File No.	140181	Committee Item No. 1	
•		Board Item No.	
	COMMITTEE/	BOARD OF SUPERVISORS	
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	AGENDA PACKET CONTENTS	S LIST	•
	Land Use and Economic Development pervisors Meeting	_Date Date	April 14, 2014 4. 22. 14
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	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Repo Youth Commission Report Introduction Form Department/Agency Cover Letter and MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence		ort
OTHER	(Use back side if additional space is	needed)	
· . · . · . · .	Date /	April 10,	2014

[Street Encroachment - Ivy Street Fronting 401 Grove Street]

Resolution granting revocable permission to lvy Grove Partners, LLC, to occupy a portion of the public right-of-way to install and maintain planter bulb-outs and irrigation lines on lvy Street fronting 401 Grove Street (Block No. 0808, Lot No. 036), conditioning the permit, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

WHEREAS, Pursuant to Public Works Code, Section 786, A.R. Sanchez-Corea & Associates, Inc., on behalf of Ivy Grove Partners, LLC, requested permission to occupy a portion of the public right-of-way to install and maintain five (5) tree planter bulb-outs and irrigation lines fronting 401 Grove Street (Block No. 0808, Lot No. 036). The encroachments, which would be located on Ivy Street between Gough and Octavia Streets, are shown on plans filed with the Department of Public Works. Copies of such plans are on file with the Clerk of the Board of Supervisors in File No.140181; and,

WHEREAS, The Transportation Advisory Staff Committee (TASC), at its meeting of August 8, 2013, recommended the proposed encroachment for approval; and,

WHEREAS, The Planning Department by letter dated August 30, 2013, found the proposal, on balance, to be in conformity with the General Plan. This letter also includes a determination relating to the encroachments pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code, Sections 21000, et seq.). A copy of said letter is on file with the Clerk of the Board in File No.140181, and is incorporated herein by reference; and,

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WHEREAS, After a duly noticed public hearing on November 13, 2013, the Department of Public Works recommended approval of the proposed encroachments as set forth in DPW Order No. 182020, approved December 20, 2013. A copy of the DPW Order is on file with the Clerk of the Board in File No. 140181 and is incorporated herein by reference; and,

WHEREAS, The permit and associated street encroachment agreement, copies of which are on file with the Clerk of the Board in File No. 140181, shall not become effective

- (a) The Permittee executes and acknowledges the permit and delivers said permit to
- (b) Permittee delivers to the City Controller a policy of insurance provided for in said agreement and the Controller shall have had approved the same as complying with the requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said insurance policy, the certificate of an insurance company certifying to the existence of such a policy; and,
- (c) The City Controller records the permit and associated agreement in the office of the County Recorder; and,

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

- (a) To provide for the support and protection of facilities belonging to the Department of Public Works, Public Utilities Commission, the San Francisco Fire Department and other City Departments, and public utility companies; and,
- (b) To remove or relocate such facilities and provide access to such facilities for the purpose of constructing, reconstructing, maintaining, operating, or repairing such facilities; and,

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

WHEREAS, The permit shall be conditioned upon payment of an annual public right-ofway occupancy assessment pursuant to Public Works Code, Section 786, and the initial amount of said fee shall be \$100; and,

WHEREAS, No structures shall be erected or constructed within said street right-ofway except as specifically permitted herein; and,

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

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

RESOLVED, That pursuant to Public Works Code, Section 786, the Board of Supervisors hereby grants revocable permission to occupy a portion of the public right-of-way to install and maintain planter bulb-outs and irrigation lines, fronting 401 Grove Street (Block No. 0808, Lot No. 036). The encroachments shall be installed on Ivy Street between Gough and Octavia Streets as set forth in the permit; and, be it

FURTHER RESOLVED, The permission granted herein is conditioned upon the requirements set forth in this resolution, including payment of an annual occupancy assessment fee; and, be it

FURTHER RESOLVED, That the Board adopts as its own the findings of consistency with the General Plan and Planning Code, Section 101.1, as set forth in the Planning Department letter dated August 30, 2013, and affirms the CEQA determination contained in this letter.

