

File No. 130878

Committee Item No. 2

Board Item No. 2

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date November 4, 2013

Board of Supervisors Meeting Date November 19, 2013

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Variance Decision, dtd 5/5/06</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>General Plan Referral Letter, dtd 6/30/06</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DPW Order Nos. 176,524 & 180,963</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Street Encroachment Agreement</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Site Plans</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>2/23/06 Interdepartmental Staff Committee Minutes</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u> </u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u> </u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u> </u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u> </u> |

Completed by: Alisa Miller Date November 1, 2013

Completed by: Alisa Miller Date November 5, 2013

1 [Street Encroachment - Reed Street to Access a New Garage - 45 Priest Street]

2
3 **Resolution granting revocable permission to Sanjay Dani to occupy a portion of the**
4 **public right-of-way on Reed Street, an existing unaccepted public right-of-way, to extend**
5 **the existing roadway by approximately 20 feet, and construct a concrete driveway ramp**
6 **from the edge of an existing garage at 44 Reed Street to provide access to a proposed**
7 **new garage at the Reed Street frontage of 45 Priest Street, conditioned upon the payment**
8 **of an annual assessment fee; and making environmental findings, and findings of**
9 **consistency with the General Plan, and the priority policies of Planning Code, Section**
10 **101.1.**

11
12 WHEREAS, Pursuant to Public Works Code Section 786, Winder Architects, on behalf of
13 Sanjay Dani, the Permittee, requested permission to occupy a portion of the public right-of-way
14 on Reed Street, an existing unaccepted public right-of-way, to extend the existing roadway by
15 approximately twenty (20) feet and construct a concrete driveway ramp from the edge of an
16 existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed
17 Street frontage of 45 Priest Street. The encroachment is shown on plans filed with the
18 Department of Public Works. Copies of such plans are on file in the office of the Clerk of the
19 Board of Supervisors in File No. 130878; and

20 WHEREAS, The Interdepartmental Staff Committee on Traffic and Transportation
21 (ISCOTT), at its meeting of February 23, 2006, recommended the proposed encroachment for
22 approval, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 130878,
23 and is incorporated herein by reference; and

24 WHEREAS, The Planning Department by letter dated June 30, 2006, found the proposed
25 roadway extension to be in conformity with the General Plan as described in a Variance

1 Decision Letter dated October 28, 2005, for which a rear yard Variance was granted by the
2 Zoning Administrator. This letter also includes a determination relating to the encroachment
3 pursuant to the California Environmental Quality Act (California Public Resources Code sections
4 21000 et seq.). Copies of said letters are on file with the Clerk of the Board of Supervisors in
5 File No. 130878, and are incorporated herein by reference; and

6 WHEREAS, After a duly noticed public hearing on October 4, 2006, the Department of
7 Public Works (DPW) recommended approval of the proposed encroachment conditioned upon
8 the Permittee working together with the adjoining neighbors and coordinating the design of the
9 proposed driveway to potentially accommodate access to other properties along Reed Street. A
10 copy of DPW Order No. 176,524 is on file with the Clerk of the Board of Supervisors in File No.
11 130878, and is incorporated herein by reference; and

12 WHEREAS, DPW in a letter dated July 6, 2012, to the Zoning Administrator, and in
13 response to a request to clarify the current status of this application for Major Encroachment and
14 related to a pending case at the Board of Appeals, indicated the Major Encroachment had not
15 yet been approved. In addition, DPW stated that only upon receipt of revised plans and/or
16 additional information addressing the conditions of approval would it make its final
17 recommendation in regard to the encroachment and initiate legislation for the Board of
18 Supervisors consideration. A copy of said letter is on file with the Clerk of the Board of
19 Supervisors in File No. 130878, and is incorporated herein by reference; and

20 WHEREAS, At a meeting with Mr. Sanjay Dani on July 23, 2012, DPW received
21 additional documentation, including a revised plan and computer generated photo image,
22 indicating that the proposed driveway encroachment will not impact potential future access to
23 other properties along Reed Street; thus, satisfying the conditions of approval from the
24 aforementioned October 4, 2006 public hearing. Based on this information, DPW recommends
25 approval of the encroachment permit to the Board of Supervisors; and

1 WHEREAS, The permit and associated street encroachment agreement, which are
2 incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in
3 File No. 130878, shall not become effective until:

4 (a) The Permittee executes and acknowledges the permit and delivers said permit to the
5 City's Controller,

6 (b) Permittee delivers to the City Controller a policy of insurance provided for in said
7 agreement and the Controller shall have had approved the same as complying with the
8 requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said
9 insurance policy, the certificate of an insurance company certifying to the existence of such a policy; and

10 (c) The Department of Public Works records the permit and associated agreement in the
11 office of the County Recorder; and

12 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a
13 result of this permit, shall make the following arrangements:

14 (a) To provide for the support and protection of facilities belonging to the Department of
15 Public Works, San Francisco Water Department, the San Francisco Fire Department and other
16 City Departments, and public utility companies;

17 (b) To provide access to such facilities to allow said entities to construct, reconstruct,
18 maintain, operate, or repair such facilities; and

19 (c) To remove or relocate such facilities if installation of the encroachment requires said
20 removal or relocation and to make all necessary arrangements with the owners of such facilities
21 including payment for all their costs, should said removal or relocation be required; and

22 WHEREAS, The Permittee shall procure the necessary permits from the Central Permit
23 Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping,
24 Department of Public Works, and pay the necessary permit fees and inspection fees before
25 starting work; and

1 WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-
2 way occupancy assessment pursuant to Public Works Code Section 786 and the initial amount
3 of said fee shall be \$195.00; and

4 WHEREAS, No structure shall be erected or constructed within said street right-of-way
5 except as specifically permitted herein; and

6 WHEREAS, Use of the encroachment permit area is not exclusive to the Permittee and
7 may be accessed by the general public and adjacent property owners. Should an adjacent
8 property owner request a separate encroachment permit that affects said encroachment, the
9 Board hereby delegates to the Department, in its discretion, the ability to amend or modify this
10 permit to accommodate a separate permit(s). Under such circumstances, the Department shall
11 adjust the requirements concerning permit maintenance, liability, annual occupancy fee, and any
12 other applicable conditions to proportionately allocate responsibility among the permit holders;
13 and

14 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the
15 encroachments and no cost or obligation of any kind shall accrue to the City and County of San
16 Francisco by reason of this permission granted; now, therefore, be it

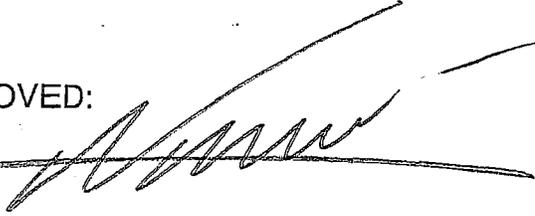
17 RESOLVED, That pursuant to Public Works Code Section 786, the Board of Supervisors
18 hereby grants revocable permission to Sanjay Dani to occupy a portion of the public right-of-way
19 on Reed Street, an existing unaccepted public right-of-way, to extend the existing roadway by
20 approximately twenty (20) feet and construct a concrete driveway ramp from the edge of an
21 existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed
22 Street frontage of 45 Priest Street, conditioned upon the payment of an annual occupancy
23 assessment fee and other conditions set forth herein; and, be it

24 FURTHER RESOLVED, That the Board adopts as its own the findings of consistency with
25 the General Plan and Planning Code Section 101.1 as set forth in the Planning

1 Department letter dated June 30, 2006, and affirms the environmental determination
2 contained in said letter.

3
4
5

APPROVED:



6

7 Mohammed Nuru
8 Director of Public Works

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



Edwin M. Lee, Mayor
Mohammed Nuru, Director

September 16, 2013

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Ms. Calvillo:

Attached please find an original, two copies, and one electronic copy of a proposed resolution for Board of Supervisors consideration. This resolution would grant revocable permission to Sanjay Dani to occupy a portion of the public right-of-way to extend the existing roadway by approximately twenty (20) feet and construct a concrete driveway ramp from the edge of an existing garage at 44 Reed Street. This encroachment would provide access to a proposed new garage at the Reed Street frontage of 45 Priest Street. The resolution would also make findings of consistency with the priority policies of Planning Code Section 101.1.

Pursuant to Section 786 of the Public Works Code, Mr. Sanjay Dani requested a Major Encroachment Permit in a letter dated November 15, 2005. The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) heard this request on February 23, 2006 and recommended it for approval. The Planning Department, by letter dated June 30, 2006, declared that the proposed encroachment is in conformity with the General Plan and with the priority policies of Planning Code Section 101.1, as described in a Variance Letter Decision dated October 28, 2005 for which a rear yard variance was granted by the Zoning Administrator.

The following is a list of accompanying documents (three sets):

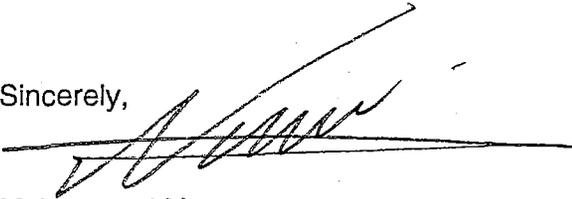
- Letter from Mr. Dani dated November 16, 2005.
- Planning Department Variance Letter Decision, dated October 28, 2005
- Planning Department General Plan Referral, dated June 30, 2006.
- DPW Order No. 176,524 approved November 1, 2006, recommending conditional approval of the proposed Major Encroachment.



- Letter to Zoning Administrator dated July 6, 2012 to clarify the status of the Major Encroachment Permit.
- Supplemental DPW Order No. 180963, approved January 11, 2013, with attached computer generated photo image, satisfying conditions of approval set forth in previous DPW Order.
- A proposed plan for the Major Encroachment Permit.
- Signed and Notarized Street Encroachment Agreement.

The following person may be contacted regarding this matter: Mr. Nick Elsner of BSM at (415) 554-6186.

Sincerely,



Mohammed Nuru
Director of Public Works

Attachments: As Noted





Edwin M. Lee, Mayor
 Mohammed Nuru, Director
 Fuad S. Sweiss, PE, PLS,
 City Engineer & Deputy Director of Engineering

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO

2013 SEP 16 PM 3:59

AK



Phone: (415) 554-5827
 Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
 Bureau of Street-Use & Mapping
 1155 Market Street, 3rd Floor
 San Francisco, CA 94103

MAJOR ENCROACHMENT PERMIT ROUTING SHEET

Everyone involved in the processing of this Major Encroachment Permit is requested to complete this form so that the department has a written record of the steps taken. Please notify BSM at 554-6186 or the sender (see below) of any delays or questions.

MAJOR ENCROACHMENT PERMIT

Date Sent: September 13, 2013	Applicant: Sanjay Dani
Date Due at BOS: Noon, Monday, September 16, 2013	Location(s): 45 Priest Street (Reed Street frontage)

SENDER

Name: Nick Elsner <i>NE</i>	Telephone: (415) 554-6186
Address: 1155 Market Street, 3rd Floor	Email: Nick.Elsner@sfdpw.org

ROUTE

Date Received	To	Date Forwarded or Signed
9/16/13	Frank W. Lee Executive Assist. To Director City Hall, Room 348	
9/16/13	Mohammed Nuru Director of Public Works City Hall, Room 348	<i>MNR</i>
	Clerk of Board of Supervisors (BOS) City Hall, Room 244 (Submit a copy of this sheet with package)	
	When package is submitted to BOS, please return this copy of routing sheet with the BOS date received stamp to sender.	



