



## M. Brett Gladstone

### Partner

Brett focuses his practice on land use law and real estate transactions. He represents investors, developers, and government in land-use proceedings and CEQA compliance with respect to residential and mixed use development throughout the Bay Area.

Brett makes regular appearances before Bay Area Planning Commissions, City Councils, Boards of Supervisors and landmarks boards. He lectures on a variety of topics, including development entitlements, condominium law, and planned developments.

#### Representative Work

New residential project that includes a new San Francisco Public Library Branch, a new supermarket, and dwelling units, built at the center of Glen Park, San Francisco.

Advising large Bay Area hospital system on its obligations under a campus-wide development agreement.

Entitlements for a 194 unit condominium building in San Francisco's Mission District.

Approval of a 463 unit residential building in San Francisco's Executive Park.

Approval of a 200 room new waterfront hotel overlooking on the Embarcadero near the San Francisco Ferry Building.

Conversion of warehouse properties into office and multi-media facilities.

Representing a Peninsula city in negotiating development agreements on two sites, each of which involved over 1,000,000 sq ft of new construction.

Changing the abandoned former Drill Court of San Francisco's landmark Armory Building into a cultural arts center.

Conversion of a Nob Hill tourist hotel to condominiums.

Entitlements for the construction of 55 units of low/moderate income housing in San Francisco's Mission District.

#### San Francisco

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#### Practices/Industries

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Land Use

Real Estate

Environment & Natural Resources

Government

Cannabis Law

Entitlements for new live/work (loft) projects in SOMA.

Entitlements for 50,000 square foot high-tech offices on Bluxome Street, San Francisco.

Prepared Request for Proposal in a competition for a \$1 billion San Francisco mixed use development on San Francisco's Seawall Lot 337.

Prepared condominium documents and obtained condominium approvals for new development of 192 dwelling units in downtown Oakland.

Approvals for a 120 room hotel in the Marina District of San Francisco near San Francisco's Presidio.

### **Publications**

"San Francisco Nonprofits Granted Right of First Offer to Purchase Residential Buildings With Three or More Units", co-author, *Land Use Law Alert* (May 2019)

"Newly Passed Measure Puts Pressure on Owners of Vacant Storefronts", co-author, *Land Use Law Alert* (May 2019)

"San Francisco Supervisors Again Attempt to Limit Home, Apartment Sizes and Limit Demolitions", author, *Land Use Law Alert* (February 2019)

"San Francisco's Off-Street Parking Requirements Eliminated for Good", author, *Land Use Law Alert* (February 2019)

"Capturing (San Francisco) Lightning in A SOMA Bottle", author, *Land Use Law Alert* (November 2018)

"Capturing Lightning in A SoMa Bottle," author, *The Registry* (September 2018)

"Central SoMa Rezoning Moves One Step Further at the Board of Supervisors," author, *The Registry* (August 2018)

"Repeal of Costa Hawkins Could Preclude Developers of New Buildings From Ever Selling Condominiums ," *Land Use Law Alert* (August 2018)

"Central SOMA Rezoning Plan Goes Before SF Board of Supervisors For Approval For The First Time ," *Land Use Law Alert* (July 2018)

"Up To Code," *SF Apartment Magazine* (February 2018)

"Three Important New Actions Taken By San Francisco Board of Supervisors To Control Medical and Recreational Cannabis Facilities," co-author, *Land Use Law Alert* (July 2017)

"San Francisco Reworks its Program for Requiring Developers to Assist With Affordable Housing," co-author, *Land Use Law Alert* (July 2017)

"San Francisco's Tree Ordinance: New Rules Helping Property Owners Taking Effect this July 1," co-author, *Land Use Law Alert* (June 2017)