City and County of San Francisco

San Fractisco Department of Public Works

Office of the Director 1 Dr. Carlton B. Goodlett Place, City Hall, Room 348 San Francisco, CA 94102

San Francisco, CA 94102 (415) 554-6920 ■ www.sfdpw.org



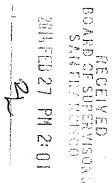
Edwin M. Lee, Mayor Mohammed Nuru, Director



February 24, 2014

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

Dear Ms. Calvillo:



Attached are an original and two copies of a proposed resolution for Board of Supervisors' consideration. An electronic copy of the proposed resolution will be forwarded to the BOS.Legislation@sfgov.org shortly. This resolution would grant revocable permission to lvy Grove Partners, LLC to occupy a portion of the public right-of-way on lvy Street to install and maintain five (5) tree planter bulb-outs with irrigation lines, within the roadway area on lvy Street fronting 401 Grove Street (Block 0808, Lot 036). 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, A.R. Sanchez-Corea & Associates, Inc., on behalf of Ivy Grove Partners, LLC, the Permittee, requested a Major Encroachment Permit in letters dated May 14, 2013. The Transportation Advisory Staff Committee (TASC) heard this request on August 8, 2013 and recommended it for approval. The Planning Department, by letter dated August 30, 2013, determined that the proposed tree planter bulb-outs would enhance safety and comfort of pedestrians, would highlight the public space identity of Ivy Street, and found the proposed encroachments to be in conformity with the General Plan and with the priority policies of Planning Code Section 101.1.

The following accompanying documents will also be sent to the "BOS Legislation" email box:

- Letters from Ivy Grove Partners, LLC, dated May 14, 2013.
- Minutes of the TASC Meeting on August 8, 2013.
- Letter from the Planning Department, dated August 30, 2013.
- DPW Order No. 182020, approved December 20, 2013, recommending the approval of the proposed Major Encroachment.



- Proposed plans for the Major Encroachment Permit.
- Copy of Street Encroachment Agreement.

The following person may be contacted regarding this matter: Mr. Nick Elsner of the Bureau of Street-Use and Mapping at (415) 554-6186.

Sincerely,

Mohammed Nuru Director of Public Works

Attachments: As Noted



San Franc > Department of Public Works

Office of the Deputy Director & City Engineer, Fuad Sweiss
Bureau of Street-Use and Mapping
1155 Market Street, 3rd Floor
San Francisco, CA 94103
(415) 554-5810
www.sfdpw.org

S T

Jerry Sanguinetti, Bureau Manager

Edwin M. Lee, Mayor Mohammed Nuru, Director

RECEIVED
BOARD OF SUPERVISORS
SAM FRANCISCO
ARREST PM 2:01

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.	Date Sent:	Date Due at BOS
13ME-0008	Feb. 24, 2014	Noon. March 3
Block/Lot	Project Address:	
0808/036	401	Grove Street
	 	

SENDER

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

ROUTE

Date Received	То	Date Forwarded or Signed
2/24/14	Frank W. Lee Executive Assistant To Director City Hall, Room 348	2/24/14
2/26/14	Mohammed Nuru Director of Public Works City Hall, Room 348	2/26/14
2/27/14	Clerk of Board of Supervisors (BOS) City Hall, Room 244 (Submit a copy of this sheet with map.)	
	When the legislation packet is submitted to BOS, please return this original routing sheet to sender.	



IVY GROVE PARTNERS, LLC 200 CALIFORNIA SREET, SUITE 300 SAN FRANCISCO CA 94111 415-959-1226

May 14, 2013

Director of Public Works 1155 Market Street, 3rd Floor San Francisco CA 94103

To Whom it May Concern:

Please consider this letter a request for a Major Encroachment Permit for the installation of five planter bulb extensions for trees along Ivy Street for the 300 Ivy Street Project.

Thank you.

a.t. Cossella-

A Elizabeth Costello Managing Director Ivy Grove Partners, LLC

IVY GROVE PARTNERS, LLC 200 CALIFORNIA STREET, SUITE 300 SAN FRANCISCO, CA 94111 415-956-1226

May 14, 2013

Dept. of Building Inspections City of San Francisco 1660 Mission Street San Francisco, CA 94103

Re: 401 Grove Street/300 Ivy Street

a. E. Lostello

To Whom it May Concern;

Please consider this letter as authorization for ARS to act as agent representing Ivy Grove Partners, LLC in its application for a major encroachment permit. Please don't hesitate to call if you have any questions.

Sincerely,

A. Elizabeth Costello

Managing Director



TASC MINUTES

TRANSPORTATION ADVISORY STAFF COMMITTEE

Thursday, August 8, 2013 at 10:20 AM One South Van Ness Avenue, 7th Floor, Room #7080

SFMTA Sustainable Streets:

SFMTA Transit Operations:

SFMTA Parking Enforcements:

Department of Public Works:

San Francisco Police Department:

SFMTA Taxi Services:

San Francisco Planning Department:

Francisco Fire Department:

Absent

Absent

Guests:

Harvey Quan

York Kwan

Curtis Smith

Rassendyll Dennis

John Nestor

Alec Balmy

Gregory Williams Ron Miller Ibrahim Ejad Stacey Lee James Shahamiri Jason Su Sarah Schulz John Dennis . Brian Shick **Brian Dusseault Dustin White** Jean Long Oliver Gadia Patrick Golier Gillian Gillette Josh Hoffman Tom Holt

6. 5th Street and Shipley Street (900 Folsom) – Additional Street Space
Due to setup of scaffolding on 5th Street at the 900 Folsom Street site, an Additional
Street Space (ADS) permit is requested for relocation of the existing southbound bus
zone on 5th Street at Folsom to 5th Street at Shipley Street. One yellow meter
space, #316, and one general meter space, #312, will be out of service for the
temporary bus zone. The temporary bus zone (in effect since February 2013) will
continue through December 2013.
Norman Wong, 701-4600

Approved.

