

File No. 100364

Committee Item No. 2

Board Item No. 28

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date May 24, 2010

Board of Supervisors Meeting Date June 8, 2010

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

(Use back side if additional space is needed)

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Overall Site Layout Plan, Sheet No. 1.1</u>            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Letter, dated November 9, 2009</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Works Order No. 178,419</u>                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____   |

Completed by: Alisa Somera Date May 21, 2010

Completed by: Alisa Somera Date May 24, 2010

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file.

25

1 [Major Encroachment for San Francisco State University to Place Utilities Under Font  
2 Boulevard]

3 **Resolution granting a revocable major encroachment permit to San Francisco State**  
4 **University to occupy a portion of the public right-of-way to install and maintain private**  
5 **underground utilities crossing Font Boulevard to serve properties within Assessor**  
6 **Block 7304; making findings, including environmental findings and findings of**  
7 **consistency with the General Plan and the Eight Priority Policies of Planning Code**  
8 **Section 101.1.**

9  
10 WHEREAS, Pursuant to Public Works Code Section 786, San Francisco State  
11 University requested permission to occupy a portion of the public right-of-way to install and  
12 maintain private underground utilities crossing Font Boulevard as shown on the Overall Site  
13 Layout Plan; sheet number 1.1, a copy of which is on file in the office of the Clerk of the Board  
14 of Supervisors in File No. 100364 and is incorporated herein by reference. These utilities  
15 include the following: four (4) 5-inch electrical conduits; one (1) 3-inch gas sleeve; two (2) 10-  
16 inch, two (2) 6-inch, one (1) 4-inch domestic water service lines; one (1) 8-inch fire service;  
17 and six (6) 4-inch telecommunication conduits; and

18 WHEREAS, The Planning Department, by letter dated November 9, 2009, declared  
19 that the proposed encroachments are in conformity with the General Plan and with the Priority  
20 Policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk of the  
21 Board of Supervisors in File No. 100364, and is incorporated herein by reference; and

22 WHEREAS, In the abovementioned letter, the Planning Department also determined  
23 that the actions contemplated in this Resolution are in compliance with the California  
24 Environmental Quality Act, Class 1(c) (repair, maintenance and minor alteration of existing  
25 streets and sidewalks). Said determination is incorporated herein by reference; and,

1 WHEREAS, At a duly noticed public hearing on December 9, 2009, the Department of  
2 Public Works recommended approval of the proposed encroachments; and

3 WHEREAS, The permit and associated encroachment agreement shall not become  
4 effective until the Permittee executes and acknowledges the permit and delivers said permit to  
5 the Department of Public Works. A copy of the permit and agreement are on file with the  
6 Clerk of the Board of Supervisors in File No.100364, and are incorporated herein by  
7 reference; and

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

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

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

16 (c) To become members of, participate in; and share in the costs of the Underground  
17 Service Alert system; and

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

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

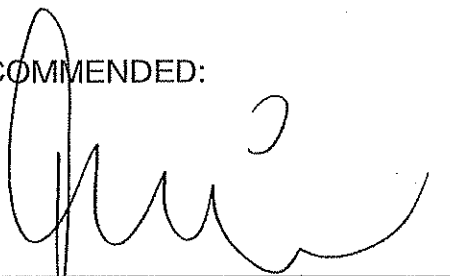
24 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the  
25 encroachments and no cost or obligation of any kind shall accrue to the City and County of

1 San Francisco nor its Department of Public Works by reason of this permission granted; now,  
2 therefore be it

3 RESOLVED, That pursuant to Public Works Code Section 786, the Board of  
4 Supervisors hereby grants permission for a major encroachment permit, revocable at the will  
5 of the Director of the Department of Public Works, to property owner, San Francisco State  
6 University, to occupy a portion of the public right-of-way to install and maintain private  
7 underground utilities crossing Font Boulevard. This approval includes approval of the  
8 encroachment permit agreement; and, be it

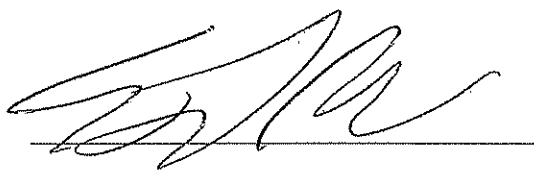
9 FURTHER RESOLVED, That this Board adopts as its own the findings of the Planning  
10 Department, which determined that said permit is consistent with the General Plan and the  
11 priority policies of Planning Code Section 101.1.

