

1 [Street Encroachment - Outdoor Child Play Area - Redwood Street]

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3 **Resolution: 1) granting revocable permission to the Public Utilities Commission to**
4 **occupy a portion of the public right-of-way on Redwood Street, approximately 150 feet**
5 **west of Polk Street to construct and maintain an outdoor play area accessible to a child**
6 **care facility within the new building at 525 Golden Gate Avenue (Assessor's Block No.**
7 **0766, Lot No. 001); and 2) making environmental findings and findings of consistency**
8 **with the General Plan and the priority policies of Planning Code Section 101.1.**

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10 WHEREAS, Pursuant to Public Works Code Section 786, Department of Public Works
11 Project Management, on behalf of the Public Utilities Commission (PUC) requested
12 permission to occupy a portion of the public right-of-way on Redwood Street, approximately
13 150 feet west of Polk Street, with an outdoor play area accessible to a child care facility, as
14 required by State Title 22 Regulations which mandates that a licensed child care facility
15 provide a minimum of 75 square feet of outdoor space per child, within the new building at
16 525 Golden Gate Avenue. The encroachment is shown on plans filed with the Department of
17 Public Works. Copies of such plans are on file in the office of the Clerk of the Board of
18 Supervisors in File No. _____ and are incorporated herein by reference; and

19 WHEREAS, The Transportation Advisory Staff Committee (TASC), at its meeting of
20 December 1, 2011, recommended the proposed encroachment for approval; and

21 WHEREAS, The Planning Department by letter dated September 6, 2011, found the
22 proposal, on balance, to be in conformity with the General Plan. This letter also includes a
23 determination pursuant to the California Environmental Quality Act (California Public
24 Resources Code sections 21000 et seq.). A copy of said letter is on file with the Clerk of the

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1 Board of Supervisors in File No. _____, and is incorporated herein by reference;
2 and

3 WHEREAS, After a duly noticed public hearing on January 4, 2012, the Department of
4 Public Works recommended approval of the proposed encroachment; and

5 WHEREAS, The permit and associated encroachment agreement shall not become
6 effective until the Permittee executes and acknowledges the permit and delivers said permit to
7 the Department of Public Works. A copy of the permit and agreement are on file with the
8 Clerk of the Board of Supervisors in File No. _____, and are incorporated herein by
9 reference; and

10 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a
11 result of this permit, shall make the following arrangements: (a) To provide for the support and
12 protection of facilities belonging to the Department of Public Works, San Francisco Water
13 Department, the San Francisco Fire Department and other City Departments, and public utility
14 companies; and (b) To remove or relocate such facilities and provide access to such facilities
15 for the purpose of constructing, reconstructing, maintaining, operating, or repairing such
16 facilities; and

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

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

23 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the
24 encroachments and no cost or obligation of any kind shall accrue to the Department of Public
25 Works by reason of this permission granted; now, therefore, be it

1 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
2 Supervisors hereby grants permission, revocable at the will of the Director of the Department
3 of Public Works, to the Public Utilities Commission (PUC) to occupy a portion of the public
4 right-of-way on Redwood Street, approximately 150 feet west of Polk Street to construct and
5 maintain an outdoor play area accessible to a child care facility within the new building at 525
6 Golden Gate Avenue; and, be it

7 FURTHER RESOLVED, That this Board adopts the findings of the Planning
8 Department, which determined that said permit is consistent with the General Plan and the
9 priority policies of Planning Code Section 101.1.

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RECOMMENDED:

APPROVED:

Fuad Sweiss
Deputy Director for Engineering
and City Engineer

Mohammed Nuru
Director of Public Works