7. Ivy Street West of Gough Street – Major Encroachment Permit (Planter Bulb-Outs) A major encroachment permit is requested for construction of 5 small tree/planter bulb-outs along Ivy Street west of Gough Street. The bulb-outs will be located 18" from curb face and will extend an additional 5 feet into Ivy Street resulting in new curb face of 6.5 feet. This new curb face is consistent with the approved 6.5 feet bulb-out on Ivy Street west of Gough Street. Approximately 138 feet of 2-hour residential permit parking will be displaced. Three 22-feet parking spaces (in between the bulb-outs) will be provided with the improvements. Norman Wong, 701-4600

Approved.

8. 364 Hayes Street – Curbside Table and Chairs Permit
DPW has received a Tables and Chairs permit application to occupy portion of
public sidewalk right-of-way fronting Schulzie's Bread Pudding at 364 Hayes Street.
Per DPW's guidelines, a minimum path of travel of 6 feet is required for a Table and
Chairs permit. However due to existing site conditions, the applicant is requesting a
variance to reduce the path of travel to 4 feet 4.5 inches.
Norman Wong, 701-4600

TASC recommended that Kevin Jensen be consulted regarding the minimum path next to the tree pit. The sponsor may request permission for the most westerly set of tables and chairs which will maintain the 6 foot path of travel.

General Plan Referral

1650 Mission S Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

Date:

August 30, 2013

Case No.

2013.1004R

Major Encroachment Permit 401 Grove Street

Block/Lot No.:

0808/036

Project Sponsor:

Stacey Lee

Bureau of Street-Use & Mapping 1155 Market Street 3rd floor San Francisco, CA 94103

Staff Contact:

Kimia Haddadan - (415) 554-5810

Kimia.haddadan@sfgov.org

Recommendation:

Finding the project, on balance, is in conformity with

the General Plan

Recommended

Ву:

John Rahaim) Director of Planning

PROJECT DESCRIPTION

On July 31, 2013, the Department received your request for a General Plan Referral as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code. The request seeks a major encroachment permit to provide five tree planters in the public right-of-way on Ivy Street as a part of the street improvements for the proposed project on 401 Grove Street.

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 Environmental Planning Division of the Planning Department determined that the project is Categorically Exempt from Environmental Review. The project is cleared under the Note to File issued for case No.2007.0487E, dated 10/15/08.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

Relevant policies from the General Plan and comments are included below. General Plan Objectives and Policies are in bold font, policy text is in regular font, and staff comments are in *italics*.

Market and Octavia Area Plan

OBJECTIVE 4.1

Provide safe and comfortable public rights-of-way for pedestrian use and improve the public life of the neighborhood.

Policy 4.1.2

Enhance the pedestrian environment by planting trees along sidewalks, closely planted between pedestrians and vehicles.

Policy 4.1.7

Introduce traffic-calming measures on residential alleys and consider making improvements to alleys with a residential character to create shared, multipurpose public space for the use of residents.

The proposed tree planters on Ioy Street will enhance the pedestrian environment. The planters will narrow the public right-of-way and help calm the traffic on the alley. The new trees will help humanize the alley by providing a buffer between the sidewalk and road way. Such improvements would create a pleasant public space on the sidewalk for residents and visitors.

Transportation Element

OBJECTIVE 24

Improve the ambience of the pedestrian environment.

POLICY 24.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 24.3

Install pedestrian-serving street furniture where appropriate.

The proposed tree planters will introduce pedestrian serving street furniture to Ivy Street, adding greening and landscaping. This would create a more pedestrian-friendly environment on this alley.

Urban Design Element

OBJECTIVE 4

Improvement of the neighborhood environment to increase personal safety, comfort, pride and opportunity

Policy 4.12

Install, promote and maintain landscaping in public and private areas.

The proposed tree planters would enhance safety and comfort of the pedestrians and would highlight the public space identity on Ivy Street.

