Mandatory Discretionary Review Analysis

Dwelling Unit Merger HEARING DATE JUNE 14, 2012

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415.558.6409

Reception: 415.558.6378

1650 Mission St. Suite 400 San Francisco,

CA 94103-2479

Planning Information: 415.558.6377

Date:

June 7, 2012

Case No.:

2011.0939D

Project Address:

1450 POST STREET

Zoning:

RM-4 (Residential, Mixed, High Density)

50-X Height and Bulk District

Block/Lots:

0688/053, 055 and 057

Project Sponsor:

Joseph Fee

c/o Stan Teng

Architectural Studio

490 Hayes Street San Francisco, CA 94102

Staff Contact:

Mary Woods - (415) 558-6315

mary.woods@sfgov.org

Recommendation:

Do not take Discretionary Review and approve the application

PROJECT DESCRIPTION

The proposal is to merge two one-bedroom residential condominium units on the second floor of a 12-story over two-basement building, containing 93 market-rate condominium units for seniors. Upon completion, the combined unit will contain one large bedroom, a secondary bedroom and other living spaces in approximately 1,700 square feet. The proposal will involve interior renovation only related to removing interior partitions in order to merge the adjacent units. The two existing kitchens will be maintained, so that in the future, the two units could be restored.

SITE DESCRIPTION AND PRESENT USE

The subject site is located on the north side of Post Street between Octavia and Gough Streets in the Western Addition neighborhood. The site has approximately 192 feet of lot frontage with a lot depth of approximately 137 feet, containing approximately 26,300 square feet. It contains a 12-story over two basement building, built in 1992.

The existing building, known as The Carlisle, contains 93 market-rate condominium units for seniors. The subject property is within an RM-4 (Residential, Mixed, High Density) Zoning District and 50-X Height and Bulk District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is in the Western Addition neighborhood, at the crest of Cathedral Hill, which slopes downward from north to south and west to east. Approximately nine blocks to the southeast is the Civic Center, and approximately one block to the west on Post Street is the Japanese Cultural and Trade Center.

O'Farrell Street becomes a one-way eastbound thoroughfare at Gough Street, connecting Japantown, the Western Addition and the Richmond District to the Civic Center and the Downtown area. Franklin Street is a three-lane, one-way northbound thoroughfare connecting the Civic Center and Fisherman's Wharf area.

Buildings to the west and south of Post Street include medium- to high-density residential apartments, and the St. Mary's Cathedral on Gough Street and Geary Boulevard. Buildings to the east and north of Post Street include single- and multi-unit buildings range from three to 18 stories tall. One block away at Octavia and Post Streets is the Sequoias retirement complex. The project site is among a number of other high-rise residential towers in the area, constructed while the San Francisco Redevelopment Agency had jurisdiction in this neighborhood (the Western Addition A-2 Redevelopment Area).

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice for 311	30 days	April 13, 2012	April 13, 2012	35 days
Posted Notice for DR	10 days	June 4, 2012	June 4, 2012	10 days
Mailed Notice	10 days	June 4, 2012	April 13, 2012	35 days

PUBLIC COMMENT

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

Department staff has not received any telephone inquiries or correspondence either in support of or in opposition to the proposed project.

PROJECT ANALYSIS

DWELLING UNIT MERGER (DUM) CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating dwelling unit mergers, per Planning Code Section 317:

1. Does the removal of the unit eliminate only owner-occupied housing, and if so, for how long was the unit proposed to be removed owner occupied?

Project Meets Criteria

According to the project sponsor, the subject condominium units have been continuously owner-occupied since the building was built in 1992.

2. Is the removal of the unit and the merger with another intended for owner occupancy?

Project Meets Criteria

The combined units will be occupied by their owner, Mr. Fee, and his care taker.

3. Will the removal of the unit bring the building closer into conformance with the prevailing density in its immediate area and in the same zoning district?

Project Meets Criteria

The prevailing density in the area is mixed. The density of the subject block ranges from single-family dwellings, two-family dwellings to high density apartment buildings. Within the same zoning district of RM-4 in the immediate area, 69% of the buildings contain fewer than 93 units, while 31% of the buildings contain more than 93 units.

