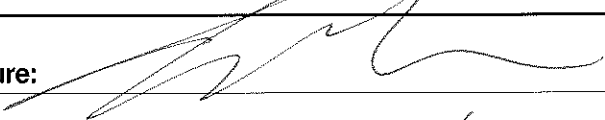
Please see enclosure for answers to required questions

## Project Features

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	27
Occupied Stories (all levels with habitable rooms)	0	4
Basement Levels (may include garage or windowless storage rooms)	0	0
Parking Spaces (Off-Street)	0	0
Bedrooms	0	38
Height	0	55'-0"
Building Depth	0	45'
Rental Value (monthly)	0	n/a
Property Value (See Project Sponsor provided Purchase and Sale Agreement w/ City of SF Department of Real Estate)		

I attest that the above information is true to the best of my knowledge.

Signature: 	Date: 6/9/2017
Printed Name: London Partners Investments, LLC	<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Authorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

**188 OCTAVIA BOULEVARD – PARCEL T**  
**RESPONSE TO DISCRETIONARY REVIEW (DRP)**  
**REQUIRED QUESTIONS**

**Prepared by Project Sponsor: Linden Partners Investments, LLC**

QUESTION NO. 1: Given the concerns of the DR Requester and other concerned parties, why do you feel your proposed project should be approved?

*There are no exceptional and extraordinary circumstances that would warrant DR. The proposed 27-unit project, including 15% on-site inclusionary units, is located on one of the Central Freeway sites (Parcel T) that is being sold by the City to the project sponsor at full market value pursuant to the precise urban design standards set forth in the Market and Octavia Plan. The project design reflects and implements these Market and Octavia Plan principles and policy objectives including: land use and urban form, on-site affordable housing and mixed-use residential infill, height and density prescriptions, neighborhood design and bulk patterns, building and continuing a sense of place along the Octavia Boulevard corridor to Market Street, and enhancing streets and open spaces. The proposed development's program was created and awarded in direct response to a City and neighborhood-prepared and evaluated Request for Proposals. The Zoning Administrator granted a Variance for open space and rear yard compliance on April 26, 2017, to justify a Costa-Hawkins Waiver agreement for on-site rental BMR units. The project's entitlement will ensure the building's architectural merit and program will not be altered from its original awarded design in the RFP process, which was qualitatively and quantitatively mandated by the property's purchase agreement with the City of San Francisco Department of Real Estate.*

*Accordingly, the DR requests that the project be reduced in density from 27 units to 8 units or that it become a 100% affordable project are neither reasonable nor feasible alternatives. The DR requester has not identified any public funds that would be available to subsidize a 100% affordable development.*

QUESTION NO. 2: What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR Requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application to the City.

*Changes made to the project after filing the project's application include a) the above described Variance application needed to include on-site rental BMR units; b) a written agreement with Parcel T's immediate Eastern and only neighbor at 165 Page Street (please refer to Exhibit provide) to modify the building's flashing details, gap screening material and design between the structures, contribution to improving skylights on the 165 Page Street commercial building's roof to ameliorate their loss of light and air to their office and c) communications with a Rose Street resident and OEWD, the City Department of Real Estate's owner's representative on the disposition of the Octavia Boulevard Freeway Parcels, regarding construction staging, parking and improved construction equipment traffic management. These agreements and discussions began three weeks prior to the April 26<sup>th</sup> Variance hearing and subsequent DR request filed by Mr. Darling.*

*Parcel T's development program provides 15% on-site affordable rental housing, which is one of the main requests of the DR requester. The inclusionary housing percentage complies with the City's current Planning and Inclusionary Housing requirements and with the Purchase and Sale Agreement between the sponsor and the City Department of Real Estate. The project received its Costa Hawkins waiver in April 2017. The project implements the City's mandate and local neighborhood area plan's prescription for more affordable housing. Current policies and legislative action by the City of San Francisco are directly addressing the DR requester's and neighborhood's concerns on a more City-wide holistic level.*

*We are not willing to make any further changes to the project.*

QUESTION NO. 3: If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that the project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR Requester.

*The DR requestor requests that the project either be reduced from 27 units to 8 units, or be 100% affordable. Neither request is feasible for a privately financed development paying a market rate purchase price to the City for the land (the City is required by State law to use these sale proceeds to support transportation improvements in the area). The DR requestor is incorrect that the project violates the Planning Code or Charter and adversely affects the neighborhood. The project site is vacant and last occupied by an elevated freeway, such that no existing housing is adversely affected. The project complies with the Hayes-Gough NCT zoning regulations and the 50-X height and bulk designations implemented with the Market and Octavia Plan and is thus consistent with the neighborhood character. The project received full endorsement from the Planning Department for its code compliance and consistency with Area Plan goals and City policies. Furthermore, the ZA granted the project a minor open space and rear yard variance on April 26, 2017, in order to justify a Costa-Hawkins waiver agreement. The project will not cast shadows on or adversely affect parks and open space, in fact, it increases open space in the neighborhood with an open space within the building's roof area alleviating user pressure on the neighborhood's current park resources. The project introduces new affordable housing and mixed-use residential development to the community which was a goal of the neighborhood and City in the 2008 Market and Octavia Plan creation, and originally, the 1999 voter-approved Prop I.*

