
From: Grob, Carly (CPC)
Sent: Monday, November 26, 2018 5:15 PM
To: Katie O'Brien
Cc: Alexis Pelosi (alexis@pelosilawgroup.com); David Blackwell (dblackwell@allenmatkins.com); Conner, Kate (CPC); Asbagh, Claudine (CPC)
Subject: RE: 469 Stevenson call

Hi Katie,

Planning Code Section 415.5(g) requires that any State Density Bonus project use the "Combination" option described in Subsection (1)(D), which specifically requires that the sponsor pay the fee on the bonus units. The Code does not offer any flexibility or alternative for the sponsor to replace required fee with additional affordable units. The project is not code-compliant as submitted.

You've stated that it is infeasible for the project to both pay the required fee and provide the additional affordability on-site, but that's effectively project you've submitted for review. We can review the project as proposed, but I anticipate that the feedback would be to 1.) pay the fee, which would result in a smaller building with fewer units, or 2.) seek some type of legislative change or Development Agreement to allow the project to proceed as proposed. We'd like to figure this out sooner rather than later, as there are obvious implications for the building form, and we'd like to reduce the amount of duplicative Planning and Design review.

Please let me know if you have any questions and how you'd like to proceed.

Thanks,
Carly

Carly Grob, Senior Planner
Office of Executive Programs

Planning Department, City and County of San Francisco
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Email: carly.grob@sfgov.org
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From: Katie O'Brien <katie@bldsf.com>
Sent: Wednesday, November 21, 2018 11:53 AM
To: Grob, Carly (CPC) <carly.grob@sfgov.org>
Cc: Alexis Pelosi (alexis@pelosilawgroup.com) <alexis@pelosilawgroup.com>; David Blackwell (dblackwell@allenmatkins.com) <dblackwell@allenmatkins.com>; Conner, Kate (CPC) <kate.conner@sfgov.org>
Subject: RE: 469 Stevenson call

Hi Carly,

The Proposed Project would provide 18% BMR across the whole project. This assumes a fee on the bonus would not be paid and that we provide additional BMR units beyond what is currently required by the state density bonus statute. We would like to provide 18% across the entire project, but financially that is not feasible if the Planning Code fee on bonus units is imposed on the project and as we have noted it is contrary to state law.

For purposes of the project and the information we provided, we are assuming a larger project with 18% affordable. If the fee is imposed on the bonus units the number of inclusionary units will decrease by 18 as the additional inclusionary units will no longer be financially feasible. We ask the City to analyze a project that assumes 18 more BMR units or 467 units, but if we pay the fee it would be 449 units.

Hopefully this answers your questions and if not please let me know. Additionally, attached is the Conditional Use Application as requested. Please let me know if this requires any other steps to submit. The Design package submitted in August 2018 would accompany this application.

Also, please confirm if a Current Planner has been assigned.

Thanks so much

Katie

Katie O'Brien :: Vice President, Development

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315 Linden Street, San Francisco, CA 94102

From: Grob, Carly (CPC) <carly.grob@sfgov.org>
Sent: Monday, November 19, 2018 7:05 PM
To: Katie O'Brien <katie@bldsf.com>
Cc: Alexis Pelosi (alexis@pelosilawgroup.com) <alexis@pelosilawgroup.com>; David Blackwell (dblackwell@allenmatkins.com) <dblackwell@allenmatkins.com>; Conner, Kate (CPC) <kate.conner@sfgov.org>
Subject: RE: 469 Stevenson call

Thanks, Katie. Does this version still assume that the on-site rate will be applied to the whole project, and that the fee will not be levied on the bonus units?

Carly Grob, Senior Planner Office of Executive Programs

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From: Katie O'Brien <katie@bldsf.com>
Sent: Friday, November 16, 2018 1:24 PM
To: Grob, Carly (CPC) <carly.grob@sfgov.org>
Cc: Alexis Pelosi (alexis@pelosilawgroup.com) <alexis@pelosilawgroup.com>; David Blackwell (dblackwell@allenmatkins.com) <dblackwell@allenmatkins.com>
Subject: RE: 469 Stevenson call

Carly,

Thank you for the call last week. Below is a response to your questions.

Attached is a brief narrative that summarizes the project description and a memo from our counsel on SDB regarding Waiver on height.

If you could confirm if a Current Planner has been assigned that would be most helpful.

Thanks so much,

Katie

Katie O'Brien :: Vice President, Development

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From: Grob, Carly (CPC) <carly.grob@sfgov.org>

Sent: Friday, November 2, 2018 8:50 AM

To: Katie O'Brien <katie@bldsf.com>

Subject: RE: 469 Stevenson call

No, I'm in meetings at both of those times. Are you free on Tuesday after 2:00?

I looked at your application, and I want to confirm that I'm understanding correctly:

1. The project assumes 18% on-site rate applied to the entire project, including the bonus units; [Yes, that's correct.](#)
2. The project will be seeking a Conditional Use to exempt the affordable units from Gross Floor Area (and FAR) under 124(f); and [Yes, prior to the submittal of the Project Application you had suggested using a waiver for these additional affordable units on the bonus project. However Planning has now requested that we submit a Conditional Use. We will submit the Conditional Use Application .](#)
3. The project assumes that the fee will not be paid. [The Project is subject to Planning Code section 415 and will comply with applicable legal requirements.](#)

I've received some inquiries from members of the public so I'd like to make sure I understand what's going on before I respond. I also want to be clear, the fee is required on the bonus, and the Planning Code currently does not allow the fee to be replaced with on-site units. It seems like members of the public are confused about that.

Please let me know if you have any questions, and if Tuesday works for a call.

Thanks,
Carly

Carly Grob, Senior Planner
Office of Executive Programs

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From: Katie O'Brien <katie@bldsf.com>
Sent: Thursday, November 01, 2018 5:30 PM
To: Grob, Carly (CPC) <carly.grob@sfgov.org>
Subject: 469 Stevenson call

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Carly,

Are you available Monday at any of these times?

9:30-10 and 3-4

Thanks

Katie

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