4. Will the removal of the unit bring the building closer into conformance with the prescribed zoning?

Project Does Not Meet Criteria

The subject property is zoned RM-4, which would permit 132 dwelling units. The proposed project will reduce the number of units from 93 to 92.

5. Is the removal of the unit necessary to correct design or functional deficiencies that cannot be corrected through interior alterations?

Project Does Not Meet Criteria

There are no design or functional deficiencies in either of the units.

GENERAL PLAN COMPLIANCE:

The Project is, on balance, consistent with the following Objective and Policy of the General Plan:

HOUSING ELEMENT

Objective and Policy

OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES

Policy 4.2:

Provide a range of housing options for residents with special needs for housing support and services.

Policy 4.3:

Create housing for people with disabilities and aging adults by including universal design principles in new and rehabilitated housing units.

Reconfiguration of the units will provide a larger living space for the elderly project sponsor.

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

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

This is not applicable since the property is a residential use.

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

The prevailing density in the area is mixed. The density of the subject block ranges from single-family dwellings to high density apartment buildings. The proposed project will reduce the building's unit count from 93 to 92 units.

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

The subject property is a market-rate condominium building.

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

The proposal will not impede MUNI service or overburden streets or neighborhood parking. Public transit lines are available nearby on Post Street and Geary Boulevard.

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

This is not applicable since the property is a residential use.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposal will comply with applicable code standards.

7. Landmarks and historic buildings be preserved.

The subject building was built in 1992. It is not a landmark or a historic building. The proposal does not involve any exterior improvements to the existing building.

8. Parks and open space and their access to sunlight and vistas be protected from development.

The proposal will not affect any existing parks or open spaces.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the environmental review process under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines, pursuant to Title 14 of the California Administrative Code.

BASIS FOR RECOMMENDATION

- The project meets a majority of the dwelling unit merger criteria.
- The project is in a mixed density area ranging from single-family dwellings to high density apartment buildings.

RECOMMENDATION:

Do not take Discretionary Review and approve the application

Attachments:

Parcel Map

Sanborn Map

Zoning Map

Section 311 Notice

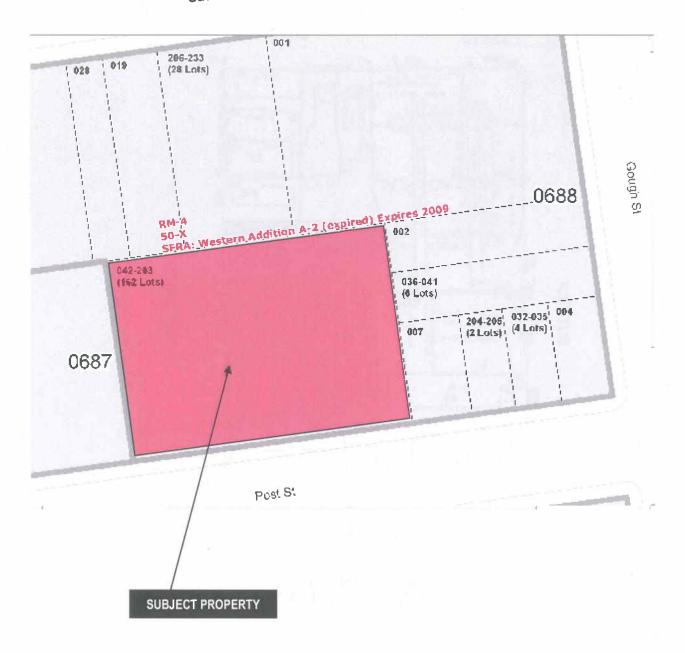
Section 317 Application submittal by Applicant:

- DUM Criteria
- Photographs
- Reduced Plans

mw: g:\documents\DR\1450 Post St - DUM per 317.doc

Zoning / Parcel Map

Sutter St

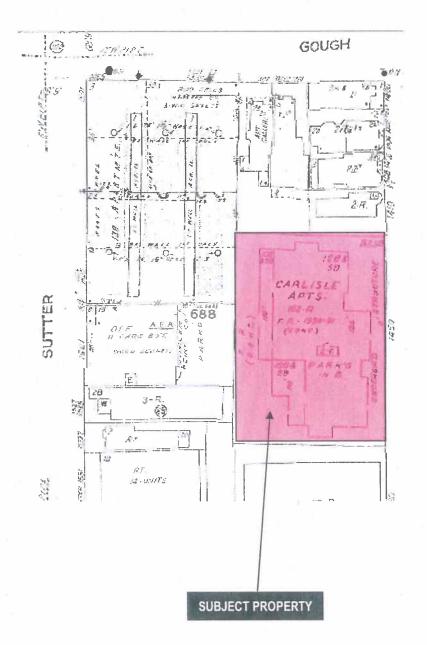




Discretionary Review Hearing Case Number 2011.0939D 1450 Post Street

Sanborn Map*

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

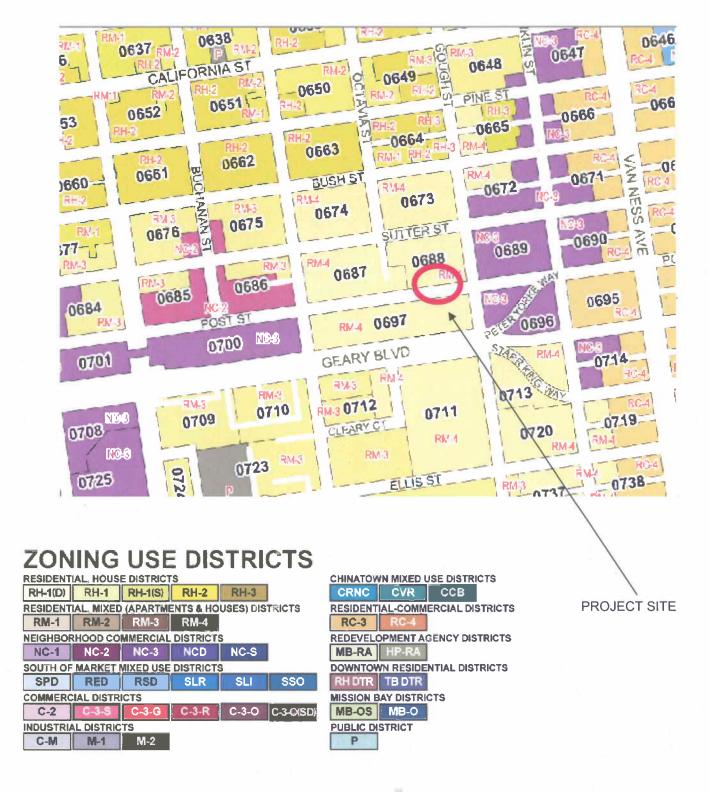


POST STREE



Discretionary Review Hearing Case Number 2011.0939D 1450 Post Street

Zoning Map





Discretionary Review Hearing Case Number 2011.0939D 1450 Post Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On August 10, 2011, the Applicant named below filed Building Permit Application Nos. 2011.08.10.2189 and 2011.08.10.2191 (Alteration) with the City and County of San Francisco.

C	ONTACT INFORMATION	PROJE	CT SITE INFORMATION
Applicant:	Joseph and Elizabeth Fee	Project Address:	1450 Post Street,
	c/o Stan Teng, architect		Units 212 and 217
Address:	490 Hayes Street	Cross Streets:	Octavia and Gough Streets
City, State:	San Francisco, CA 94102	Assessor's Block /Lot	Nos.: 0688 / 053, 055 and 057
Telephone:	(415) 553-8073	Zoning Districts:	RM-4 / 50-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can 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.

[] DEMOLITION and/or	[] NEW CONSTRUCTION or	[X] ALTERATION
[] VERTICAL EXTENSION	[X] CHANGE # OF DWELLING UNITS	[] FACADE ALTERATION(S)
[] HORIZ. EXTENSION (FRONT)	[] HORIZ. EXTENSION (SIDE)	[] HORIZ. EXTENSION (REAR
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK	16 feet	No change
	96 feet	
	25 feet	
	113 feet	
	12 over 2 basement	
	93	
NUMBER OF OFF-STREET PARKING	SPACES81	No change

Although the existing building was originally built as a 121-unit building, it currently contains 93 condominium units. The proposal is to merge units 212 and 217 into a single unit for a total of approximately 1,700 square feet. The building permit applications are subject to Planning Code Section 317 for dwelling unit mergers (Case No. 2011.0939D). A public hearing before the Planning Commission is scheduled for May 24, 2012 at 12 p.m. (noon) in City Hall, Room 400.

