




GENERAL PLAN REFERRAL

May 5, 2021

Case No.: 2021-003353GPR
Block/Lot No.: N/A – unimproved land in Alameda County
Project Sponsor: SF PUC
Applicant: Anthony Bardo – (415) 250-8582
abardo@sflower.org
San Francisco Public Utilities Commission
525 Golden Gate Ave
San Francisco, CA 94102
Staff Contact: Ben Caldwell – (628) 652-7443
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Recommended By: 
Rich Hillis, Director of Planning

Recommendation: Finding the project, on balance, is **in conformity** with the General Plan

Project Description

The City of San Francisco, under the management of the San Francisco Public Utilities Commission (SF PUC), owns land outside of the City of San Francisco for the purpose of water delivery and water quality management. This includes land around the town of Sunol, in southern Alameda County, adjacent to roadways including State Route 84 (SR-84).

The State of California, acting by and through its Department of Transportation (“Caltrans”), is replacing the Alameda Creek Bridge and realigning the eastern and western approaches to the bridge on SR-84 in the Town of Sunol (the “Project”). Caltrans proposes to acquire certain portions within City’s Real Property in fee and as temporary construction easements to construct improvements related to the Project.

Caltrans has the authority to exercise the power of eminent domain and compel City to sell portions of City’s Real Property. Caltrans and the City recognize the expense, time, effort, and risk to both parties in determining

the compensation for acquiring City’s Real Property by eminent domain litigation. To avoid such litigation, the parties have proposed to enter into an Agreement for Sale of Real Estate.

The parcels proposed to be sold are narrow portions of roadway-adjacent property, and the actual amount of land sold small in relation to the large PUC land holdings in the area. Of the 161.34-acre parcel 63648-1 PUC owns, for example, less than 0.25 acres would be sold to Caltrans. The primary reason for PUC ownership of land in this area and of these specific parcels - to preserve long-term water quality or otherwise support nearby Hetch Hetchy water delivery infrastructure or facilities - would not be likely to be impacted in any material way by these land sales, and the PUC supports this sale of property it is responsible for owning and managing on behalf of the City of San Francisco.

Environmental Review

The proposed real estate transaction would not be defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

General Plan Compliance and Basis for Recommendation

As described below, the proposed PUC land sale to Caltrans is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the Objectives and Policies of the General Plan.

Note: General Plan Objectives are shown in **BOLD UPPER CASE** font; Policies are in **Bold** font; staff comments are in *italic* font.

ENVIRONMENTAL PROTECTION ELEMENT

OBJECTIVE 1

ACHIEVE A PROPER BALANCE AMONG THE CONSERVATION, UTILIZATION, AND DEVELOPMENT OF SAN FRANCISCO'S NATURAL RESOURCES.

Policy 1.1

Conserve and protect the natural resources of San Francisco.

Conserving and protecting the natural resources of San Francisco requires ownership of land outside of San Francisco related to long-term water quality protection and drinking water delivery. The primary purpose of the PUC and City’s large land holdings in and around Sunol is for supporting this water delivery infrastructure. The proposed sale to Caltrans of small pieces of this land that directly adjoins SR-84, in order to enable the rebuilding of the Alameda Creek Bridge, an important piece of connecting infrastructure in Sunol, is not likely to itself materially and negatively impact the primary reason for the PUC’s land ownership and management responsibilities in the Sunol area.

OBJECTIVE 2

IMPLEMENT BROAD AND EFFECTIVE MANAGEMENT OF NATURAL RESOURCES.**Policy 2.1****Coordinate regional and local management of natural resources.**

The proposed project demonstrates the practical coordination of state and local management of water and transportation infrastructure. Selling a small percentage of the PUC's watershed and water infrastructure delivery lands will allow Caltrans to build an important transportation and infrastructure replacement project, which provides public connectivity over Alameda Creek in the town of Sunol for people driving, walking, and bicycling, while avoiding costly and inefficient eminent domain proceedings. This land sale will not materially impact the purpose of the PUC's land ownership on this area. Since Caltrans would have been likely to initiate eminent domain proceedings to acquire this land, this land sale agreement is a practical solution that avoids an extended and resource-intensive legal process that would serve no beneficial public purpose.