12  
13 RECOMMENDED:

14  
15  
16  
17 

18 Fuad S. Sweiss  
19 City Engineer and Deputy Director for  
20 Engineering

APPROVED:

21  
22  
23  
24  
25 

Edward D. Reiskin  
Director, Department of Public Works



**SAN FRANCISCO  
STATE UNIVERSITY**

09ME-0003

CAPITAL PLANNING,  
DESIGN & CONSTRUCTION  
1600 Holloway Avenue  
San Francisco, CA 94132  
phone: 415/338-1698  
fax: 415/338-2960

April 27, 2009

City and County of San Francisco Department of Public Works  
875 Stevenson Street, Room 460  
San Francisco, CA 94103

RECEIVED  
BUREAU OF STREET USE & MAPPING

APR 28 2009

DEPT. OF PUBLIC WORKS

ATTENTION: Mr. Edward Reiskin, Director

RE: APPLICATION FOR MAJOR ENCROACHMENT PERMIT  
EXTENSION OF CAMPUS UTILITIES ACROSS FONT BOULEVARD

Dear Mr. Reiskin:

San Francisco State University is requesting a Major Encroachment Permit for the extension of campus utilities across Font Boulevard to Block 7304/Lot 41, located southeast of Lake Merced and Font Boulevards. In order to serve the site, the University must extend new utility lines from the main campus across Font Boulevard.

Our mechanical and civil engineers have determined that there are one fire and four domestic water lines, four medium voltage electrical lines, and six telecommunication lines that will need to be extended from the main campus to the site. Since each of these utilities has a different point of connection within the campus, the new electrical, water, and telecommunications lines must take different routes. Hence, the lines cross Font Boulevard in three separate locations before stubbing out at the site, as shown on the attached site layout diagram.

All work extending into the city of San Francisco's right-of-way will be executed in accordance with the latest edition of the "Standard Specifications, Bureau of Engineering, Department of Public Works, City and County of San Francisco."

Please feel free to contact me if you have any questions.

Sincerely,

Simon Y. Lam  
Associate Vice President  
Capital Planning, Design & Construction

Electronic copies to:

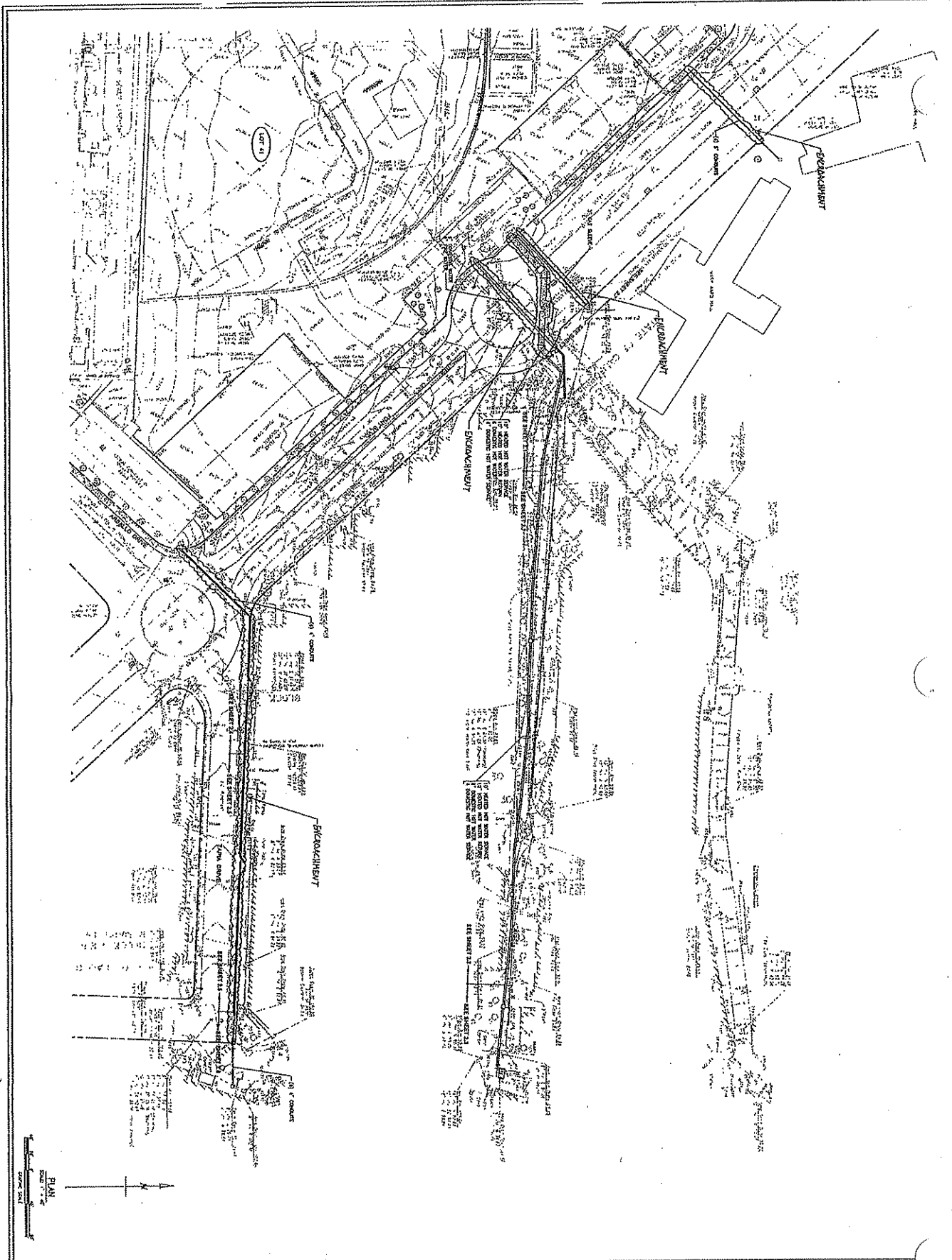
Leroy M. Morishita, Vice President and Chief Financial Officer, Administration & Finance

Wendy Bloom, Campus Planner, Capital Planning, Design & Construction

Nick Elsner, Senior Plan Checker, Division of Street-Use Permits, City and County of San Francisco Department of Public Works

Enclosures:

- Six (6) copies of full-size plans of overall site layout
- Six (6) copies of 8.5"x11" of overall site layout
- Six (6) copies of area map
- Six (6) copies of Sheets 2.1, 2.4, 2.5, 2.6, and 2.7
- 300-foot radius map
- List of property owners within 300 feet of proposed encroachment
- Two (2) sets of mailing labels and postage for notifying property owners
- Check payable to San Francisco DPW in the amount of \$3,782.12



DATE	2008-08-14
BY	J. BASSO
CHK	SM
SHEET	11

OVERALL SITE LAYOUT

**SAN FRANCISCO STATE UNIVERSITY**  
 SAN FRANCISCO, CALIFORNIA  
 UTILITY EXTENSION - PHASE 1A  
 95% CD SUBMITTAL







**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS**

**STREET ENCROACHMENT AGREEMENT**

**WITNESSETH**

In consideration of the adoption by the Board of Supervisors of the City and County of San Francisco of Resolution No. \_\_\_\_\_ at its meeting of \_\_\_\_\_, a true copy of which is attached hereto marked Exhibit A, and by this reference incorporated herein, and subject to all the terms, conditions and restrictions of this Agreement, also by reference incorporated herein, Permittee agrees that in accordance with this agreement and Exhibit A:

1. The permitted encroachment shall constitute a revocable license, shall be personal to Permittee and shall not be assignable or transferable by Permittee, whether separate from or together with any interest of Permittee.