If you have any questions about the permit applications, please contact the Planner listed below.

PLANNER'S NAME:

Mary Woods

PHONE NUMBER:

(415) 558-6315

DATE OF THIS NOTICE:

4/13/2012

EMAIL:

mary.woods@sfgov.org

EXPIRATION DATE:

5/12/2012

APPLICATION FOR

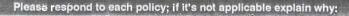
Dwelling Unit Removal Merger, Conversion, or Demolition

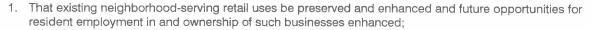
Owner/Applicant Information		
PROPERTY OWNER'S NAME	The second of States and States in the second of the secon	
JOSEPH & ELIZABETH FEE		
PROPERTY OWNER'S ADDRESS:	TELEPHONE:	- Province - Secretary (Secretary Secretary Se
THE CARLISLE	(415.)771	-7173
1450 Post St. Units #'s 212 & 217	EMAIL:	
SAN FRANCISCO, CA 94109		

APPLICANT'S NAME:		
STAN TENG / ARCHITECTURAL STUDIO		Same as Above
APPLICANT'S ADDRESS:	TELEPHONE:	
490 Hayes ST.	(415.)553	-8073
SAN FRANCISCO, CA 94102	EMAIL:	
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CONTACT FOR PROJECT INFORMATION:		Same as Above 🔀
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2. Location and Classification		
STREET ADDRESS OF PROJECT.		ZIP CODE:
1450 POST ST. UNITS #'S 212 & 217 SAN FRANC	ISCO, CA 941	09
CROSS STREETS:		
OCTAVIA & GOUGH		
LOT DUPLOUS LOT ACT ACT ACT ACT ACT	OTDIOT.	UCIOUTRI II V DICTORT
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZONING DIS 26, 468.75 RM-4	STRICT:	HEIGHT/BULK DISTRICT: 50-x
0688 / _{55 & 57 192.5'} Sq. FT. RM-4		30-4

Priority General Plan Policies – Planning Code Section 101.1 (APPLICABLE TO ALL PROJECTS SUBJECT TO THIS APPLICATION)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.





THIS PROJECT IS RESIDENTIAL IN NATURE AND DOES NOT INVOLVE OR EFFECT NEIGHBORHOOD-SERVING RETAIL OR BUSINESS EMPLOYMENT OR OWNERSHIP.

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

THIS PROJECT, ENTIRELY LOCATED IN AN EXISTING LUXURY RETIREMENT CONTINUING-CARE FACILITY, WILL HAVE NO EFFECT ON THE CHARACTER OF THE BUILDING AND THEREFORE THERE WILL BE NO CHANGE TO THE CHARACTER OF THE NEIGHBORHOOD.

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

THIS PROJECT IS ENTIRELY LOCATED IN AN EXISTING "LUXURY" RETIREMENT CONTINUING-CARE OF 93 UNITS. THIS BUILDING AND ITS UNITS ARE NOT PART OF THE "AFFORDABLE" HOUSING STOCK, ALTHOUGH THIS TYPE OF UNIT AND FACILITY DOES SERVE A NEED FOR A CERTAIN SEGMENT OF THE POPULATION REQUIRING CONTINUING-CARE. THE MERGER WILL REMOVE A SMALL STUDIO UNIT BUT WILL CREATE A LARGER, MORE VIABLE UNIT (ROOM FOR 24 HOUR IN UNIT CAREGIVER) AND THUS PROVIDE A BETTER UNIT FOR THIS TYPE OF CONTINUING-CARE HOUSING.

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

COMMUTER TRAFFIC IS NOT GENERATED BY THE OWNERS OF THE UNIT WHO REQUIRE CONTINUING-CARE AND ARE RETIRED FROM DAILY BUSINESS WORK. THE PROVISION OF AN ADDITIONAL ROOM (VIA THE UNIT MERGER) WILL PROVIDE OVERNIGHT FACILITIES FOR A 24 HOUR IN UNIT CAREGIVER AND MAY REDUCE THE NEED FOR COMMUTING OR PARKING BY THAT CAREGIVER.

