

1 [Street Encroachments - Van Ness Avenue, Cedar Street, and Geary Boulevard - California
2 Pacific Medical Center: Cathedral Hill Campus]

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4 **Resolution: 1) granting revocable permission to the California Pacific Medical Center to**
5 **a) occupy a portion of the public right-of way on Van Ness Avenue in order to construct**
6 **and maintain a pedestrian tunnel under Van Ness Avenue (State Highway 101) to**
7 **connect the new medical office building and the new hospital located at 1100 and 1101**
8 **Van Ness Avenue respectively; b) construct and maintain off-site improvements on the**
9 **north side of Cedar Street between Van Ness Avenue and Polk Street, across the street**
10 **from the medical office building and on the south side of Cedar Street contiguous to**
11 **the property at 1001 Polk Street (Block No. 0694, Lot No. 004), including reconstructing**
12 **and widening the existing sidewalk, installing new landscaping and reconstructing the**
13 **existing roadway with pavers; and c) install and maintain two 30,000 gallon diesel fuel**
14 **tanks within the public right of way under Geary Boulevard between Franklin Street and**
15 **Van Ness Avenue, in order to serve the hospital at 1101 Van Ness Avenue; and 2)**
16 **making environmental findings and findings of consistency with the General Plan and**
17 **the priority policies of Planning Code Section 101.1.**

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19 WHEREAS, Pursuant to Public Works Code Section 786, California Pacific Medical
20 Center (“CPMC”) requested permission to occupy (1) a portion of the public right-of way on
21 Van Ness Avenue in order to construct and maintain a pedestrian tunnel under Van Ness
22 Avenue (State Highway 101) to connect the new medical office building and the new hospital
23 located at 1100 and 1101 Van Ness Avenue respectively; (2) to construct and maintain off-site
24 improvements on the north side of Cedar Street between Van Ness Avenue and Polk Street,
25 across the street from the medical office building and on the south side of Cedar Street

1 contiguous to the property at 1001 Polk Street (Block 0694, Lot 004), including reconstructing
2 and widening the existing sidewalk, installing new landscaping and reconstructing the existing
3 roadway with pavers; and (3) to install and maintain two 30,000 gallon diesel fuel tanks within
4 the public right of way under Geary Boulevard between Franklin Street and Van Ness Avenue,
5 in order to serve the hospital at 1101 Van Ness Avenue. These encroachments are shown on
6 plans filed with the Department of Public Works. Copies of such plans are on file in the office
7 of the Clerk of the Board of Supervisors in File No. _____ and are incorporated
8 herein by reference; and

9 WHEREAS, The Transportation Advisory Staff Committee (TASC), at its meeting of
10 _____, recommended the proposed encroachments for approval; and

11 WHEREAS, On _____, 2012, the City Planning Commission
12 conducted a duly noticed public hearing on various actions related to the Near-Term Projects
13 proposed in California Pacific Medical Center's Long Range Development Plan, including on
14 the proposed encroachment permits. Pursuant to San Francisco Charter Section 4.105, the
15 Planning Commission found by Motion No. _____ that the encroachment permits
16 were consistent with the City's General Plan, as proposed to be amended, and the eight
17 priority policies of Planning Code Section 101.1. A copy of said Motion is on file with the Clerk
18 of the Board of Supervisors in File No. _____.

19 WHEREAS, At its hearing on _____, 2012, the Planning
20 Commission certified by Motion No. _____ a Final Environmental Impact Report
21 ("FEIR") for the LRDP pursuant to the California Environmental Quality Act (California Public
22 Resources Code Sections 21000 et seq.) ("CEQA"), the CEQA Guidelines (14 Cal. Code Reg.
23 Sections 15000 et seq.) and Chapter 31 of the Administrative Code. A copy of Planning
24 Commission Motion No. _____ is on file with the Clerk of the Board of Supervisors
25 in File No. _____; and

1 WHEREAS, After a duly noticed public hearing on _____, 2012, the
2 Department of Public Works recommended approval of the proposed encroachment; and

3 WHEREAS, The permits and associated street encroachment agreements, which are
4 incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in
5 File No. _____, shall not become effective until:

6 (a) The Permittee executes and acknowledges the permits and delivers said permits to
7 the City's Controller,

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

13 (c) The Department of Public Works records the permits and associated agreements in
14 the office of the County Recorder; and

15 WHEREAS, The Permittee, at the Permittee's sole expense and as necessary as a
16 result of these permits, shall make the following arrangements:

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

20 (b) To provide access to such facilities to allow said entities to construct, reconstruct,
21 maintain, operate, or repair such facilities; and,

22 (c) To remove or relocate such facilities if installation of the encroachments require
23 said removal or relocation and to make all necessary arrangements with the owners of such
24 facilities, including payment for all their costs, should said removal or relocation be required;
25 and,

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

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

6 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
7 Supervisors hereby grants revocable permission to CPMC to occupy a portion of the public
8 right-of-way to (1) construct and maintain a pedestrian tunnel under Van Ness Avenue (State
9 Highway 101) to connect the new medical office building and the new hospital located at 1100
10 and 1101 Van Ness Avenue respectively; (2) construct and maintain off-site improvements on
11 the north side of Cedar Street between Van Ness Avenue and Polk Street, across the street
12 from the medical office building, and on the south side of Cedar Street contiguous to the
13 property at 1001 Polk Street (Block 0694, Lot 004), including reconstructing and widening the
14 existing sidewalk, installing new landscaping, and reconstructing the existing roadway with
15 pavers; and (3) install and maintain two 30,000 gallon diesel fuel tanks with within the public
16 right of way under Geary Boulevard between Franklin Street and Van Ness Avenue, in order
17 to serve the hospital at 1101 Van Ness Avenue; and, be it

18 FURTHER RESOLVED, That the Board adopts as its own the findings of consistency
19 with the General Plan, as its proposed to be amended, and Planning Code Section 101.1 as
20 set forth in Planning Commission Motion No. _____; and, be it

21 FURTHER RESOLVED, That in accordance with the actions contemplated herein, this
22 Board has reviewed the FEIR, and adopts and incorporates by reference as though fully set
23 forth herein the findings, including the statement of overriding considerations and mitigation
24 monitoring and reporting program, adopted by the Planning Commission on _____,
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1 2012, pursuant to CEQA, in Motion No. _____. Said Motion is on file with the Clerk of
2 the Board of Supervisors in File No. _____; and, be it

3 FURTHER RESOLVED that this Resolution shall become effective 30 days from the
4 date of passage. This Resolution shall become operative only on (and no rights or duties are
5 affected until) the later of (a) 30 days from the date of its passage, or (b) the date that
6 Ordinance No. _____, and Ordinance No. _____ have both become
7 effective. Copies of said Ordinances are on file with the Clerk of the Board of Supervisors in
8 File Nos. _____.

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