

REUBEN, JUNIUS & ROSE, LLP

June 20, 2017

VIA HAND DELIVERY

Mr. Mohammed Nuru, Director
Department of Public Works
1155 Market Street, 3rd Floor
San Francisco, CA 94103

**Re: Application for Major Encroachment Permit
1395 22nd Street & 790 Pennsylvania Avenue
Assessor's Block 4167/Lot 013
Our File No.: 7829.02B**

Dear Mr. Nuru:

This office represents RP Pennsylvania, LLC, project sponsor of the mixed-use residential development project (the "Project") located at 1395 22nd Street & 790 Pennsylvania Avenue, Block 4167/Lot 013 (the "Property"). By this letter, we request approval of a Major Encroachment Permit ("MEP") for the construction of a portion of a public stair connecting 22nd Street and Missouri Street, and providing access to a scenic overlook. This public stair, the scenic overlook, and associated planters, public art, and lighting are required by the Planning Commission's approval of the Project. Included with this MEP application is a General Plan Referral application.

Public Works Code Section 786.6 authorizes the Director of Public Works to forward to the Board of Supervisors a recommendation for approval, disapproval or modification, including applicable conditions, of an application for a revocable permit (Major Encroachment Permit, or MEP) for an encroachment of a public street or place. Here, approval of an MEP is sought for construction of a publically-accessible stair and overlook, which will provide a pedestrian connection on 22nd Street between Missouri and Texas Streets. The stair includes an entry plaza at Texas Street, a winding staircase, planters, public art, lighting and an overlook at the top of the grade at Missouri Street.

Six sets of plans showing the design, location and nature of the encroachment and proposed improvements are attached hereto as **Exhibit A**.

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James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevin
Tuija | Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight
Chloe V. Angelis | Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

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Approval of the MEP is warranted because the proposed improvements are required by the Project's entitlements and the City's Better Streets Plan. Planning Commission Motion No. 19523, Approval Finding 6.F. provides as follows:

Streetscape and Pedestrian Improvements. Planning Code Section 138.1 requires a streetscape plan in compliance with the Better Streets Plan for new construction on a lot that is greater than one-half acre in area. The Project includes the new construction of a three-story PDR building on Pennsylvania Avenue and four-to-eight [story] residential building along 22nd Street on two lots with a collective area of 119,885 square feet. In compliance with the Better Streets Plan, the Project minimizes the number of vehicular openings to two along Pennsylvania Avenue and one along 22nd Street. The Project includes several streetscape improvements, including new street trees, sidewalk improvements, site furnishings and construction of a publically-accessible stair and overlook, which will provide a pedestrian connection on 22nd Street between Missouri and Texas Streets. The stair includes an entry plaza at Texas Street, a winding staircase, planters, public art, lighting and an overlook at the top of the grade at Missouri Street. Therefore, the Project complies with Planning Code Section 138.1.

The Planning Commission's approval Motion for the project is attached hereto as **Exhibit B**.

Approval of the MEP to construct the proposed improvements is called for by the Project's entitlements, and will provide a unique and exceptional public amenity to be enjoyed by the immediate neighborhood and visitors from beyond. We urge you to approve this MEP application and allow this proposal to proceed.

Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Thomas Tunny

Enclosures

cc: Align Real Estate, LLC

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