EIGHT PRIORITY POLICIES

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 would have no effect on neighborhood-serving retail uses or opportunities for resident employment.
- 2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.
 - The project would have no effect on existing housing and the cultural and economic diversity of neighborhood character.
- 3. That the City's supply of affordable housing be preserved and enhanced.
 - The project would not affect the City's supply of affordable housing.
- That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.
 - The project would not impede MUNI transit service or overburden neighborhood 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 negatively impact the industrial or service section of the neighborhood.
- 6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The project would not affect earthquake preparedness or injury and loss of life in an earthquake as currently understood by the Planning Department.

7. That landmarks and historic buildings be preserved.

The project would not affect landmarks or historic buildings.

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

The project would not affect sunlight on parks or open space.

RECOMMENDATION:

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

cc: Sarah Dennis, Planning Department Kimia Haddadan, Planning Department

City and County of San Francisco

San Francisco Department of Public Works

Office of the Deputy Director & City Engineer, Fuad Sweiss Bureau of Street-Use & Mapping 1155 Market Street, 3rd Floor San Francisco Ca 94103

(415) 554-5810 x www.sfdpw.org



Edwin M. Lee, Mayor Mohammed Nuru, Director

Jerry Sanguinetti, Bureau Manager

DPW Order No: 182020

THIS DPW ORDER SUPERSEDES PREVIOUS DPW ORDER 181,891, APPROVED NOVEMBER 25, 2013.

APPROVAL OF A MAJOR ENCROACHMENT PERMIT (13ME-0008) TO INSTALL AND MAINTAIN FIVE (5) TREE PLANTER BULB-OUTS WITH IRRIGATION LINES WITHIN THE ROADWAY AREA OF THE PUBLIC RIGHT-OF-WAY ON IVY STREET, FRONTING 401 GROVE STREET (BLOCK 0808, LOT 036).

APPLICANT/OWNER:

Ivy Grove Partners, LLC

200 California Street, Suite 300 San Francisco, CA. 94111

Attn: Elizabeth Costello & Don Klingbeil

DESCRIPTION OF REQUEST: Major Encroachment Permit

BACKGROUND:

- 1. The applicant filed an Application for Major Encroachment with the Department of Public Works (DPW) on April 30, 2013.
- 2. The Transportation Advisory Staff Committee (TASC) at its meeting of August 8, 2013, recommended approval of the proposed tree planter bulb-outs along lvy Street.
- 3. The Planning Department by letter dated August 30, 2013 found the project to be in conformity with the General Plan (Case # 2013.1004R).
- 4. On October 23, 2013, DPW mailed out DPW Order No. 181,769 for a public hearing to all the property owners within a 300-foot radius of the subject property.
- 5. A public hearing was held on November 13, 2013.
- 6. Hearing Officer, Kevin Day, conducted and considered testimony regarding the encroachment permit.



San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.

7. One (1) person, the project sponsor, testified in support of the project stating that the encroachments will allow for the installation of street trees and will provide street parking for the general public and local residents.

RECOMMENDATION: RECOMMENDATION OF APPROVAL of the request for the subject location and forwarding 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: The tree planters will enhance the pedestrian environment by allowing the planting of street trees within the public right-of-way along Ivy Street.

FINDING 3: The tree planters will narrow the existing roadway width, and help calm vehicular traffic along lvy Street.

12/20/2013

12/20/2013

Sanguinetti, Jerry Bureau Mana ger

Sweiss, Fuad

Deputy Director and City Engineer

12/20/2013



Nuru, Mohammed Director, DPVV





CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

STREET ENCROACHMENT AGREEMENT

WITNESSETH

In consideration of the adoption by th	e Board of Supervisors of the City ar	nd County of
San Francisco of Resolution No	at its meeting of	, a
true copy of which is attached hereto		
incorporated herein, and subject to al	Il the terms, conditions and restrictior	ns of this
Agreement, also by reference incorpo	orated herein, Permittee agrees that	in accordance
with this agreement and Exhibit A:		•

- The permitted encroachment shall constitute a revocable license and shall be assignable or transferable by Permittee to the owners association for the property, 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 connection 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 form 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 commercing 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, Bureau of Street Use and Mapping, 1155 Market Street, 3rd Floor, 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 City.

- 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 Permitee shall contact the DPW Street Inspection Section (415) 554-7149, at least 72 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.

