

File No. 130523

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date July 8, 2013

Board of Supervisors Meeting Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
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- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- General Plan Referral, dtd 10/19/12
- DPW Order No. 181211
- Street Encroachment Agreement
- Figures
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Alisa Miller Date July 3, 2013

Completed by: _____ Date _____

1 [Major Encroachment - San Francisco State University - Pedestrian Tunnel Below Winston
2 Drive]

3 **Resolution granting a revocable permission to San Francisco State University (SFSU)**
4 **to occupy portions of the public right-of-way to construct and maintain a pedestrian**
5 **tunnel below Winston Drive to provide a safe and accessible connection from the main**
6 **campus of SFSU to the site of a new Recreation Wellness Center; and making**
7 **environmental findings, and findings of consistency with the General Plan and the**
8 **priority policies of Planning Code, Section 101.1.**

9
10 WHEREAS, Pursuant to Public Works Code Section 786, San Francisco State
11 University (SFSU), requested permission to occupy a portion of the public right-of-way to
12 construct and maintain a pedestrian tunnel below Winston Drive to provide a safe and
13 accessible connection from the main campus of SFSU to the site of a new Recreation
14 Wellness Center; and

15 WHEREAS, The land between the two campuses slopes steeply downward toward the
16 campus on the south side of Winston Drive, with the elevation at the bottom of the slope
17 approximately 24 feet below street level, and approximately 20 feet below the proposed
18 project site on the north side of Winston Drive. The proposed tunnel will provide a gradual
19 ADA-compliant walkway between the campus on the south, and the proposed site on the
20 north side of Winston Drive, and will serve as a gateway between the center and the main
21 campus; and

22 WHEREAS, The encroachments are shown on plans filed with the Department of
23 Public Works. Copies of such plans are on file in the office of the Clerk of the Board of
24 Supervisors in File No. 130523; and

1 WHEREAS, The Transportation Advisory Staff Committee (TASC), at its meeting of
2 October 11, 2012 recommended the proposed encroachment for approval; and

3 WHEREAS, The Planning Department by letter dated October 19, 2012, found the
4 proposed pedestrian tunnel to be in conformity with the General Plan, the Better Streets Plan
5 and Planning Code Section 101.1 In the abovementioned letter, the Planning Department's
6 Environmental Planning Section also determined that the proposed project is categorically
7 exempt (Class 1-Existing Facilities) from the California Environmental Quality Act (CEQA,
8 pursuant to CEQA Guideline Section 15301). A copy of said letter is on file with the Clerk of
9 the Board of Supervisors in File No. 130523, and is incorporated herein by reference; and

10 WHEREAS, After a duly noticed public hearing on April 10, 2013, the Department of
11 Public Works, on April 23, 2013, approved DPW Order No. 181211, which recommended
12 approval of the proposed encroachment conditioned upon SFSU constructing a new sewer
13 line and two (2) manholes below the Pedestrian Tunnel at its cost; and

14 WHEREAS, The permit and associated Street Encroachment Agreement, which are
15 incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in
16 File No. 130523, shall not become effective until:

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

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

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

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

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

6 (c) To remove or relocate such facilities if installation of the encroachment requires
7 said removal or relocation and to make all necessary arrangements with the owners of such
8 facilities, including payment for all their costs, should said removal or relocation be required;
9 and

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

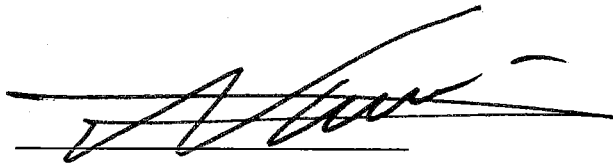
14 WHEREAS, No structures shall be erected or constructed within said street right-of-
15 way except as specifically permitted herein; and

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

19 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
20 Supervisors hereby grants permission, revocable at the will of the Director of the Department
21 of Public Works, to San Francisco State University (SFSU) to occupy a portion of the public
22 right-of-way to construct and maintain a pedestrian tunnel below Winston Drive to provide a
23 safe and accessible connection from the main campus of SFSU to the site of a new
24 Recreation Wellness Center.

25 APPROVED:

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Mohammed Nuru
Director of Public Works



Edwin M. Lee, Mayor
 Mohammed Nuru, Director

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO

2013 MAY 29 PM 3:05



Jerry Sanguinetti, Bureau Manager

MAJOR ENCROACHMENT RESOLUTION ROUTING SHEET

Everyone involved in the processing of this Major Encroachment Resolution is requested to complete this form so that the Department has a written record of the steps taken. Please notify the sender (see below) of any delays or questions.

PERMIT INFORMATION

Permit No. 12ME-0005	Date Sent: 5/28/2013	Date Due at BOS At your earliest possible
Block/Lot 7289/008 & 7299/005	Project Address: San Francisco State University	

SENDER

Name: Berhane T. Gaime	Telephone: 415-554-5806
Address: 1155 Market Street, 3rd Floor	Email: Berhane.Gaime@sfdpw.org

ROUTE

Date Received	To	Date Forwarded or Signed
5/29/13	Frank W. Lee Executive Assistant To Director City Hall, Room 348	5/29/13
5/29/13	Mohammed Nuru Director of Public Works City Hall, Room 348	5/29/13 mcn
	Clerk of Board of Supervisors (BOS) City Hall, Room 244 (Submit a copy of this sheet with map.)	
	When the legislation packet is submitted to BOS, please return this original routing sheet to sender.	



130573



Office of the Director
1 Dr. Carlton B. Goodlett Place, City Hall, Room 348
San Francisco, CA 94102
(415) 554-6920 ■ www.sfdpw.org

Edwin M. Lee, Mayor
Mohammed Nuru, Director

May 28, 2013

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Ms. Calvillo:


Attached please find an original and four (4) copies of a proposed resolution for Board of Supervisors consideration, which would grant revocable permission to San Francisco State University (SFSU) to construct and maintain a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus of SFSU to the site of a new Recreation Wellness Center and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Pursuant to Section 786 of the Public Works Code, SFSU filed an application with the Department of Public Works (DPW) for a Major (Street) Encroachment Permit to construct and maintain a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus of SFSU to the site of a new Recreation Wellness Center. The land between the two campuses slopes steeply downward toward the campus on the south side of Winston Drive, with the elevation at the bottom of the slope approximately 24 feet below street level, and approximately 20 feet below the proposed project site on the north side of Winston Drive. The proposed tunnel will provide a gradual ADA-compliant walkway between the campus on the south, and the proposed site on the north side of Winston Drive, and will serve as a gateway between the center and the main campus.