OBJECTIVE 5**ASSURE A PERMANENT AND ADEQUATE SUPPLY OF FRESH WATER TO MEET THE PRESENT AND FUTURE NEEDS OF SAN FRANCISCO.****Policy 5.2****Exercise controls over development to correspond to the capabilities of the water supply and distribution system.**

The proposed sale to Caltrans of small pieces of public land that directly adjoins SR-84 will not affect the PUC's ability to assure a permanent and adequate supply of fresh water to San Francisco now and in the future. PUC's land ownership and management responsibilities in Sunol will continue without material impact, and the important natural resources of San Francisco will continue to be conserved and protected. The development controls in this area that support San Francisco's water supply and distribution system will remain in place. PUC's staff resources will not have to be dedicated to a protracted and complex eminent domain proceeding with Caltrans, and staff can remain focused on their fundamental work related to public water supply and delivery.

RECREATION AND OPEN SPACE ELEMENT**OBJECTIVE 4****PROTECT AND ENHANCE THE BIODIVERSITY, HABITAT VALUE, AND ECOLOGICAL INTEGRITY OF OPEN SPACES AND ENCOURAGE SUSTAINABLE PRACTICES IN THE DESIGN AND MANAGEMENT OF OUR OPEN SPACE SYSTEM****Policy 4.2****Establish a coordinated management approach for designation and protection of natural areas and watershed lands.**

The real estate sale demonstrates that the value of a coordinated management approach for protection of natural areas and watershed lands which balances the needs of many users.

TRANSPORTATION ELEMENT**OBJECTIVE 4**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.6

Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

The proposed Alameda Bridge Replacement Project in Sunol is intended to improve mobility and safety for people walking, bicycling, and driving in and through the town of Sunol. The proposed land sale would support this goal with little to no impact on PUC's water supply and delivery responsibilities.

Planning Code Section 101 Findings

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

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 proposed land sale by SFPUC is located within the County of Alameda, and would not affect existing neighborhood-serving retail uses in San Francisco.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed land sale by SFPUC is located within the County of Alameda, and would not affect existing housing and neighborhood character in San Francisco.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed land sale by SFPUC is located within the County of Alameda, and would not affect San Francisco's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed land sale by SFPUC is located within the County of Alameda, and would not affect commuter traffic, MUNI transit service or neighborhood parking in San Francisco.

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 resident

employment and ownership in these sectors be enhanced;

The proposed land sale by SFPUC is located within the County of Alameda, and would not affect the City's industrial and service sectors, or future employment opportunities for residents.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed land sale by SFPUC would not affect the City's preparedness against injury and loss of life in an earthquake. The purpose of the SFPUC's ownership of land in the area – preserving land important for the City's long term water quality, which helps ensure access to fresh water is available to all residents at all times, including in the immediate aftermath or an earthquake or other natural disaster – would not be materially impacted by the sale of these small parcels of roadway-adjacent land.

7. That the landmarks and historic buildings be preserved;

The proposed land sale by SFPUC is located within the County of Alameda, and would have no effect on the City's Landmarks and historic buildings.

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

The proposed land sale by SFPUC is located within the County of Alameda, and would have no effect on San Francisco's parks and open space and their access to sunlight and vistas.