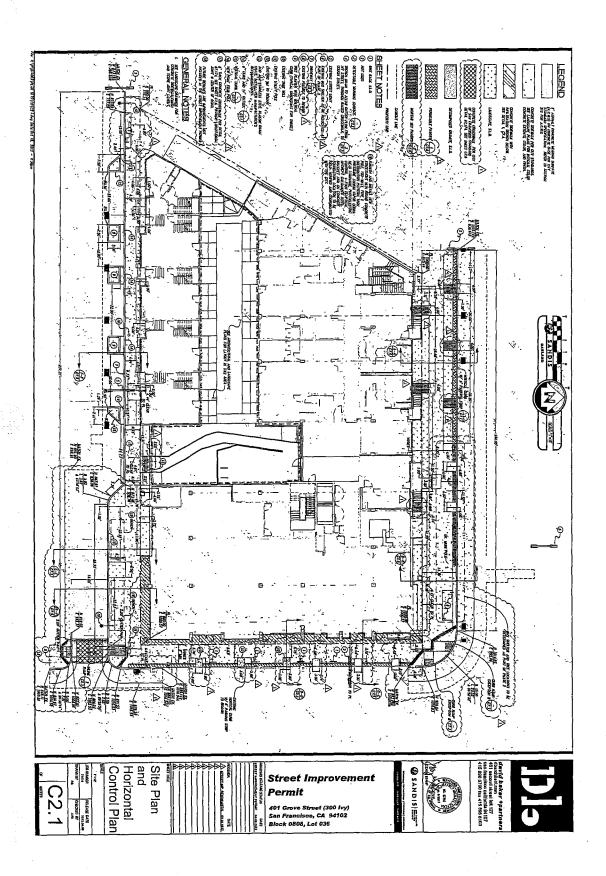
9.	The Permittee's right to use City property, as set forth in this permit is appurtenant to
	the property described as: 401 Grove St. San Francisco CA 94102
	Block 0808, LOT 036
	The provisions of the permit shall bind all subsequent purchasers and
	owners of the described property. The Permittee shall have the right to assign or
	transfer this Agreement and the permit to the 300 Ivy Owners Association, which is
	the owners association for the condominium project at the property.

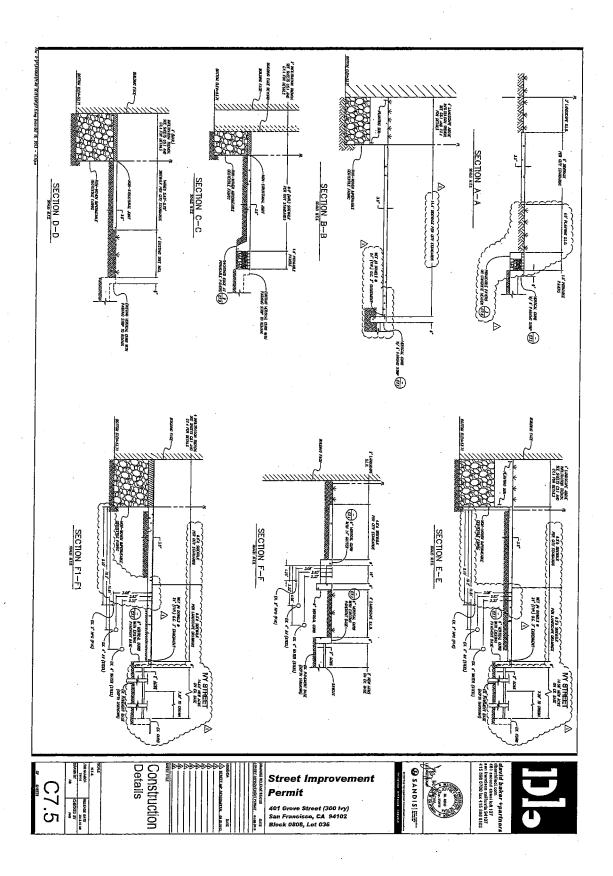
Subsequent purchasers and owners shall be subject to the revocation and termination provisions set forth in this permit.

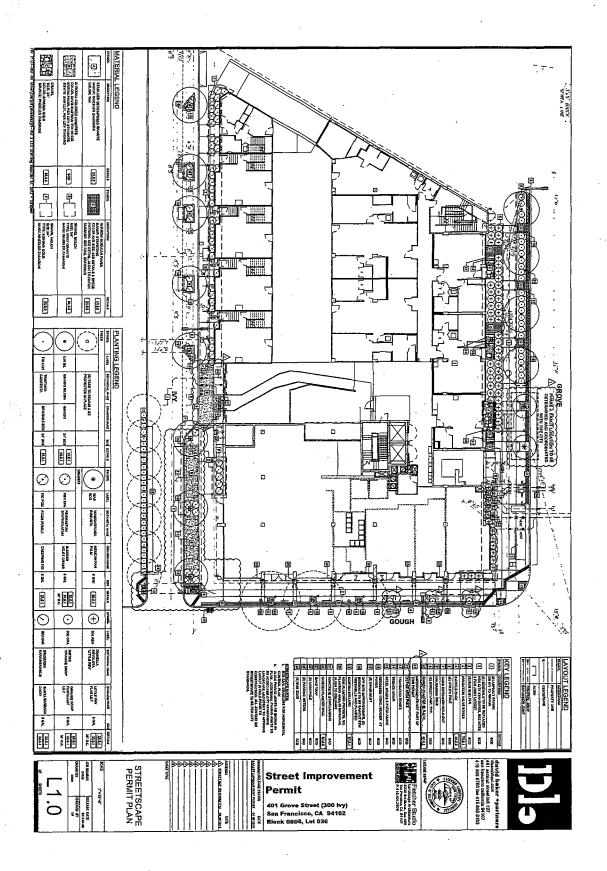
- 10. The Permittee or subsequent owners recognize and understand that this permit may create a possessory interest subject to property taxation and that the Permittee or subsequent owner or owners may be subject to the payment of such taxes.
- 11. The Permittee or subsequent owner or owners recognize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