130878

November 16, 2005

Nick Elsner, Senior Plan Checker
Division of Street-Use Permits
Department of Public Works
875 Stevenson Street, Room 460
San Francisco, CA 94103

Subject: Cover Letter for Major Encroachment Permit Application - Reed Street

Dear Nick:

The Zoning Administrator (ZA) has granted our request for a variance, case number 2005.0607V, on October 26, 2005. The rear-yard variance sought, "to construct a two-car garage at the rear of the subject lot, with access from Reed Street. Accessing this garage would require extending the improved portion of Reed Street by 20 more feet." (quoting from the variance application).

The zoning approval for the street extension and the garage naturally requires an approval from DPW for the street extension. The ZA therein will include language in his ruling that requires DPW to issue the major encroachment permit, prior to the release of the DBI construction permit for the garage.

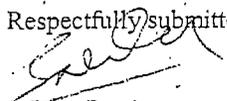
The Zoning Administrator listened to three speakers in opposition to the variance application, all representing the owners of 17/44 Reed Street. He found their arguments "had no merit" and ruled in favor of using the Reed Street right-of-way for vehicular access. He, therein, gave zoning approval for street extension. He, also, dismissed preservation of the "garden" in the public right-of-way, which was installed without a permit. The ZA additionally denied Mr. Stolz's plea to suspend or cancel the existing permit for our concrete retaining walls.

We submit that a timely decision from DPW on the issue of the Reed Street right-of-way extension will bypass the intermediate, contentious issue of removing the brick structure to facilitate access for the construction of retaining walls and avoid unnecessary acrimony between the two parties. These will also curtail the inevitable delays, as we work through various departments and consequent cost overruns. Delaying the decision on the Reed Street right-of-way extension will again raise the time-consuming issue of access for retaining walls construction.

I have attached letters of support from neighbors, including the owners of the two properties abutting Reed Street on the West, uphill from 17 Reed. These letters address garden vs. street extension issues, shed light on the "history" before my time and the discussion in Mr. Atkinson's letter of Oct 24th. The owner of 37/39 Priest with frontage on Reed Street, also spoke at the variance hearing in support of the project and expressed her desire to have the street extended an additional 20 feet further up the Reed Street right-of-way to her property. Obviously, this will need to be the subject of a separate permit by her.

Finally, please find the attached material, which I understand are the requirements for this Major Encroachment Permit application. If there is any additional material needed, please contact Heidi Liebes at Winder Liebes Architects (415-318-8634 x4004), my architects for this project.

Respectfully submitted,


Sanjay Dani



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER (415) 558-6378	DIRECTOR'S OFFICE PHONE: 558-6411	ZONING ADMINISTRATOR PHONE: 558-6350	PLANNING INFORMATION PHONE: 558-6377	COMMISSION CALENDAR INFO: 558-6422
	4TH FLOOR FAX: 558-6426	5TH FLOOR FAX: 558-6409	MAJOR ENVIRONMENTAL FAX: 558-5991	INTERNET WEB SITE WWW.SFGOV.ORG/PLANNING

May 5, 2006

VARIANCE DECISION

UNDER THE PLANNING CODE
CASE NO. 2005.0607V



APPLICANT: Ms. Heidi Liebes
Winder Liebes Architects
351 Ninth Street, #301
San Francisco, CA 94103

CASE PLANNER: Jim Miller – 558-6344

PROPERTY IDENTIFICATION – 45 PRIEST STREET, west side between Clay and Washington Streets, a through-lot to Reed Street, Lot 28 in Assessor's Block 215, in an RH-2 (House, Two-Family) District and a 50-X Height and Bulk District. It is improved with a two-unit residential building.

DESCRIPTION OF VARIANCE SOUGHT – REAR-YARD VARIANCE

The proposal is to construct a new two-car garage on the Reed Street frontage of the subject property within the required rear yard of the lot. In addition, the applicant proposes to construct rear exit stairs from the subject building providing access to the existing yard area as well as to the proposed new garage. This stairway would project two feet two inches into the required rear-yard open area.

Section 134 of the Planning Code sets forth standards for rear yard areas. It requires, in an RH-2 District, a rear-yard area, open and clear from the ground up, equal to 45 percent of the depth of the lot (and in no case less than 15 feet). The subject lot is 102.5 feet deep therefore its required rear yard area would be approximately 46 feet in depth. All of the proposed new garage would be in this area plus approximately two feet two inches of the rear exit stairs proposed to be constructed at the south property line at the rear of the subject two-family building (and projecting 12 feet to the rear of the building).

PROCEDURAL BACKGROUND:

1. This proposal was determined to be Categorically Exempt from Environmental Review under CEQA Guidelines Section 15301.
2. Notices were mailed to all property owners within 300 feet of the project site in accordance with Section 306.3 of the Planning Code.

3. The Zoning Administrator held a public hearing on Variance Application No. 2005.0607V on Wednesday, October 26, 2005.

DECISION:

GRANTED, to allow the construction of a two-car garage along the Reed Street frontage of the subject property and to permit construction of rear exit stairs at the back of the existing building which stairs would project approximately two feet two inches into the otherwise-required rear-yard area, in general conformity with the plans on file with this application, shown as "Exhibit A" and dated February 11, 2004, subject to the following conditions:

1. This approval is dependant upon granting by the Department of Public Works of a Major Encroachment Permit for the improvement of the portion of Reed Street that would be necessary to access the herein-authorized new garage structure.
2. Any further physical expansion, even within the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character, scale, and parking. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new variance application be sought and justified.
3. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls shall apply.
4. Minor modifications as determined by the Zoning Administrator may be permitted.
5. The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

FINDINGS:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDING 1

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district.

REQUIREMENT MET.

The subject property has frontage on both Priest Street and Reed Street but has no vehicular access. Priest Street, at the front of the lot, is improved with a stairway and walkway. Reed

Street, which extends to the south from Washington Street, is improved only as far as the northerly lot line of the subject property. Southerly of that point, Reed Street extends to its intersection with Clay Street. In this portion of its run, it is a "paper street" in that it is dedicated but unimproved. Reed Street is, however, a public street to which abutting owners have right of access. At present, only one garage, that of the next-door property to the north at 44 Reed Street, is accessed from Reed Street. The applicant seeks to extend the pavement by the width of his lot so that he may have access to the garage that he proposes as part of the subject Variance request. It is an extraordinary circumstance that the subject lot has frontage on two streets but no possibility of vehicular access at present. In addition, the only way (at present) to gain access to the rear yard area on the subject lot from the building at 45 Priest Street is through an easement on the adjoining lot to the south at 37 - 39 Priest Street. Such access requires exiting the subject building on Priest Street, passing under the building at 37 -39 Priest Street its rear yard, and then crossing into the rear yard of 45 Priest Street. This situation would be rectified by the construction of a stairway from the subject building (45 Priest Street) down to its rear yard area, a portion of which stairway would project into the otherwise-required open rear-yard area.

FINDING 2

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.

REQUIREMENT MET.

Due to the land-locked nature of the subject lot, Variance relief would be necessary to allow the property owner to create off-street parking (as otherwise required by the Planning Code) on his lot. Reed Street, a public right-of-way, could be extended as necessary to accommodate the requested rear-yard garage. The only feasible way to create off-street parking on the subject property is at the rear of the lot as proposed by the applicant. He is aware that such an act would require a Major Encroachment Permit from the Department of Public Works to improve the necessary portion of the Reed Street right-of-way. In addition, the applicant has proposed to extend the planted and landscaped area of his down-sloping rear yard out over the roof of the proposed new garage structure. Such an action would create flat, usable open space in an area where none now exists and it would minimize the visual intrusion of the garage into the rear yard. The rear stairway, as proposed, would give access from the proposed new garage directly to the interior of the subject two-unit building. It would eliminate the need for the pedestrian easement through the neighboring property to the south thereby increasing the privacy and security of the next-door owner/occupant. Literal enforcement of the Planning Code would preclude the owner from developing his property in the manner proposed and result in an unnecessary hardship with no compensating public benefit.

FINDING 3

That such Variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

REQUIREMENT MET.

The granting of this Variance is the best and most feasible manner by which the owner can enjoy his right to develop his property to its full potential, as enjoyed by similarly-situated property owners (particularly the next-door property at 44 Reed Street that uses Reed Street, essentially, as a private driveway at present). The extension of the landscaped portion of the yard on the subject lot out over the new garage would have the effect of retaining greenness and openness in the mid-block area and would, therefore, be beneficial to owners and users of nearby properties.

FINDING 4

That the granting of such Variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

REQUIREMENT MET.

The granting of this variance will not be materially detrimental to the public welfare or materially injurious to other properties in the vicinity. The proposed new garage would take two cars off the street in this parking-impacted area. The extension of landscaping over the proposed garage would enhance the openness of the mid-block area and cause this new structure to recede from view. The proposed new exit stairs would be minimally intrusive and would solve a long-standing access problem for the applicant as well as the owner of the adjoining lot. The adjoining neighbors to the north, who enjoy the only existing garage space that is accessed by the (public) paved portion of Reed Street, expressed opposition to the proposed new garage. They opposed the granting of the requested Variance due to loss of a small garden (in the Reed Street right-of-way), their expressed desire that this action should be deferred until vehicular access to other properties abutting Reed Street can be coordinated, and that, if approved, the new garage be limited in height and intrusion into the existing open space.

As stated above, proposed landscaping (over the new garage) would have the effect of minimizing its intrusion into the mid-block area. Street rights-of-way are reserved, generally, for vehicular access to private property. Denying the requested Variance would have the effect of continuing the exclusive private use of the public Reed Street right-of-way by one user and denying the applicant any vehicular access to his property. If other property owners wish to access the Reed Street right of way, they have the ability to request such access and / or their own Variances. It is inappropriate to deny the applicant consideration because others are unwilling or not ready to join in his request. The proposed garage would have a low profile and would be generally unobtrusive as shown on plans on file with the application.

FINDING 5

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

REQUIREMENT MET.

- A. Granting this Variance will help retain and enhance the existing supply of housing by providing parking in conjunction with dwelling units. It will remove two cars from the street in this parking-impacted area of the City without eliminating any on-street parking through curb cuts. The new garage, as designed, would be minimally intrusive to the mid-block area. The proposed new exit stairs would solve both an access problem for the owner of the subject property as well as a privacy and security problem for the owner of the next-door property to the south. This project is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development.
- B. Section 101.1(b) of the Planning Code establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project complies with these policies, including conserving existing housing and neighborhood character and maintaining and protecting open space from development.

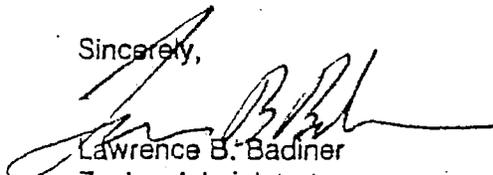
The effective date of this decision shall be either the date of this decision letter if not appealed, or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is utilized, all specifications and conditions of the variance authorization became immediately operative.