Upon revocation the undersigned permittee, subsequent owners, or their heirs and assignees will within 30 days remove or cause to be removed the encroachment and all materials used in connections with its construction, without expense to the City and County of San Francisco, and shall restore the area to a condition satisfactory to the Department of Public Works.

2. The occupancy, construction and maintenance of the encroachment shall be in the location and as specified by the plans submitted, revised, approved and filed in the Department of Public Works. The permittee, by acceptance of this permit, acknowledges its responsibility to comply with all requirements of the occupancy, construction and maintenance of the encroachment as specified in Public Works Code Section 786 and with the sidewalk maintenance requirements specified in Public Works Code Section 706.
3. The permittee shall verify the locations of City and public service utility company facilities that may be affected by the work authorized by this permit and shall assume all responsibility for any damage to such facilities due to the work. The permittee shall make satisfactory arrangements and payments for any necessary temporary relocation of City and public utility company facilities.
4. In consideration of this Permit being issued for the work described in the application, Permittee on its behalf and that of any successor or assign, and on behalf of any lessee, promises and agrees to perform all the terms of this Permit and to comply with all applicable laws, ordinances and regulations.

Permittee agrees on its behalf and that of any successor or assign to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (hereinafter collectively referred to as the "City") from and against any and all losses, liabilities, expenses, claims, demands, injuries, damages, fines, penalties, costs or judgments including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from (i) any act by, omission by, or negligence of, Permittee or its subcontractors, or the offices, agents or employees of either, while engaged in the performance of the work authorized by this Permit, or while in or about the property subject to this Permit for any reason connected in any way whatsoever with the performance of the work authorized by this Permit, or allegedly resulting directly or indirectly from the maintenance or installation of any equipment, facilities or structures authorized under this Permit, (ii) any accident or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the work authorized by this Permit, or while in or about the property, for any reason connected with the performance of the work authorized by this Permit, or arising from liens or claims for services rendered or labor or materials furnished in or for the performance of the work authorized by this Permit, (iii) injuries or damages to real or personal property, good will, and persons in, upon or in any way allegedly connected with the work authorized by this Permit from any cause that potentially falls within this indemnity provision. Permittee agrees that the indemnification obligations assumed under this Permit shall survive expiration of the Permit or completion of work.

Permittee shall obtain and maintain through the terms of this Permit general liability, automobile liability or workers' compensation insurance as the City deems necessary to protect the City against claims for damages for personal injury, accidental death and property damage allegedly arising from any work done under this Permit. Such insurance shall in no way limit Permittee's indemnity hereunder.

5. The permittee shall obtain a building permit as the Central Permit Bureau, 1660 Mission Street for the construction or alteration of any building.
6. The permittee shall contact the Street Permit Section (415) 554-5810, at least 48 hours prior to starting work to arrange an inspection schedule.
7. The permittee acknowledge its responsibility to notify any successor owners of the existence of the encroachment and the successor owner's obligation to obtain a permit from the Department of Public Works 60 days in advance of any pending sale of the permittee's adjacent property. The permittee's obligation to remove the encroachment and restore the right-of-way to a condition satisfactory to the Department of Public Works shall survive the revocation, expiration or termination of this permit or sale of permittee's adjacent property.
8. The permittee's right to use City property, as set forth in this permit is appurtenant to the property described as: Across Font Blvd, to seervie SFSU campus at 3711 19<sup>th</sup> Avenue (Block 7304, Lot 001). The provisions of the permit shall bind all subsequent purchases and owners of the described property.

Subsequent purchasers and owners shall be subject to the revocation and termination provisions set forth in this permit.

10. The permittee or subsequent owners recognize and understand that this permit may create a possessory interest subject to property taxation and that the permittee or subsequent owner or owners may be subject to the payment of such taxes.

