

Carroll, John (BOS)

From: Caldeira, Rick (BOS)
Sent: Friday, January 23, 2015 2:09 PM
To: BOS Legislation (BOS)
Subject: FW: 2013.1375EC - 115 Telegraph Boulevard - Final Motion and Notice of Special Restriction - 12.11.2014
Attachments: 1-23-15 THD ltr 115 Telegraph Hill Blvd.pdf; BOS CU Motion Final.pdf
Categories: 141066

For file 141066

From: THD Planning & Zoning [<mailto:pz@thd.org>]
Sent: Friday, January 23, 2015 12:28 PM
To: Watty, Elizabeth (CPC)
Cc: Calvillo, Angela (BOS); Calmese, Lakeisha (CPC); Susan Brandt-Hawley
Subject: 2013.1375EC - 115 Telegraph Boulevard - Final Motion and Notice of Special Restriction - 12.11.2014

Please see the attached letter and motion.

January 23, 2015

Elizabeth Watty
Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375EC
115 Telegraph Boulevard - Final Motion and Notice of Special Restriction

Dear Ms. Watty,

Upon review of the Department's Final Planning Commission Motion No. 19232 and corresponding Notice of Special Restrictions ("NSR") dated December 11, 2014, which were provided to us by email on December 19, 2014, we have discovered that these documents contain inconsistencies with the Board of Supervisors' Motion M-14-190 (File No 141066) approved on November 18, 2014 ("BOS Motion M-14-190"), a copy of which is attached.

First, BOS Motion M-14-190 specifically **disapproved** the Planning Commission's September 11, 2014 approval of the Conditional Use Authorization ("CUA"). The Board of Supervisors then approved a CUA for the same property with eleven additional conditions set forth in their motion. In conflict with the specific language of BOS Motion M-14-190, the Department's Final Planning Commission Motion No. 19232 and proposed NSR state that the Board of Supervisors **upheld** the CUA but amended it to include additional conditions of approval. Motion No. 19232 and the NSR should be amended to accurately reflect the action taken by the Board of Supervisors -- that the Board of Supervisors **disapproved**, not upheld, the Planning Commission's decision to approve the CUA by its Motion No. 19232.

Second, the last additional condition added by BOS Motion M-14-190 (at lines 22-23) states:

“Stewardship of landscape areas in the public domain and the Filbert Street steps along the property frontage shall be maintained by the owners of the subject property subject to the approval and appropriate agreement with the Recreation and Park Department, DPW and DBI *in consultation with the Telegraph Hill Dwellers neighborhood association and nearby neighbors.*”

In conflict, additional condition no. 11 as set forth in the Department’s Final Planning Commission Motion No. 19232 (on page 20) and proposed NSR (on page 8 of 9) fails to include the requirement for *“consultation with the Telegraph Hill Dwellers neighborhood association and nearby neighbors.”*

We request that you please amend Motion No. 19232 and the NSR to be consistent with the motion adopted by the Board of Supervisors as set forth in BOS Motion M-14-190, and provide us with a copy of the revised documents.

Sincerely,

Vedica Puri
President
vpuri@pillsburycoleman.com

On 12/19/14, 2:41 PM, "Calmese, Lakeisha (CPC)" <lakeisha.calmese@sfgov.org> wrote:

Good Afternoon:

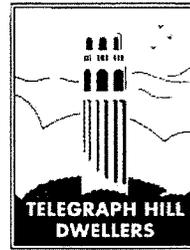
Please find the attached PDF copies of **Motion # 19232**, the corresponding Notice of Special Restrictions (NSR), and Recordation Instructions for **case # 2013.1375EC**

*** Please let me know if you would also like to receive hard copies of the attached documents via USPS.***

Best,

Keisha Calmese
Current Planning
Northern Quadrants

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9166 Fax: 415-558-6409
Email: lakeisha.calmese@sfgov.org
Web: www.sfplanning.org <<http://www.sfplanning.org/>>