The Planning Department by letter dated October 19, 2012 determined that the pedestrian tunnel is in conformity with the General Plan. The Transportation Advisory Staff Committee (TASC) at its meeting of October 11, 2012 recommended approval to the proposed pedestrian tunnel.

The following is a list of accompanying documents (five sets):

- Letter from San Francisco State University (SFSU) dated August 13, 2012.
- Letter from the Planning Department dated October 19, 2012
- DPW Order No. 181211, approved on April 23, 2013 recommending approval of this encroachment


 RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2013 MAY 29 PM 3:08
 BY: *[Signature]*



- Street Encroachment Agreement.
- Proposed Conceptual design, site plan, feasibility study Tunnel detail plan and profiles

The following person may be contacted regarding this matter: Mr. Berhane Gaime of BSM at (415) 554-5806.

Sincerely,



Mohammed Nuru
Director of Public Works

Attachments: As Noted





**SAN FRANCISCO
STATE UNIVERSITY**

CAPITAL PLANNING,
DESIGN & CONSTRUCTION

1600 Holloway Avenue
San Francisco, CA 94132

phone: 415/338-1698
fax: 415/338-2960

August 13, 2012

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

ATTENTION: Mohammed Nuru
Director of Public Works

RECEIVED
BUREAU OF STREET USE & MAPPING

AUG 13 2012

DEPT OF PUBLIC WORKS

**RE: APPLICATION FOR MAJOR ENCROACHMENT PERMIT FOR PEDESTRIAN
TUNNEL / UNDERPASS**

Dear Mr. Nuru:

San Francisco State University is requesting a Major Encroachment Permit for the construction of a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus to the site of a new Recreation Wellness Center. As illustrated in the attached drawings (Figures 1 – 4 and Portal Renderings), the land slopes steeply downward toward the campus on the south side of Winston Drive, with the result that the elevation at the bottom of the slope is approximately 24 feet below street level and approximately 20 feet below the proposed project site on the north side of Winston Drive. Thus, the underpass will provide a gradual (5% slope or less) ADA-compliant walkway between the campus land on the south and north sides of Winston Drive.

In addition, as currently exists, a staircase will provide access to the street level from the campus on the south side of Winston Drive. The University will replace the existing crosswalk concurrent with construction of the tunnel and install a new sidewalk along the entire length of the project site on the north side of Winston Drive. Currently, there is no sidewalk along most of the project site fronting Winston Drive. With these improvements, ample pedestrian access will be provided at both the street level and lower level.

The tunnel will be approximately 15 feet high and 20 feet wide. Its length will be kept to a minimum (likely around 80 feet) to serve as a gateway between the center and main campus. The portals are expected to be opened up to provide an inviting pedestrian environment. The topography makes this an excellent application for presenting a tunnel as a means of access that will be ADA compliant.

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." Currently, we are completing a Mitigated Negative Declaration for the Recreation Wellness Center project.

Mr. Mohammed Nuru
San Francisco Department of Public Works
8/13/2012

Please feel free to contact me if you have any questions. Thank you for your assistance on this important project.

Sincerely,



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

Electronic copies to:

Nancy K. Hayes, Vice President and Chief Financial Officer, Administration & Finance

Marilyn S. Lanier, Senior Associate Vice President, Physical Planning & Development

Roger Fish, Director, Capital Planning, Design & Construction

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 Figures 1 – 4 (plan, profile, and cross section)
- Six (6) copies of Architectural Renderings
- Site photos (4 sheets total)
- 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 \$4,056.09
- General Plan Referral application and supporting documentation



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: October 19, 2012

Case No. Case No. 2012.1239R
Major Encroachment Pedestrian Tunnel Winston Drive

Block/Lot No.: Blocks 7299/005, 7296/004, 7298/004, 7298/006

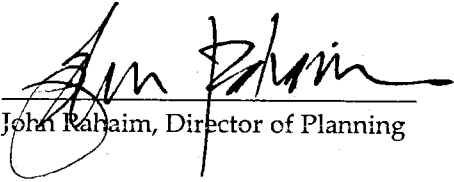
Project Sponsor: Wendy Bloom
San Francisco State University
Capital Planning, Design and Construction
1600 Holloway Avenue
San Francisco, CA 94132

Referred By: Nick Elsner
Department of Public Works / Street Use and Mapping
875 Stevenson Street, Room 460
San Francisco, CA 94103

Staff Contact: Nicholas Perry – (415) 575-9066
nicholas.perry@sfgov.org

Recommendation: Finding the project, on balance, **in conformity** with the General Plan, as described further in this Case Report.

*Recommended
By:*


John Rahaim, Director of Planning

PROJECT DESCRIPTION

San Francisco State University (Herein referred to as SFSU) is requesting a Major Encroachment Permit for the construction of a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus to the site of a new Recreation Wellness Center. The site slopes steeply downward toward the campus on the south side of Winston Drive, with the result that the elevation at the bottom of the slope is approximately 24 feet below street level and approximately 20 feet below the proposed project site on the north-side of Winston Drive. Thus, the underpass will provide a gradual (5% slope or less) ADA-compliant walkway between the campus land on the south and north sides of Winston Drive. The tunnel will be approximately 15 feet high and 20 feet wide. Its length will be kept to a minimum (likely around 80 feet) to serve as a gateway between the center and main campus.

In addition, as currently exists, a staircase will provide access to the street level from the campus on the south side of Winston Drive. SFSU will replace the existing crosswalk concurrent with the construction of the tunnel and install a new sidewalk along the entire length of the project site on the north side of Winston Drive. Currently, there is no sidewalk along most of the project site fronting Winston Drive. With these improvements, ample pedestrian access will be provided at both the street level and lower level.