*Cumulatively, the City's redevelopment of the 22 Central Freeway parcels will newly create (15) new market rate sites with on-site affordable housing (including Parcel T) and (7) sites with 100% affordable housing in the Market Octavia Plan Area and Hayes Valley neighborhood using public subsidies (including adjacent Parcels R, S and U). The projected total permanently affordable housing rate is over 50%. The Market and Octavia Plan also specifically calls for mixed-use residential at primarily five stories, as proposed. In summary, the implementation of this project is consistent with an eight-year City and community led planning effort and is not unique or extraordinary by any means. Lastly, we and the City would not be able to fulfill the buyer and seller obligations under our Purchase and Sale Agreement with the City Department of Real Estate if the project's program, as proposed by DR requester, changed since property valuation would be significantly decreased with either a lower density or 100% affordable project. Again, the City does not have the power to amend the parcel's purchase and sale agreement to reduce the purchase price because there is an explicit public purpose for the funds generated by the parcel sale.*





**Aerial View of Project Site**  
Image Date: March, 2015 (Google Earth)





**View of Subject Property Looking North**

Image Date: September 20, 2016, 11:00 AM





**View of Subject Property Looking South**

Image Date: September 20, 2016, 11:00 AM





**2014 PUBLIC RFP CONCEPT RENDERING**

Image Date: March 31, 2014 - Edmonds + Lee Architects





## 2014 PUBLIC RFP CONCEPT RENDERING

Image Date: March 31, 2014 - Edmonds + Lee Architects





## 2017 SITE PERMIT RENDERING

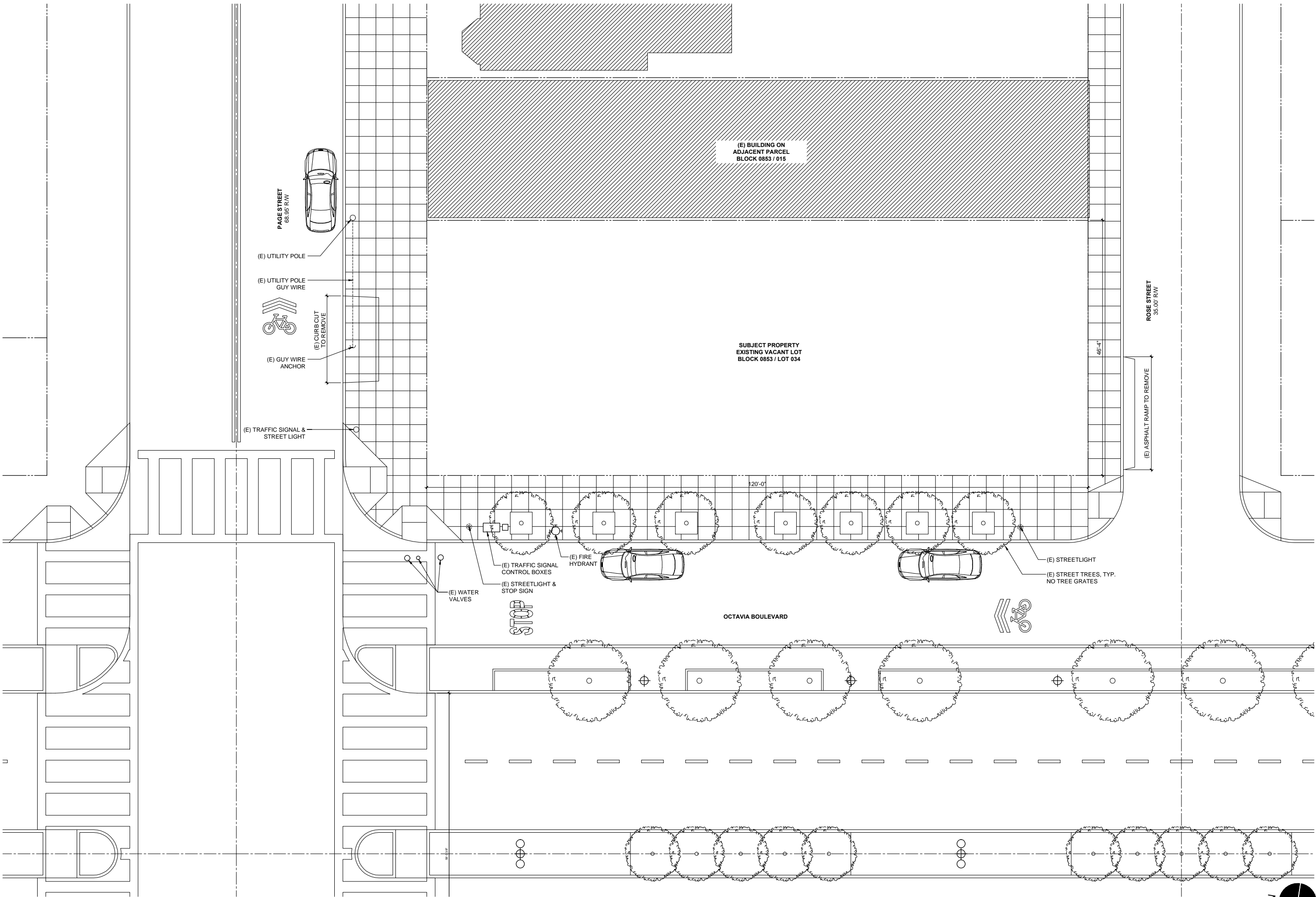
Image Date: April 26, 2017 - Edmonds + Lee Architects