The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if (1) a Building Permit has not been issued within three years from the effective date of this decision; or (2) a Tentative Map has not been approved within three years from the effective date of this decision for Subdivision cases; or (3) neither a Building Permit or Tentative Map is involved but another required City action has not been approved within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit or approval of a Tentative Map or other City action is delayed by a City agency or by appeal of the issuance of such a permit or map or other City action.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 1660 Mission Street, Room 3036 or call (415) 575-6880.

Sincerely,



Lawrence B. Badiner
Zoning Administrator

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OCCUPANCY. PERMITS FROM APPROPRIATE DEPARTMENTS MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER
(415) 558-6378

DIRECTOR'S OFFICE
PHONE: 558-6411

ZONING ADMINISTRATOR
PHONE: 558-6350

PLANNING INFORMATION
PHONE: 558-6377

AUTHOR'S PHONE
558-6344

AUTHOR'S FAX
558-6409

MAJOR ENVIRONMENTAL
PHONE: 558-5990

INTERNET WEB SITE
WWW.SFGOV.ORG/PLANNING

June 30, 2006

Mr. Nick Elsner
Senior Plan Checker
Bureau of Street-Use and Mapping
Department of Public Works
875 Stevenson Street, Room 460
San Francisco, CA 94103-0942

RECEIVED
PERMIT DIVISION

Re: General Plan Referral – Major Encroachment Permit for extending Reed Street roadway

Case Nos. 2005.0607VR
Property Address: 45 Priest Street
Block/Lot: 0215 / 010, 012A, 017, 020, 028 and 029
Zoning District: RM-3 (Mixed Residential, Medium Density) District

Dear Mr. Elsner:

As required by Section 786 of the Public Works Code, you have sought our recommendations with regard to conformity with the General Plan of the above-referenced project.

As noted, the project would be a Major Encroachment Permit for “extending improved portion of Reed Street by approximately 20 feet”. The project involves the proposal by Mr. Sanjay Dani, the owner of the property at 45 Priest Street, to extend the existing Reed Street roadway by constructing a driveway ramp from the edge of the existing garage at 44 Reed Street to a proposed new garage structure at the rear property line of his property. The subject lot has its frontage on a pedestrian walkway known as Priest Street and its rear on the unimproved Reed Street right-of-way. At present, there is no vehicular access to this lot. The new garage project was the subject of Variance Case No. 2005.0607V for which a rear-yard Variance was granted by the Zoning Administrator on October 28, 2005

The proposed roadway extension is **in conformity** with the General Plan as described in the text of the aforementioned Variance Decision Letter, and in the attached General Plan Referral case review findings.

Mr. Nick Elsner
June 30, 2006
Page 2

The Planning Department has found that the project is exempt from Environmental Review under Class 1(c) of the California Environmental Review guidelines which exempts minor roadway work.

The project has been reviewed for consistency with the Eight Priority Policies of Planning Code Section 101.1 and the findings are attached.

Sincerely,



Dean L. Macris
Director of Planning

G:\WP51\LETTERS\Elsner Nick re 45 Priest -- Referral.doc

GENERAL PLAN REFERRAL – Case Review

Case Number: 2005.0607VR Date Referred: January 10, 2006

Location, Description: Major Encroachment Permit for extending Reed Street roadway

Staff Reviewer: Adam Light Date: June 30, 2006

GENERAL PLAN POLICIES

RESIDENCE ELEMENT

**OBJECTIVE 12
TO PROVIDE A QUALITY LIVING ENVIRONMENT.**

Policy 1

Assure housing is provided with adequate public improvements, services and amenities.

On October 28, 2005, a Variance was granted for the construction of a garage in the rear of the subject property. This property is developed with a two-family dwelling that fronts on a pedestrian pathway (Priest Street). At present, Reed Street is a "paper street" (dedicated but unimproved) behind the subject building. The construction of this garage requires a modest extension of the improved roadway of Reed Street. Such a public improvement would allow the project sponsor vehicular access to his property; something that he does not now enjoy. In that the primary purpose of the street system is circulation of vehicles and pedestrians, it is appropriate that the proposed roadway extension be authorized.

TRANSPORTATION ELEMENT

**OBJECTIVE 34
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND
NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S
STREET SYSTEM AND LAND USE PATTERNS.**

Policy 34.1

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.2

Use existing street space to increase residential parking where off-street facilities are inadequate.

GENERAL PLAN POLICIES

Case No. 2005.0607R

June 30, 2006

Page 2 of 2

In the subject case, no vehicular access to the project sponsor's property exists. On-street parking space in this dense, older portion of the City is very difficult to find. The steep topography of the subject area renders it difficult to access neighborhood shopping. The Planning Code requires one off-street parking space per dwelling unit (of which there are two on the subject lot). The rear of the project sponsor's property abuts the Reed Street roadway however the paved portion of this street ends at the next-door property. The request is to continue the roadway improvement over the dedicated (but unimproved) portion of Reed Street approximately 20 more feet in order to give access to a proposed rear-yard garage authorized by the granting of Variance request No. 2005.0607V. Such a garage construction would reduce the competition for scarce on-street parking spaces and would result in two automobiles being taken off the street.

URBAN DESIGN ELEMENT

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 2

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

The requested roadway extension would be on an existing dedicated street right-of-way. It would not result in the relinquishing of any street rights-of-way. Such a street improvement represents the only way that the project sponsor can bring vehicular access to his lot in this area of steep topography and mid-block dwellings.

OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4

Design walkways and parking facilities to minimize danger to pedestrians.

The proposed roadway extension would be very minor in nature and only long and wide enough to permit vehicular access to the subject property. Pedestrian access to the rear of the properties with frontage on Leavenworth Street as well as the adjoining dwelling on Reed Street would be provided by an existing pedestrian walkway along the west side of the Reed Street right-of-way. This walkway would be retained and improved as part of the proposed project. Appropriate landscaping would be installed.

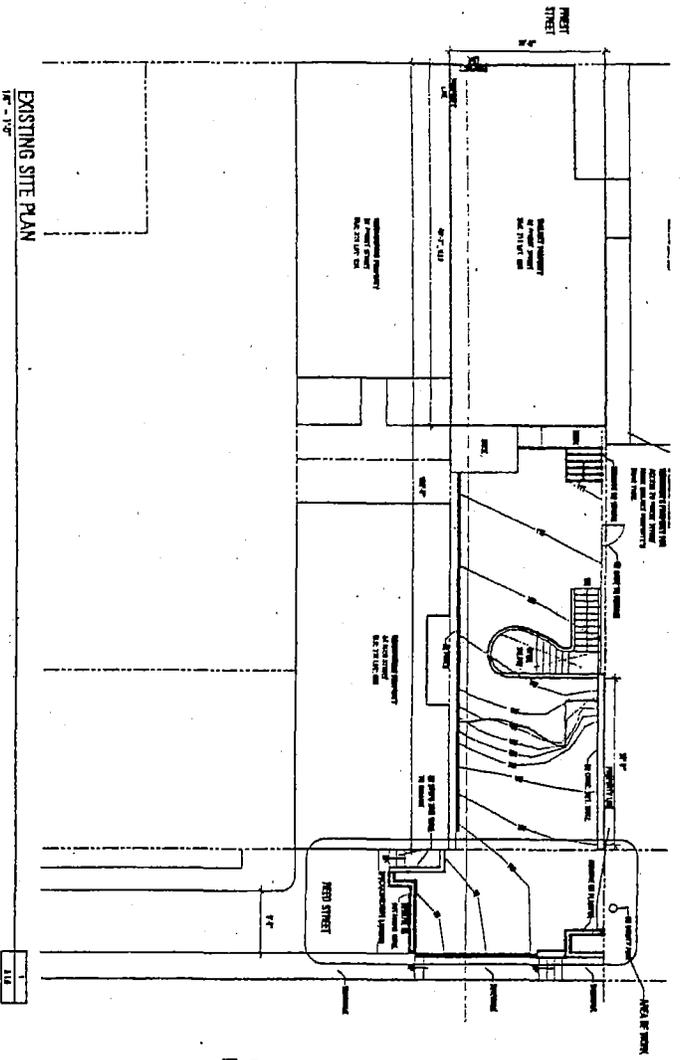
The proposal is therefore in **conformity** with the General Plan.

EIGHT PRIORITY GENERAL PLAN POLICIES

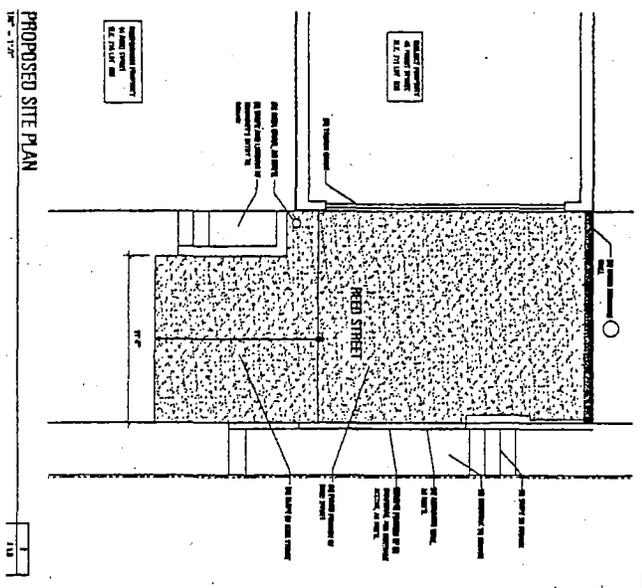
Re: **2005.0607VR**
Major Encroachment Permit to extend the Reed Street roadway
Assessor's Block 215, Lots 010, 012A, 017, 020, 028 and 029

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

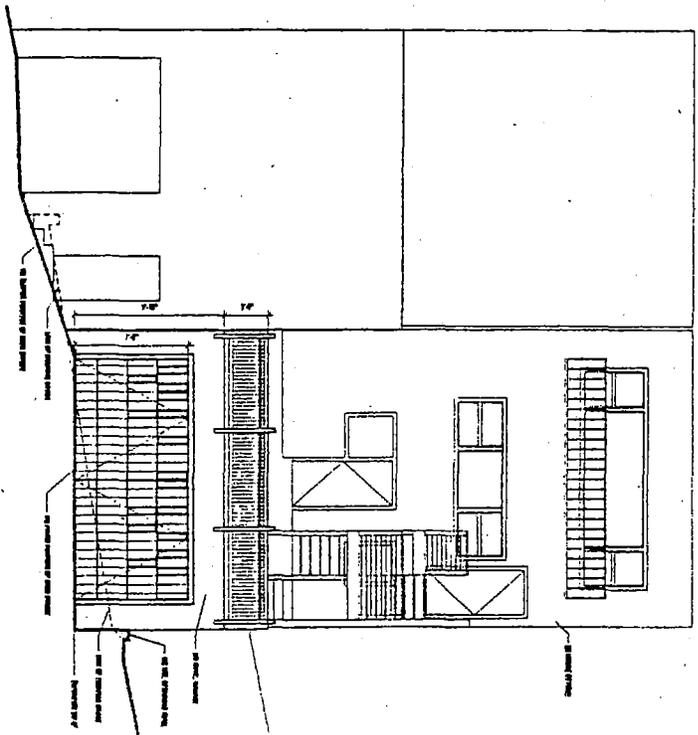
1. In that the project involves a 20-foot extension of an existing roadway over dedicated (but unimproved) street space to access a proposed rear-yard garage for a two-unit residential building, it would have no adverse effect on neighborhood-serving retail uses or opportunities for employment or ownership of such businesses.
2. The project would enhance the project sponsor's enjoyment of his property while having no adverse effect on the City's housing stock or on neighborhood character.
3. The project would have no adverse effect on the City's supply of affordable housing.
4. The project would not result in commuter traffic impeding Muni transit or overburden City streets or neighborhood parking. On the contrary, it would allow two neighborhood cars to park off the street thereby lessening the competition for scarce on-street spaces in the vicinity.
5. The project is entirely residential in nature. Therefore, it would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.
6. In that it would enhance access for emergency vehicles to the mid-block area nearby the subject property, it would allow the City to achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
7. The project would have no effect on landmarks or historic buildings.
8. The project would have no adverse effect on parks and open space or their access to sunlight and vistas.



