

1 GRANTING REVOCABLE PERMISSION TO LEO J. MCLAUGHLIN III TO CONSTRUCT AN
2 EXTENSION OF THE SIDEWALK BY REMOVING A PORTION OF AN EXISTING CITY
3 RETAINING WALL AND CONSTRUCTING A NEW RETAINING WALL WITH GUARDRAILS
4 AND A NEW PLANTER WALL TO PROVIDE VEHICULAR ACCESS TO A NEW GARAGE
5 ADDITION, AND TO REPLACE EXISTING WOOD STAIRS AND LANDINGS FOR ACCESS TO
6 AN EXISTING COTTAGE AT 212 UNION STREET (BLOCK 106, LOT 39) AND ADOPTING
7 FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.
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10 RESOLVED, That permission, revocable at the will of the Board of Supervisors and
11 automatically terminating upon failure to continue in force the insurance protection hereafter referred
12 to, is hereby granted to Leo J. McLaughlin III to occupy a portion of the public right-of-way fronting
13 the subject property, for the purpose of constructing and maintaining an extension of the sidewalk, a
14 retaining wall with guardrails, a planter wall and new wood stairs and landings as shown on the plan, a
15 copy of which is on file in the office of the Clerk of the Board of Supervisors.

16 FURTHER RESOLVED, That the project intended by the encroachment is consistent with the
17 eight priority policies of Planning Code Section 101.1; in that:

- 18 1. The project is for the construction of a driveway to provide vehicular access from the
19 existing street to a proposed new garage at the subject property and would have no
20 adverse effect on neighborhood serving retail uses or opportunities for employment in
21 or ownership of such businesses.
- 22 2. The project would have no adverse effect on the City's housing stock or neighborhood
23 character.
- 24 3. The project would have no adverse effect on the City's supply of affordable housing.
25

- 1 4. The project would not result in commuter traffic impeding Muni transit service or
- 2 overburdening the streets or neighborhood parking.
- 3 5. The project would not adversely affect the industrial or service sectors or future
- 4 opportunities for resident employment or ownership in these sectors.
- 5 6. The project would not adversely affect preparedness against injury and loss of life in
- 6 an earthquake and would comply with applicable safety standards.
- 7 7. The project would have no adverse effect on preservation of landmarks or historic
- 8 buildings.
- 9 8. The project would have no adverse effect on parks and open space or their access to
- 10 sunlight and vistas.

11 PROVIDED HOWEVER, That this permission shall not become effective until:

12 [a] There shall have been executed and acknowledged by the Permittee; and by it

13 delivered to the City's Controller, who shall have had recorded in the office of the

14 County Recorder a street encroachment agreement, a copy of which is on file with the

15 Clerk of the Board of Supervisors in File No. 981929 and which is hereby

16 declared to be a part of this resolution as if set forth fully herein, and the copy of this

17 resolution attached thereto as Exhibit A.

18 [b] There shall have been delivered to the Controller the policy of insurance provided for

19 in said agreement and the Controller shall have had approved same as complying with

20 the requirements of said agreement. The Controller may, at his option accept, in lieu

21 of said insurance policy, the certificate of an insurance company certifying to the

22 existence of such a policy.

23 FURTHER PROVIDED, The Permittee, at the permittee's sole expense, and as is necessary as

24 a result of this permit, shall make arrangements: [1] to provide for the support and protection of

25 facilities belonging to the Department of Public Works, public utility companies, the San Francisco

1 Water Department, the San Francisco Fire Department and other City departments; [2] to remove or
2 change the location of such facilities and provide access to such facilities for the purpose of
3 constructing, reconstructing, maintaining, operating or repairing such facilities.

4 FURTHER PROVIDED, That the Permittee shall procure the necessary permits from the
5 Department of Building Inspection and Bureau of Street-Use and Mapping, Department of Public
6 Works, and pay the necessary permit fees and inspection fees before starting work.

7 FURTHER PROVIDED, That the Board of Supervisors reserves the right to exact a permit
8 fee, or rental, for the use of said street areas for the purpose of performance of its governmental or
9 proprietary activities, including the constructing, reconstructing, maintaining, operating, repairing,
10 removing and use of public utilities located under, over or along said street area;

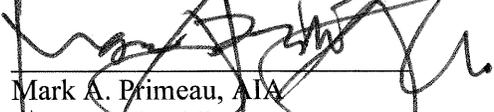
11 FURTHER PROVIDED, That no structure shall be erected or constructed within said street
12 right-of-way except as specifically permitted herein;

13 FURTHER PROVIDED, That the Permittee shall assure all costs and maintenance and repair
14 of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San
15 Francisco by reason of this permission granted.

16
17 RECOMMENDED:

18 
19 Harlan L. Kelly, Jr.
20 Deputy Director of Engineering
and City Engineer

APPROVED:

21 
22 Mark A. Primeau, AIA
23 Director of Public Works
24 and City Architect
25



City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails

Resolution

File Number: 981929

Date Passed:

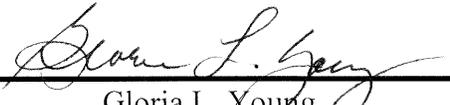
Resolution granting revocable permission to Leo J. McLaughlin III, to construct an extension of the sidewalk by removing a portion of an existing city retaining wall and constructing a new retaining wall with guardrails and a new planter wall to provide vehicular access to a new garage addition, and to replace existing wood stairs and landings for access to an existing cottage at 212 Union Street (Block 106, Lot 39) and adopting findings pursuant to Planning Code Section 101.1.

December 14, 1998 Board of Supervisors — ADOPTED

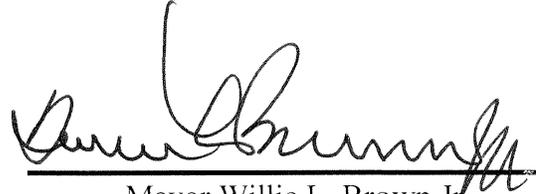
Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

File No. 981929

I hereby certify that the foregoing Resolution was ADOPTED on December 14, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.

DEC 18 1998

Date Approved