ENVIRONMENTAL REVIEW

The project has received a Categorical Exemption under CEQA Guidelines Section 15301, Class 1-Existing Facilities. Minor alteration to existing facilities or topographical features involving no expansion of use.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Pedestrian Tunnel on Winston Drive has been reviewed for consistency with General Plan policies and with the Eight Priority Policies of the Planning Code Section 101.1. **In general, we find the project to be in conformance with the City's General Plan**, consistent with the Eight Priority Policies and the Objectives and Policies of the General Plan as described in the body of this letter. The project sponsor has indicated through correspondence with the Department that additional improvements to Winston Drive and to the tunnel not detailed in their submittal will be included as a part of the tunnel's construction and/or the construction of the planned Recreation and Wellness Center. These additional improvements are summarized below.

- Pedestrian lighting leading to and through the tunnel
- Landscaping in and around the tunnel area.
- Art /design elements to make the tunnel welcoming and inviting.
- Improvements to the existing crosswalk on Winston Drive.
- Improvements to the north side of Winston Drive that brings the existing sub-standard sidewalk into conformance with the San Francisco Better Streets Plan's design recommendations (Including a minimum sidewalk width of 10 feet).

These improvements would bring the overall project and its relationship to Winston Drive into closer conformance with the General Plan, and the Department urges the project sponsor to ensure such improvements are included in the project as constructed.

URBAN DESIGN ELEMENT

POLICY 1.9

Increase the clarity of routes for travelers.

Currently, due to topography of the site, pedestrians wishing to travel across Winston Drive from the central SFSU campus must climb up stairs to get to street level. The proposed pedestrian tunnel would provide a clear, ADA-accessible path of travel beneath the road to facilitate a more direct connection

between the central campus and the new recreation amenities proposed for north of Winston Drive. A stairway will remain in place for those wishing to travel up to street-level, so no loss of connectivity is anticipated.

POLICY 4.3

Provide adequate lighting in public areas.

Although the lighting plan for the tunnel and surrounding areas has not been finalized, the project sponsor has stated there will be ample pedestrian lighting in the tunnel and on the pathways leading to it. SFSU is also investigating using an "artful display of video images" to enliven the experience of walking through the tunnel and increase pedestrian safety.

POLICY 4.8

Provide convenient access to a variety of recreation opportunities.

As proposed, the tunnel would provide the SFSU campus community with more direct and convenient means of access to a major new recreation facility.

POLICY 4.12

Install, promote and maintain landscaping in public and private areas.

Although landscaping plans have yet to be finalized, the project sponsor has stated the tunnel portals and pathways leading to them will include landscaping.

TRANSPORTATION ELEMENT

POLICY 1.2

Ensure the safety and comfort of pedestrians throughout the city.

The proposed tunnel is being designed with pedestrian comfort in-mind, presenting an alternative to climbing up a staircase to cross Winston Drive. The project sponsor has indicated that tunnel will be designed with ample lighting and other design amenities.

POLICY 2.4

Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.

As proposed, the tunnel may help reinforce community identity at SFSU by serving as a gateway between the central campus and its new recreational facilities north of Winston Drive.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT

The proposed tunnel would be an enhancement to the pedestrian circulation system in the SFSU campus area. It should also be noted as part of the larger Recreation Wellness Center Project, SFSU is working with SFMTA to craft a traffic calming plan for Winston Drive. In front of the new Recreation Wellness Center site, the project sponsor has stated that a new sidewalk will replace the non-existent or substandard sidewalk on the north side of Winston Drive consistent with the design parameters established in the *San Francisco Better Streets Plan*.

POLICY 23.3

Maintain a strong presumption against reducing sidewalk widths, eliminating crosswalks and forcing indirect crossings to accommodate automobile traffic.

POLICY 23.6

Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.

The project sponsor has indicated that in conjunction with construction of the tunnel, surface-level improvements would be made to the existing surface-level crosswalk on Winston Drive. The project sponsor has stated that safety enhancements such sidewalk bulb-outs into the parking lane or traffic islands are proposed to improve the pedestrian crossing experience. In addition, a new surface-level crosswalk across Winston Drive is proposed to the east of the tunnel location, centered on the new Recreation and Wellness Center site.

POLICY 23.9

Implement the provisions of the Americans with Disabilities Act and the city's curb ramp program to improve pedestrian access for all people.

The proposed tunnel would provide an ADA-compliant access route between the central SFSU campus and the new recreation facilities north of Winston Drive.

OBJECTIVE 27

ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.

As proposed, the new tunnel would provide bicyclists a more-direct path of travel between the SFSU central campus and the recreation facilities north of Winston Drive that avoids bicycling uphill or carrying bicycles up the existing staircase to cross the street.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

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:

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

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 project will not displace or restrict access to any existing neighborhood-serving retail business or restrict further opportunities.

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

The Project considered would have no adverse effect on existing housing and neighborhood character.

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

The project will not adversely impact the City's supply of affordable housing.

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

The project will not adversely impact traffic patterns, neighborhood parking, or Muni services.

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 residential employment and ownership in these sectors be enhanced.

The proposed project will not displace any industrial business.

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

The project will not impede emergency vehicle access.

7. That landmarks and historic buildings be preserved.

No landmarks or other historic buildings will be adversely impacted by the proposed project.

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

The project will not affect any parks or open spaces.

**RECOMMENDATION: Finding the Project, on balance, in-conformity
with the General Plan**

City and County of San Francisco



Edwin M. Lee, Mayor
Mohammed Nuru, Director

San Francisco Department of Public Works
Office of the Deputy Director & City Engineer, Fuad Sweiss
Bureau of Street-Use & Mapping
1155 Market Street, 3rd Floor
San Francisco Ca 94103
(415) 554-5810 ■ www.sfdpw.org



Jerry Sanguinetti, Bureau Manager

DPW Order No: 181211

RECOMMENDATION OF APPROVAL FOR A MAJOR (STREET) ENCROACHMENT PERMIT FOR A PEDESTRIAN TUNNEL BELOW WINSTON DRIVE TO PROVIDE A SAFE AND ACCESSIBLE CONNECTION FROM THE MAIN CAMPUS OF SAN FRANCISCO STATE UNIVERSITY (SFSU) TO A PROPOSED NEW RECREATION WELLNESS CENTER AT THE SOUTH SIDE OF WINSTON DRIVE.