January 23, 2015

VIA E-MAIL <Elizabeth.Watty@sfgov.org>

Elizabeth Watty
Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375EC
115 Telegraph Boulevard - Final Motion and Notice of Special Restriction

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First, BOS Motion M-14-190 specifically **disapproved** the Planning Commission's September 11, 2014 approval of the Conditional Use Authorization ("CUA"). The Board of Supervisors then approved a CUA for the same property with eleven additional conditions set forth in their motion. In conflict with the specific language of BOS Motion M-14-190, the Department's Final Planning Commission Motion No. 19232 and proposed NSR state that the Board of Supervisors **upheld** the CUA but amended it to include additional conditions of approval. Motion No. 19232 and the NSR should be amended to accurately reflect the action taken by the Board of Supervisors -- that the Board of Supervisors **disapproved**, not upheld, the Planning Commission's decision to approve the CUA by its Motion No. 19232.

Elizabeth Watty
January 23, 2015
Page 2

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In conflict, additional condition no. 11 as set forth in the Department’s Final Planning Commission Motion No. 19232 (on page 20) and proposed NSR (on page 8 of 9) fails to include the requirement for “***consultation with the Telegraph Hill Dwellers neighborhood association and nearby neighbors.***”

We request that you please amend Motion No. 19232 and the NSR to be consistent with the motion adopted by the Board of Supervisors as set forth in BOS Motion M-14-190, and provide us with a copy of the revised documents.

Sincerely,



Vedica Puri
President
vpuri@pillsburycoleman.com

cc: Angela Callvillo, Clerk of the Board of Supervisors angela.calvillo@sfgov.org
Calmese, Lakeisha, Current Planning lakeisha.calmese@sfgov.org
Susan Brandt-Hawley, Esq. susanbh@preservationlawyers.com

1 [Disapproving the Planning Commission's Conditional Use Authorization Decision - Approving
2 a Conditional Use Authorization - 115 Telegraph Hill Boulevard]

3 **Motion disapproving the decision of the Planning Commission by its Motion No. 19232,**
4 **approving a Conditional Use Authorization identified as Planning Case No.**
5 **2013.1375EC on property located at 115 Telegraph Hill Boulevard; approving a**
6 **Conditional Use Authorization for the same Planning Case and property with additional**
7 **conditions; and adopting findings pursuant to Planning Code, Section 101.1.**
8

9 MOVED, That the Board hereby disapproves the Planning Commission's approval on
10 September 11, 2014, of a Conditional Use Authorization identified as Planning Case No.
11 2013.1375EC, by its Motion No. 19232, to allow the construction of three new dwelling units
12 (for a total of four units) with three off-street parking spaces within the RH-3 Zoning District,
13 Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk
14 District, on property located at: 115 Telegraph Hill Boulevard; Assessor's Block No. 0105, Lot
15 No. 065; and, be it

16 FURTHER MOVED, That the Board hereby approves a Conditional Use Authorization
17 for the same property with all conditions imposed by the Planning Commission and with the
18 following additional conditions:

- 19 • Along the Filbert Street stair frontage of the property, a well-lit and naturally ventilated
20 pedestrian tunnel shall be erected for the duration of the construction period to
21 ensure the safety of persons using the Filbert Steps stairs.
- 22 • A flag-person will be stationed at the top of the Filbert stairs at the entry point to the
23 site at all times during the construction period. Additional flag-persons shall be
24 stationed during the excavation and concrete pour phases to ensure the safety of
25 individuals and vehicles in that area. These persons shall be responsible for

1 monitoring and directing construction trucks and equipment as well as pedestrian and
2 vehicular traffic to minimize potential conflicts.