## 2017 SITE PERMIT RENDERING

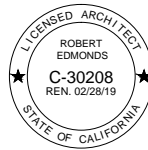
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NO:	DATE:	SUBMISSION:
01	09.30.16	SITE PERMIT
02	01.16.17	100% SD
03	03.10.17	SDAT/UDAT

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CONSTRUCTION**

EDMONDS + LEE  
ARCHITECTS, INC.  
2601 Mission St., #503  
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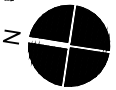


PROJECT:  
**PARCEL T**  
188 OCTAVIA BLVD.  
SAN FRANCISCO, CA 94102

DRAWING:

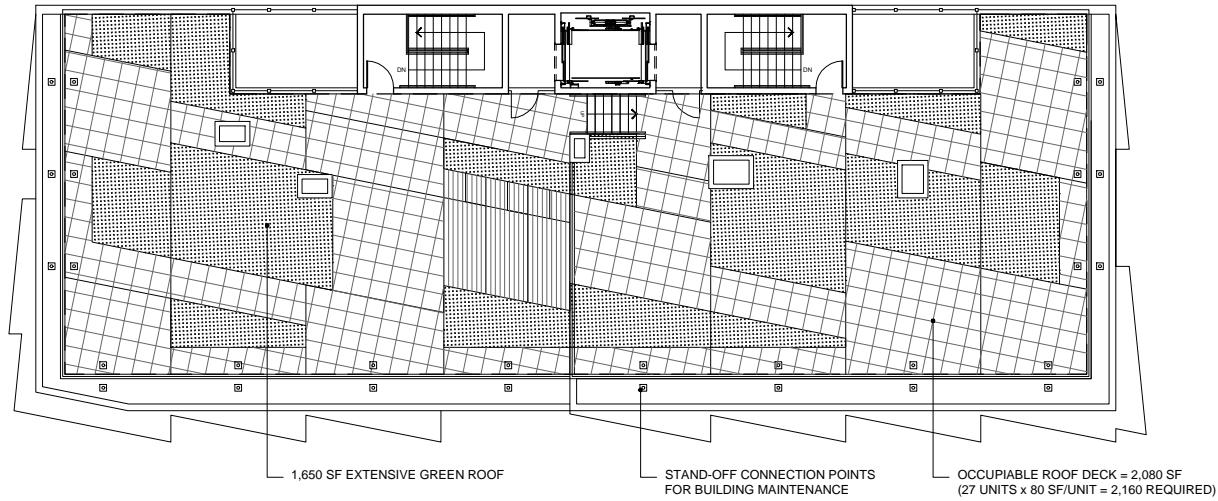
**SITE PLAN - EXISTING**

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DATE:	MARCH 10, 2017
JOB NO.	2014.12
DRAWN:	
CAD FILE:	