APPLICANT:

San Francisco State University
Capital Planning Design & Construction
1600 Holloway Avenue
San Francisco, CA 94132
Attention: Wendy Bloom

PROPERTY IDENTIFICATION: The proposed pedestrian tunnel will connect the main campus of SFSU (Block 7299, Lot 005) to the proposed new wellness center (Block 7289, Lot 008)

DESCRIPTION OF REQUEST: Major (Street) Encroachment Permit

BACKGROUND:

1. SFSU filed an application with the Department of Public Works (DPW) for a Major (Street) Encroachment Permit for the construction and maintenance of a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus of SFSU to the site of a new Recreation Wellness Center. The land between the two campuses slopes steeply downward toward the campus on the south side of Winston Drive, with the elevation at the bottom of the slope approximately 24 feet below street level, and approximately 20 feet below the proposed project site on the north side of Winston Drive. The proposed tunnel will provide a gradual ADA-compliant walkway between the campus on the south, and the proposed site on the north side of Winston Drive, and will serve as a gateway between the center and the main campus.
2. The Transportation Advisory Staff Committee (TASC) at its meeting of October 11, 2012 recommended approval for the proposed pedestrian tunnel.



San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.

3. The Planning Department by letter dated October 19, 2012 determined the proposed pedestrian tunnel below Winston Drive to be in conformity with the General Plan.
4. The Infrastructure Division/Hydraulics Section has reviewed the proposed Major Encroachment Permit application below Winston Drive and has no objections provided that SFSU constructs a new sewer line and two (2) manholes at their cost.
5. DPW mailed public hearing notices on March 29, 2013 to property owners within 300-foot of the subject location, notifying them of a public hearing on April 10, 2013, to consider the proposed Major (Street) Encroachment Permit at the subject location.
6. Hearing Officer, Mr. Kevin Day, conducted the hearing and heard testimony presented by DPW Staff.
7. Campus Planner Wendy Bloom represented SFSU and also presented testimony.
8. Ms. Bloom testified that this is a part of a larger project with SFSU also planning to construct a new sidewalk along the entire length of the project site, along the north side of Winston Drive, concurrently with construction of the tunnel.
9. The Hearing Officer asked if SFSU has considered installing emergency telephones along this route; Ms. Bloom responded stating that security cameras will be installed and University Police will be monitoring them
10. No testimony was presented in opposition to the permit application during the hearing
11. The Hearing Officer made his decision after hearing the above testimony, and reviewing the application, reports, plans and other documents contained in the Department of Public Works files.

RECOMMENDATION: Recommendation of APPROVAL of the request for the proposed pedestrian tunnel under Winston Drive.

FINDING 1. The proposed pedestrian tunnel, based on review of the submitted plans, is in compliance with San Francisco Building Code (SFBC), 2010 ADA Standards for Accessible Design and Title II of the ADA, otherwise known as 28 CFR Part 35 "Nondiscrimination on the Basis of Disability in State and Local Government Services.

FINDING 2. The subject encroachment is desirable and convenient to the University and its students.

FINDING 3. The proposed pedestrian tunnel encroachment design satisfies all technical requirements as it relates to City Standards and the Public Works Code.

FINDING 4. The Infrastructure Division/Hydraulics Section sent email on March 22, 2013 stating that they have no objections to the proposed pedestrian tunnel provided that SFSU constructs sewer line and two (2) manholes at their cost.



4/22/2013

4/22/2013

X 

Sanguinetti, Jerry
Approver 1

X 

Sweiss, Fuad
Approver 2

4/23/2013

X Mohammed Nuru

Nuru, Mohammed
Approver 3





**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.

The Permittee shall indemnify, hold harmless, and defend City and each of its employees or agents from any and all losses, costs, expenses, claims, penalties, fines, settlements, forfeitures, and suits (including costs of defense, settlement, expert witness fees, and attorneys' fees) for or in connection with any injury or damage (including death) to any persons or property resulting from Permittee's negligence or willful misconduct in the installation, maintenance, and or use of a pedestrian tunnel below Winston Drive in City as permitted by this Agreement, except to the extent that the loss is caused by the City's negligence or willful misconduct. The Permittee shall be solely responsible for compliance with all laws and for providing a safe environment for workers to perform necessary labor. The foregoing indemnity and hold harmless obligation of the Permittee includes and applies to injury or damages to City, third parties, or any or all of them and their respective property, employees, or agents. 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.

Certificates of insurance, in form and with insurers satisfactory to the City, evidencing all coverages above shall be furnished to the City before commencing any operations under this Permit, with complete copies of policies furnished promptly upon City request.

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5. Permittee will, at its own expense, maintain in full force and effect an insurance policy or policies issued by insurers with ratings comparable to A-VIII, or higher that are authorized to do business in the State of California, and that are satisfactory to the City. Approval of the insurance by City shall not relieve or decrease Permittee's liability hereunder.


Should the Permittee elect to self insure for any or all insurance coverages listed above, Permittee shall provide proof of self-insurance to the City.

6. The Permittee shall contact the Street Permit Section (415) 554-7149, at least 48 hours prior to starting work to arrange an inspection schedule.
7. 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.

8. The Permittee's right to use City property, as set forth in this permit is appurtenant to the property described as: a pedestrian tunnel below Winston Drive linking the properties at block 7299, lot 005 and block 7298, lot 008 to provide a safe and accessible connection from the main San Francisco State University campus to a new Recreation Wellness Center.

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 20th day of May, 2013.



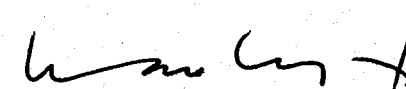
San Francisco State University
Stephen C. Smith, Director of Procurement

STATE OF CALIFORNIA)
) SS
COUNTY OF SAN FRANCISCO)

On MAY 20, 2013 before me, HARO KAGEMOTO, 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 ~~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)



Notary Public in and for said
County and State



Systemwide Risk Management and Public Safety
401 Golden Shore, 5th Floor
Long Beach, CA 90802-4210

www.calstate.edu

Charlene Minnick
Assistant Vice Chancellor

562-951-4580
Fax 562-951-4859
E-mail cminnick@calstate.edu

July 1, 2012

TO WHOM IT MAY CONCERN:

**Ref: THE CALIFORNIA STATE UNIVERSITY GENERAL LIABILITY,
WORKERS' COMPENSATION, PROPERTY, PROFESSIONAL LIABILITY,
AND AUTOMOBILE LIABILITY SELF-INSURANCE PROGRAM**

The State of California has elected to be self-insured for its general liability, workers' compensation, professional liability, motor vehicle liability, and property exposures through an annual appropriation from the General Fund. As a State agency, the California State University, Office of the Chancellor, the Trustees, and its system of campuses are included in this self-insured program.

