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July 12, 2015

Clerk of the Board of Supervisors  
City Hall San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Re: 645 Texas Street, San Francisco (Project ID: 8633) Appeal

Clerk:

Our firm represents Trumark Urban, the developer of the above referenced project at 645 Texas Street ("Project"). On **June 25, 2015**, the San Francisco Department of Public Works gave final approval to a Tentative Map for the Project ("Final Approval"). On **July 6, 2015**, the owner of 635 Texas Street submitted an appeal of that final approval ("Appeal").

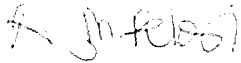
The purpose of this letter is to request that the Appeal not be heard as scheduled at the Board of Supervisors meeting on July 28, 2015 because the Appeal was not timely filed with the Clerk of the Board of Supervisors, as is required under the San Francisco Municipal Code.

Specifically, pursuant to San Francisco Subdivision Code Section 1314(a), "any such appeal must be filed in writing with the Clerk of the Board within 10 days of release of the decision appealed (emphasis added)." The Board of Supervisors received the Appeal on July 6, 2015 at 3:41pm, as is clearly stamped on the Appeal, which is **11 days** after the June 25, 2015 Final Approval. Furthermore, the Appeal letter itself concedes that it was filed "one day outside of the 10 day window." As the Appeal was filed on the 11<sup>th</sup> day after the Final Approval, the Appeal is invalid and should not be heard on July 28, 2015. <sup>1</sup>

<sup>1</sup> Irrespective of the timing of the Appeal, the basis of the Appeal is defective. A Community Plan Exemption (CPE) was issued for the Project on July 24, 2014 and a Large Project Authorization (LPA) approving the Project and relying on the CPE was granted by the Planning Commission on August 14, 2014. Any challenges to the CPE under the California Environmental Quality Act (CEQA) needed to be filed in an appeal to the Board of Supervisors within thirty (30) days of the CPE approval and any challenge to the LPA approval needed to be filed with the Board of Appeals with ten (10) days of the LPA approval. **No such appeal or challenge to those approvals**

Please confirm that the Appeal will not be heard on July 28, 2015 and that the appropriate steps will be taken to ensure that the Appeal Notice from the Board is withdrawn. Should you have any questions about this letter or require additional information, please feel free to contact me.

Very Truly Yours,



Alexis M. Pelosi  
Pelosi Law Group

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**was filed and those actions or approvals are now final.** The Appeal of the Tentative Map references concerns about “shadows” and “trees.” These are environmental and planning concerns that should have been raised during the appeal periods of the CPE and LPA. They are not appropriate in the context of the approval of a Tentative Map. The Appeal of the Tentative Map must focus on the Tentative Map itself and whether it conforms with the San Francisco Subdivision Code and the California Subdivision Map Act. The Appeal filed fails to meet that standard and is therefore substantively defective and without merit.