

File No. 130525

Committee Item No. 6

Board Item No. 47

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date July 8, 2013

Board of Supervisors Meeting Date July 16, 2013

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
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| <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 |
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| <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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | TASC Recommendation, dtd 12/31/12 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Street Encroachment Agreement |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | General Plan Referral, dtd 7/10/12 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Site Plan |
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Completed by: Alisa Miller Date July 3, 2013

Completed by: Alisa Miller Date July 11, 2013

1 [Street Encroachment - Jeremy Ricks- 1281-1283 Greenwich Street; Hyde and Larkin
2 Streets]

3 **Resolution granting revocable permission to Jeremy Ricks to occupy a portion of**
4 **the public right-of-way to extend an unimproved portion of Greenwich Street with**
5 **a privately maintained driveway to provide access to a new garage at 1281-1283**
6 **Greenwich Street (Assessor's Block No. 0095, Lot Nos. 023-025); to install**
7 **additional landscaping and public access improvements within the unimproved**
8 **portion of the Greenwich Street public right-of-way between Hyde and Larkin**
9 **Streets, conditioned upon the payment of an annual assessment fee of \$4433.00;**
10 **and making environmental findings of consistency with the General Plan and the**
11 **priority policies of Planning Code, Section 101.1.**

12
13 WHEREAS, pursuant to Public Works Code Section 786, permission was
14 requested by Reuben & Junius, LLP and Butler Armsden Architects, authorized agents
15 for the owner, Jeremy Ricks, to occupy a portion of the public right-of-way to construct
16 and maintain a new privately maintained driveway, landscaping, and public access
17 improvements, as shown on the plans, a copy of which is on file in the office of the Clerk
18 of the Board of Supervisors in File No. 130525; and

19 WHEREAS, The Department of City Planning, by letter dated July 10, 2012,
20 declared that the proposed encroachment is in conformity with the General Plan and to
21 the priority policies of Planning Code Section 101.1. A copy of said letter is on file with
22 the Clerk of the Board of Supervisors in File No. 130525, and is incorporated herein by
23 reference; and

24 WHEREAS, San Francisco Municipal Transportation Agency (SFMTA), in the
25 minutes of the Transportation Advisory Staff Committee (TASC) dated September 13,

1 2012 recommended conditional approval provided that during construction, the
2 contractor provides temporary traffic control.

3 WHEREAS, At a duly noticed public hearing on October 24, 2012, the
4 Department of Public Works recommended approval of the proposed encroachment via
5 DPW Order Number 180800, dated November 5, 2012; and a copy of which is on file in
6 the office of the Clerk of the Board of Supervisors in File No. 130525; and

7 WHEREAS, Notwithstanding the determination set forth above, it is the decision
8 of the Board of Supervisors that the proposed encroachment is in the best interest of
9 the general public, is desirable and convenient with the owner's use and enjoyment of
10 its property, and is appropriate use of the public right-of-way; and

11 WHEREAS, The permit and associated encroachment agreement, which are
12 incorporated herein by reference and attached hereto as Exhibit A, shall not become
13 effective until:

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

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

21 (c) The City Controller records the permit and associated agreement in the office
22 of the County Recorder; and

23 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary
24 as a result of this permit, shall make the following arrangements:
25

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

4 (b) To remove or relocate such facilities and provide access to such facilities for
5 the purpose of constructing, reconstructing, maintaining, operating, or repairing such
6 facilities; and

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

11 WHEREAS, The Board of Supervisors shall implement an annual assessment
12 fee of \$4433.00 for the use of said right-of-ways, which shall be increased at the
13 beginning of each fiscal year based upon the Consumer Price Index quotient, and shall
14 be re-evaluated by DPW every five (5) years; and

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

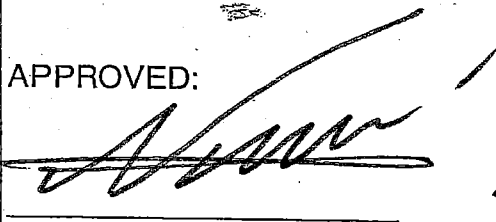
17 WHEREAS, Use of the encroachment permit area is not exclusive to the permittee
18 and may be accessed by the general public and adjacent property owners. Should an
19 adjacent property owner request a separate encroachment permit that affects said
20 encroachment, the Board hereby delegates to the Department, in its discretion, the
21 ability to amend or modify this permit to accommodate a separate permit(s). Under
22 such circumstances, the Department shall adjust the requirements concerning permit
23 maintenance, liability, annual occupancy fee, and any other applicable conditions to
24 proportionately allocate responsibility among the permit holders; and

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

4 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
5 Supervisors hereby grants permission, revocable at the will of the Director of the
6 Department of Public Works, to Jeremy Ricks to occupy a portion of the public right-of-
7 way to extend an unimproved portion of Greenwich Street with a privately maintained
8 driveway, and install and maintain additional landscaping and public access
9 improvements at 1281-1283 Greenwich Street (Block 0095, Lots 023- 025), conditioned
10 upon the payment of an annual assessment fee of \$4433.00, and other conditions set
11 forth herein; and, be it

12 FURTHER RESOLVED, That this Board finds the permit to be consistent with the
13 General Plan and priority policies of Planning Code Section 101.1. for the reasons set
14 forth in the City Planning Department letter.

15
16 APPROVED:

17 



18
19 Mohammed Nuru

20 Director of Public Works
21
22
23
24
25



Edwin M. Lee, Mayor
 Mohammed Nuru, Director

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO

2013 MAY 29 PM 3:17

BY le



Jerry Sanguinetti, Bureau Manager

MAJOR ENCROACHMENT RESOLUTION ROUTING SHEET

Everyone involved in the processing of this Major Encroachment Resolution is requested to complete this form so that the Department has a written record of the steps taken. Please notify the sender (see below) of any delays or questions.

PERMIT INFORMATION

Permit No. 11ME-0001	Date Sent: May 16, 2013	Date Due at BOS
Block/Lot 0095/024-025	Project Address: 1281-1283 Greenwich Street	

SENDER

Name: Stacey Lee	Telephone: (415) 554-6420
Address: 1155 Market Street, 3rd Floor	Email: Stacey.Lee@sfdpw.org

ROUTE

Date Received	To	Date Forwarded or Signed
5/16/13	Frank W. Lee Executive Assistant To Director City Hall, Room 348	
5/17/13	Mohammed Nuru Director of Public Works City Hall, Room 348	
	Clerk of Board of Supervisors (BOS) City Hall, Room 244 (Submit a copy of this sheet with packet.)	
	When the legislation packet is submitted to BOS, please return this original routing sheet to sender.	



130525



Edwin M. Lee, Mayor
Mohammed Nuru, Director



Jerry Sanguinetti, Bureau Manager

May 16, 2013

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 MAY 29 PM 3:17

Dear Ms. Calvillo:

Attached please find an original and four copies of a proposed resolution for Board of Supervisors consideration, which would grant revocable permission to Jeremy Ricks to extend an unimproved portion of Greenwich Street to provide vehicular access to a new garage at 1281-1283 Greenwich St (Block 0095, Lot 023-025), and to install additional landscaping and public access improvements within the unimproved portion of the Greenwich St public right-of-way located between Hyde and Larkin streets adjacent to George Sterling Park, conditioned upon the payment of an annual assessment fee of \$4433.00 and making findings of consistency with the priority policies of Planning Code Section 101.1.

Pursuant to Section 786 of the Public Works Code, the proposed Major Encroachment Permit was requested in a letter dated March 14, 2011 from Jeanne Lim on behalf of property owner Jeremy Ricks. The Planning Department, by letter dated July 10, 2012, declared that the proposed encroachments are in conformity with the General Plan and with the priority policies of Planning Code Section 101.1. The request was heard and recommended for approval by the Transportation Advisory Staff Committee (TASC) on September 13, 2012.