The Office of Risk Management in the Chancellor's Office administers the general liability, workers' compensation, property, and professional liability programs. The State Office of Risk and Insurance Management administers the motor vehicle liability program.

Under this form of insurance, the State and its employees (as defined in Section 810.2 of the Government Code) are insured for any tort liability that may develop through carrying out official activities, including state official operations on non-state owned property. Should any claims arise by reason of such operations or under an official contract or license agreement, they should be referred to the California State University, Office of Risk Management, 401 Golden Shore, 5th Floor, Long Beach, CA 90802-4210.

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

Sincerely,



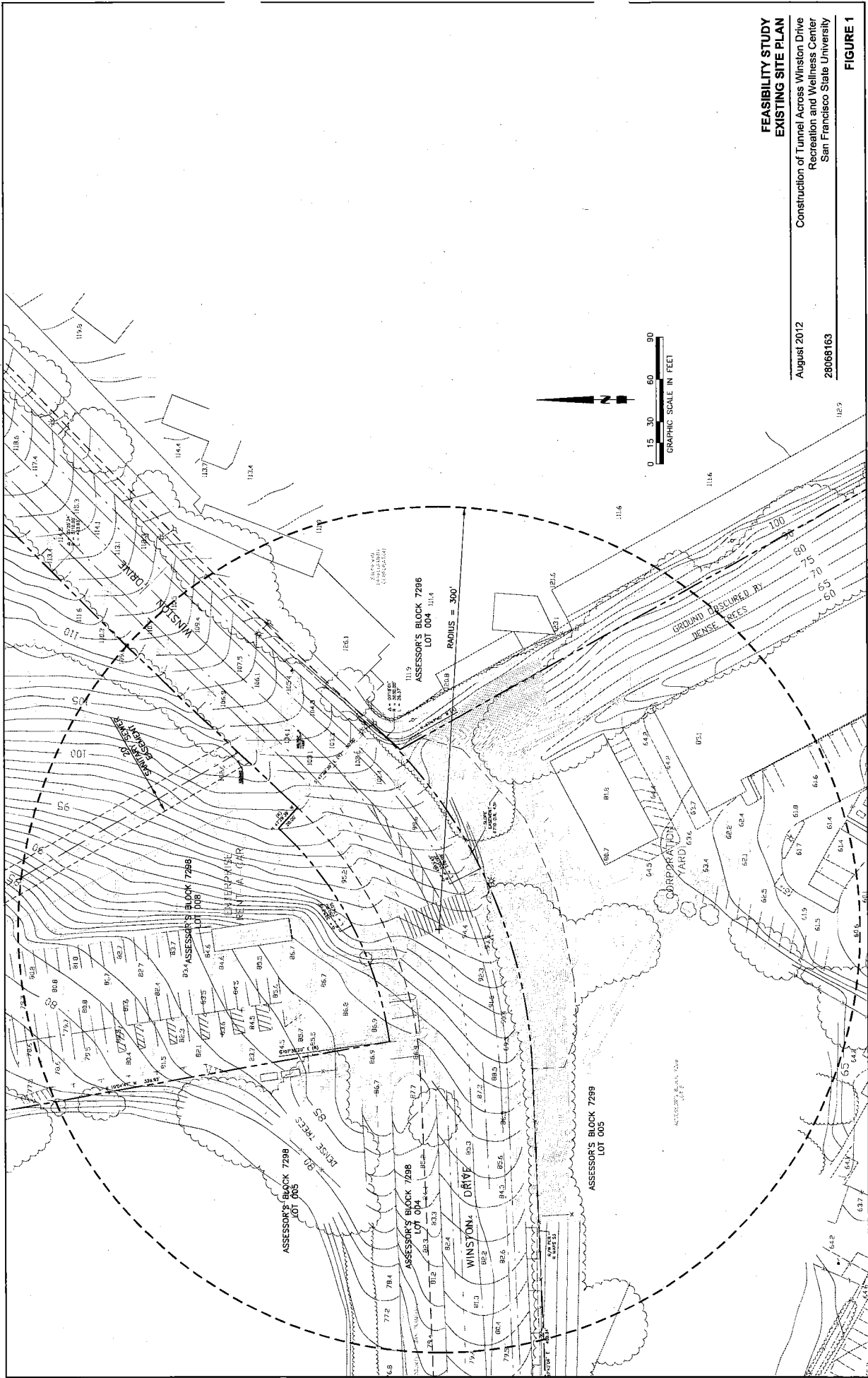
Charlene M. Minnick
Assistant Vice Chancellor, Systemwide Risk Management and Public Safety
California State University

CSU Campuses
Bakersfield
Channel Islands
Chico
Dominguez Hills
East Bay

Fresno
Fullerton
Humboldt
Long Beach
Los Angeles
Maritime Academy

Monterey Bay
Northridge
Pomona
Sacramento
San Bernardino
San Diego

San Francisco
San José
San Luis Obispo
San Marcos
Sonoma
Stanislaus

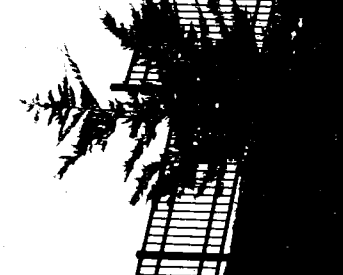
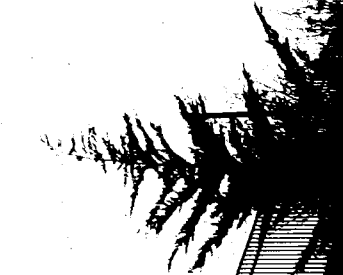
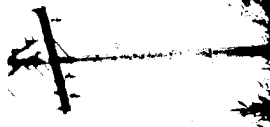