EXISTING SITE PLAN
1/8" = 1'-0"



PROPOSED SITE PLAN
1/8" = 1'-0"



PROPOSED REED STREET SECTION
1/8" = 1'-0"

<p>DATE: 1/10/10 DRAWN BY: [Name] CHECKED BY: [Name]</p>	<p>DPW PERMIT</p>	<p>DANI RESIDENCE 45 PRIEST STREET, SAN FRANCISCO, CA</p> <p>71</p>	<p>WINNIE ARCHITECTS</p> <p>1000 CALIFORNIA STREET, SUITE 100 SAN FRANCISCO, CA 94109 415.774.1100</p>
--	-------------------	--	--

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
ORDER NO. 176,524**

APPROVAL OF MAJOR (STREET) ENCROACHMENT PERMIT AT THE REED STREET REAR OF 45 PRIEST STREET (BLOCK 5618, LOT 020).

APPLICANT: Sanjay Dani
c/o Winder Architects
351 Ninth Street, Suite 301
San Francisco, CA 94103

PROPERTY IDENTIFICATION: Lot 028 in Assessor's Block 0215
(45 Priest St.)
San Francisco, CA 94109

DESCRIPTION OF REQUEST: Major (Street) Encroachment Permit

BACKGROUND:

1. The applicant filed a request with the Department of Public Works (DPW) to consider approval of a Major (Street) Encroachment Permit to extend the existing roadway on Reed Street by approximately 20 feet and constructing a concrete driveway ramp from the edge of an existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed Street rear of 45 Priest Street.
2. The proposed new garage project was the subject of the Planning Department's Variance Case No. 2005.0607V for which a rear yard Variance was granted by the Zoning Administrator on October 28, 2005; subsequently, the Planning department by letter dated June 30, 2006 determined that the proposed roadway extension is in conformity with the General Plan.
3. On February 23, 2006, the Interdepartmental Staff Committee on Traffic & Transportation (ISCOTT) reviewed the request to extend the paved portion of Reed Street southerly to provide access to a new garage for 45 Priest Street, and recommended approval of this encroachment.
4. DPW scheduled a public hearing for October 4, 2006 to consider the proposed encroachment. On September 22, 2006, DPW mailed notices for the hearing to property owners and posted said notices within a 300-foot radius of the subject location.
5. Hearing Officer Balmore Hernandez inspected the subject site and conducted a hearing on the merits of the Major (Street) Encroachment Permit on October 4, 2006.
6. DPW staff presented testimony with regard to the proposed encroachment being in conformity with the General Plan and recommended for approval by ISCOTT. DPW staff also presented testimony that two letters each were received via e-mail in support of, and in opposition to the proposed Major Encroachment. Based on this information, DPW staff recommended that the proposed encroachment be transmitted to the Board of Supervisors with DPW's recommendation for approval.

DPW Order No. 176,524

November 1, 2006

Page 2

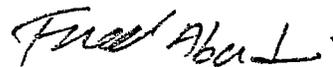
7. The owner of the subject property attended the public hearing and presented testimony in support of the proposed encroachment, stating that the Zoning Administrator had granted a Variance for the proposed new garage project. The neighbor at 37 Priest Street also attended the hearing and presented testimony supporting the request to extend Reed Street.
8. The attorney and an Architect representing the property owner of 44 Reed Street attended the public hearing and presented their concerns with regard to the proposed driveway encroachment, including drainage, utilities, loss of the neighborhood garden space, etc.
9. The Hearing Officer considered and reviewed the testimony of DPW staff and the permit application file, considered testimony of the property owner and the neighbors with regard to the proposed encroachment, and made a decision to recommend the proposed encroachment for approval to the Board of Supervisors.

HEARING OFFICER RECOMMENDATION: APPROVAL of the request for a Major (Street) Encroachment Permit conditioned upon the adjoining neighbors working together and coordinating the design of the proposed driveway to potentially accommodate driveway access to other properties along Reed Street, based on the following findings:

FINDING 1. Recommendation for approval by ISCOTT and Planning Department's determination that the subject encroachment is in conformity with the General Plan.

FINDING 2. Said encroachment would provide off-street parking at the rear of the existing building. Existing on-street parking in this area is extremely limited and is prohibited along Reed and Priest Streets.

FINDING 3. Said encroachment is convenient in conjunction with the owner's use and enjoyment of his property.



Fred V. Abadi, Ph.D.
Director of Public Works

APPROVED: NOVEMBER 1, 2006

Cc: File
BSM
Baltimore Hernandez
Applicant



Edwin M. Lee, Mayor
Mohammed Nuru, Director



Jerry Sanguinetti, Bureau Manager

July 6, 2012

Mr. Scott F. Sanchez
Zoning Administrator
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 45 Priest Street
Major Encroachment Status

Dear Mr. ^{Scott} Sanchez:

This is in response to your request, and a follow-up on our correspondence regarding the proposed Major Encroachment Permit submitted by Mr. Sanjay Dani to extend the existing roadway on Reed Street to provide access to a proposed new garage at the Reed Street rear frontage of 45 Priest Street.

The request for the Major Encroachment was received by DPW in November 2005 subsequent to the Planning Department's Variance Case No. 2005.0607V for which a rear yard variance was granted on October 28, 2005. Following initial review of the proposed plans, DPW sent referrals to MTA for review by the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), which recommended approval of the proposed encroachment on February 23, 2006, and the Planning Department which determined by letter dated June 30, 2006 that the proposed encroachment was in conformity with General Plan.

DPW scheduled and held a public hearing on October 4, 2006, with notifications sent to all property owners within 300-foot radius of the subject property to consider the proposed encroachment. Two (2) letters each were received in support and in opposition to the proposed encroachment. At the hearing, Mr. Dani testified related to the earlier Variance Decision; testimony was also presented in support of the proposed encroachment by the property owner at 37 Reed Street. An attorney and architect representing the adjacent property owner at 44 Reed Street also testified that there are concerns regarding the proposed design for the extension of Reed Street including drainage, utilities, loss of neighborhood garden space and eliminating potential vehicular access to said adjacent property.

Upon considering and reviewing the testimony presented, as well as the information in DPW's file, DPW Hearing Officer Balmore Hernandez recommended approval of the proposed Major Encroachment Permit conditioned upon the adjoining neighbors working together and coordinating the design of the proposed driveway to potentially accommodate driveway access to



other properties along Reel Street. Attached for your information is a copy of DPW Order No. 176,524, approved November 1, 2006 outlining the above information and the Director of Public Works' final decision.

Following the approval of this Order, Mr. Dani was instructed to work with the adjacent property owners and submit a revised plan to satisfy the requirements of the above Order. Aside from a few follow-up conversations with Mr. Dani; as of this date, we have not received any additional information or revised plans to satisfy this requirement.

In order to proceed with this application, DPW would require submittal of revised plans and upon review, if it is determined that the plans satisfy the above conditions of approval, DPW would then prepare legislation recommending the subject major encroachment to the Board of Supervisors for final approval and issuance.

As a follow-up, and per your request, Inspection Supervisor Nancy Lynch and I inspected the subject site on May 22, 2012 and determined that aside from some minor grading within the public right-of-way, no additional work had taken place.

Please let me know if you have any further questions.

Best regards,



Nick Elsner
Senior Plan Checker
DPW-BSM

Attachment: As Noted



Edwin M. Lee, Mayor
Mohammed Nuru, Director

San Francisco Department of Public Works
Office of the Deputy Director & City Engineer, Fuad Sweiss
Bureau of Street-Use & Mapping
875 Stevenson Street, Room 460
San Francisco, CA 94103
(415) 554-5810 www.sfdpw.org



Jerry Sanguinetti, Bureau Manager

DPW Order No: 180963

RECOMMENDATION OF FINAL APPROVAL OF MAJOR (STREET) ENCROACHMENT PERMIT AT THE REED STREET REAR OF 45 PRIEST STREET (BLOCK 0215, LOT 028).

APPLICANT: Sanjay Dani
c/o Winder Architects
351 Ninth Street, Suite 301
San Francisco, CA 94103

PROPERTY IDENTIFICATION: Lot 020 in Assessor's Block 5618
(45 Priest St.)
San Francisco, CA 94109

DESCRIPTION OF REQUEST: Major (Street) Encroachment Permit

BACKGROUND:

1. This DPW Order is supplemental to DPW Order No. 176,524, approved November 1, 2006, following a DPW Hearing at which DPW approved the subject Major Encroachment conditioned upon the applicant working with the adjoining neighbors to potentially accommodate driveway access to other properties along Reed Street.
2. In a letter to the Zoning Administrator dated July 6, 2012, DPW, in response to a request to clarify the current status of the application for Major Encroachment, and related to a pending case at the Board of Appeals, indicated that the Major Encroachment had not yet been approved. In addition, DPW stated that only upon receipt of revised plans and/or additional information addressing the above conditions of approval would it make its final recommendation in regard to the encroachment and initiate legislation for Board of Supervisors consideration.
3. On July 23, 2012 at a meeting with Mr. Sanjay Dani, DPW received additional documentation, including a revised plan and computer generated photo image indicating that the proposed driveway encroachment will not impact potential future access to other properties along Reed Street; thus, satisfying the above conditions of approval as set forth in DPW Order No. 176,524.

RECOMMENDATION: APPROVAL of the request for a Major (Street) Encroachment Permit based on the following findings:



FINDING 1. The applicant/owner, based on submittal of a revised plan and computer generated photo image, has satisfied the conditions of approval as set forth in DPW Order No. 176,524.

FINDING 2. Recommendation for approval by ISCOTT, the Zoning Administrator's granting of a rear yard variance, and Planning Department's determination that the subject encroachment is in conformity with the General Plan.

FINDING 3. Said encroachment would provide off-street parking to the proposed building, as requested by the neighborhood.

FINDING 4. The proposed driveway/encroachment design satisfies all technical requirements as it relates to City Standards and the Public Works Code.

FINDING 5. Said encroachment is convenient in conjunction with the owner's use and enjoyment of his property.