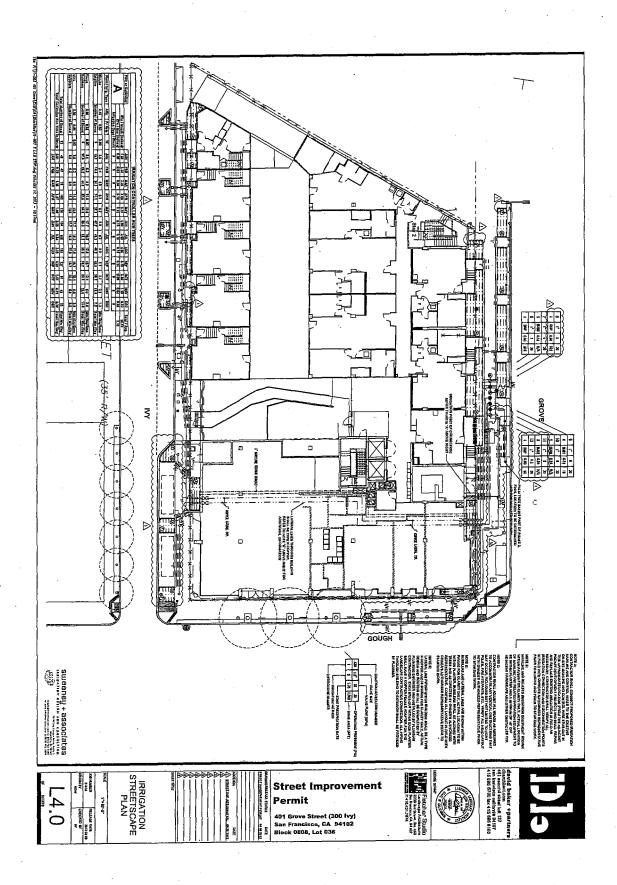
All of the provisions of this agreement shall be deemed provisions of said resolution. All of the provisions of said resolution shall be deemed provisions of this agreement.

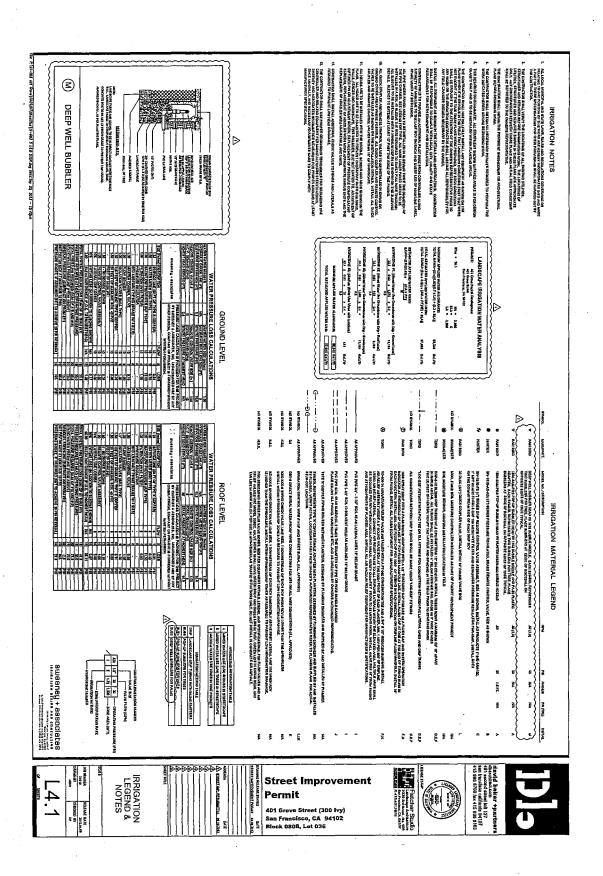
In witness whereof the undersigned Permittee(s) have executed this agreement this, 2014.
Ivy Grove Partners, LLC
Ivy Grove Partners, LLC By: A E-Costall Managing Director
STATE OF CALIFORNIA) SS
COUNTY OF Son Francisco
On
WITNESS my hand and official seal (NOTARY STAMP OR SEAL)
F. ANNE MICHEL Commission # 1991746 Notary Public - California San Francisco County
Notary Public in and for said County and State My Comm. Expires Oct 18, 2016