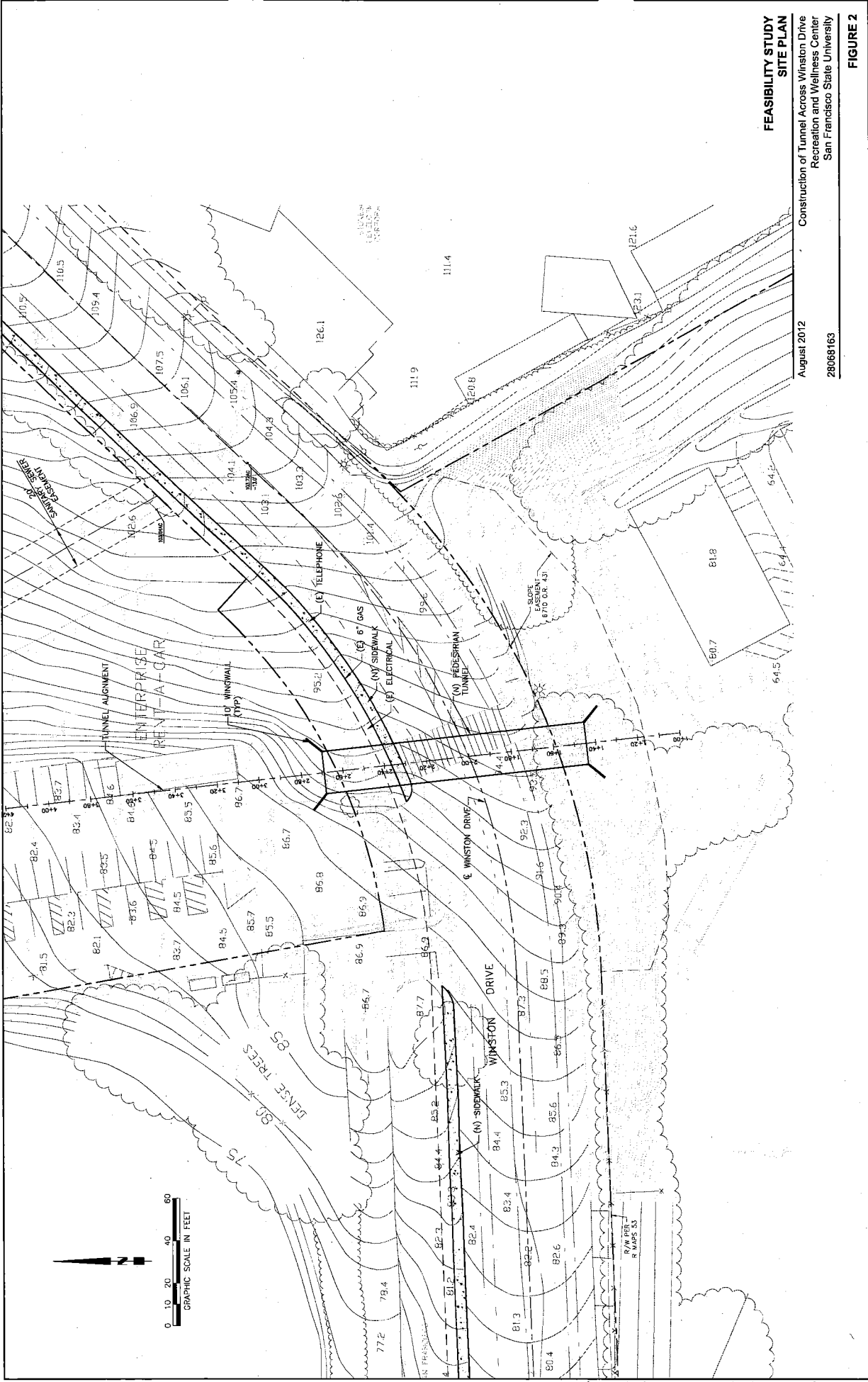
**FEASIBILITY STUDY
 EXISTING SITE PLAN**

August 2012
 28068163

Construction of Tunnel Across Winston Drive
 Recreation and Wellness Center
 San Francisco State University

FIGURE 1





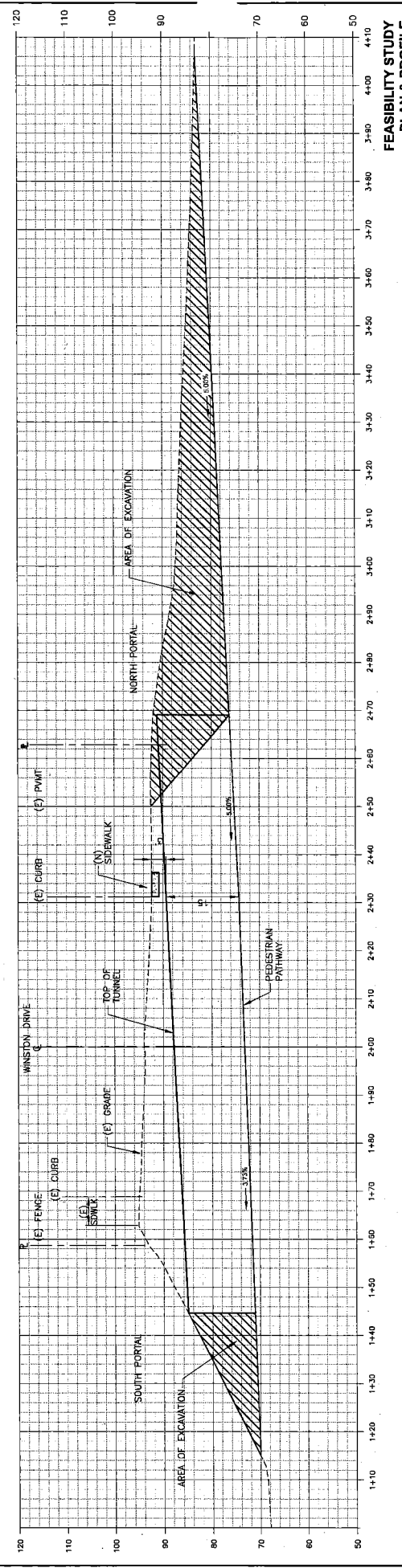
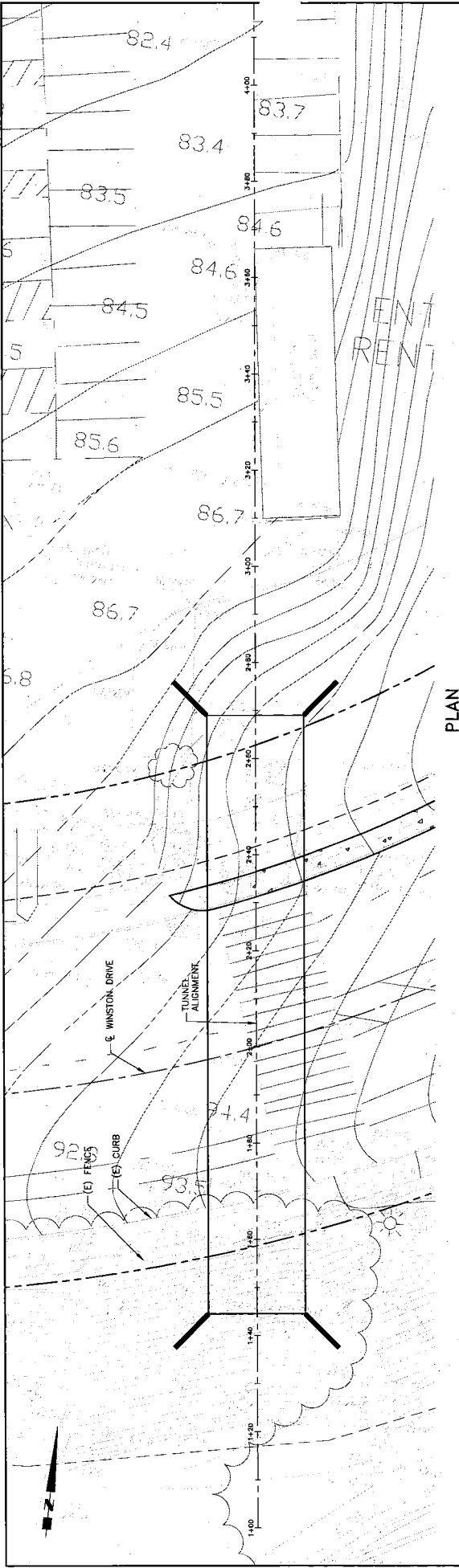
**FEASIBILITY STUDY
SITE PLAN**