11. The permittee or subsequent owner or owners recognize the recordation of this permit.

All of the provisions of this agreement shall be deemed provisions of said resolution. All of the provisions of said resolution shall be deemed provisions of this agreement.

In witness whereof the undersigned Permittee(s) have executed this agreement this 20<sup>th</sup> day of March, 2010.

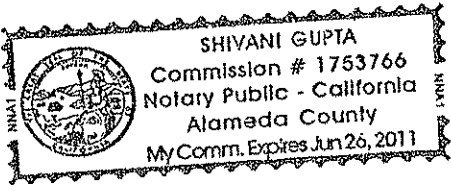
[Signature]  
\_\_\_\_\_  
Stephen C. Smith, Director of Procurement

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF Alameda )

On 20<sup>th</sup> March, 2010 before me, Shivani Gupta Notary Public in and for said County and State, personally appeared Stephen C. Smith personally known to me (or proven to me on the name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by this by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal (NOTARY STAMP OR SEAL)

[Signature]  
Notary Public in and for said County and State



**ACKNOWLEDGMENT**  
State of California  
County of Alameda  
On 20th March, 2010 before me, Shivani Gupta, Notary Public  
(PRINT NAME AND TITLE OF THE OFFICER)  
personally appeared Stephen C. Smith  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/ her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.  
WITNESS my hand and official seal.

Signature [Signature] (SEAL)



Gavin Newsom, Mayor  
Edward D. Reiskin, Director



Phone: (415) 554-6920  
Fax: (415) 554-6944  
TDD: (415) 554-6900  
www.sfdpw.org

Department of Public Works  
Office of the Director  
City Hall, Room 348  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4645

## Order No. 178,419

### **PUBLIC HEARING TO CONSIDER A REQUEST FROM SAN FRANCISCO STATE UNIVERSITY, FOR A MAJOR ENCROACHMENT PERMIT TO INSTALL PRIVATELY MAINTAINED UNDERGROUND UTILITIES ACROSS FONT BOULEVARD TO SERVE SFSU CAMPUS AT 3711 19<sup>TH</sup> AVENUE (BLOCK 7304, LOT 001).**

The Department of Public Works will consider the request for the above mentioned Major Encroachment Permit. Any interested person may attend the Department of Public Works hearing on this matter at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400 at 9:00 AM, Wednesday, **December 9th, 2009.**

Persons unable to attend the public hearing may submit written comments regarding the subject matter to the Bureau of Street-Use & Mapping, 875 Stevenson Street, Room 460, San Francisco, CA 94103, Attention: Simon Chan. These comments will be brought to the attention of the hearing officer and made a part of the official public record.

Information on this matter may be obtained prior to the hearing at 875 Stevenson Street, Room 460, or by phoning Mr. Chan at (415) 554-5811.

A handwritten signature in black ink, appearing to read "E. Reiskin".

Edward D. Reiskin  
Director

Gavin Newsom | Mayor  
Rev. Dr. James McCray Jr. | Chairman  
Tom Nolan | Vice-Chairman  
Cameron Beach | Director  
Shirley Breyer Black | Director  
Malcolm Heinicke | Director  
Jerry Lee | Director  
Bruce Oka | Director  
Nathaniel P. Ford, Sr. | Executive Director/CEO

**MEMORANDUM**

**TO:** John Kwong, DPW-BSM, 875 Stevenson Street, Room 460

**FROM:** Scott Broady, Assistant Engineer

**DATE:** July 13, 2009

**RE:** Font Boulevard – Major Encroachment

At its meeting of July 9, 2009, TASC approved a request for a Major Encroachment permit from San Francisco State University to install three utility lines across Font Boulevard in the vicinity of Tapia Drive.

Please call Mr. Scott Broady at 701-4673 if you have any questions about this matter.