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

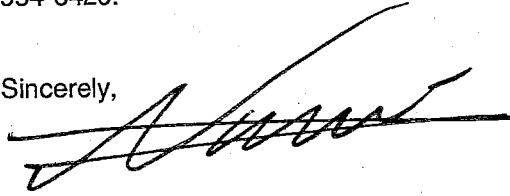
- Letter from Jeanne Lim dated March 14, 2011.
- Letter from the Planning Department dated July 10, 2012.
- Letter from Reuben & Junius LLP dated October 18, 2012
- DPW Order No. 180800, approved November 5, 2012, recommending conditional approval of the proposed Major Encroachment.
- SFMTA Memorandum of Approval dated December 31, 2012
- Signed and Notarized Street Encroachment Agreement.
- Draft Resolution



- A proposed plan for the Major Encroachment Permit.
- A list and one (1) set of mailing labels for property owners within 300-foot radius of the subject property.

The following person may be contacted regarding this matter: Ms. Stacey Lee of DPW-BSM at (415) 554-6420.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mohammed Nuru', written over a horizontal line.

Mohammed Nuru
Director of Public Works

Attachments: As Noted

March 14, 2011

Department of Public Works

875 Stevenson St.

San Francisco, CA

Re: 1281 Greenwich St.

San Francisco, CA 94109

Permit # 11ME-0001

To whom it may concern,

With this letter, we request a Major Encroachment for the above address. We have submitted the requirements on March 11, 2011, including the check in the amount of \$2,756.49.

Please let us know if you need any additional material. Thank you.

Regards,

Jeanne Liem

REUBEN & JUNIUS_{LLP}

October 18, 2012

By Messenger

Mohammed Nuru
Director of Public Works
875 Stevenson Street, Room 460
San Francisco, CA 94103

Re: 1281-1283 Greenwich Street Major Encroachment Permit
Our File No.: 7058.02
DPW Order No.: 180683
Hearing Date: October 24, 2012

Dear Mr. Nuru:

Our firm represents Mr. Jeremy Ricks ("Sponsor"), who is the owner of property located at 1281-1283 Greenwich Street in San Francisco, California (the "Property"). On October 24th, 2012, the Department of Public Works will hear the Sponsor's request to recommend a Major Encroachment Permit that would allow alteration of an unimproved right-of-way located along Greenwich Street, in order to provide a new driveway with vehicular access to the Property (the "Project"). We respectfully request a favorable recommendation from the Department because this Project will advance the interests of the surrounding neighborhood by providing numerous pedestrian access and landscaping improvements.

Existing Conditions

The Property is located on an unimproved segment of Greenwich Street between Larkin and Hyde Streets, adjacent to George Sterling Park. Greenwich Street terminates at an unimproved right-of-way bordered by a concrete barrier wall, approximately forty-five feet east of the Property. Stairs run along both sides of the unimproved "street," extending down to Larkin Street. A north-south pedestrian pathway bisects the space, connecting the stairways with an entrance to George Sterling Park. Currently, the Sponsor has no vehicular access to his home and on-street parking is scarce. The existing unimproved right of way is unkempt and the area between the stairwells leading to Larkin Street is occupied by neglected vegetation. The stairs and pathways have also deteriorated from lack of maintenance.

Project Benefits

The Project proposes to extend Greenwich Street by creating a curving residential driveway with vehicular access to a new garage located at the Property, and would provide a range of benefits to the neighborhood, including:

- Beautification and landscaping of the surrounding area;
- Installation of a new seating and viewing area along an improved pedestrian pathway connecting the Greenwich Street stairwells to George Sterling Park;
- Commitment of the Sponsor to repair surrounding staircases and sidewalks that are currently deteriorating;
- Preservation of a large, mature tree in front of the Property; and
- Creation of a new residential driveway, providing improved access to neighboring properties in the event of emergencies.

These improvements would reinvigorate this unimproved segment of Greenwich Street and create a more accessible and welcoming atmosphere for pedestrians.

Project Support

From the early stages of the project, the Sponsor has been proactive in communicating with and soliciting feedback from neighbors, local associations and the community at large. In 2010, the Sponsor met with the Friends of Sterling Park to discuss the proposed Project. Later, in 2011, the Sponsor met with the Russian Hill Neighbors as well, to describe the Project and address any local concerns. Accordingly, the Project has garnered express support from adjacent neighbors and the Friends of Sterling Park. Supervisor Mark Farrell has no objection to the project. There is no known opposition at this time. A letter of support from the Friends of Sterling Park is attached for your reference.

Project Design

The Sponsor has also worked closely with the Planning Department to improve the Project's design. In March 2012, the Sponsor revised the Project design to conform to specific Planning Department suggestions, including:

- Replacement of an angled pattern of vegetation and retaining walls with a more topographic approach in the landscape design;
- Inclusion of native Californian vegetation to create a more natural appearance in the landscape;
- Retention of an existing walkway from George Sterling Park to the house, with the addition of pavers that will match those in the existing park;
- Identification of two options for open, vegetated driveway pavers; and

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

Mr. Mohammed Nuru
October 18, 2012
Page 3

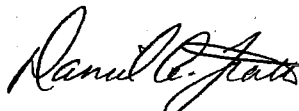
- Reduction of the proposed driveway width from ten feet to eight feet.

Following these revisions, the Planning Department issued a General Plan Referral for the Project, declaring it in conformity with the Objectives and Policies of the General Plan. In making this finding, the Planning Department specifically noted that the Project would increase the public value of the site through pedestrian access improvements and enhance the appearance of the area through appropriate landscaping.

We look forward to discussing the Project further at the Department of Public Work's October 24th public hearing. The Department of Public Work's recommendation for approval of a major encroachment permit for the Project will not only benefit the Sponsor, but will provide numerous pedestrian access and landscaping improvements that will advance the interests of the surrounding neighborhood.

Very truly yours,

REUBEN & JUNIUS, LLP



Daniel Frattin

cc: Stacey Lee, DPW
Jeremy Ricks
Lewis Butler, Butler Armsden
Reba Jones, Butler Armsden

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

5038

REUBEN & JUNIUS, LLP

www.reubenlaw.com



Friends of Sterling Park

November 29, 2010

City and County of San Francisco
Department of Planning
1 Dr. Carlton B. Goodlett Place
City Hall, Room 348
San Francisco, CA 94102

To Whom It May Concern:

I am writing to express our support for a driveway and garage project that has been proposed by the owner of 1281-1283 Greenwich Street, Jeremy Ricks. This letter is written on behalf of The Friends of Sterling Park (FOSP), a committee of the Russian Hill Neighbors' Association. FOSP is comprised of about 20 neighbors who reside next to or in the vicinity of Sterling Park. Sterling Park is part of the SFPUC Water Department's property known as Lombard Reservoir, and is within the block bounded by Greenwich, Larkin, Lombard and Hyde Streets.

The FOSP Committee's primary concerns are the beautification, maintenance and safety of Sterling Park and its adjacent areas, thereby making it a nicer place for all neighbors and visitors. Nearly all of our Committee members are long time residents of the neighborhood, and all care deeply about its appearance and livability. One of the areas where our Committee maintains landscaping is a small plot of land right next to 1281 Greenwich St. The proposed driveway project would pass through part of this plot.

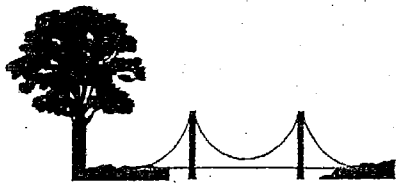
Our Committee invited Mr. Ricks to our last meeting, and we reviewed with him his tentative plans for a driveway and garage. We were pleased to learn that Mr. Ricks is willing to install and maintain, at his expense, significant additions to the landscaping that will enhance the beauty of the area. This project will also provide parking for four cars thereby creating up to 25% more available parking spaces on Greenwich Street adjacent to Sterling Park, Lombard Reservoir and the tennis/basketball courts atop Lombard Reservoir. This will make Sterling Park and the adjacent recreation area more accessible to the public, and it will provide much needed additional street parking for residents.

The members of the Committee present at the meeting unanimously agreed to voice their support for the project. The FOSP Committee believes it is consistent with the general plan for San Francisco and the critical needs of the neighborhood. It will enhance both the appearance and livability of the area.