Construction of Tunnel Across Winston Drive
Recreation and Wellness Center
San Francisco State University

August 2012
28068163

FIGURE 2

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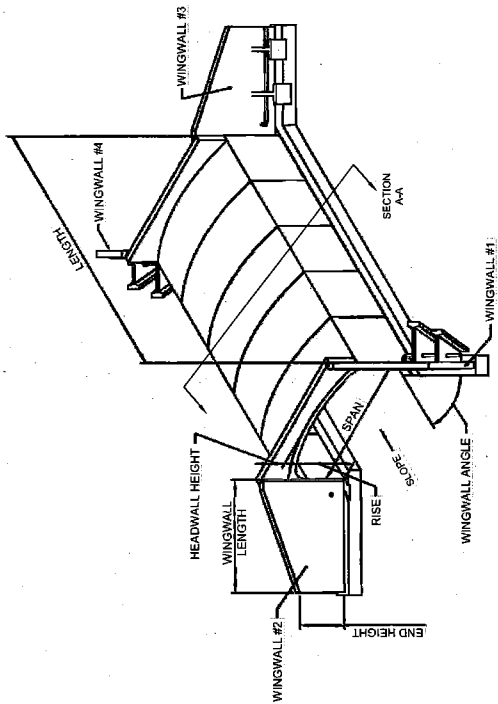
0 5 10 20 30
GRAPHIC SCALE IN FEET

**FEASIBILITY STUDY
PLAN & PROFILE**

August 2012
Construction of Tunnel Across Winston Drive
Recreation and Wellness Center
San Francisco State University

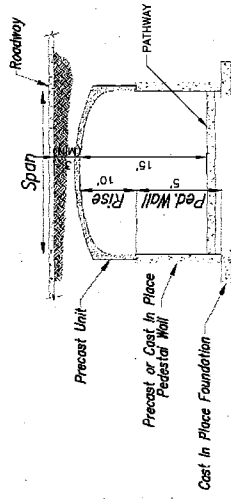
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FIGURE 3



