



Edwin M. Lee, Mayor
Mohammed Nuru, Director



Jerry Sanguinetti, Bureau Manager

DPW Order No: 183175

APPROVAL OF A MAJOR (STREET) ENCROACHMENT PERMIT FOR THE INSTALLATION OF A PUBLIC ART PROJECT IDENTIFIED AS *LIGHT RAIL*, A SUBWAY-RESPONSIVE LIGHT SCULPTURE TO BE INSTALLED ALONG MARKET STREET FROM VAN NESS AVENUE TO THE EMBARCADERO.

APPLICANT: Illuminate The Arts
c/o Pacific Crest Group
Attn: Ben Davis
80 East Sir Francis Drake Blvd., Suite 1B
Larkspur, CA 94939

PROPERTY IDENTIFICATION: Market Street
(Van Ness Ave to The Embarcadero)
San Francisco, CA 94102

DESCRIPTION OF REQUEST: Major (Street) Encroachment

BACKGROUND:

1. On June 24, 2014, the applicant filed a request with the Department of Public Works (DPW) to consider approval of a Major (Street) Encroachment Permit to install and maintain a public art subway-responsive light sculpture, illuminating two (2) miles along Market Street, from Van Ness Avenue to The Embarcadero. The *LightRail* shall identify and project real-time movement of underground trains, to transform San Francisco's preeminent thoroughfare into a scene of wonder and awe for millions of people. The *LightRail* will visually connect Market Street along the fragmented communities and further fuel efforts aiming to revitalize Market Street while reinforcing the corridor's historic creative essence. The public art project shall be a temporary installation, for a duration of approximately four (4) years.
2. The Transportation Advisory Staff Committee (TASC), at its meeting of September 25, 2014, recommended the proposed encroachment for approval.
3. The Planning Department/Historic Preservation Committee, in response to a referral dated July 7, 2014, and by a letter dated October 22, 2014, found the project, on balance, to be in conformity with the General Plan.
4. Arts Commission at its meeting of October 6, 2014, recommended the proposed encroachment for approval.



5. San Francisco Municipal Transportation Agency (SFMTA) Overhead Lines per an email dated November 06, 2014 confirmed approval of the proposed design and maintenance plan.
6. San Francisco Public Utilities Commission (SFPUC) Power Enterprise, in an email dated November 18, 2014 recommended the public art project for approval.
7. San Francisco Fire Department (SFFD) in an email dated December 1, 2014 confirmed that SFFD does not object to the proposed *LightRail* Art Project.
8. Public Works (PW) scheduled a public hearing on December 3, 2014 to consider the proposed encroachment. On November 10, 2014, PW emailed the notice to Daily Journal Corporation for publication on 11/13/2014, for the subject hearing.
9. Hearing Officer Oscar Gee conducted a hearing on the merits of the Major (Street) Encroachment Permit on December 3, 2014.
10. George Zisiadis and Stefano Corazza, representing Illuminate The Arts attended the public hearing. Mr. Zisiadis testified regarding the proposed encroachment and showed a video clip of how the *LightRail* would look, further stating that they are eager to get the permit and to commence installation of the public art project.
11. No other testimony was presented at the public hearing in favor or in opposition to the encroachment.
12. The Hearing Officer considered and reviewed all of DPW's files on this encroachment. Based on this information, the Hearing Officer made his decision on December 3, 2014 to recommend the proposed Major (Street) Encroachment to the Board of Supervisors for approval.

HEARING OFFICER RECOMMENDATION: APPROVAL of the request for a Major (Street) Encroachment Permit based on the following findings:

FINDING 1. Recommendation for approval by TASC and Planning Department's determination that the subject encroachment is in conformity with the General Plan.

FINDING 2. Said encroachment will provide the City and its neighborhoods an image, a sense of purpose, and a means of orientation.

FINDING 3. Said encroachment uses lighting design and art to make Market Street more prominent relative to its surroundings in an attractive and appropriately scaled manner.

FINDING 4. The subject encroachment is designed to improve and transform the Market Street corridor.

FINDING 5. Said encroachment capitalizes on a unique opportunity to emphasize the distinctive nature of Market Street by using art to draw attention to the street, the transit underground and the historic Path of Gold lamp posts.

FINDING 6. Due to this project providing a public amenity for the improvement of Market Street for a four (4) year duration, the annual assessment fee, as provided for in Section ____ of the Public Works Code, shall be waived.



X

Sanguinetti, Jerry
Bureau Manager

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Sweiss, Fuad
Deputy Director and City Engineer

X

Nuru, Mohammed
Director, DPW