SB:sb



T:\SpecProj\Street\_Space\Encroachment\FontBlvd-MajorEncr.doc



# PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER  
(415) 558-6378

DIRECTOR'S OFFICE  
PHONE: 558-6411

4TH FLOOR  
FAX: 558-6426

ZONING ADMINISTRATOR  
PHONE: 558-6350

5TH FLOOR  
FAX: 558-6409

PLANNING INFORMATION  
PHONE: 558-6377

MAJOR ENVIRONMENTAL  
FAX: 558-5991

COMMISSION CALENDAR  
INFO: 558-6422

INTERNET WEB SITE  
WWW.SFGOV.ORG/PLANNING

RECEIVED  
BUREAU OF STREET USE & MAPPING

NOV 17 2009

DEPT. OF PUBLIC WORKS

November 9, 2009

Mr. Simon Chan  
Department of Public Works.  
Bureau of Street-Use and Mapping  
875 Stevenson Street, Room 460  
San Francisco, CA 94103-0942

Re: 2009.0404R  
SFSU Proposed Major Encroachment Permit  
Utilities extension at 755 Font Blvd (Assessor's Block 7304)

Dear Mr. Chan:

On May 20 2009, the Planning Department received your request to determine whether the proposed Major Encroachment Permit to occupy a portion of Font Boulevard from the main SFSU Campus at 3711 19<sup>th</sup> Avenue to 755 Font Blvd and Sewer Relocation Agreement to relocate a sewer easement at the same site would be in-conformity with the General Plan. San Francisco State University (SFSU) has requested the Major Encroachment Permit in order to trench and install privately maintained underground utilities in the Font Boulevard public right-of-way. On August 7, 2009, the Planning Department received a revised application requesting the inclusion of a sewer easement be added to the original application. The public right-of-way proposed to be utilized by SFSU is shown on an attached Overall Site Layout Map (Attachment 1). The site is located at the southwestern corner of the SFSU campus. The proposed major encroachment permit, sewer relocation, and utility easement are, on balance, **in-conformity** with the *General Plan*, as described in the attached staff report.

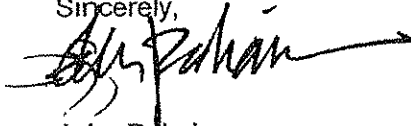
The project would include the Major Encroachment Permit to extend one fire and four domestic water lines, four medium-voltage electrical lines, and six telecommunication lines from the main SFSU campus to 755 Font Blvd (AB 7304). In addition, the sewer lines are to be relocated from the center of the parcel to the southeast corner of the parcel. Finally, a sleeve for a future 3 inch diameter gas line and a 6 inch diameter domestic water line would be incorporated in an easement located below the mid-block traffic circle on Font Boulevard.

The General Plan permits such use of portions of rights-of-way, provided that the City retains ownership of the right-of-way for its current and future use as a public resource, such as for maintenance and retrofitting of the underground resources, providing public access to adjacent properties, general circulation, or other public uses. The project has been reviewed for consistency with the Eight Priority Policies of the Planning Code Section 101.1 and the findings are attached. The proposed Major Encroachment Permit, Sewer Relocation Agreement, and utility easements are, on balance, **in-conformity** with the *General Plan*.

## Environmental Review

On September 10, 2009, the Department has determined that the project is Categorically Exempt from Environmental Review under Class 1 (c) of the California Environmental Quality Act (repair, maintenance and minor alteration of existing streets and sidewalks).

Sincerely,

A handwritten signature in black ink, appearing to read "John Rahaim", with a long horizontal stroke extending to the right.

John Rahaim

Cc: AKiefer, PD

### Attachments

1. Overview Site Layout Map
2. Sewer Relocation Proposal
3. Utility Easement Proposal
4. Staff Report *General Plan* Policies
5. Planning Code Section 101.1 Policies

I:\Citywide\General Plan\General Plan Referrals\2009\ 2009.0404R revised 11\_9\_09.doc

Re: 2009.0404R  
Utilities extension under Font Boulevard at 755 Font Blvd (Assessor's Block 7304)  
SFSU Proposed Major Encroachment Permit, Sewer Relocation Agreement, and  
Utility Easement

## STAFF REPORT - GENERAL PLAN POLICIES

**Note:** General Plan Objectives and Policies in **Bold font**; General Plan text is in regular font.  
Staff comments are in *italic font*.