Sincerely,

James Beard, President
1215 Greenwich Street #2A
San Francisco, CA 94109

Cc: Jeremy Ricks, 1283 Greenwich St., San Francisco, CA 94109



Friends of Sterling Park

February 16, 2012

City and County of San Francisco
Department of Planning
1 Dr. Carlton B. Goodlett Place
City Hall, Room 348
San Francisco, CA 94102

To Whom It May Concern:

Please refer to the attached copy of a letter dated November 29, 2010. Members of our committee, Friends of Sterling Park (FOSP), discussed this project at our most recent meeting held on February 13, 2012. We are still unanimously in support of the driveway and garage project being proposed by the owner of 1281-1283 Greenwich Street, Jeremy Ricks. We believe it will benefit the neighborhood.

Sincerely,

James Beard, President
1215 Greenwich Street #2A
San Francisco, CA 94109

Cc: Jeremy Ricks, 1283 Greenwich St, San Francisco, CA 94109

Heather Stern
2250 Hyde
Paul Sterner
2250 Hyde

Glenn Gordon Getty
1150 Lombard St.

Helen Hilton Rabin
2256 Hyde St.

Nancy Saper
2264 Hyde St.

Jayne Gray
1310 Greenwich St #401

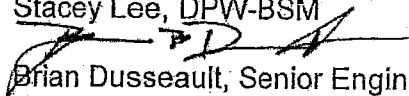
I am a dog walker and love the proposal plans.
(925) 597-3935

Vandy Paul
1521 Chestnut St Apt 1
San Francisco CA 94123

Shannen White Shannen White



MEMORANDUM

DATE: December 31, 2012
TO: Stacey Lee, DPW-BSM
THROUGH:  Brian Dusseault, Senior Engineer
FROM: ^{NW} Norman Wong, Associate Engineer
SUBJECT: 1281 – 1283 Greenwich Street – Major Encroachment Permit

At its meeting of September 13, 2012, TASC recommended approval for a Major Encroachment Permit to construct a driveway in public right-of-way to provide access to a new garage at 1281-1283 Greenwich Street, situated between Hyde Street and Larkin Street. The proposed project will modify and repair the existing stairs and sidewalks, install a new retaining wall, provide lighting, and create a new public seating/viewing area.

The Major Encroachment Permit should include this and other necessary temporary traffic control conditions required of the builder.

If you have any questions, please call me at 701-4600. Thank you.

Edwin M. Lee
Mayor

Tom Nolan
Chairman

Cheryl Brinkman
Vice-Chairman

Leona Bridges
Director

Malcolm Heinicke
Director

Jerry Lee
Director

Joél Ramos
Director

Cristina Rubke
Director

Edward D. Reiskin
*Director of
Transportation*

One South Van Ness Ave.
Seventh Floor
San Francisco, CA 94103
Telephone: 415.701.4500
www.sfmta.com

/NW
t:\e_files\construction section\personnel\nwong\tasc\other tasc\1281-1283 greenwich - tasc.docx





**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, which shall run with the parcel of real property at 1281-1283 Greenwich Street. All of the duties and liabilities created hereby shall be a benefit to and a burden upon the owners and occupants of the land, their assigns, and their successors in interest.

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 connection with its construction, without expense to the City and County of San Francisco, and shall restore the encroachment to a landscaped 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 until the first to occur of (i) a successor owner, assign, heir or other party obtains a permit from the City for the encroachment, or (ii) the permit is revoked and the area is restored to a condition satisfactory to the Department of Public Works.

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, its successors and assigns 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, 1155 Market Street, 3rd floor, San Francisco, CA, 94103. The permission granted by said resolution shall automatically terminate upon the termination of such insurance.

6. The permittee shall obtain a building permit at the Central Permit Bureau, 1660 Mission Street for the construction or alteration of any building.
7. The permittee shall contact the DPW Street Permit Section (415) 554-7149, at least 48 hours prior to starting work to arrange an inspection schedule.
8. The permittee acknowledges 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: 1281 & 1283 Greenwich Street (Block 0095, Lots 023 & 025). The provisions of the permit shall bind all subsequent purchases and owners of the described property. Subsequent purchasers and owners of the property shall be subject to the revocation, termination, insurance and indemnification provisions set forth in this permit.
10. The permittee and 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 and 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 27 day of March, 2013.

Philip Amidon

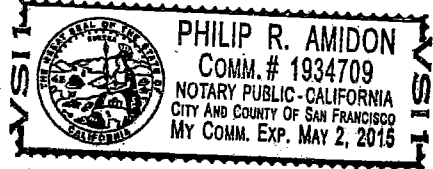
STATE OF CALIFORNIA)
COUNTY OF SAN FRANCISCO) SS

On MARCH 27th 2013 before me, PHILIP AMIDON Notary Public in and for said County and State, personally appeared JEREMY RICKS personally known to me (or proven to me on the name(s) ~~is~~ 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)

Philip Amidon
Notary Public in and for said
County and State





SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: July 10, 2012

Case No. Case No. 2011.0579R
1281-83 Greenwich Street:
Greenwich Street Extension & Open Space Improvements

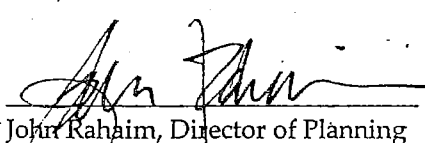
Block/Lot No.: 0095/023, 0095/024, & 0095/025

Project Sponsor: Daniel Frattin
Reuben & Junius, LLP
One Bush Street, Suite 600
San Francisco, CA 94104

Applicant: Stacey Lee
San Francisco Department of Public Works
875 Stevenson Street, Room 410
San Francisco, CA 94103

Staff Contact: Jon Swae – (415) 575-9069
jon.swae@sfgov.org

Recommendation: Finding the project, on balance, in conformity with the General Plan, as described further in this Case Report.

Recommended By: 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

On May 24, 2011, the Department received a request for a General Plan Referral as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code. The proposed Project seeks to extend Greenwich Street to provide vehicular access to a new garage at 1281-83 Greenwich and make corresponding landscaping and public access improvements.

The Project involves alterations to the unimproved public right-of-way located along Greenwich Street between Hyde and Larkin Streets adjacent to George Sterling Park. An open green space is located here bordered on either side by pedestrian staircases that extend down to Larkin Street. A north-south pedestrian pathway bisects the space connecting the stairways with an entrance to Sterling Park.

The Project would create landscaping improvements, expand public access, and create pedestrian amenities and a curving residential driveway to 1281-83 Greenwich Street (see Attachment A). Landscape improvements would reflect the naturalistic surroundings of the site. The large mature tree in front of 1281 Greenwich will be preserved. Public access improvements include the creation of new seating/viewing area located along the north-south pedestrian pathway. The Project Sponsor agrees to make repairs to surrounding staircases and sidewalks as requested by the Department of Public Works. The Project requires a Major Encroachment Permit. Any proposed tree removal will also require a permit through the Department of Public Works. Support for this project has been voiced by adjacent neighbors, District 2 Supervisor Mark Farrell and the Friends of Sterling Park.

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

ENVIRONMENTAL REVIEW

The project has received a Categorical Exemption under CEQA Guidelines Section 15301, Class 1-Existing Facilities: Minor Alterations of Existing Public or Private Facilities involving Negligible or No Expansion of Use.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, in conformity with the following Objectives and Policies of the General Plan. Note that General Plan Objectives and Policies appear in **Bold Font**, General Plan text is shown in regular font, and staff comments appear in *italic font*:

RECREATION & OPEN SPACE ELEMENT

POLICY 2.2

Preserve existing public open space.

Despite general agreement on the need to preserve public open space, over the years developments may indeed be proposed on public land designated as open space in this plan. It is anticipated that the most persuasive arguments in favor of development will be based on the "public value" of the proposed development.

Comment: The proposed project increases the public value of the site with pedestrian access improvements including a seating and viewing area along the pedestrian pathway. A landscaping plan will improve the appearance of the site.

URBAN DESIGN ELEMENT

POLICY 2.2

Limit improvements in other open spaces having an established sense of nature to those that are necessary, and unlikely to detract from the primary values of the open space.

Comment: The project would reinforce the naturalistic setting of the site by preserving the large mature tree outside 1281-83 Greenwich and implementing an appropriate landscape plan.

POLICY 2.9

Review proposals for the giving up of street areas in terms of all the public values that streets afford.

Comment: The project increases the public value of the site with pedestrian access improvements including a seating and viewing area along the pedestrian pathway. A landscaping plan will improve the appearance of the site.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

Eight Priority Policies Findings

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

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The Project is limited to open space improvements and would have no effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

The proposed project would conserve and protect the residential character of the neighborhood.