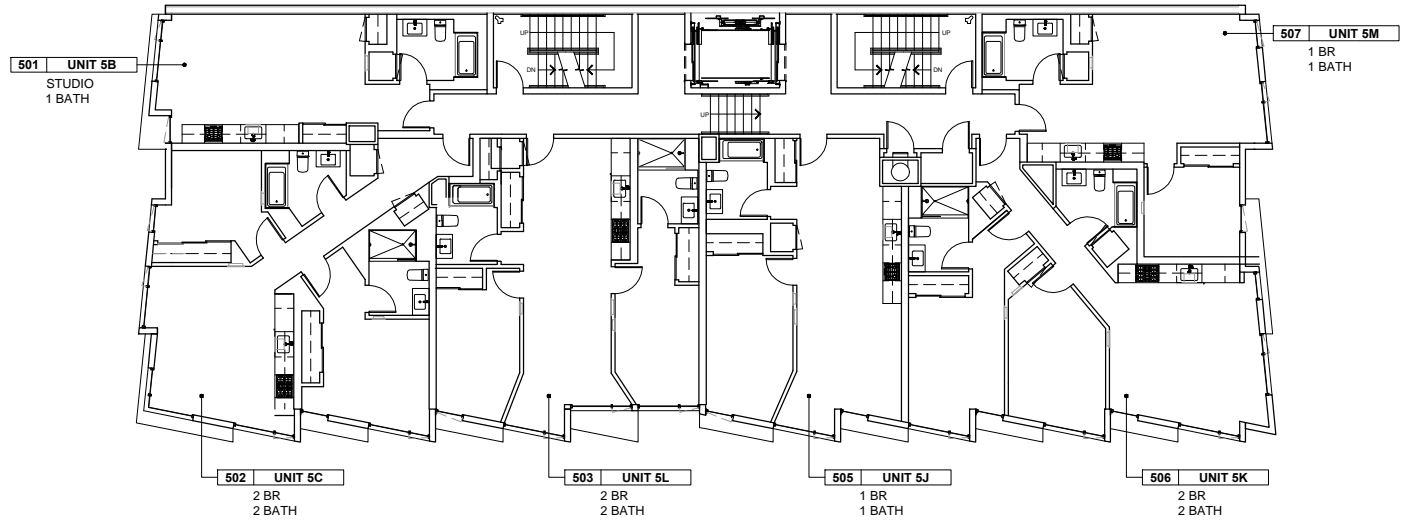




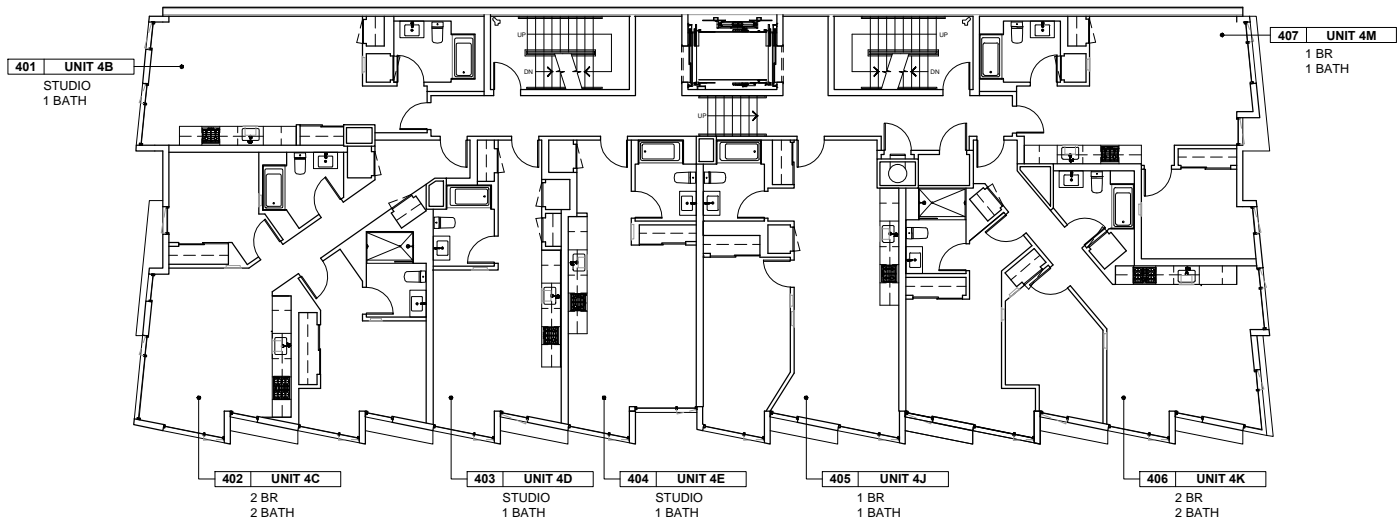




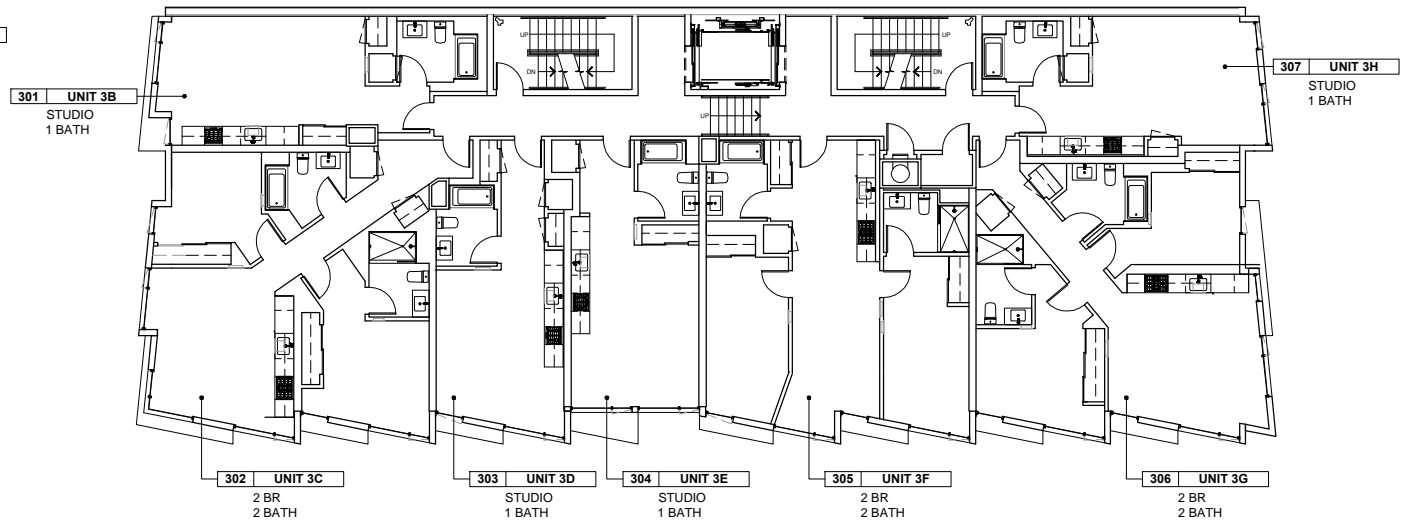
06 PLAN - ROOF  
SCALE: 3/32" = 1'-0"



