

LEGISLATIVE DIGEST

[Street Vacation - Portion of Airspace over Natoma Street between First and Second Streets]

Ordinance ordering the summary street vacation of a portion of the airspace above Natoma Street between First and Second Streets and adjacent to the Transbay Transit Center; waiving application of Administrative Code, Chapter 23 to the conveyance of the street vacation area; finding the street vacation area is not necessary for City's use and is exempt surplus property under the California Surplus Land Act, California Government Code, Sections 54220 et seq.; quitclaiming the City's interest in the street vacation area to the Transbay Joint Powers Authority; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

Existing Law

The area to be vacated includes the airspace above Natoma Street between First and Second Streets where a pedestrian bridge would connect a residential development project at 524-530 Howard Street (the "Project") to the Transbay Transit Center's rooftop park ("Vacation Area"). The Vacation Area is more particularly shown on Public Works SUR Map No. 2024-001. To vacate a street the City follows the procedures in California Streets and Highways Code Sections 8300 et seq. and Public Works Code Section 787(a). The California Streets and Highways Code provides for a summary street vacation, which allows for expedited processing of street vacations, if the City can make certain findings. In regard to the conveyance of City property, the City follows the procedures of the California Surplus Land Act, California Government Code Sections 54220 et seq. Administrative Code Chapter 23 establishes the procedures related to the City's purpose and sale of real property. This procedure requires an appraisal prior to the approval of the City's sale of property.

Amendments to Current Law

By this ordinance, the Board of Supervisors would make findings and take actions required to summarily vacate the Vacation Area, and quitclaim the City's interest in the vacation area to the Transbay Joint Powers Authority ("TJPA"), in order to provide for enhanced public access to the Transbay Transit Center's rooftop park from a new pedestrian bridge between the Project and the rooftop park. The vacation would be subject to the following conditions: (1) the Vacation Area shall not be conveyed to any party other than the TJPA or its successor; provided, however, that the TJPA may assign or convey an easement in the Vacation Area to the Project owner to construct a pedestrian bridge and create public access to the Transit Center's rooftop park; and (2) if the TJPA abandons the pedestrian bridge use of the Vacation Area, or if construction of the pedestrian bridge has been not been completed within eight

years, which date may be extended by the PW Director's discretion, then the Vacation Area shall terminate, and, the public right-of-way in the Vacation Area shall be restored. The legislation would waive the requirements of Administrative Code Chapter 23, including its appraisal requirement. The ordinance makes environmental findings and findings of consistency with the City's General Plan and eight priority policy findings of Planning Code Section 101.1.

Background Information

The vacation of the Vacation Area would facilitate construction of a pedestrian bridge connecting the Project to the Transbay Transit Center's rooftop park, also known as Salesforce Park.

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