3. That the City's supply of affordable housing be preserved and enhanced.

The Project would not effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposed project would not increase commuter traffic, nor cause it to impede MUNI transit service. The project would create new off-street parking spaces reducing the burden on street parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

The Project would not affect the existing economic base in this area.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project would not impact emergency vehicle access, and thus would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.

7. That landmarks and historic buildings be preserved.

The project would have no effect on landmarks or historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

Views would remain accessible to the public through improvement of the existing walkways and staircases within and adjacent to the open space. Access to sunlight would not be affected.

RECOMMENDATION:

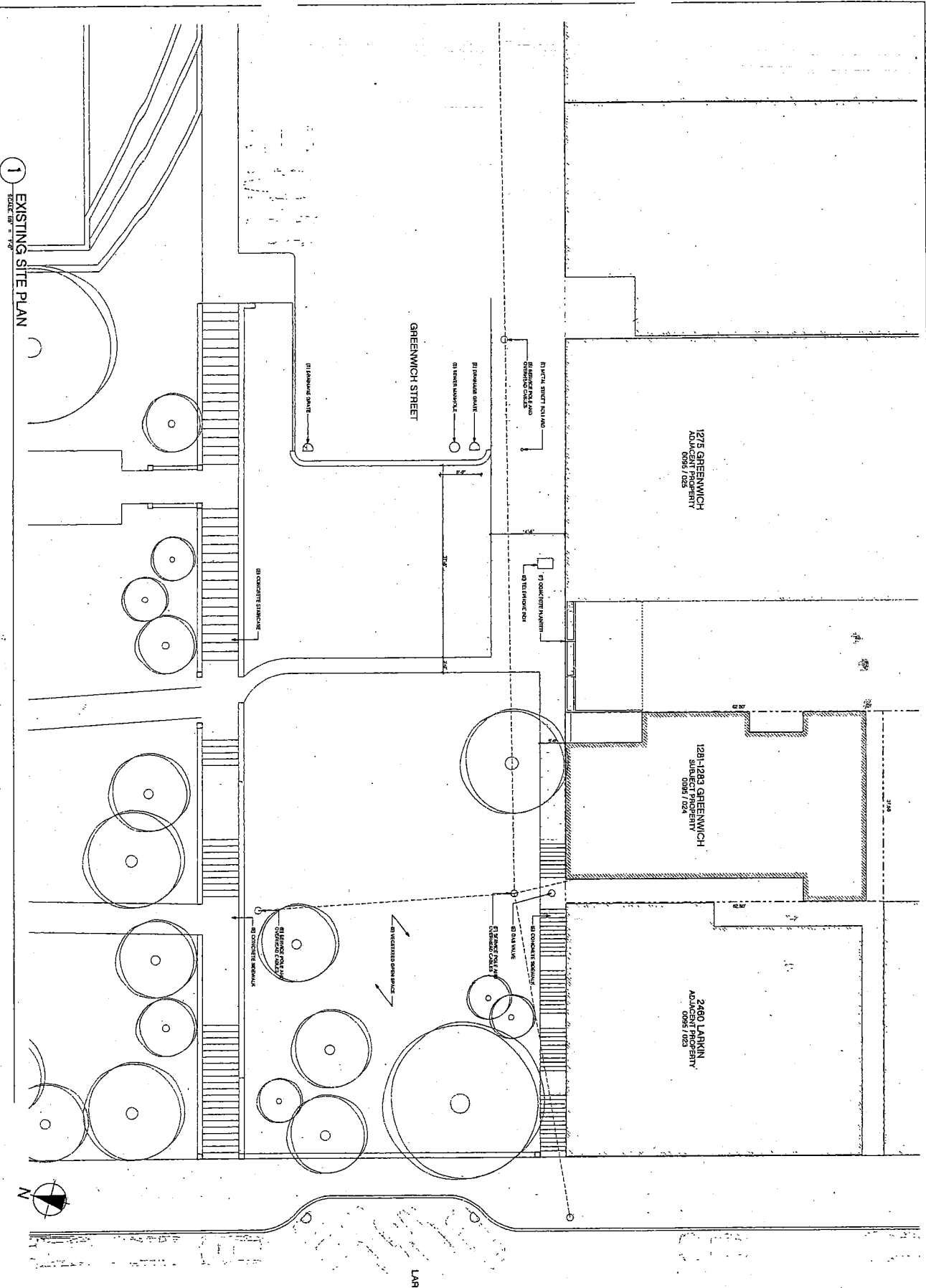
Finding the Project, on balance, in conformity with the General Plan.

ATTACHMENTS

Attachment A: Existing and Proposed Site Plan

CC: Jon Swae, Planning Department
Glenn Cabrerros, Planning Department
Sarah Dennis-Phillips, Planning Department
Supervisor Mark Farrell, Board of Supervisors
Catherine Stefani, Office of Supervisor Mark Farrell

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



EXISTING SITE PLAN

DATE	12/01
BY	...
REVISIONS	...
DATE	FEB. 02, 2002
BY	...
DATE	...
BY	...
DATE	...
BY	...

PROJECT REVIEW

DATE	...
BY	...
DATE	...
BY	...
DATE	...
BY	...

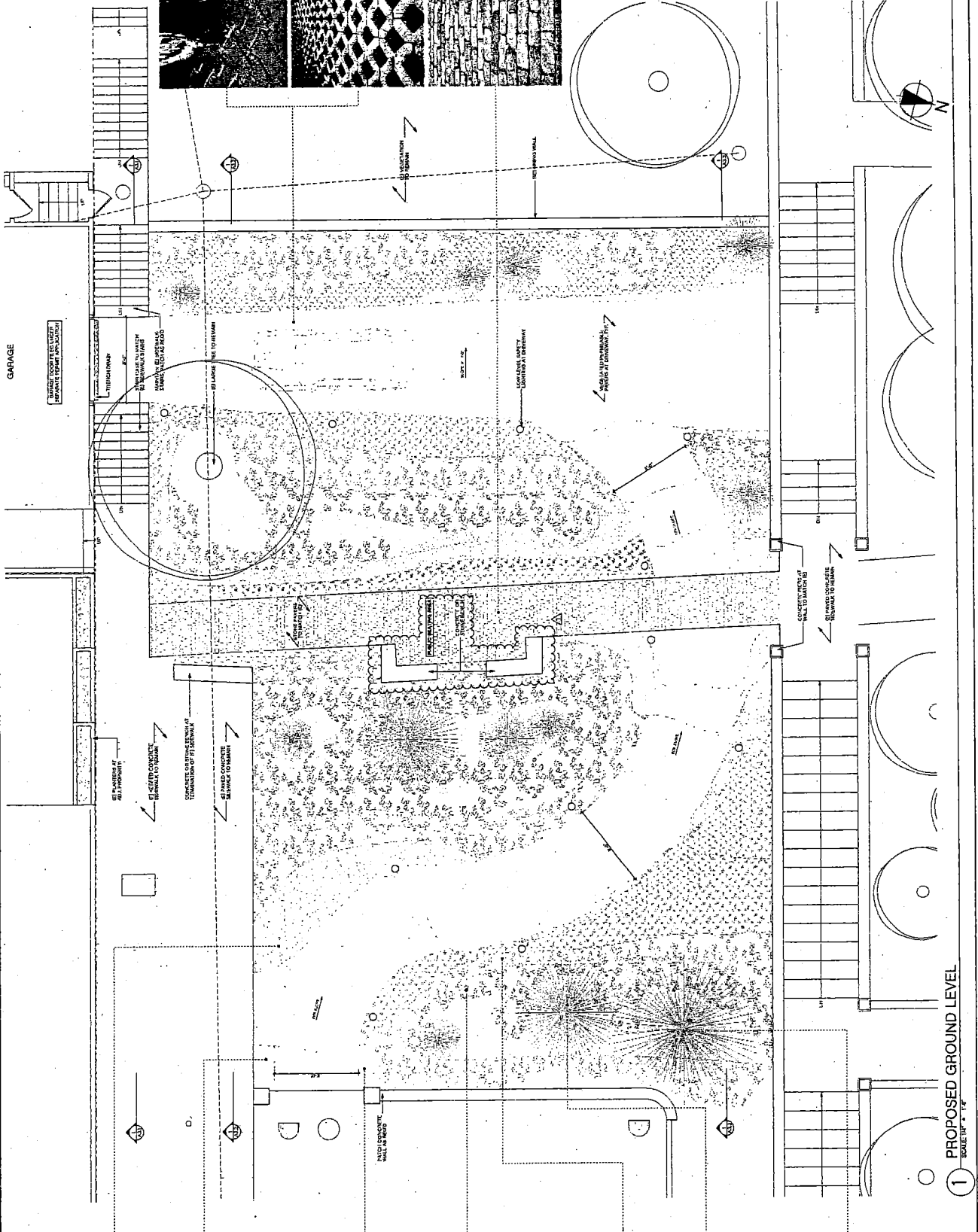
1281-1283 GREENWICH STREET
1281-1283 GREENWICH STREET, SAN FRANCISCO, CA 94109

5050

Buller Amsterdam
2000 CALIFORNIA STREET
SAN FRANCISCO, CA 94109
415.441.1514
www.buller-amsterdam.com