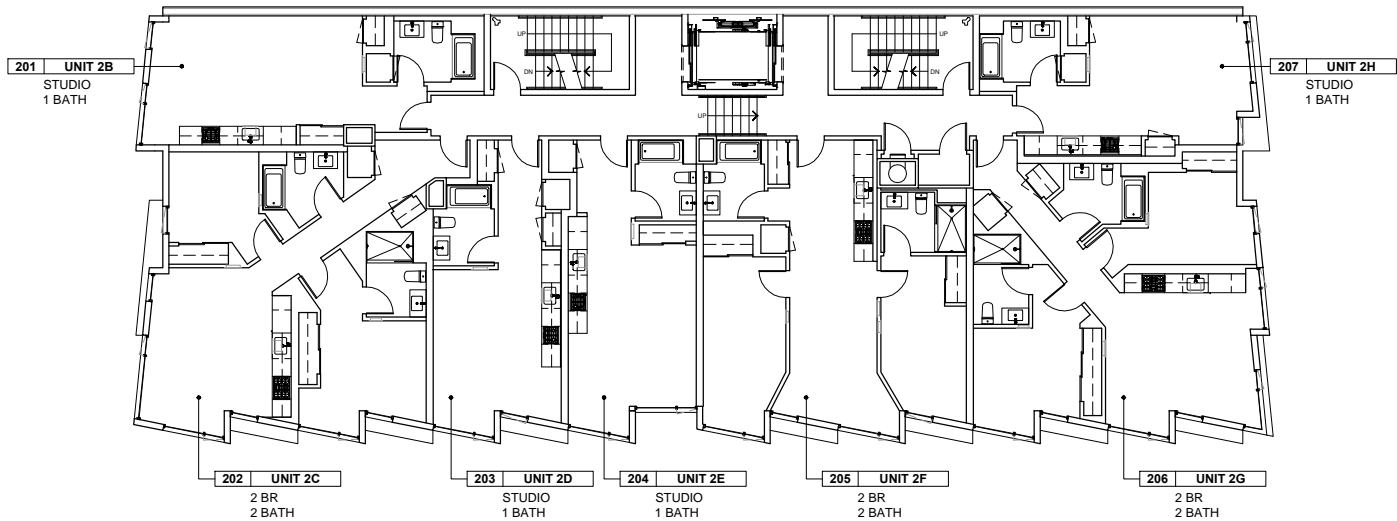
05 PLAN - 5TH FLOOR  
SCALE: 3/32" = 1'-0"



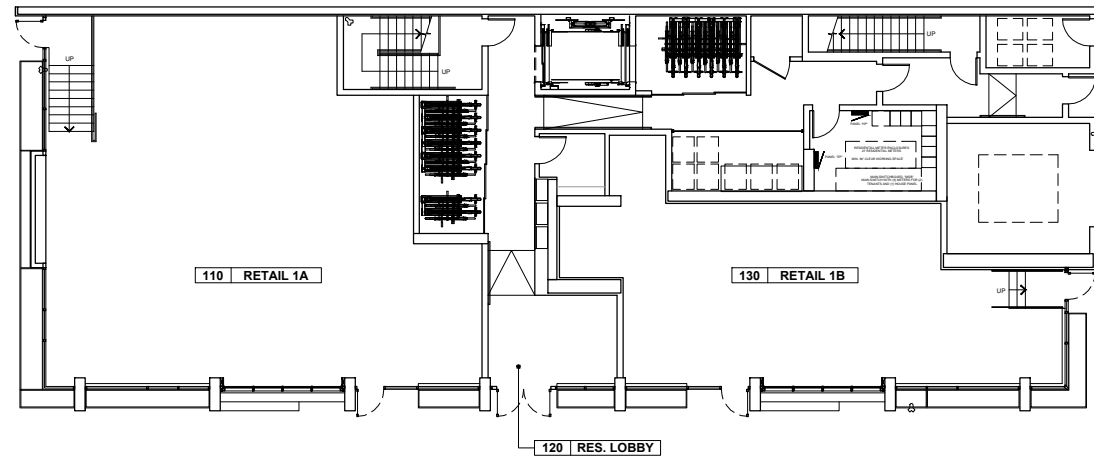
04 PLAN - 4TH FLOOR  
SCALE: 3/32" = 1'-0"