- "New and Retroactive Seismic Improvement Requirements Affecting Older San Francisco Buildings: How Property Purchases and Refinancings May Be Affected," *Land Use Law Alert* (June 2017)
- "Supervisors pass legislation to encourage adding ADUs (Additional Dwelling Units)," *Small Property Owners of San Francisco Institute News* (June 2017)
- "Amendments to the In-Law Unit (Accessory Dwelling Unit) Law," *Land Use Law Alert* (May 2017)
- "Post-Recession Tentative Maps Not Yet Recorded: Will San Francisco Give Any More Extensions?," *Land Use Law Alert* (April 2017)
- "City To Allow Developers To Assist In Small Affordable Housing Site Acquisitions," co-author, *Land Use Law Alert* (January 2017)
- "The ABCs of ADUs," co-author, *SF Apartment Magazine* (November 2016)
- "San Francisco Boosts Housing Inventory by Authorizing Infill 'In-Law' Units Across the City For the First Time," co-author, *Land Use Law Alert* (August 2016)
- "Removal Of Housing Units (Legal Or Not) Becomes Even Harder In San Francisco," co-author, *Land Use Law Alert* (August 2016)
- "Comply and Conserve," co-author, *SF Apartment Magazine* (May 2016)
- "Mission Impossible," *SF Apartment Magazine* (October 2015)
- "Prop I May Shut Down Market Rate Housing in the Mission," co-author, *Land Use Law Alert* (September 2015)
- "Put Your Best Façade Forward," *SF Apartment Magazine* (July 2015)
- "Supervisor Campos Initiates Market Rate Housing Moratorium," co-author, *Land Use Law Alert* (June 2015)
- "Recent Local Anti-Speculation Tax – Although Defeated Last November, The Proposed Law Is Expected to Return In a Form More Likely to Pass," *Land Use Newsletter* (January 2015)
- "Voters Approve the Mayor's Ballot Initiative Calling for a Goal of 30,000 New Dwellings of which 30% Percent will be Affordable," *Land Use Newsletter* (January 2015)
- Board of Supervisors Enacts Tighter Chain Store Regulations after Two Years of Debate," co-author, *Land Use Law Alert* (December 2014)
- "Moratorium on Conversion of PDR Uses in Central SoMa Plan Area," co-author, *Land Use Law Alert* (November 2014)
- "What the Final New Airbnb Legislation Means for You, Your Tenants and Your Liabilities," co-author, *Land Use Law Alert* (October 2014)
- "New Law Seeks To Make Industrial Incubator Spaces Called "Small Enterprise Workspaces" More Attractive To Build," co-author, *Land Use Newsletter* (July 2014)

"Proposed Ballot Initiative Measure Introduced by the Mayor Would Block Proposed Affordable "Housing Balance" Initiative Measure in Most of the City," co-author, *Land Use Newsletter* (July 2014)

"A High Tax to Inhibit Quick Sales of Small Rental Properties," co-author, *Land Use Newsletter* (June 2014)

"San Francisco Ballot Measure Proposes to Slow Down Development of Market Rate Housing When Not Enough Affordable Housing Is Being Built," co-author, *Land Use Newsletter* (June 2014)

"Long Term Rules for Short Term Rentals," co-author, *SF Apartment Magazine* (June 2014)

"If You Build It, They Will Come," co-author, *Land Use Newsletter* (May 2014)

"San Francisco Board of Supervisors Considers Restricting Construction of Market Rate Housing in the Central City and SOMA When Not Enough Affordable Housing is Being Built," co-author, *Land Use Newsletter* (May 2014)

"San Francisco Proposes Regulations for Airbnb and Similar Platforms," *Land Use Law Alert* (April 2014)

"A Merge Purge," *San Francisco Apartment Magazine* (February 2014)

"Proposed Ordinance Will Require Ventilation System Installation for Many Projects in San Francisco's SOMA District and Elsewhere Near Major Roadways," co-author, *Land Use Law Alert* (February 2014)

"San Francisco Supervisors Make Major Changes to Housing Laws During the Most Recent Month," *Land Use Newsletter* (December 2013)