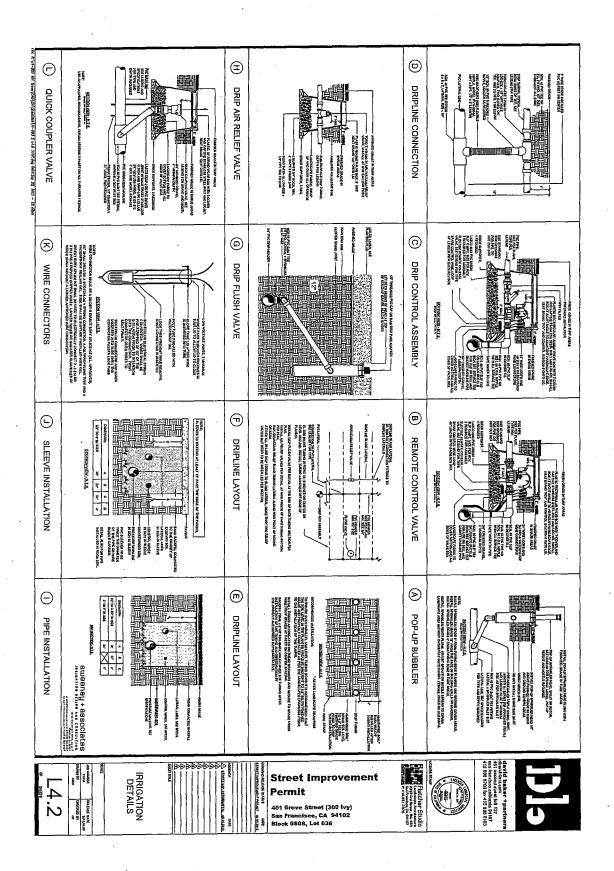


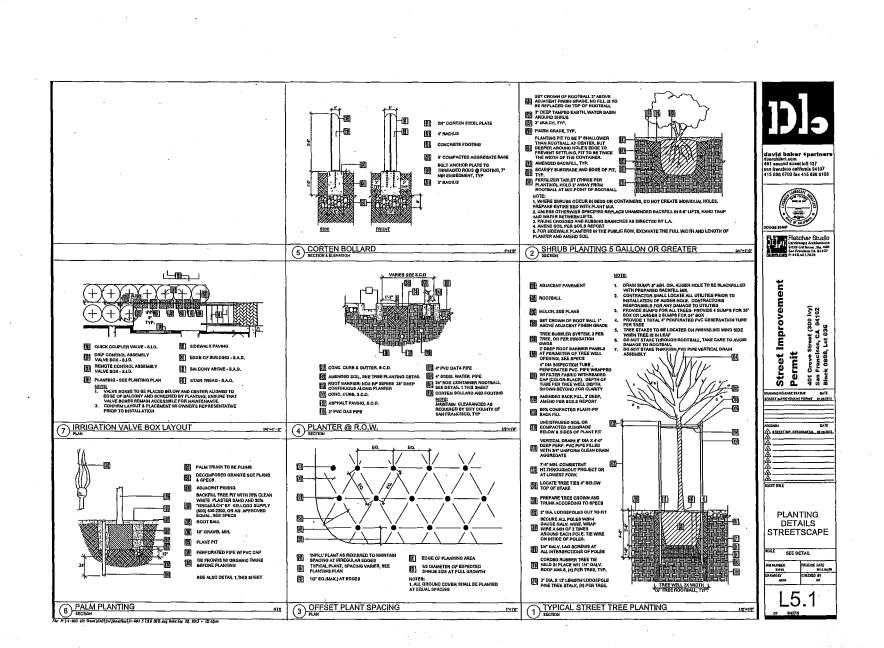












BOARD of SUPERVISORS



City Hall Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 554-5227

March 20, 2014

File No. 140181

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, 4th Floor San Francisco, CA 94103

Dear Ms. Jones:

On March 11, 2014, the Department of Public Works introduced the following legislation:

File No. 140181

Resolution granting revocable permission to Ivy Grove Partners, LLC, to occupy a portion of the public right-of-way to install and maintain planter bulb-outs and irrigation lines on Ivy Street fronting 401 Grove Street (Block No. 0808, Lot No. 036), conditioning the permit, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board A Suberry

By: Andrea Ausberry, Committee Clerk

Land Use & Economic Development Committee

Attachment

Nannie Turrell, Environmental Planning Jeanie Poling, Environmental Planning

Exempt from CEAN per Section 1530 5 Class 5 (b), Issuance of Minor Encroachment Permits lincluding street furniture such as planter boxes.