CALIFORNIA REDBUD
SERVICEBERRY
WESTERN YARROW
SILVER CHOLLA
HUMBOLDT LILY
BLUE FESCUE
INDIAN RICEGRASS



1 PROPOSED GROUND LEVEL
SCALE: 1/8" = 1'-0"

PROPOSED
GROUND PLAN

A2.1

DATE:	1/11/11
BY:	UB
CHECKED:	UB
SCALE:	AS NOTED

PROJECT REVIEW	
DATE:	1/11/11
BY:	UB
CHECKED:	UB
SCALE:	AS NOTED

1281-1283 GREENWICH STREET
1281-1283 GREENWICH STREET, SAN FRANCISCO, CA 94109

1281-1283 GREENWICH STREET
SAN FRANCISCO, CA 94109

1281-1283 GREENWICH STREET
SAN FRANCISCO, CA 94109



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: 180800

DIRECTOR'S DECISION FOR A MAJOR ENCROACHMENT PERMIT (11ME-0001) TO EXTEND AN UNIMPROVED PORTION OF GREENWICH STREET TO PROVIDE VEHICULAR ACCESS TO A NEW GARAGE AT 1281-1283 GREENWICH STREET, AND TO INSTALL ADDITIONAL LANDSCAPING AND PUBLIC ACCESS IMPROVEMENTS WITHIN THE UNIMPROVED PORTION OF THE GREENWICH STREET PUBLIC RIGHT-OF-WAY LOCATED BETWEEN HYDE AND LARKIN STREETS ADJACENT TO GEORGE STERLING PARK. (AB 0095/023, 0095/024 & 0095/025).

APPLICANT:

Reuben & Junius, LLP
Attn: Daniel Frattin
1 Bush Street, Suite 600
San Francisco, CA. 94104

Butler Armsden Architects
Attn: Lewis Butler
1014 Howard Street
San Francisco, CA 94103

OWNER:

Jeremy Ricks
1281-1283 Greenwich Street
San Francisco, CA 94109

DESCRIPTION OF REQUEST: Major Encroachment Permit

BACKGROUND:

1. The applicant filed a Major Encroachment application with the Department of Public Works (DPW) on March 11, 2011.
2. City Planning found the project to be in conformity with the General Plan (Case # 2011.0579R) in a memo dated July 10, 2012.
3. DPW sent out a permit referral to San Francisco Municipal Transportation Agency (SFMTA) for a TASC (Transportation Advisory Street Committee) decision on July 20, 2012.
4. The project is presented and heard at TASC on September 13, 2012. No concerns or inquiries are discussed. TASC approves the design.



5. DPW mailed out DPW Order Number 180,683 for a public hearing on September 25, 2012 to all the property owners within a 300-foot radius of the subject property.
6. Six (6) written neighborhood letters of support were submitted to DPW
7. A public hearing was held on October 24, 2012.
8. Hearing Officer, Janet Ng, conducted and considered testimony regarding the encroachment permit.
9. One (1) person testified in support of the project stating it will create four (4) additional parking spaces for the general public and local residents.

RECOMMENDATION: RECOMMENDED for APPROVAL of the request for the location at 1281-1283 Greenwich St and forward to the Board of Supervisors for a decision based on the following findings:

FINDING 1: The project is in conformity with the City's General Plan.


FINDING 2: Friends of Sterling Park, a committee of the Russian Hill Neighbor's Association supports the project.

FINDING 3: The project would preserve an existing large mature tree outside 1281-1283 Greenwich St.

FINDING 4: The project reinvigorates the unimproved segment of Greenwich St with permeable paving and new landscaping and creates a more accessible and welcoming atmosphere for pedestrians.

11/5/2012

11/5/2012

X 

Sanguinetti, Jerry
Bureau Manager

X 

Sweiss, Fuad
Deputy Director and City Engineer

11/5/2012

X Mohammed Nuru

Nuru, Mohammed
Director, DPW

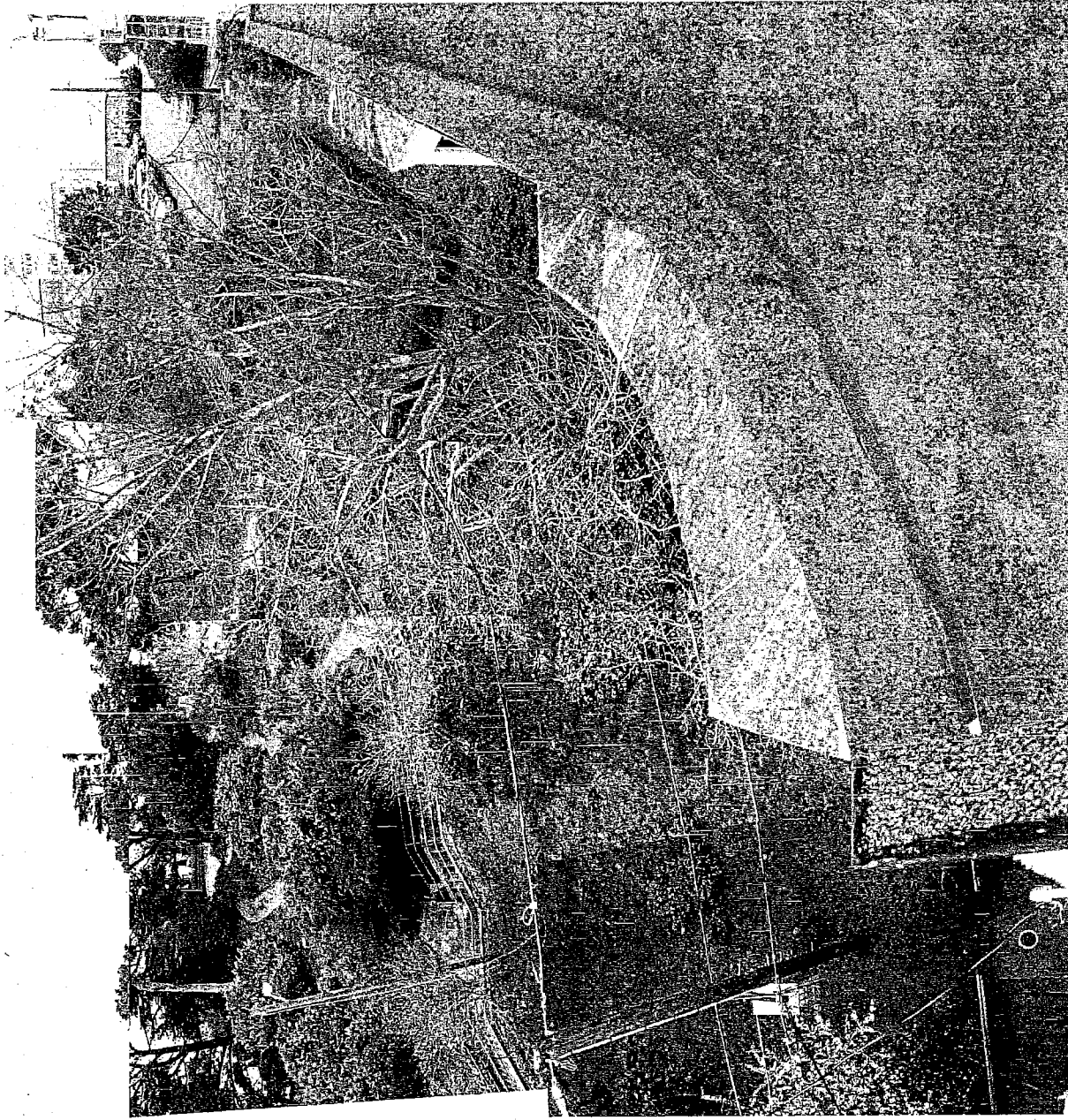




③ FACADE OF SUBJECT PROPERTY
SCALE: 1/8" = 1'-0"