1/11/2013

X 

Sanguinetti, Jerry
Bureau Manager

1/11/2013

X 

Sweiss, Fuad
Deputy Director and City Engineer

1/11/2013

X Mohammed Nuru

Nuru, Mohammed
Director, DPW





**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
STREET ENCROACHMENT AGREEMENT**

WITNESSETH

In consideration of the adoption by the Board of Supervisors of the City and County of San Francisco of Resolution No. _____ at its meeting of _____, a true copy of which is attached hereto marked Exhibit A, and by this reference incorporated herein, and subject to all the terms, conditions and restrictions of this Agreement, also by reference incorporated herein, Permittee agrees that in accordance with this agreement and Exhibit A:

1. The permitted encroachment shall constitute a revocable license, shall be personal to Permittee and shall not be assignable or transferable by Permittee, whether separate from or together with any interest of Permittee.

Upon revocation the undersigned permittee, subsequent owners, or their heirs and assignees will within 30 days remove or cause to be removed the encroachment and all materials used in connections with its construction, without expense to the City and County of San Francisco, and shall restore the area to a condition satisfactory to the Department of Public Works.

2. The occupancy, construction and maintenance of the encroachment shall be in the location and as specified by the plans submitted, revised, approved and filed in the Department of Public Works. The permittee, by acceptance of this permit, acknowledges its responsibility to comply with all requirements of the occupancy, construction and maintenance of the encroachment as specified in Public Works Code Section 786 and with the sidewalk maintenance requirements specified in Public Works Code Section 706.
3. The permittee shall verify the locations of City and public service utility company facilities that may be affected by the work authorized by this permit and shall assume all responsibility for any damage to such facilities due to the work. The permittee shall make satisfactory arrangements and payments for any necessary temporary relocation of City and public utility company facilities.
4. In consideration of this Permit being issued for the work described in the application, Permittee on its behalf and that of any successor or assign, and on behalf of any lessee, promises and agrees to perform all the terms of this Permit and to comply with all applicable laws, ordinances and regulations.

Permittee agrees on its behalf and that of any successor or assign to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (hereinafter collectively referred to as the "City") from and against any and all losses, liabilities, expenses, claims, demands, injuries, damages, fines, penalties, costs or judgments including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from (i) any act by, omission by, or negligence of, Permittee or its subcontractors, or the offices, agents or employees of either, while engaged in the performance of the work authorized by this Permit, or while in or about the property subject to this Permit for any reason connected in any way whatsoever with the performance of the work authorized by this Permit, or allegedly resulting directly or indirectly from the maintenance or installation of any equipment, facilities or structures authorized under this Permit, (ii) any accident or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the work authorized by this Permit, or while in or about the property, for any reason connected with the performance of the work authorized by this Permit, or arising from liens or claims for services rendered or labor or materials furnished in or for the performance of the work authorized by this Permit, (iii) injuries or damages to real or personal property, good will, and persons in, upon or in any way allegedly connected with the work authorized by this Permit from any cause or claims arising at any time, and potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligations arises at the time such claim is tendered to Permittee by the City and continues at all times thereafter. Permittee agrees that the indemnification obligations assumed under this Permit shall survive expiration of the Permit or completion of work.

Permittee shall obtain and maintain through the terms of this Permit insurance as the City deems necessary to protect the City against claims for damages for personal injury, accidental death and property damage allegedly arising from any work done under this Permit. Such insurance shall in no way limit Permittee's indemnity hereunder. Certificates of insurance, in form and with insurers satisfactory to the City, evidencing all coverages above shall be furnished to the City before commencing any operations under this Permit, with complete copies of policies furnished promptly upon City request.

5. Permittee will, at its own expense, maintain in full force and effect an insurance policy or policies issued by insurers with ratings comparable to A-VIII, or higher that are authorized to do business in the State of California, and that are satisfactory to the City. Approval of the insurance by City shall not relieve or decrease Permittee's liability hereunder.

Permittee must maintain in force, during the full term of the Agreement, insurance in the following amounts and coverages. Workers' Compensation, in statutory amounts, with Employer's Liability limits not less than \$1,000,000 each accident, injury, or illness; and Commercial General Liability Insurance with Limits not less than \$1,000,000 each occurrence and \$2,000,00 in the aggregate for bodily injury and property damage, including contractual liability, personal injury, products and completed operations; and Commercial Automobile Liability insurance with limits not less than \$1,000,000 each occurrence combined single limit or bodily injury and

property damage, including owned, non-owned and hired auto coverage as applicable. Said policies shall include the City and County of San Francisco and its officers and employees jointly and severally as additional insured and shall apply as primary insurance and shall stipulate that no other insurance affected by the City and County of San Francisco will be called on to contribute to a loss covered hereunder.

All policies shall be endorsed to provide thirty (30) days advance written notice to the City of reduction, nonrenewal or material changes in coverages or cancellation of coverages for any reason. Notices shall be sent to the Department of Public Works, Central Permit Bureau, 875 Stevenson Street, Room 460, San Francisco, CA, 94103. The permission granted by said resolution shall automatically terminate upon the termination of such insurance. Upon such termination, Permittee shall restore the right-of-way, without expense to the "Personal Injuries", as used herein, shall include wrongful death.

6. The permittee shall obtain a building permit as the Central Permit Bureau, 1660 Mission Street for the construction or alteration of any building.
7. The permittee shall contact the Street Permit Section (415) 554-5810, at least 48 hours prior to starting work to arrange an inspection schedule.
8. The permittee acknowledge its responsibility to notify any successor owners of the existence of the encroachment and the successor owner's obligation to obtain a permit from the Department of Public Works 60 days in advance of any pending sale of the permittee's adjacent property. The permittee's obligation to remove the encroachment and restore the right-of-way to a condition satisfactory to the Department of Public Works shall survive the revocation, expiration or termination of this permit or sale of permittee's adjacent property.
9. The permittee's right to use City property, as set forth in this permit is appurtenant to the property described as: 45 PRIEST STREET
LOT 0215 B24 028
_____ The provisions of the permit shall bind all subsequent purchases and owners of the described property.

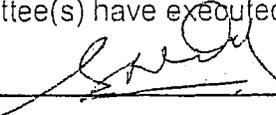
Subsequent purchasers and owners shall be subject to the revocation and termination provisions set forth in this permit.

10. The permittee or subsequent owners recognize and understand that this permit may create a possessory interest subject to property taxation and that the permittee or subsequent owner or owners may be subject to the payment of such taxes.
11. The permittee or subsequent owner or owners recognize the recordation of this permit.

All of the provisions of this agreement shall be deemed provisions of said resolution. All of the provisions of said resolution shall be deemed provisions of this agreement.

In witness whereof the undersigned Permittee(s) have executed this agreement this 19 day of March, 2013.

SANJAY DANI



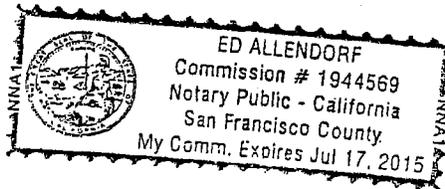
STATE OF CALIFORNIA)
COUNTY OF San Francisco) SS

On March 19, 2013 before me, Ed Allendorf Notary Public in and for said County and State, personally appeared Sanjay Dani personally known to me (or proven to me on the name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by this by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

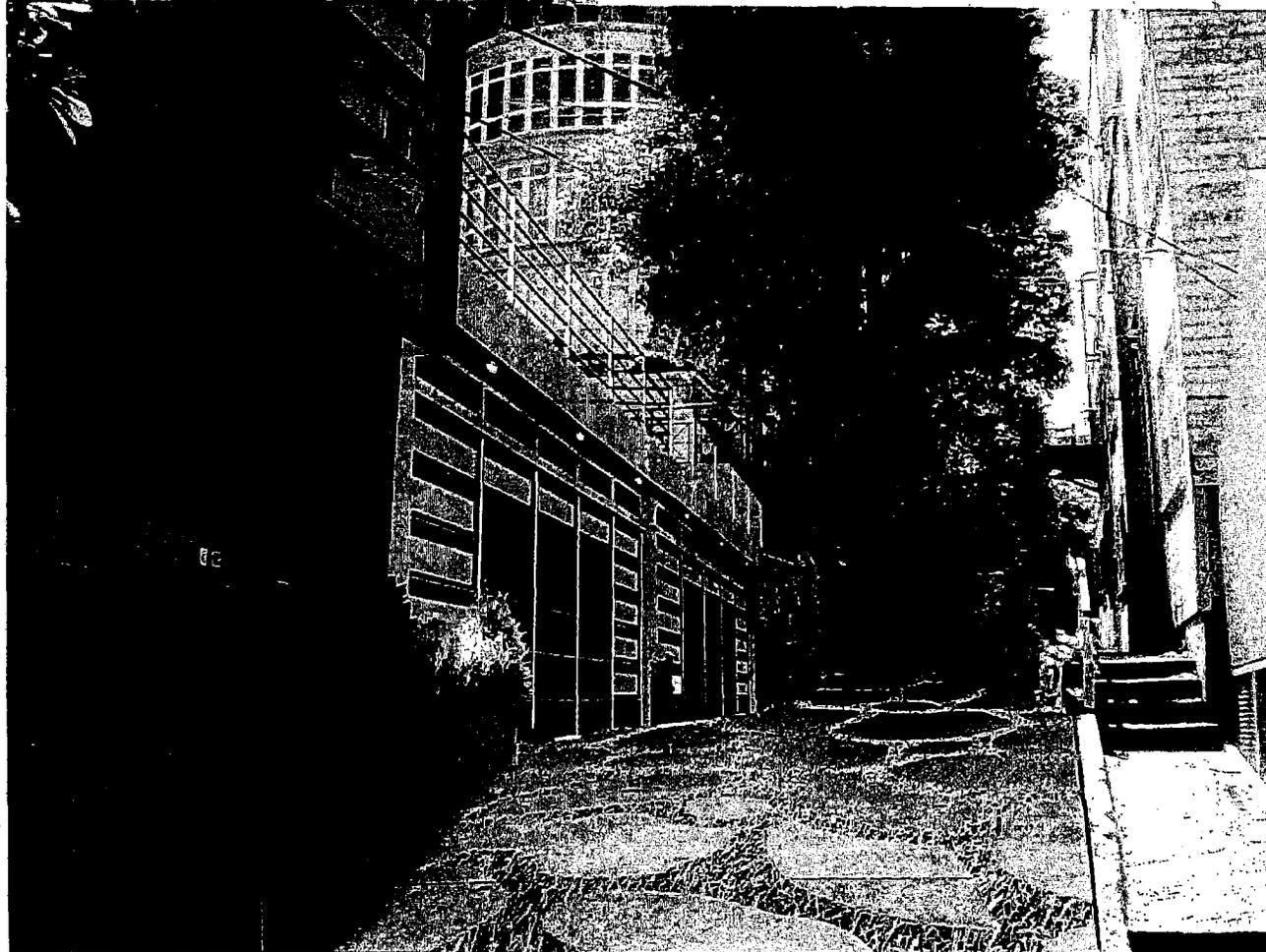
WITNESS my hand and official seal

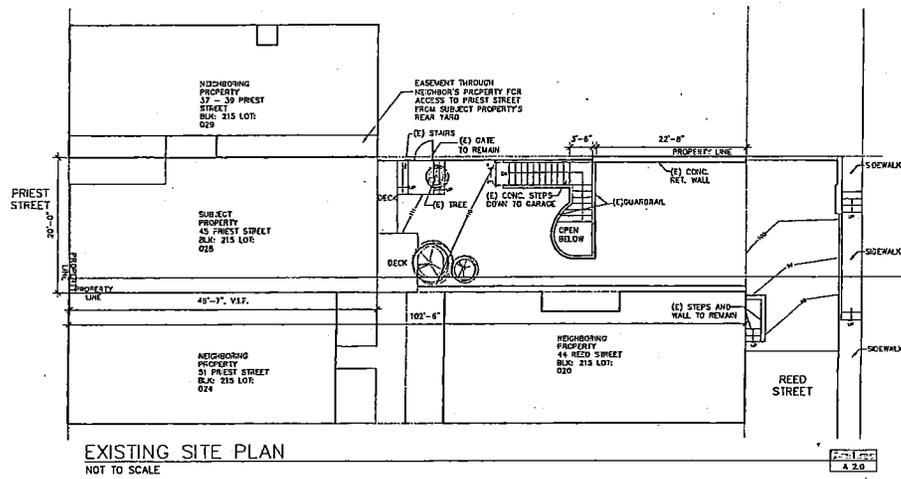
(NOTARY STAMP OR SEAL)

