

1 [Street Encroachment - 157-24th Avenue]

2

3 **Resolution granting revocable permission to Kristina Baker to occupy a portion of the**
4 **public right-of-way to construct and maintain a portion of a new two car garage, new**
5 **terraced concrete retaining walls, reconstruct existing public concrete stairway, and**
6 **install and maintain additional landscaping within the existing sloped and landscaped**
7 **portion of the 24th Avenue public right-of-way, to access and provide off-street parking**
8 **for the property at 157-24th Avenue (Assessor's Block No. 1334, Lot No. 006) and**
9 **making findings of consistency with the eight priority policies of Planning Code,**
10 **Section 101.1.**

11

12 WHEREAS, Pursuant to Public Works Code, Section 786, permission was requested
13 by Onda Rosa Architecture, on behalf of Kristina Baker, to occupy a portion of the public right-
14 of-way to construct, install and maintain a portion of a new two car garage, new terraced
15 concrete retaining walls, reconstruct existing concrete stairway, and install and maintain
16 additional landscaping within the existing sloped and landscaped portion of the 24th Avenue
17 right-of-way, to access and provide off-street parking for the subject property, as shown on the
18 plans, a copy of which is on file in the office of the Clerk of the Board of Supervisors in File
19 No. _____; and

20 WHEREAS, The Planning Department, by letter dated June 26, 2014, declared that the
21 proposed encroachment is in conformity with the General Plan, and with the eight priority
22 policies of Planning Code, Section 101.1; a copy of said letter is on file with the Clerk of the
23 Board of Supervisors in File No. _____, and is incorporated herein by reference; and

24

25

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

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

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

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

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

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

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

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

1 WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-
2 way occupancy assessment pursuant to Public Works Code Section 786 and the initial
3 amount of said fee shall be \$1,894.00; and

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

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

9 RESOLVED, That pursuant to Public Works Code, Section 786, the Board of
10 Supervisors hereby grants permission, revocable at the will of the Director of the Department
11 of Public Works, to Kristina Baker, to occupy a portion of the public right-of-way to construct,
12 and maintain a portion of a new two car garage, new terraced concrete retaining walls
13 reconstruct existing public concrete stairway, and install and maintain additional landscaping
14 within the existing sloped and landscaped portion of the 24th Avenue right-of-way, to access
15 and provide off-street parking for the property at 157-24th Avenue (Assessor's Block No.1334,
16 Lot No. 006).; and, be it

17 FURTHER RESOLVED, That this Board adopts the findings of the Planning
18 Department which determined that said permit is consistent with the eight priority policies of
19 Planning Code, Section 101.1.

20

21 APPROVED:

22

23 _____

24 Mohammed Nuru

25 Director of Public Works