03 PLAN - 3RD FLOOR  
SCALE: 3/32" = 1'-0"



02 PLAN - 2ND FLOOR  
SCALE: 3/32" = 1'-0"



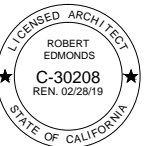
01 PLAN - 1ST FLOOR  
SCALE: 3/32" = 1'-0"

NO: DATE: SUBMISSION:

01	09.30.16	SITE PERMIT
02	01.16.17	100% SD
03	02.17.17	PRE-APP
04	03.10.17	SDAT/UDAT

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PROJECT:

PARCEL T  
188 OCTAVIA BLVD.  
SAN FRANCISCO, CA 94102

DRAWING:

FLOOR PLANS

SCALE:	3/32" = 1'-0"
DATE:	MARCH 10, 2017
JOB NO.	2014.12
DRAWN:	
CAD FILE:	

A1.01



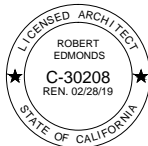
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GL-01	TOWER IGU - VISION GLASS PPG SOLARBAN 60
GL-02	PODIUM IGU
GL-11	RAILING GLASS
M-01	TOWER FASCIA & INFILL PANEL
M-02	TOWER & PODIUM CORRUGATED METAL
M-03	PODIUM SMOOTH PANEL
M-11	FIBER CEMENT SIDING HARDIE
CF-01	BOARD FORM CONCRETE

NO.	DATE:	SUBMISSION:
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01	09.30.16	SITE PERMIT
02	01.16.17	100% SD
03	02.17.17	PRE-APP
04	03.10.17	SDAT/UDAT

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PROJECT:  
**PARCEL T**  
188 OCTAVIA BLVD.  
SAN FRANCISCO, CA 94102

DRAWING:  
**EXTERIOR ELEVATION - WEST**

SCALE:	3/16" = 1'-0"
DATE:	MARCH 10, 2017
JOB NO.	2014.12
DRAWN:	
CAD FILE:	

01

WEST EXTERIOR ELEVATION - OCTAVIA ST.  
SCALE: 3/16" = 1'-0"