	Dwelling Unit Removal
CASE NUMBER: for Staff Use only	

Loss of Dwelling Units Through Merger

(FORM B - COMPLETE IF APPLICABLE)

Pursuant to Planning Code Section 317(e), the merger of residential dwelling-units not otherwise subject to a Conditional Use Authorization shall be either subject to a Mandatory Discretionary Review hearing or will qualify for administrative approval. Administrative review criteria only apply to those Residential Units proposed for Merger that are (1) not affordable or financially accessible housing are exempt from Mandatory DR (valued by a credible appraisal within the past six months to be greater than 80% of combined land and structure value of single-family homes in San Francisco); or (2) meet a supermajority of the merger criteria listed below. Please see website under Publications for Loss of Dwelling Units Numerical Values.

Please state how the project meets or does not meet the following criteria:

1. Does the removal of the unit(s) eliminate only owner-occupied housing, and if so, for how long was the unit(s) proposed to be removed owner-occupied?

YES, ONLY OWNER-OCCUPIED HOUSING IS AFFECTED. THE TWO UNITS TO BE MERGED ARE BOTH OWNER-OCCUPIED BY THE SAME OWNER.

THE SUBJECT UNITS HAVE BEEN OWNER OCCUPIED CONTINUOUSLY SINCE THE BUILDING WAS CONSTRUCTED IN 1991.

2. Is the removal of the unit(s) and the merger with another intended for owner occupancy?

THE TWO UNITS TO BE MERGED WILL BE OWNER-OCCUPIED BY THE CURRENT OWNER OF BOTH UNITS. THE CURRENT OWNERS PURCHASED THE UNITS ON JUNE, 20, 2011.

3. Will the removal of the unit(s) bring the building closer into conformance with the prevailing density in its immediate area and in the same zoning district?

THE REMOVAL OF A UNIT WITHIN THIS BUILDING WILL DECREASE THE NUMBER OF UNITS AND MOVE IT (BY ONE DWELLING UNIT) TOWARDS THE PREVAILING DENSITY OF THE ADJACENT PARCELS WITHIN THE SAME ZONING.

WITHIN 150 FT, OF THE PROJECT THERE ARE TOTAL OF 16 PARCELS WITHIN THE SAME RM-4 ZONING DISTRICT.

OF THESE PARCELS ONLY 4 PARCELS HAVE BUILDINGS GREATER THAN 93 UNITS. THE OTHER PARCELS CONTAIN LESS
THAN 93 UNITS.

4. Will the removal of the unit(s) bring the building closer into conformance with the prescribed zoning?

THE DECREASE IN NUMBER OF UNITS WITHIN THIS BUILDING WILL PRESERVE THE CONFORMANCE OF THE BUILDING WITH RESPECT TO THE ZONING OF THE AREA.

(THE MAX. ALLOWABLE NUMBER OF DWELLING UNITS PER CODE ON THIS SITE IS 132 UNITS.)

THE PROPOSED PROJECT WILL REDUCE THE NUMBER OF UNITS TO 92 AND AS MENTIONED ABOVE WILL MOVE IT CLOSER TO THE PREVAILING DENSITY OF THE AREA AS DETAILED ABOVE.

5. Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be corrected through interior alterations?

THE SMALLER OF THE SUBJECT UNITS (UNIT 212) IS A "STUDIO" TYPE UNIT AND IT HAS HISTORICALLY BEEN A DIFFICULT UNIT TO SELL OVER THE LIFE OF THE BUILDING.

THIS MAY BE ATTRIBUTED TO ITS SMALL SIZE AND ITS LOCATION WITHIN THE FLOOR PLAN OF THE BUILDING.