Recommendation: Finding the project, on balance, is in conformity with the General Plan

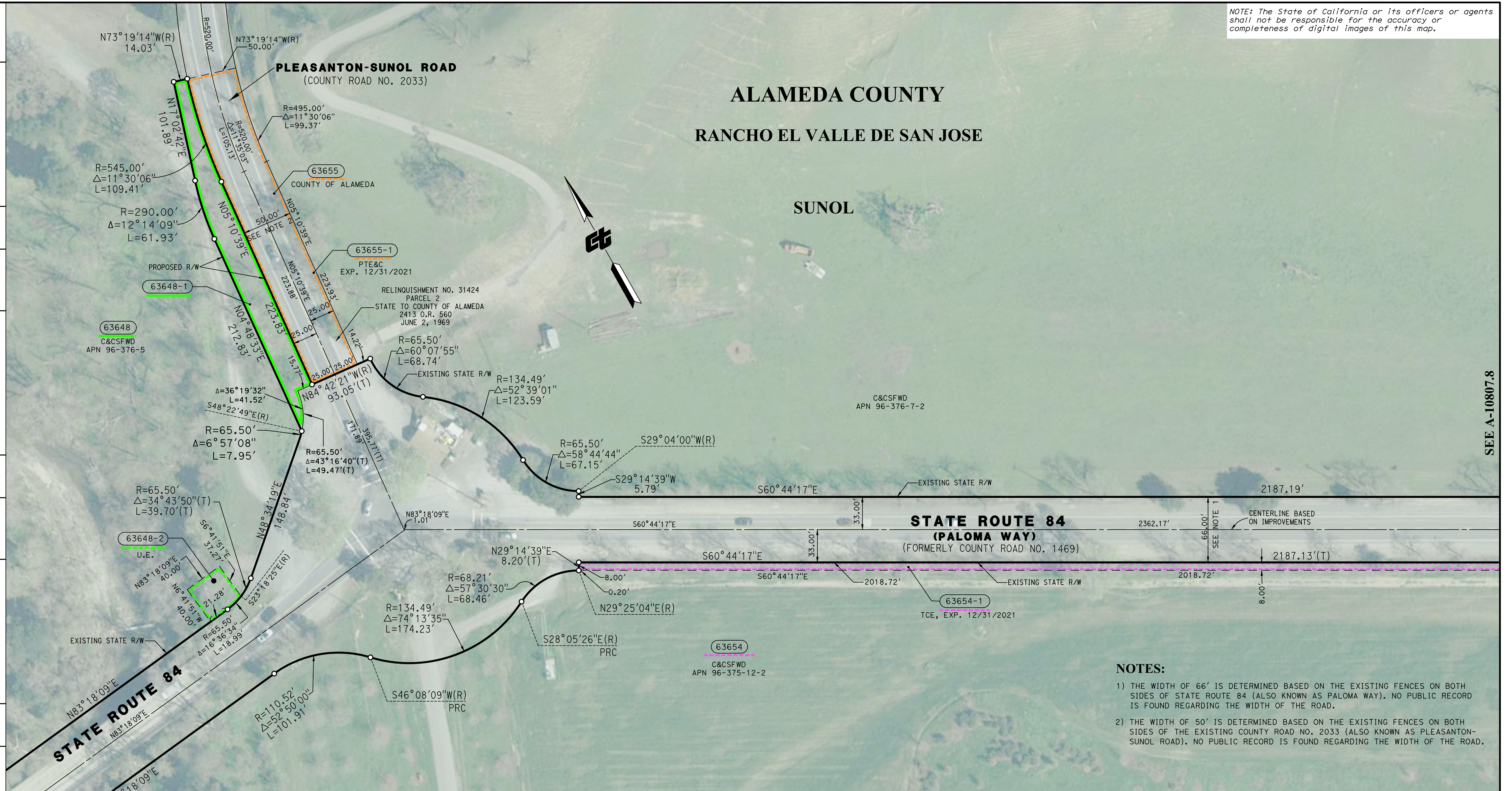
Attachments:

Map of the Project Site, showing PUC-owned property to be sold

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

ALAMEDA COUNTY

RANCHO EL VALLE DE SAN JOSE



- NOTES:**
- 1) THE WIDTH OF 66' IS DETERMINED BASED ON THE EXISTING FENCES ON BOTH SIDES OF STATE ROUTE 84 (ALSO KNOWN AS PALOMA WAY). NO PUBLIC RECORD IS FOUND REGARDING THE WIDTH OF THE ROAD.
 - 2) THE WIDTH OF 50' IS DETERMINED BASED ON THE EXISTING FENCES ON BOTH SIDES OF THE EXISTING COUNTY ROAD NO. 2033 (ALSO KNOWN AS PLEASANTON-SUNOL ROAD). NO PUBLIC RECORD IS FOUND REGARDING THE WIDTH OF THE ROAD.