A2.01

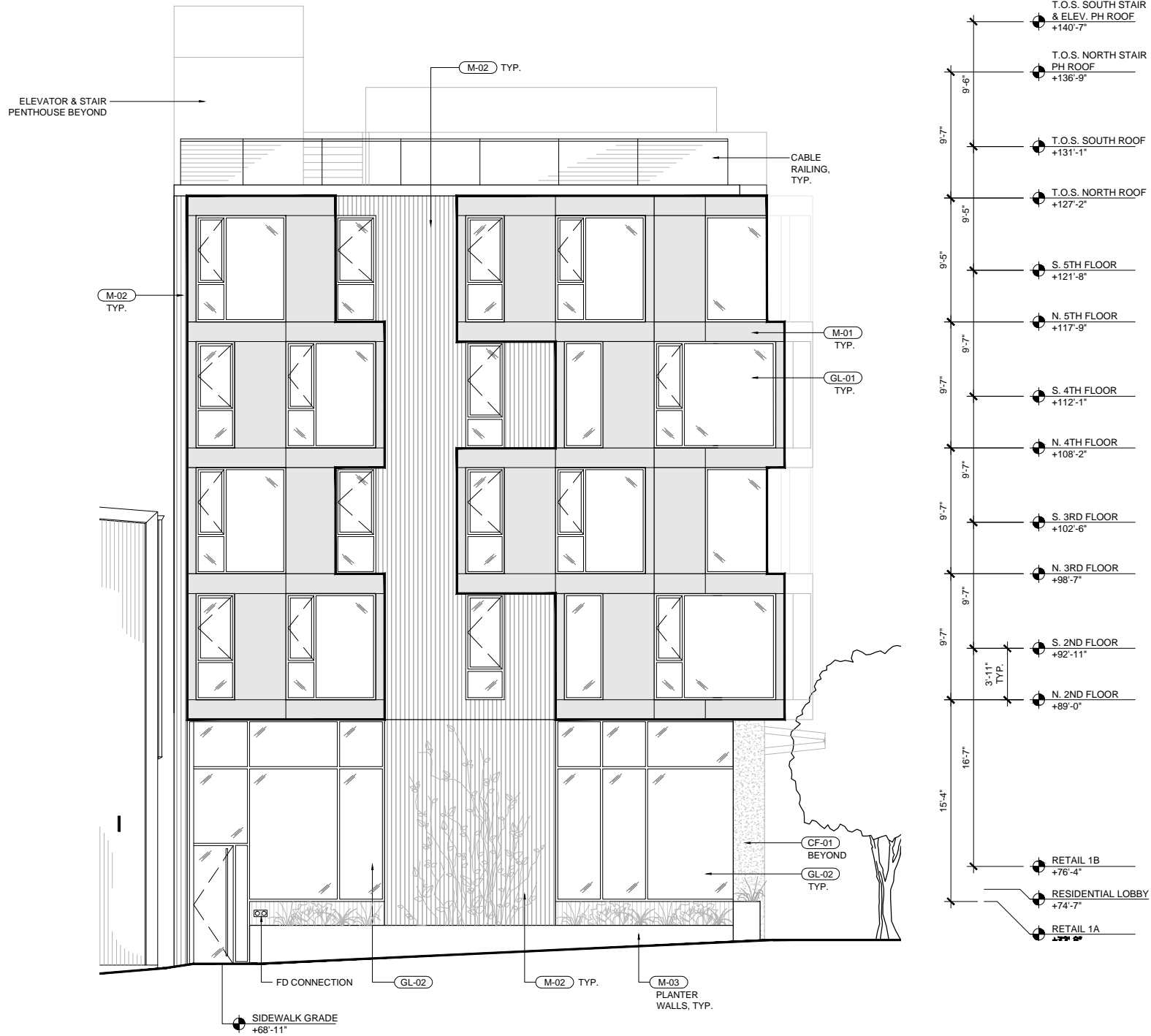


NOT FOR  
CONSTRUCTION

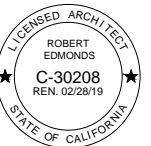
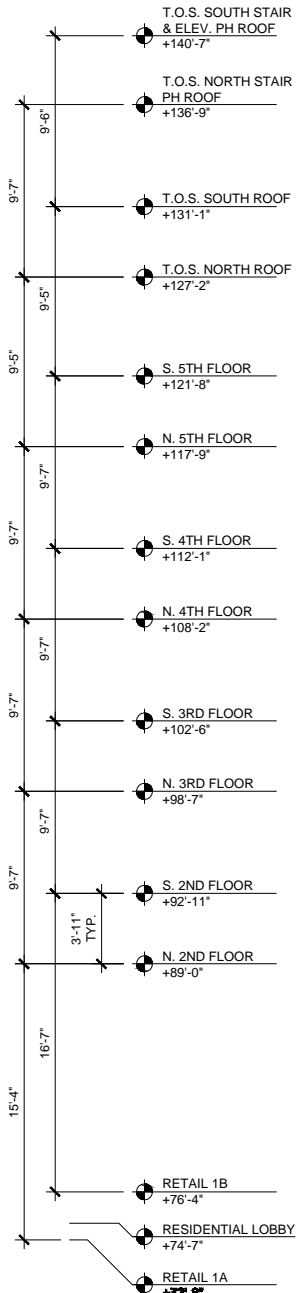
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02 SOUTH EXTERIOR ELEVATION - ROSE ST.  
SCALE: 3/16" = 1'-0"



01 NORTH EXTERIOR ELEVATION - PAGE ST.  
SCALE: 3/16" = 1'-0"



PROJECT:  
**PARCEL T**  
188 OCTAVIA BLVD.  
SAN FRANCISCO, CA 94102

DRAWING:  
**EXTERIOR ELEVATION -  
NORTH & SOUTH**

SCALE:	3/16" = 1'-0"
DATE:	MARCH 10, 2017
JOB NO.	2014.12
DRAWN:	
CAD FILE:	