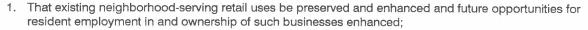
UNIT 212 OVERLOOKS THE ENTRANCE DRIVEWAY TO THE BUILDING AND OF ALL THE UNITS IT IS THE UNIT CLOSEST TO THE BUSY MAIN ENTRY BELOW. UNIT 212 HAS LIMITED NATURAL LIGHT PROVIDED BY TWO WINDOWS THAT OPEN TO A DECK THAT HAS NO EASILY ACHIVEVABLE ACCESS FROM THE UNIT. (NO DOOR). BY MERGING THIS UNIT TO THE ADJACENT CORNER UNIT THE DESIGN LIMITATIONS UNIQUE TO A SMALL STUDIO UNIT WILL BE REMOVED. THE LIVABILITY OF THE UNITS WILL BE ENHANCED BY EXPANSION INTO A UNIT WITH BETTER WINDOW AND LIGHT EXPOSURES AT THE CORNER FACES OF THE BUILDING.

CASE NUMBER: For Staff Use only

Priority General Plan Policies – Planning Code Section 101,1 (APPLICABLE TO ALL PROJECTS SUBJECT TO THIS APPLICATION)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

Please respond to each policy; if it's not applicable explain why:



THIS PROJECT IS RESIDENTIAL IN NATURE AND DOES NOT INVOLVE OR EFFECT NEIGHBORHOOD-SERVING RETAIL OR BUSINESS EMPLOYMENT OR OWNERSHIP.

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

THIS PROJECT, ENTIRELY LOCATED IN AN EXISTING LUXURY RETIREMENT CONTINUING-CARE FACILITY, WILL HAVE NO EFFECT ON THE CHARACTER OF THE BUILDING AND THEREFORE THERE WILL BE NO CHANGE TO THE CHARACTER OF THE NEIGHBORHOOD.

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

THIS PROJECT IS ENTIRELY LOCATED IN AN EXISTING "LUXURY" RETIREMENT CONTINUING-CARE OF 93 UNITS. THIS BUILDING AND ITS UNITS ARE NOT PART OF THE "AFFORDABLE" HOUSING STOCK, ALTHOUGH THIS TYPE OF UNIT AND FACILITY DOES SERVE A NEED FOR A CERTAIN SEGMENT OF THE POPULATION REQUIRING CONTINUING-CARE. THE MERGER WILL REMOVE A SMALL STUDIO UNIT BUT WILL CREATE A LARGER, MORE VIABLE UNIT (ROOM FOR 24 HOUR IN UNIT CAREGIVER) AND THUS PROVIDE A BETTER UNIT FOR THIS TYPE OF CONTINUING-CARE HOUSING.

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

COMMUTER TRAFFIC IS NOT GENERATED BY THE OWNERS OF THE UNIT WHO REQUIRE CONTINUING-CARE AND ARE RETIRED FROM DAILY BUSINESS WORK. THE PROVISION OF AN ADDITIONAL ROOM (VIA THE UNIT MERGER) WILL PROVIDE OVERNIGHT FACILITIES FOR A 24 HOUR IN UNIT CAREGIVER AND MAY REDUCE THE NEED FOR COMMUTING OR PARKING BY THAT CAREGIVER.

Please respond to each policy; if it's not applicable explain why:
--

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

THIS POLICY IS NOT AFFECTED BY THIS PROJECT BECAUSE THIS RESIDENTIAL UNIT MERGER DOES NOT DISPLACE OR EFFECT ANY INDUSTRIAL OR SERVICE SECTOR AND ONLY PROVIDES LIVING ACCOMMODATIONS FOR THOSE NON-WORKING PERSONS REQUIRING ASSISTED LIVING CARE.

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

THIS POLICY IS NOT AFFECTED BY THIS PROJECT BECAUSE THE MERGER OF TWO UNITS INTO ONE WILL HAVE NO PHYSICAL OR ADMINISTRATIVE AFFECT ON EARTHQUAKE PREPAREDNESS ON THE BUILDING, THE NEIGHBORHOOD OR THE CITY.

7. That landmarks and historic buildings be preserved; and

THIS POLICY IS NOT AFFECTED BY THIS PROJECT BECAUSE THE SUBJECT PROPERTY BUILT IN 1992 IS NOT A HISTORIC RESOURCE.

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

THE TWO UNITS TO BE MERGED WILL BE OWNER-OCCUPIED BY THE CURRENT OWNER OF BOTH UNITS.



LOCATION OF UNIT 212

LOCATION OF UNIT 217

VIEW OF EXISTING BUILDING FROM POST ST.



VIEW OF EXISTING BUILDING FROM POST ST.