② EXISTING SIDEWALK JOG
SCALE: 1/8" = 1'-0"



① EXISTING PARK FROM ROOF OF SUBJECT PROPERTY
SCALE: 1/8" = 1'-0"

Burley Armadon
ARCHITECTS

286 California Street
San Francisco, CA 94102
P: 415.774.1200
www.burleyarmadon.com

1281-1283 GREENWICH STREET, SAN FRANCISCO, CA 94109

PERMIT SET

REVISIONS	DATE

DATE:	2012
DATE:	JULY 23, 2012
DATE:	05
DATE:	05
DATE:	05
DATE:	05
DATE:	05

SITE PHOTOS

A0.1

Butler Arnsden
 ARCHITECTS
 1845 CALIFORNIA AVENUE
 SAN FRANCISCO, CA 94109
 TEL: 415.774.8888
 FAX: 415.774.8889
 www.butlerarnsden.com

1281-1283 GREENWICH STREET SAN FRANCISCO, CA 94109

PERMIT SET

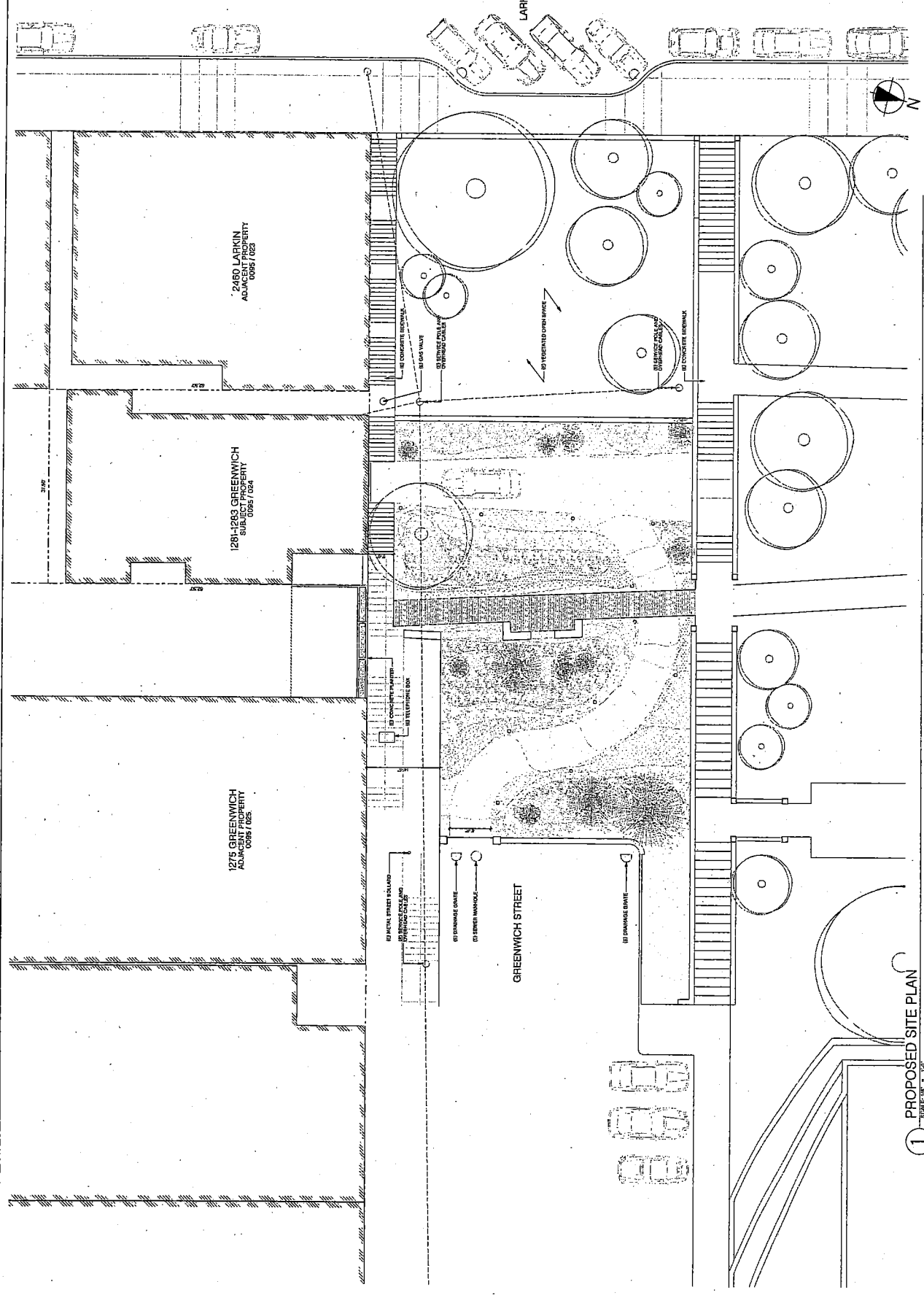
DATE:	10/11
DATE:	JULY 26, 2012
PROJECT:	1281-1283 GREENWICH STREET
CLIENT:	AS NOTED
DESIGNER:	AS NOTED