Ed Allendorf
Notary Public in and for said
County and State

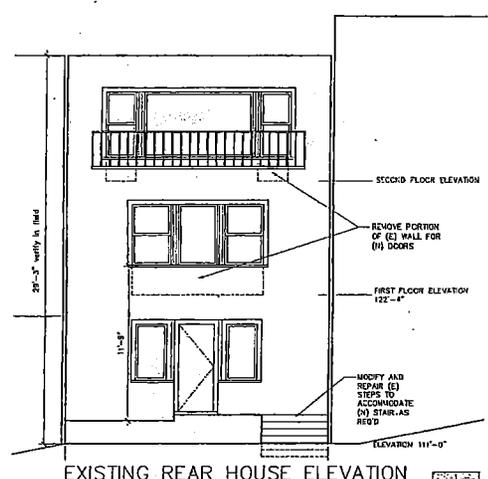


EXISTING CONDITIONS - REED ST.

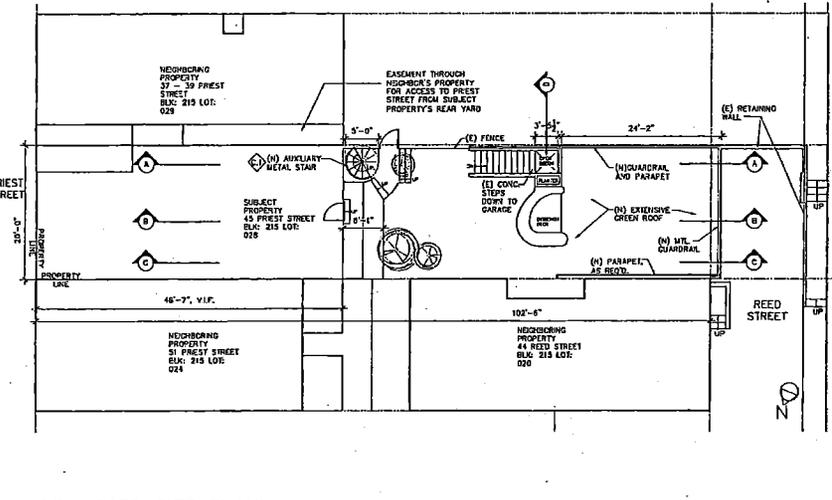




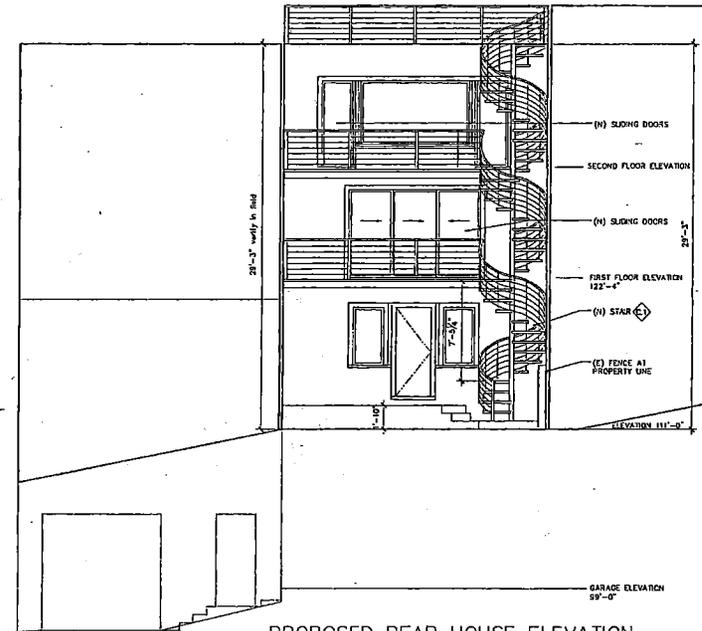
EXISTING SITE PLAN
NOT TO SCALE



EXISTING REAR HOUSE ELEVATION
NOT TO SCALE



PROPOSED SITE PLAN
NOT TO SCALE



PROPOSED REAR HOUSE ELEVATION
NOT TO SCALE

NOTE
GRADING SHOWN ON
EXISTING SITE PLAN WAS
REFERENCED FROM DRAWINGS
PREPARED BY DAP MARKING
SYSTEMS, INC. MARCH 5,
2003 AND WAS PREPARED
FOR LANDSCAPING PURPOSES
ONLY.

SANJAY DANI
OWNER
CONTRACTOR
45 PRIEST STREET
SAN FRANCISCO, CA
415.217.9400

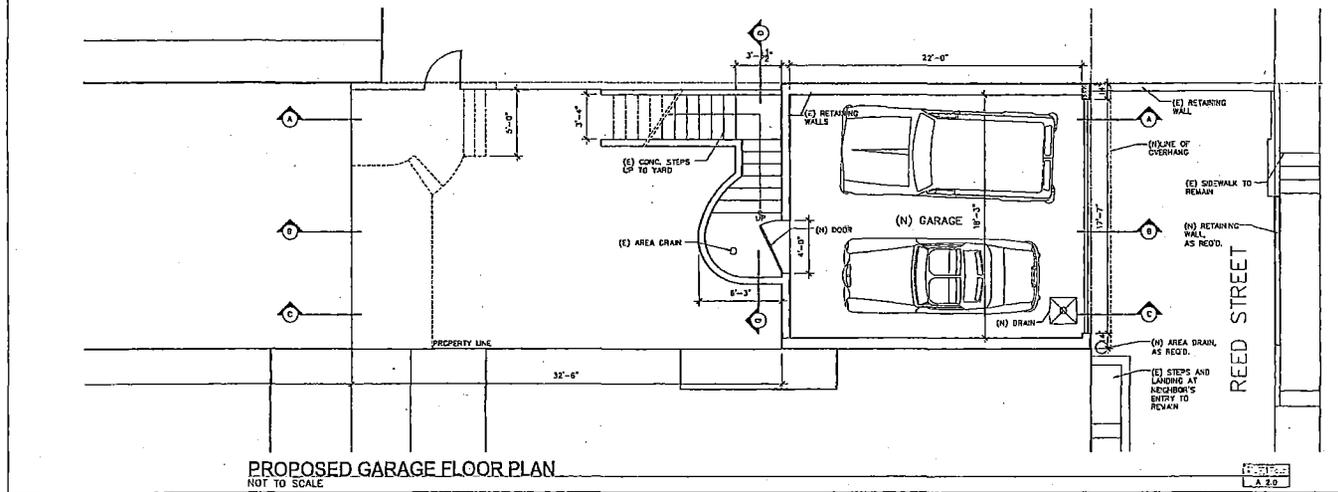
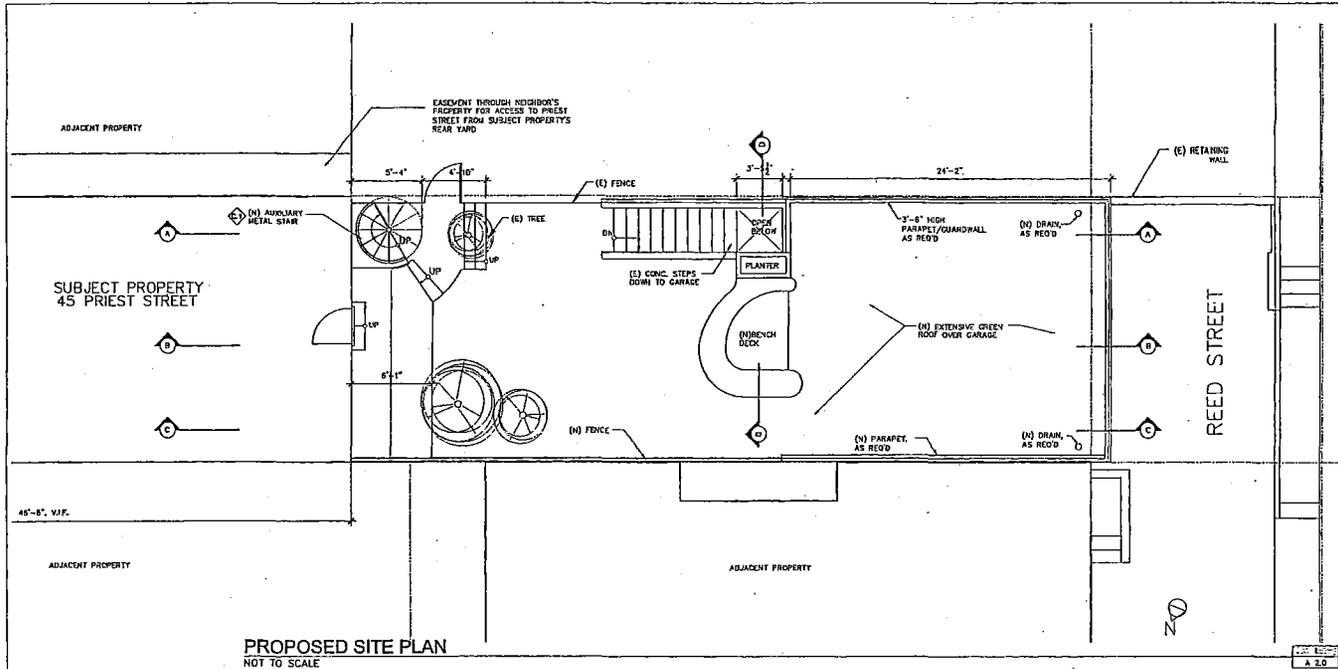
RECEIVED
JUN 28 2013
PERMIT SECTION