- 3 • All trucks waiting to unload material shall be staged at a location offsite to avoid
4 queuing of construction trucks on Telegraph Hill Boulevard. The off-site truck
5 queuing locations shall be determined in consultation with the neighbors. Deliveries
6 shall be made before 4:00 pm on weekdays to avoid the peak afternoon traffic
7 periods on Columbus Avenue. To the extent feasible, trucks shall be routed to avoid
8 Columbus Avenue.
- 9 • Construction vehicles and equipment shall use the staging area provided on site and
10 shall be prohibited from using the Coit Tower parking lot for construction staging or
11 queuing of construction vehicles.
- 12 • All applicable weight limits on access roads to and from the site shall be observed
13 and adhered to.
- 14 • Until the building is fully enclosed, no construction activity shall be permitted between
15 5:00 pm and 7:00 am on weekdays or on Saturday. No construction shall be
16 permitted on Sundays and federal holidays recognized by the Office of Personnel
17 Management. All construction activities shall comply with the San Francisco Noise
18 Ordinance (Police Code Article 29).
- 19 • No construction workers, trucks, tradespersons, project design professionals,
20 vendors or any other persons involved in any manner with the construction activities,
21 including but not limited to architects and special inspectors, shall utilize the Coit
22 Tower parking lot, but shall instead park at designated parking garages and be
23 shuttled to and from the job site.
- 24 • Prior to commencing construction, the contractor and the project sponsor shall
25 provide detailed construction plans including, but not limited to, the truck routes, the

1 off-site location for truck queuing, phasing of construction, and the estimated number
2 of truck trips for each phase of the construction, to the Transportation Advisory Staff
3 Committee (TASC), which includes the San Francisco Municipal Transit Authority,
4 Police Department , Fire Department, Department of Public Works (DPW) and
5 Planning Department. In addition to TASC, the project sponsor shall also submit
6 such plans to and inform the Recreation and Parks Department, the Department of
7 Building Inspection (DBI) and the construction contractors of any concurrent nearby
8 projects in order to manage traffic congestion and pedestrian circulation effects and
9 safety during construction of the project.

- 10 • Prior to commencing construction, the project sponsor shall consult with Garfield
11 Elementary School, the San Francisco Unified School District, the residents of
12 Assessors Blocks 86, 105, and 104, residents within 300 feet of the project site, and
13 the Planning Department staff before finalizing the construction staging, traffic and
14 truck route plans, including (a) a schedule of delivery times and dates during which
15 construction materials are expected to arrive; and (b) methods to be used to monitor
16 truck movement onto and out of the building site so as to minimize traffic and
17 pedestrian conflicts on Telegraph Hill Boulevard, Filbert Street and Kearny Street.
- 18 • Muni access to Coit Tower shall be maintained at all times throughout construction.
- 19 • Stewardship of landscape areas in the public domain and the Filbert Street stairs
20 along the property frontage shall be maintained by the owners of the subject property,
21 subject to the approval and appropriate agreements with the Recreation and Park
22 Department, DPW and DBI in consultation with the Telegraph Hill Dwellers
23 neighborhood association and nearby neighbors; and, be it

1 FURTHER MOVED, That these conditions are consistent with and supported by the
2 Planning Commission's findings of consistency with the General Plan and Planning Code
3 Section 101.1, and the Board hereby incorporates those findings and adopts them as its own.
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City and County of San Francisco

Tails

Motion: M14-190

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 141066

Date Passed: November 18, 2014

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard; approving a Conditional Use Authorization for the same Planning Case and property with additional conditions; and adopting findings pursuant to Planning Code, Section 101.1.

November 04, 2014 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 18, 2014 Board of Supervisors - AMENDED

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee

Noes: 2 - Avalos and Mar

Excused: 1 - Campos

November 18, 2014 Board of Supervisors - APPROVED AS AMENDED

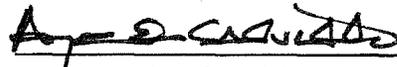
Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee

Noes: 2 - Avalos and Mar

Excused: 1 - Campos

File No. 141066

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 11/18/2014 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board