Mannie & Surell april 10, 2014

Ausberry, Andrea

Response MTA

From:

Martinsen, Janet [Janet Martinsen@sfmta.com]

Sent:

Friday, March 28, 2014 4:51 PM

To:

Ausberry, Andrea

Subject:

FW: File No. 140181 - Referral

Hi Andrea

FY!

Janet L. Martinsen

Local Government Affairs Liaison



janet.martinsen@sfmta.com 415-701-4693w; 415-701-4737f

www.sfmta.com

Find us on:

From: Robbins, Jerry

Sent: Wednesday, March 26, 2014 5:43 PM

To: Martinsen, Janet; Smith, Bridget; Papandreou, Timothy; Olea, Ricardo

Cc: Auyoung, Dillon

Subject: RE: File No. 140181 - Referral

Hi Janet:

Looks like TASC approved it on August 8, 2013, so we should be OK with it.

7. Ivy Street West of Gough Street – Major Encr A major encroachment permit is requested fo bulb-outs along Ivy Street west of Gough Stre from curb face and will extend an additional 5 curb face of 6.5 feet. This new curb face is co bulb-out on Ivy Street west of Gough Street. A residential permit parking will be displaced. T between the bulb-outs) will be provided with t Norman Wong, 701-4600

Approved.

Thanks,

Jerry

From: Martinsen, Janet

Sent: Wednesday, March 26, 2014 5:32 PM

To: Robbins, Jerry; Smith, Bridget; Papandreou, Timothy; Olea, Ricardo

Cc: Auyoung, Dillon

Subject: FW: File No. 140181 - Referral

Do we have any comments/concerns regarding this legislation? Is this related to one of our ped/bike safety projects? Not sure why else they would send it to us for comments.

Janet L. Martinsen

Local Government Affairs Liaison



janet.martinsen@sfmta.com 415-701-4693w; 415-701-4737f www.sfmta.com

Find us on:



From: Ausberry, Andrea [mailto:andrea.ausberry@sfgov.org]

Sent: Thursday, March 20, 2014 4:29 PM

To: Rosenfield, Ben; Kelly, Jr, Harlan L; Hui, Tom C.; Reiskin, Ed; Hayes-White, Joanne; Suhr, Greg; Suhr, Chief

Cc: Zmuda, Monique; Ellis, Juliet; Strawn, William; Jayin, Carolyn; Harris, Sonya; Martinsen, Janet; Breen, Kate; Boomer,

Roberta; Alves, Kelly; Fountain, Christine; Monroe, John

Subject: File No. 140181 - Referral

Good Afternoon,

Attached is a referral for BOS File No. 140181, which is being sent to you for informational. If you have any comments or reports to be included with the file, please forward them to me.

Bect.

Andrea S. Ausberry Assistant Clerk Land Use and Economic Development Committee San Francisco Board of Supervisors Office 415.554.4442 Website | http://www.sfbos.org/ Follow Us! | Twitter



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MEMORANDUM

TO:

Ben Rosenfield, Controller, Office of the Controller

Harlan Kelly, General Manager, Public Utilities Commission

Tom Hui, Director, Department of Building Inspection Ed Reiskin, Director, Municipal Transportation Agency

Joanne Hayes-White, Chief, Fire Department

Greg Suhr, Chief, Police Department

FROM:

Andrea Ausberry, Clerk, Land Use and Economic Development Committee

Board of Supervisors

DATE:

March 20, 2014

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by the Public Works Department on March 11, 2014:

File No. 140181

Resolution granting revocable permission to lvy Grove Partners, LLC, to occupy a portion of the public right-of-way to install and maintain planter bulb-outs and irrigation lines on lvy Street fronting 401 Grove Street (Block No. 0808, Lot No. 036), conditioning the permit, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

If you have any additional comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Monique Zmuda, Office of the Controller
Juliet Ellis, Public Utilities Commission
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Sonya Harris, Department of Building Inspection
Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Roberta Boomer, Municipal Transportation Agency
Kelly Alves, Fire Department
Christine Fountain, Police Department
John Monroe, Police Department

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March 20, 2014

File No. 140181

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, 4th Floor San Francisco, CA 94103

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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Auberry

By: Andrea Ausberry, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Environmental Planning Jeanie Poling, Environmental Planning