DANI RESIDENCE
45 PRIEST STREET, SAN FRANCISCO, CA

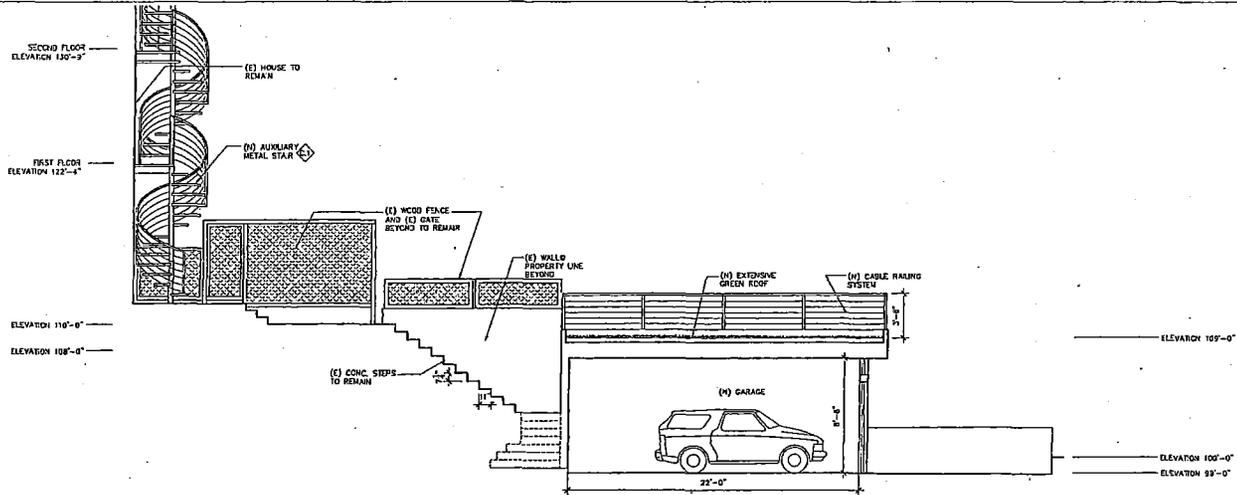
PERMIT SET

DATE 01.22.10
SCALE 1/8" = 1'-0"
DRAWN MG
0452

A
1.0

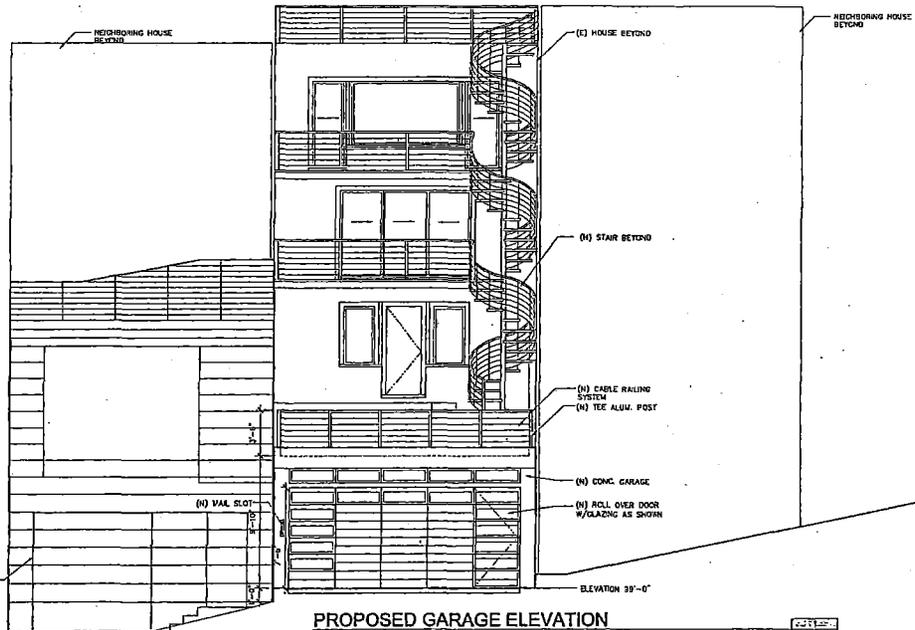


WALL TYPES		SANJAY DANI	
(E) WALL	(N) EXTERIOR WOOD STUD WALL W/ PAINTED WD. SBRG TO MATCH EXISTING, OVER BLDG. PAPER, OVER PLATE SHEATHING, OVER FRAMING W/ BATT INSULATION, OVER 1/2" GYP. BD. INTERIOR	OWNER	45 PRIEST STREET SAN FRANCISCO CA 415.217.2400
(N) EXTERIOR WOOD STUD WALL W/ 1/2" GYP. BD. ON BOTH SIDES	(N) INTERIOR WOOD STUD WALL W/ 1/2" GYP. BD. ON BOTH SIDES	CONTRACTOR	
(N) CONCRETE WALL			
CONSTRUCTION NOTES			
<ul style="list-style-type: none"> 1 HOUR RATED (N) AUXILIARY METAL STAIR DETAILS TO BY MANUFACTURER: <ul style="list-style-type: none"> -50" MIN. STAIR DIAMETER -2" MIN. TREAD WIDTH BETWEEN HANDRAIL AND CENTER COLUMN -3/4" MIN. CENTER TREAD @ 12" FROM THE HANDRAIL END -1/4" MIN. RISER -24" MIN. HIGH HANDRAIL -4" CENTER POST -LANDING WIDTH 4" LONGER THAN THE TREAD PATH -WEIGHT CAPACITY, A MINIMUM OF 300 POUNDS PER SQUARE FOOT 			
DANI RESIDENCE 45 PRIEST STREET, SAN FRANCISCO, CA			
PERMIT SET		A 2.0	
DATE	03.22.10	SCALE	AS NOTED
DRAWN	UC		0421



PROPOSED SECTION 'A'
NOT TO SCALE

DATE: 01.22.10
SCALE: AS NOTED
DRAWN: A 30



PROPOSED GARAGE ELEVATION
NOT TO SCALE

DATE: 01.22.10
SCALE: AS NOTED
DRAWN: A 20

WALL TYPES

- (E) WALL
- (H) EXTERIOR WOOD STUD WALL W/ PAINTED NO. SOUND TO MATCH EXISTING, OVER BLOC, PAPER, OVER PLYWD, SCAPING, OVER FRAMING W/ BATT INSULATION, OVER 1/2" GYP. ED. INTERIOR
- (C) INTERIOR WOOD STUD WALL W/ 1/2" GYP. ED. ON BOTH SIDES
- (N) CONCRETE WALL

SANJAY DANI

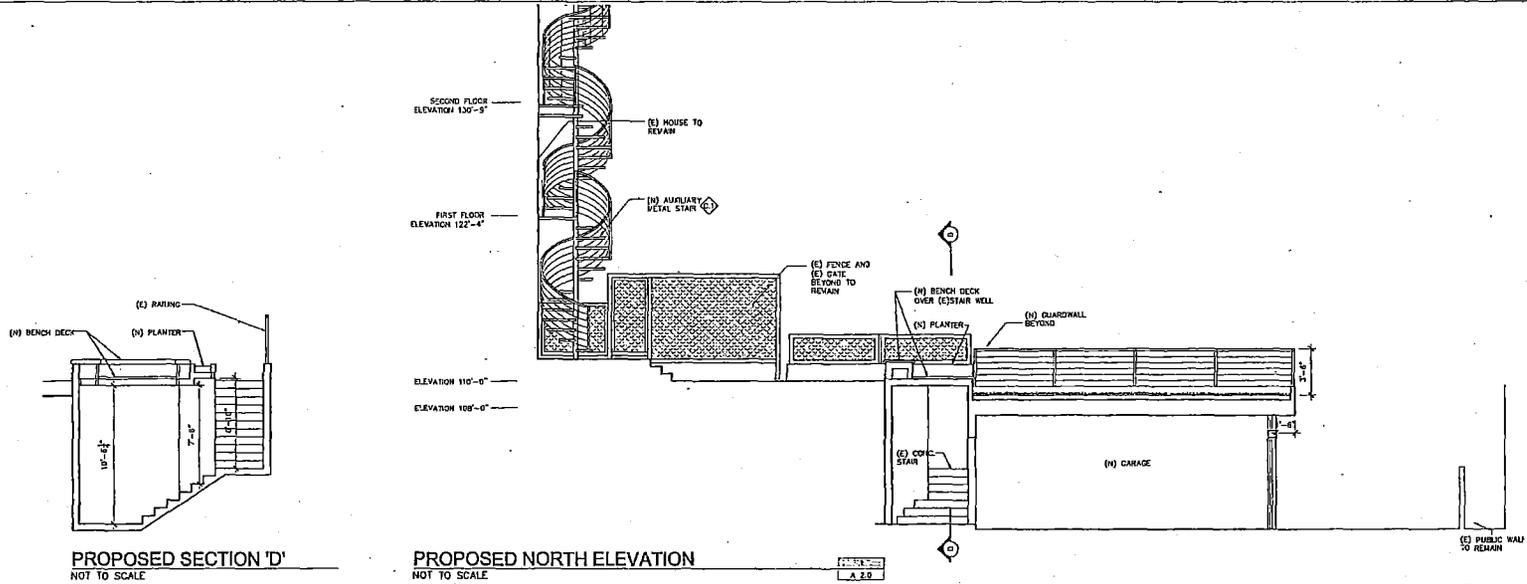
OWNER
CONTRACTOR
45 PRIEST STREET
SAN FRANCISCO, CA
415.217.8400

DANI RESIDENCE
45 PRIEST STREET, SAN FRANCISCO, CA

PERMIT
SET

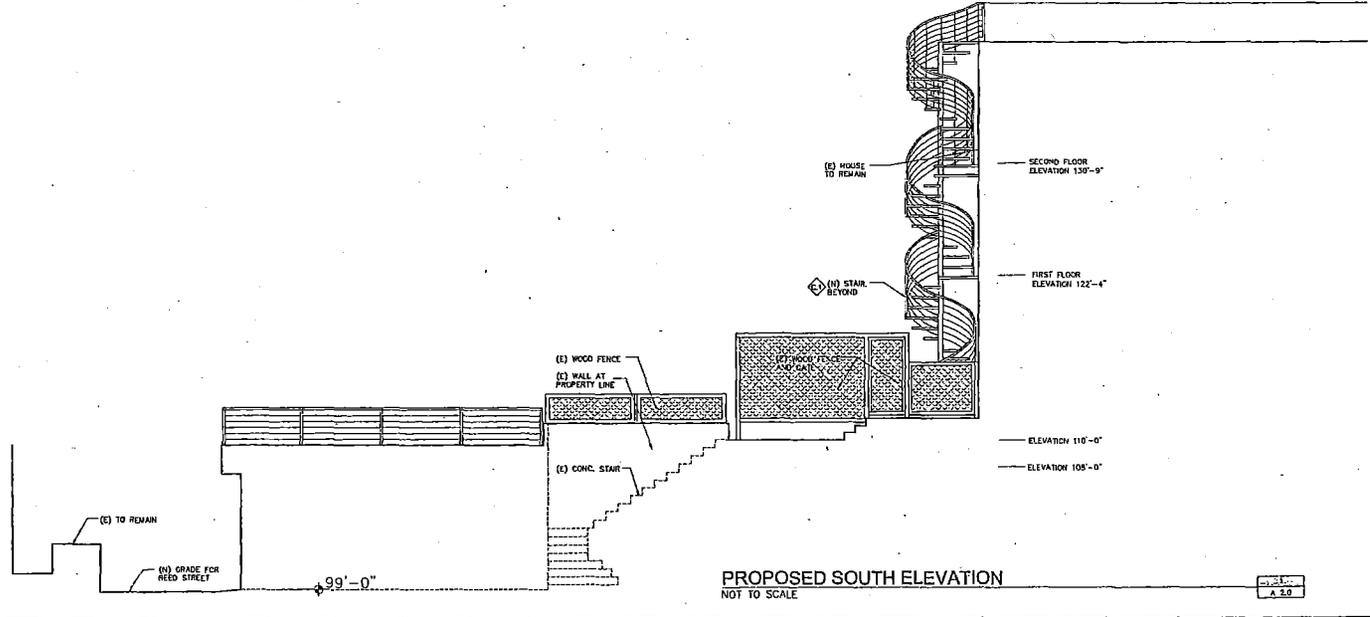
A
3.0

DATE: 01.22.10
SCALE: AS NOTED
DRAWN: A 20
0452



PROPOSED SECTION 'D'
NOT TO SCALE

PROPOSED NORTH ELEVATION
NOT TO SCALE



PROPOSED SOUTH ELEVATION
NOT TO SCALE

SANJAY DANI

OWNER
CONTRACTOR

45 PRIEST STREET
SAN FRANCISCO, CA
415.217.9400

DANI RESIDENCE
45 PRIEST STREET, SAN FRANCISCO, CA

PERMIT
SET

A
4.0

DATE	03/22/10
SCALE	1/8" = 1'-0"
DRAWN	WD

0452



Department of Parking & Traffic

A Division of the Municipal Transportation Agency



MINUTES

INTERDEPARTMENTAL STAFF COMMITTEE
ON TRAFFIC AND TRANSPORTATION
Meeting of **February 23, 2006** - Thursday, 9:00 AM
1150th Regular Meeting
Meeting Location: One South Van Ness Avenue
Room #7080