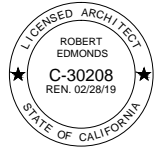
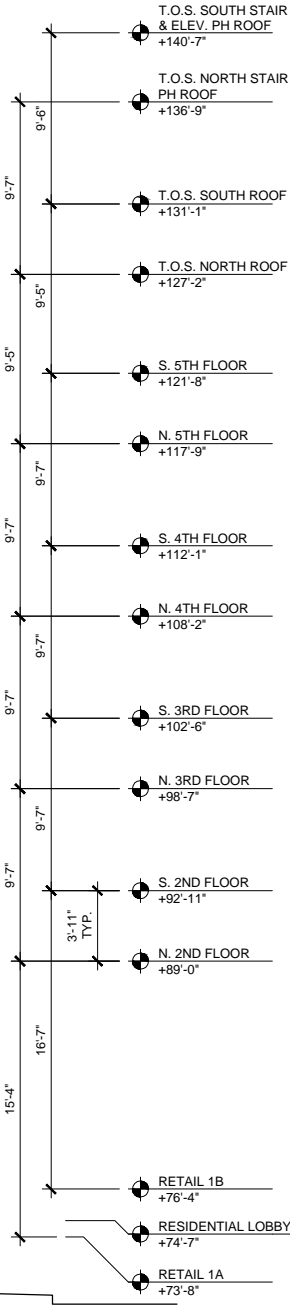
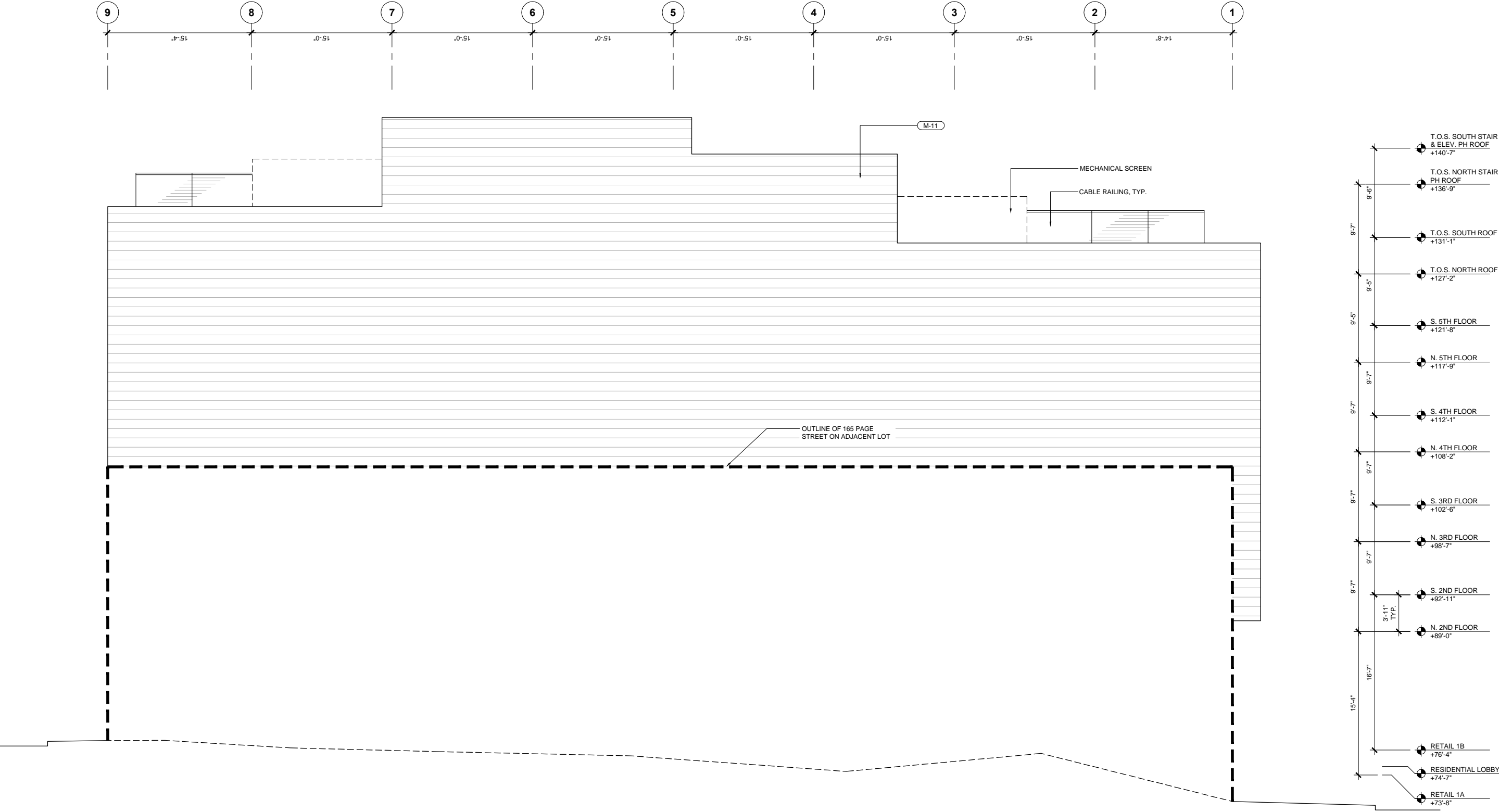
SEE NOTES ON SHEET  
A2.01 FOR EXTERIOR  
SYSTEM

A2.02

NO:	DATE:	SUBMISSION:
01	09.30.16	SITE PERMIT
02	01.16.17	100% SD
03	03.10.17	SDAT/UDAT

NOT FOR  
CONSTRUCTION

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PROJECT:  
**PARCEL T**  
188 OCTAVIA BLVD.  
SAN FRANCISCO, CA 94102

DRAWING:  
**EXTERIOR ELEVATION - EAST**

SCALE:	3/16" = 1'-0"
DATE:	MARCH 10, 2017
JOB NO.	2014.12
DRAWN:	
CAD FILE:	

01 EAST EXTERIOR ELEVATION  
SCALE: 3/16" = 1'-0"

SEE NOTES ON SHEET  
A2.01 FOR EXTERIOR  
SYSTEM

A2.04