REVISIONS

NO.	DATE	DESCRIPTION

PROPOSED SITE
 PLAN

A2.0

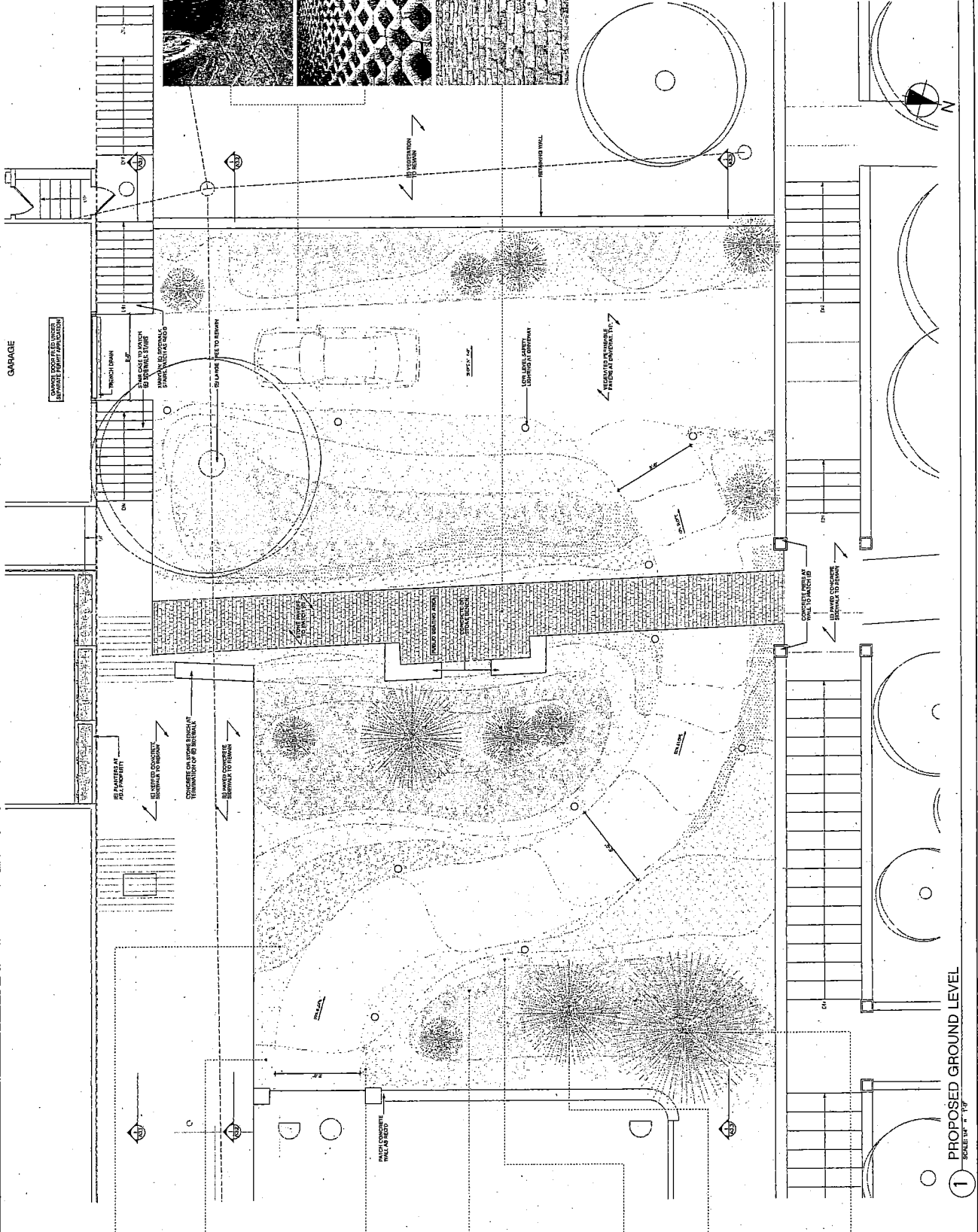


1 PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"



CALIFORNIA REDBUD
SILVER YARROW
WESTERN YARROW
SILVER YARROW
HUMBOLDT LILY
BLUE FESCUE
INDIAN RICEGRASS

5060



Bullitt, Armsteden
ARCHITECTS

284 CALIFORNIA STREET
SAN FRANCISCO, CA 94104
P: 415.774.1000
F: 415.774.1004
WWW.BULLITTARMSTEDEN.COM

1281-1283 GREENWICH STREET
SAN FRANCISCO, CA 94109

PERMIT SET

DATE:	1807
DATE:	JULY 20, 2012
DATE:	08
CHECKED:	UB
SCALE:	AS NOTED

PROPOSED
GROUND PLAN

A2.1

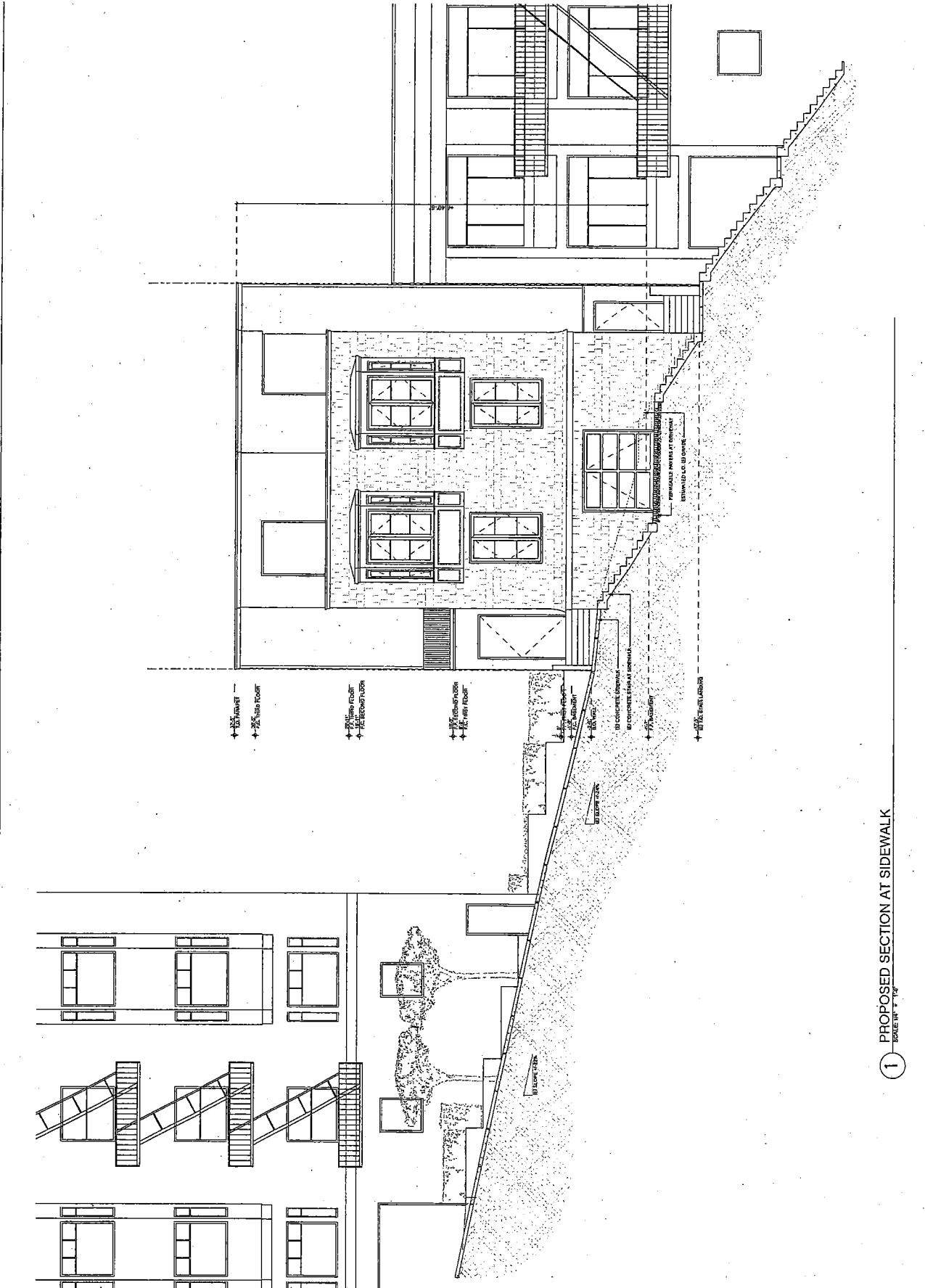
1 PROPOSED GROUND LEVEL
"ROCKET" - "T"

DATE:	1/20/10
DATE:	JULY 20, 2010
DRAWN:	JOS
CHECKED:	UB
SCALE:	AS NOTED

PERMIT SET

revisions

b1:



PROPOSED SECTION
SECTION

A3.1

1 PROPOSED SECTION AT SIDEWALK
SCALE 1/8" = 1'-0"

Butler Armisen
ARCHITECTS

380 California Street
SAN FRANCISCO, CA 94102
P 415.774.1000
F 415.774.1001
www.butlerarmisen.com

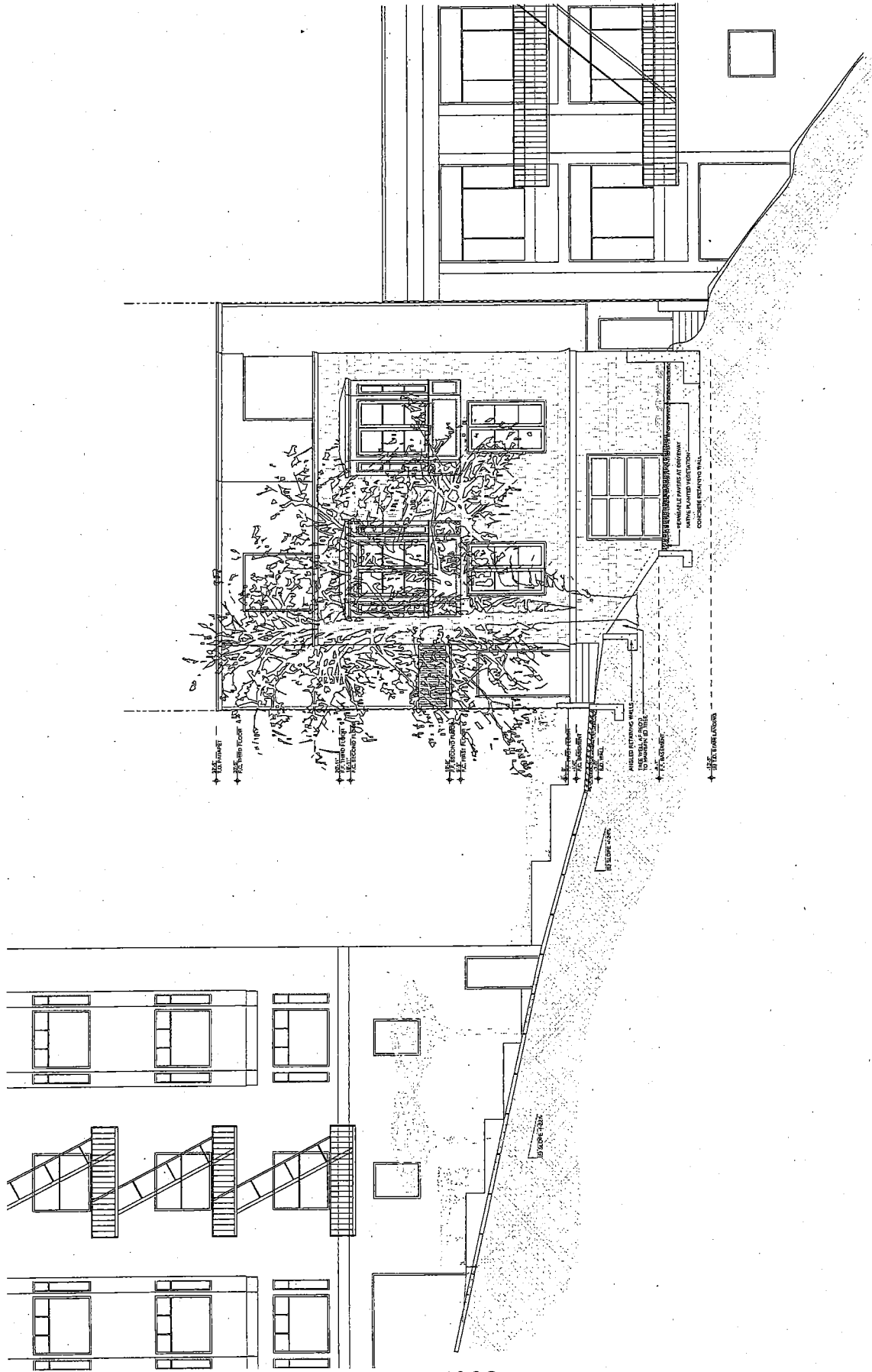
1281-1283 GREENWICH STREET SAN FRANCISCO, CA 94109

PERMIT SET

DATE:	1901
DATE:	JULY 20, 2012
BY:	US
APPROVED BY:	US
SCALE:	AS NOTED

PROPOSED SECTION

A3.2

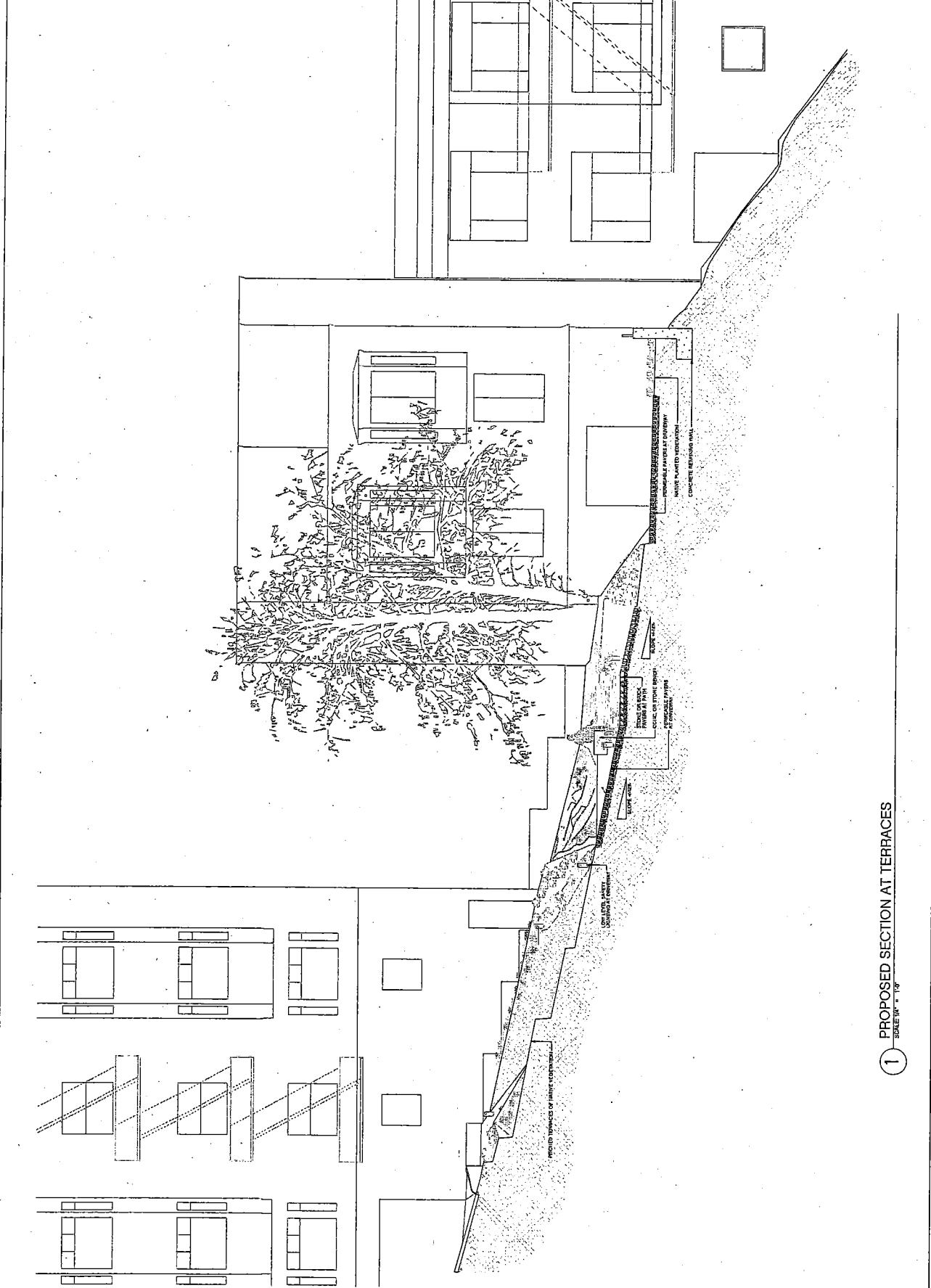


1 PROPOSED SECTION AT DRIVEWAY
SCALE: 1/4" = 1'-0"

PERMIT SET

REVISIONS

NO.	DATE	BY
1	JULY 20, 2012	JS
2	JULY 20, 2012	JS
3	JULY 20, 2012	JS
4	JULY 20, 2012	JS
5	JULY 20, 2012	JS



PROPOSED SECTION

1 PROPOSED SECTION AT TERRACES
SCALE: 1/4" = 1'-0"

A3.3



Edwin M. Lee, Mayor
 Mohammed Nuru, Director



Jerry Sanguinetti, Bureau Manager

MAJOR ENCROACHMENT RESOLUTION ROUTING SHEET

Everyone involved in the processing of this Major Encroachment Resolution is requested to complete this form so that the Department has a written record of the steps taken. Please notify the sender (see below) of any delays or questions.

PERMIT INFORMATION

Permit No. 11ME-0001	Date Sent: 6/24/13	Date Due at BOS ASAP (requested July 8 to be heard at Land Use)
Block/Lot 0095/024	Project Address: 1281 Greenwich St	

SENDER

Name: Stacey Lee	Telephone: (415) 554-6420
Address: 1155 Market Street, 3rd Floor	Email: Stacey.Lee@sfdpw.org

ROUTE

Date Received	To	Date Forwarded or Signed
6/24/13	Frank W. Lee Executive Assistant To Director City Hall, Room 348	BOS requested revisions/reformatting of the resolution.
6/25/13	Mohammed Nuru Director of Public Works City Hall, Room 348	UP for MD
	Alisa Miller Clerk of Board of Supervisors (BOS) City Hall, Room 244 (Submit a copy of this sheet with packet.)	
	When the legislation packet is submitted to BOS, please return this original routing sheet to sender.	