DPT

Harvey Quan
Cindy Shamban

SFPD

John Flaherty
Rose Meyer

MUNI

Joyce Garay
Matt Lee

DPW

Nick Elsner

DPH

Sheldon Lew

TAXI COMMISSION

Tristan Bettencourt

PORT

Nic Dempsey

ABSENT

SFFD, DCP, ENTERTAINMENT COMMISSION

GUESTS

Emily Wright
Terry Davis
Tonia McNeil
Keith Saggars
Johanna Munoz

ITEM

1F
1E, 1F
6
—
1C

GUESTS

Noemi Margaret
Melinda Moses
Michael O'Rourke
Brad Olsen

ITEM

1E, 1F
1E, 1F
1D
1D

MINUTES OF THE FENRIARU 9, 2006 MEETING

The Committee adopted the Minutes.

PUBLIC COMMENT

Keith Saggars expressed concerns of vehicle loading and unloading in the northbound bike lane in front of the Ferry Building; possible white zone abuse by the valet parkers and the staging area of the pedicabs being obscured by newspaper racks.

ITEM ON HOLD

9th and Howard Streets - Multiple Turn Lanes

DPT recommends a public hearing to consider the following:

- A. Rescind "Tow-Away No Stopping, 4 PM to 6 PM, Monday through Friday" on Howard Street, north side, from 9th Street to 200 feet easterly;
- B. Establish "Tow-Away No Stopping Anytime" on Howard Street, north side, from 9th Street easterly;
- C. Rescind "Multiple Right Turn Lanes" and establish "Right Lane Must Turn Right" on westbound Howard at 9th Street; and
- D. Establish Bicycle Lane on Howard Street between 9th Street and 200 feet easterly.

CONSENT CALENDAR

All matters hereunder constitute a consent calendar are considered to be routine by ISCOTT and will be acted upon by a single vote. There will be no separate discussion of these items unless a member of the Committee or of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

1. 19th and Pennsylvania Streets - STOP Signs
DPT recommends STOP signs stopping Pennsylvania at 19th Street, making this intersection an All-Way STOP.
2. 22nd and Mississippi Streets - STOP Signs
DPT recommends STOP signs stopping southbound Mississippi Street at 22nd Street, the minor approach of this T-intersection.
3. Dolores and Duncan Streets - STOP Signs
DPT recommends STOP signs stopping Dolores Street at Duncan Street, making this intersection an All-Way STOP.
4. 300 Block of Sanchez Street - Perpendicular Parking
DPT recommends a public hearing to consider rescinding 90-degree angled (perpendicular) parking on Sanchez Street, east side, of from 17th Street to 91-feet northerly.
5. 200 block of Kansas Street - 2-HR Time Limit, Except Saturday and Sunday, 7 AM to 6 PM
DPT recommends a public hearing to consider installing 2-hr Time-Limit, 7 AM to 6 PM, Except Saturday and Sunday on the 200 block of Kansas Street, between 15th and 16th Streets.

ALL ITEMS APPROVED.

REGULAR CALENDAR

1. Temporary Street Closures

- A. Stevenson Street between 10th Street and easterly terminus west of 9th Street

Friday, March 3, 2006, 7 AM to 5 PM
Shuttle for Student Forum

APPROVED WITH THE FOLLOWING CONDITIONS:

- a) Jessie Street is kept open when Stevenson Street is closed; and
- b) A monitor is provided at 10th and Stevenson Streets to control the barricade.

- B. Octavia Street (northbound only) between Fell and Hayes Streets; Linden Street between Octavia and Gough Streets; Intersection: Linden @ Octavia

Sunday, May 28, 2006, 7 AM to 7 PM
Capsule Local Clothing Design Sale

APPROVED provided the sponsor pays for 10-B SFPD as determined by Northern Station.

- C. 23rd Street between Folsom Street and Treat Avenue

Saturday, March 4, 2006, 6 AM to 9 PM
Prayer and Worship Gathering

APPROVED.

- D. Howard Street between 11th Street and South Van Ness Avenue; 12th Street between Kissling Street and South Van Ness Avenue; Intersection: 12th @ Howard Streets

Sunday, May 7, 2006, 10 AM to 10 PM
How Weird Street Fair

APPROVED with the following conditions:

- a) The sponsor pays for the cost of 4 PCO's;
- b) The sponsor pays for 10-B SFPD as determined by Southern Station.
- c) The sponsor establishes identification check stations at each alcohol station; and
- d) The sponsor complies with noise permit conditions as established by the Entertainment Commission; and
- e) The sponsor develops improved access plan at major entrances.

REGULAR CALENDAR (cont'd)

1. Temporary Street Closures (cont'd)

- E. Marina Boulevard (northerly lanes only) between Scott and Lyon Streets
Sunday, June 4, 2006, 6 AM to 12:30 PM

AND

NOTE: THE FOLLOWING REQUEST FOR STREET CLOSURES ALL INCLUDE MAINTAINING LOCAL ACCESS FOR RESIDENTS THROUGHOUT THE CLOSURE:

El Camino del Mar between Lincoln Boulevard and Lincoln Park; 25th, 26th, 27th, 28th, 29th, 30th, and 32nd Avenues between El Camino del Mar and Lake Street; Lake Street between 25th Avenue and 32nd Avenue; Clement Street between Legion of Honor Drive and Seal Rock Drive; 34th, 35th, 36th, 37th, 38th, 39th and 40th Avenues between Geary Boulevard and Clement Street; 41st, 42nd, 43rd, 44th, and 45th Avenues between Pt. Lobos Avenue and Clement Street; Seal Rock Drive between 45th Avenue and 48th Avenue; 46th, 47th, 48th Avenues between Pt. Lobos Avenue and Seal Rock Drive; Pt. Lobos Avenue (southbound only) between 48th Avenue and The Great Highway

Sunday, June 4, 2006, 8 AM to 11 AM

Escape From Alcatraz Triathlon

APPROVED.

- F. Post Street between Stockton and Taylor Streets; and
Post Street between Stockton and Powell Streets

Sunday, October 22, 2006, 3 AM to 9 AM

AND

Powell, Mason, and Stockton Streets between Geary and Sutter Streets; Grant Avenue between Geary and Sutter Streets (Local Access Allowed and Cable Cars to be allowed through on Powell Street)

Sunday, October 22, 2006, 4:45 AM to 9 AM

AND

Post Street between Stockton and Montgomery Streets; Montgomery Street between Market and Jackson Streets; Washington Street between Kearny Street and The Embarcadero; Northbound Embarcadero (parking lane and one lane of traffic only) between Washington and Jefferson Streets; Jefferson Street between Northbound Embarcadero and Aquatic Park; Note: Racers enter into Aquatic Park and Fort Mason; Beach Street (most northerly lane only) between Laguna and Buchanan Streets; Marina Boulevard (most northerly lane only) between Buchanan and Lyon Streets; Note: Runners enter into the Presidio

Sunday, October 22, 2006, 5:15 AM to 9 AM

AND

REGULAR CALENDAR (cont'd)

1. Temporary Street Closures (cont'd)

F. (cont'd)

25th Avenue between Lake Street and Lincoln Boulevard; El Camino del Mar (westbound only) between 25th Avenue and 32nd Avenue; 32nd Avenue (southbound only) between El Camino del Mar to Clement Street; Clement Street (westbound only) between 32nd to 45th Avenues; 45th Avenue between Clement Street and Pt. Lobos Avenue; Pt. Lobos Avenue between 45th Avenue and The Great Highway Note: Runners enter Recreation and Park

Jurisdiction including The Great Highway and Golden Gate Park and Skyline Boulevard which is under Caltrans Jurisdiction.

Sunday, October 22, 2006, 7 AM to 11 AM

AND

Lake Merced Boulevard (one southbound lane only) between Skyline Boulevard and John Muir Dr.; John Muir Drive (westbound only) between Lake Merced Boulevard and Skyline Boulevard Note: Runners will return to Skyline Boulevard under Caltrans Jurisdiction to The Great Highway finish line under Recreation & Park Jurisdiction.

Sunday, October 22, 2006, 9 AM to 2 PM

2006 Nike Women's Marathon and Half Marathon

APPROVED with the following conditions:

- a) The sponsor pays for the cost of PCO's around Union Square on Saturday, October 21, 2006; and
- b) The sponsor works with the Port to develop an access plan along The Embarcadero near Pier 27.

2. 157 - 24th Avenue - Encroachment Permit

DPW requests ISCOTT review of a sidewalk encroachment permit for house at 157 - 24th Avenue.

APPROVED.

3. Reed Street, South of Washington Street – Major Encroachment

DPW presents a request to extend the paved portion of Reed Street by approximately 30 feet to provide access to a new garage at the back side of the property at 45 Priest Street.

APPROVED.

4. Cesar Chavez Street, westbound, at South Van Ness Avenue - No Left or U Turns

DPT recommends establishing a "No Left/U Turn" restriction for westbound Cesar Chavez Street traffic at South Van Ness Avenue.

APPROVED.

REGULAR CALENDAR (cont'd)

5. Oak Street at Octavia Boulevard – Traffic and Parking Changes
DPT recommends a public hearing to consider the following changes:
- A. Establish "Tow-Away No Stopping Anytime" on the north side of Oak Street from Laguna Street to Octavia Boulevard;
 - B. Establish "Two Right Turn Lanes Must Turn Right" regulation on eastbound Oak Street at Octavia Boulevard; and
 - C. Rescind "Tow-away No Stopping, 7 AM to 9 AM, 3 PM to 7 PM, Monday through Friday," on the south side of Oak Street from Octavia Boulevard to 150 feet westerly.

APPROVED.

6. Ocean Avenue and Granada Avenue – Major Encroachment
DPW presents a request from the Art Commission to install three spheres on Ocean at Granada Avenues.

APPROVED.