### TRANSPORTATION ELEMENT

#### **POLICY 1.2**

**Ensure the safety and comfort of pedestrians throughout the city.**

Safety is a concern in the development and accommodation of any part of the transportation system, but safety for pedestrians (which includes disabled persons in wheelchairs and other ambulatory devices) should be given priority where conflicts exist with other modes of transportation

*Pedestrian safety will not be impacted by the project.*

### URBAN DESIGN ELEMENT - CONSERVATION

#### **Street Space**

#### **POLICY 2.8**

**Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.**

Street areas have a variety of public values in addition to the carrying of traffic. They are important, among other things, in the perception of the city pattern, in regulating the scale and organization of building development, in creating views, in affording neighborhood open space and landscaping, and in providing light and air and access to properties.

*The proposal is not a street vacation, but instead a major encroachment and sewer relocation, and so does not represent a permanent release of street area. The public will still retain ownership. No buildings are proposed to be constructed in the space.*

#### **POLICY 2.9**

**Review proposals for the giving up of street areas in terms of all the public values that streets afford.**

Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permit or other means, shall be judged with the following criteria as the minimum basis for review: a. No release of a street area shall be recommended which would result in:



- (1) Detriment to vehicular or pedestrian circulation;
- (2) Interference with the rights of access to any private property;
- (3) Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
- (4) Obstruction or diminishing of a significant view, or elimination of a viewpoint; industrial operations;
- (5) Elimination or reduction of open space which might feasibly be used for public recreation;
- (6) Elimination of street space adjacent to a public facility, such as a park, where retention of the street might be of advantage to the public facility;
- (7) Elimination of street space that has formed the basis for creation of any lot, or construction or occupancy of any building according to standards that would be violated by discontinuance of the street;
- (8) Enlargement of a property that would result in (i) additional dwelling units in a multi-family area; (ii) excessive density for workers in a commercial area; or (iii) a building of excessive height or bulk;
- (9) Reduction of street space in areas of high building intensity, without provision of new open space in the same area of equivalent amount and quality and reasonably accessible for public enjoyment;
- (10) Removal of significant natural features, or detriment to the scale and character of surrounding development.
- (11) Adverse effect upon any element of the General Plan or upon an area plan or other plan of the Department of City Planning; or
- (12) Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.

*Permitting a Major Encroachment Permit in the Font Boulevard right-of-way and Sewer Relocation on the parcel would not be inconsistent with these policies. It would not result in impact to travel lanes or existing parking strips. It would not result in adverse effects described in concerns listed in paragraphs 1 – 12 above.*

b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:

**POLICY 2.10**

**Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.**

In order to avoid the unnecessary permanent loss of streets as public assets, methods of release short of total vacation should be considered in cases in which some form of release is warranted. Such lesser methods of release permit later return of the street space to street

purposes, and allow imposition of binding conditions as to development and use of the street area.

*This is a major encroachment permit and sewer relocation, not a street vacation; therefore the City will not be releasing the street from public ownership.*

The proposal is, on balance, in   X   conformity \_\_\_\_\_ not in conformity with the General Plan.

Re: 2009.0404R  
Utilities extension under Font Boulevard at 755 Font Blvd (Assessor's Block 7304)  
SFSU Proposed Major Encroachment Permit, Sewer Relocation Agreement, and  
Utility Easement

**Planning Code Section 101.1 Eight Priority Policies**

The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*Project is not in conflict with this policy.*

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

*Project is not in conflict with this policy.*

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

*Project is not in conflict with this policy.*

4. That commuter traffic not impede Muni transit services or overburden our streets or neighborhood parking;

*Project is not in conflict with this policy.*

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;

*Project is not in conflict with this policy.*

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

*Project is not in conflict with this policy.*

7. That landmarks and historic buildings be preserved; and

*Project is not in conflict with this policy.*

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

*Project is not in conflict with this policy.*