"San Francisco Takes One More Step Toward An Almost Complete Ban of New Chain Stores (Formula Retail Stores)," *Land Use Newsletter* (December 2013)

"As of June 1, 2013, Compliance Required for New Disabled Access Local Rules for Non-Residential Properties." *Land Use Newsletter* (August 2013)

"Developers Handed Victory from California Supreme Court on City Inclusionary Housing Fees," *Land Use Newsletter* (November 2013)

"CEQA Law Change: After Ten Years, San Francisco Permit Holders Do Not Have To Wait Until Construction Starts to Be Free of Appeals of Their Permits," *Land Use Newsletter* (July 2013)

"Changes Proposed to the Sale of Transferable Development Rights in San Francisco." *Land Use Newsletter* (June 2013)

"July 1, 2013 Is the Final Date to Take Advantage of a San Francisco Development Impact Fee Deferral Program," *Land Use Newsletter* (June 2013)

"Billboard Laws," *The San Francisco Recorder* (April 2013)

"Letting the Air Out of Airbnb," *San Francisco Apartment Association Magazine* (February 2013)

"When Building, Plumbing and Electrical Permits Must be Obtained," *San Francisco Apartment Association Magazine* (April 1999)

"The Mechanics of Creating Condominiums and Planned Developments In California," *California Real Property Journal*, published by State Bar of California (Winter 1997)

"State Cuts Builders Some Slack: A Review of Recent Legislative Changes in the California Environmental Quality Act," *California Builder* (June/July 1994)

"Historic Buildings and Asset Preservation," *The San Francisco Recorder* (October 1991)

## **Presentations**

"Cannabis and California Real Estate Attorneys: Advising Clients Engaged in the Cannabis Industry," Santa Clara County Bar Association (April 2018)

"Proposed Upzoning Around San Francisco's New 4th Street Transit Corridor and in SOMA: A Look at New Development Opportunities," Marcus Millichap (June 2017)

"San Francisco's Central SoMa Plan: Development Opportunities and New Directions in the Plan," panelist, Land Use Seminar (June 2015)

"Proposed Upzoning Around San Francisco's New 4th Street Transit Corridor and in SOMA: A Look at New Development Opportunities," TRI Commercial Monthly Meeting (September 2014)

"Proposed Upzoning Around San Francisco's New 4th Street Transit Corridor and in SOMA: A Look at New Development Opportunities," panelist, Land Use Seminar (April 2014)

"Through The Looking Glass: Land Use Planning in San Francisco," Bar Association of San Francisco (February 2014)

"What Attorneys Need to Know About the San Francisco Permit and Development Process," Bar Association of San Francisco (October 2003)

## **Press**

"New Year, New Zoning and Housing Plans," *Globe St.* (January 2019)

"Light at the End of the Tunnel for Upzoning," *Globe St.* (August 2018)

"Best Facade Forward: Own an older building? Be prepared for regular facade inspections," *SF Apartment Magazine* (August 2018)

"San Francisco Planning Commission Approves Unanimously Central SoMa Plan with Changes," *The Registry* (July 2018)

"Are construction costs killing new Bay Area housing?" *Silicon Valley Business Journal* (April 2018)

"Hopeful for housing: Everything you need to know about California's development incentives," *The Real Deal* (June 2017)

### **Honors & Awards**

Top Rated Lawyer in Land Use & Zoning, Martindale-Hubbell

Martindale-Hubbell AV® Preeminent™ Rating

Lambda Alpha Honorary Land Economics Society (Elected 2007)

### **Professional Affiliations**

San Francisco Planning and Urban Research Association

Housing Action Coalition

Greater San Francisco Association of Realtors, Former Board Member

Redevelopment Agency, Project Area Committee (Mid-Market Street), Former Member

### **Education**

J.D., Duke University School of Law (1983)

B.A., *magna cum laude*, Harvard University (1980)

### **Admissions and Courts**

California