LEGEND (CONTINUED)

O.R. OFFICIAL RECORDS OF ALAMEDA COUNTY
 PTE&C PERMIT TO ENTER AND CONSTRUCT
 PRC POINT OF REVERSE CURVATURE
 (R) RADIAL
 (T) TOTAL
 U.E. PG&E UTILITY EASEMENT

GRANTOR NOTES	NOTES
① Areas shown exclude underlying fee in the adjoining public way. Ac=acres	COORDINATES AND BEARINGS ARE ON CCS 83 ZONE 3, EPOCH 1991.35. DISTANCES ARE GRID DISTANCES. MULTIPLY BY 1.00007106 TO OBTAIN GROUND DISTANCES. ALL DISTANCES SHOWN ARE FEET UNLESS OTHERWISE NOTED.
② [U] Indicates Underlying Fee (UF) Area [V] Indicates Indeterminate UF	SEE SURVEY JOB #15-062, EA 2A3322 FOR MORE INFORMATION.
TITLE CODES: A=Access Rights Only F=Fee E=Easement (Ease) TCE=Temp Construction Ease T=Other Temp Ease (see Remarks) O=Other (see Remarks)	
③ TYPE: GD=Grant deed ED=Easement deed QC=Quitclaim DD=Director's deed DE=Director's easement deed DK=Director's quitclaim deed FOC=Final Order of Condemnation HE=Highway easement deed REL=Relinquishment VAC=Vacation JUA=Joint use agreement CCUA=Consent to common use	LEGEND O DIMENSION POINT APN ASSESSOR'S PARCEL NUMBER R/W RIGHT OF WAY AC. ACRES (T) TOTAL C&CSFWD CITY AND COUNTY OF SAN FRANCISCO WATER DEPARTMENT S.F. SQUARE FEET EXP. EXPIRES
④ Document or Instrument number	

* AREA FIGURE IS BASED ON LANDVISION

PARCEL#	TITLE CODE	GRANTOR	AREAS (square feet or as noted)				REMARKS	RECORDATION		
			TOTAL	REQUIRED	[UF] EXCESS	[UF] REMAINDER		TYPE	DATE	DOC.#
63648-1	F	C&CSFWD	*161.34 AC.	8,907 S.F.	0	161.13 AC.				
63648-2	E	C&CSFWD	*161.34 AC.			1583 S.F. PG&E UTILITY EASEMENT				
63654-1	TCE	C&CSFWD	*401.79 AC.			16,150 S.F. TCE, EXP. 12/31/2021				
63655-1	O	COUNTY OF ALAMEDA	INDEF.			16,413 S.F. PTE&C, EXP. 12/31/2021				

STATE OF CALIFORNIA
 CALIFORNIA STATE TRANSPORTATION AGENCY
 DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY APPRAISAL MAP A-10807.7

FOR PREVIOUS R/W INFORMATION SEE MAP(S) R-5320.3

SCALE: 1" = 50'

TO DESIGN: J. ZHONG
 DRAFTED BY: J. ZHONG
 CHECKED BY: R. SULLIVAN

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
04	ALA	84	17.4	8	9

R/W PROJECT SURVEYOR	DATE	REVISIONS	BY	DATE	REVISIONS	BY	DATE	REVISIONS	BY
04/17/18	11/13/19	REVISED PARCEL 63648-1 PER TRANS. NO. 4	RS	01/24/20	ADD PG&E U.E. PER TRANS. NO. 6	RS			
07/12/18		REVISED DRAFTING STYLE	RS						
11/27/18		REVISED PARCEL 63648-1 PER TRANSMITTAL NO. 2	RS						

SEE A-10807.8