TUNNEL ISOMETRIC VIEW

NOT TO SCALE



A TYPICAL SECTION

NOT TO SCALE

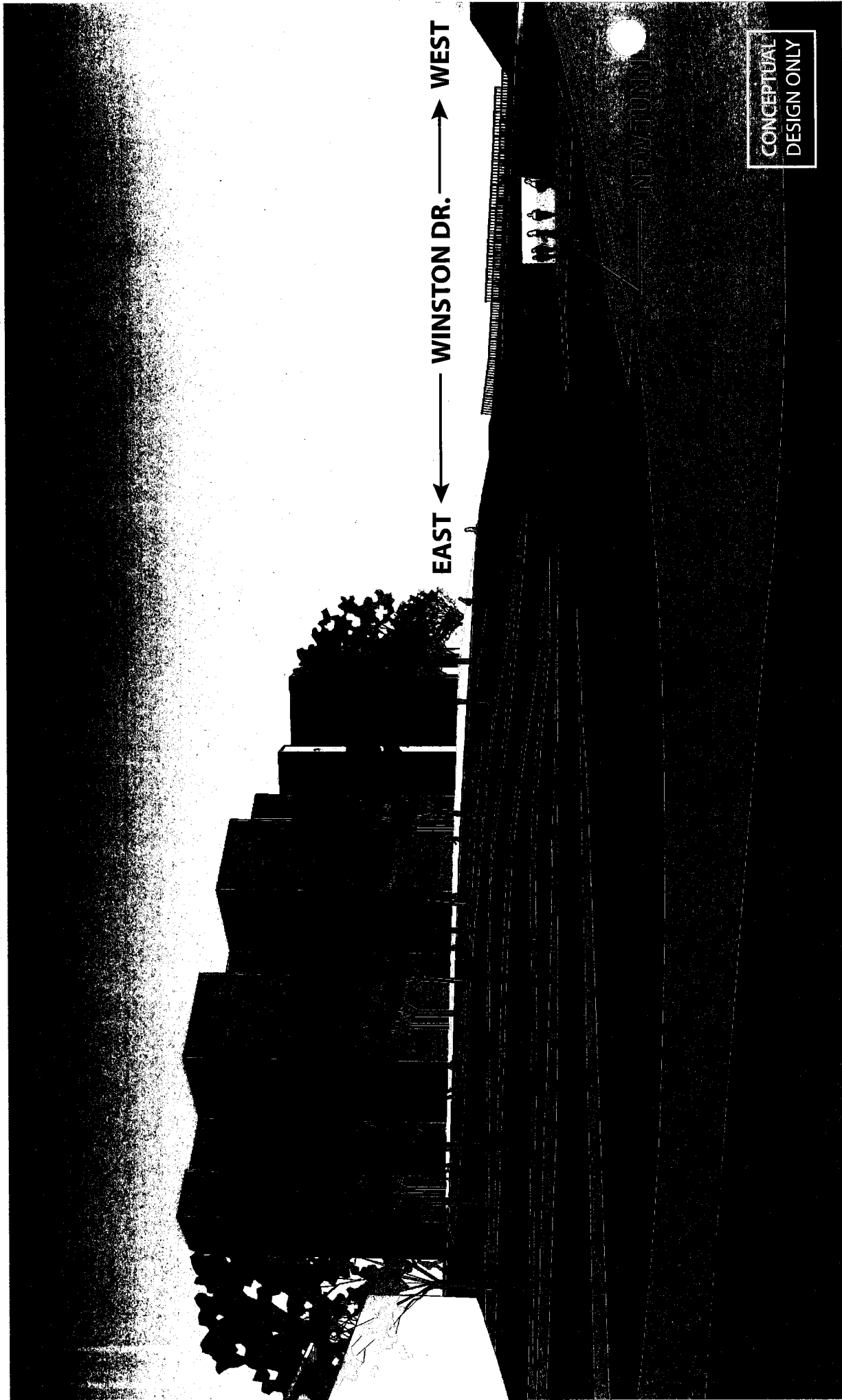
FEASIBILITY STUDY
TUNNEL DETAILS

Construction of Tunnel Across Winston Drive
Recreation and Wellness Center
San Francisco State University

August 2012

28068163

FIGURE 4

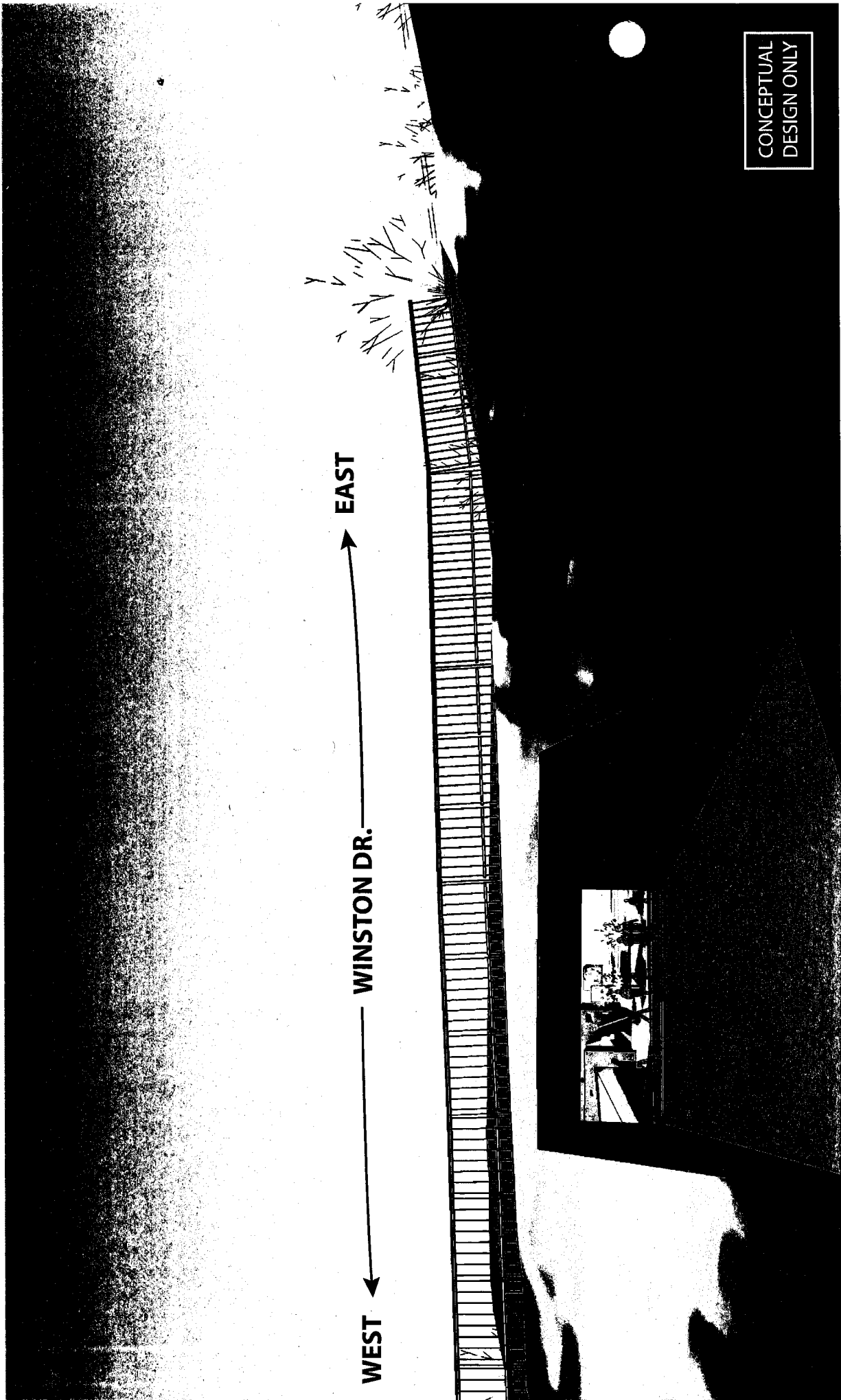


EAST ← WINSTON DR. → WEST

CONCEPTUAL
DESIGN ONLY

LOOKING SOUTH TO THE TUNNEL FROM THE REC. WELLNESS PROJECT SITE

AUG 07. 2012 **WRNS** STUDIO^{LLP}



WEST ← WINSTON DR. → EAST

CONCEPTUAL
DESIGN ONLY

LOOKING NORTH TO THE TUNNEL FROM CAMPUS CIRCLE

AUG 07. 2012 WRNS STUDIO^{LLP}