

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

25

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