

1 [Construct retaining walls in public right-of-way in order to provide for a parking garage  
 2 driveway and a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 25).]  
 3 **Resolution granting revocable permission to Robert C. M. & Lori O. W. Chiang to**  
 4 **occupy a portion of the street to construct retaining walls in public right-of-way in**  
 5 **order to provide for a parking garage driveway and a level entry to a new resident at**  
 6 **715 Peru Avenue (Block 5943, Lot 025).**

7 WHEREAS, That pursuant to Public Works Code Section 786, permission, revocable  
 8 at the will of the Board of Supervisors and automatically terminating upon failure to continue  
 9 in force the insurance protection hereafter referred to is hereby granted to Robert C. M. &  
 10 Lori O. W. Chiang to occupy a portion of the street area to construct retaining walls in order  
 11 to provide for a parking garage driveway and a level entry to a new resident at 715 Peru  
 12 Avenue (Block 5943, Lot 025) as shown on the plans, a copy of which is on file in the office  
 13 of the Clerk of the Board of Supervisors; and,

14 WHEREAS, The Department of City Planning, by Motion No. 2000.1181 R, dated  
 15 January 22, 2001, declared that the proposed encroachment would be in conformity with the  
 16 General Plan if the following conditions are met:

- 17 1. Permanent and unobstructed easement for ingress and egress across the  
 18 public right-of-way is given to the adjacent property (719 Peru, Assessor’s  
 19 Block 5943, lot 024) and,
- 20 2. Such easement must satisfy all relevant building code

21 WHEREAS, That this permit shall not become effective until:  
 22 [a] There shall have been executed and acknowledged by the Permittee; and by it delivered to the  
 23 City’s Controller, who shall have the recorded in the office of the City Recorder a street  
 24 encroachment agreement, a copy of which is on file with the Clerk of the Board of Supervisor in  
 25 File No. \_\_\_\_\_, and;  
 [b] There shall have been executed and acknowledged by the Permittee; and by it delivered to the City  
 Controller, who shall have the recorded in the office of the City Recorder a maintenance  
 agreement, a copy of which is on file with the Clerk of the Board of Supervisor in File No.  
 \_\_\_\_\_, and;

1 [c] There shall be delivered to the Controller the policy of insurance provided for in said agreement  
2 and the Controller shall have had approved same as complying with the requirement of said  
3 agreement. The Controller may, as his option accept, in lieu of said insurance policy, the  
4 certificate of an insurance company certifying to the existence of such a policy, which is hereby  
5 declared to be a part of this resolution as if set forth fully herein; and,

6 [d] There shall have been executed and acknowledge by the Permittee; and by it delivered to the  
7 City's Controller, who shall recorded in the office of the City Recorder a maintenance agreement,  
8 a copy of which is on file with the Clerk of the Board of Supervisor in File No. \_\_\_\_\_, and;

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

11 [1] to provide for the support and protection of facilities belonging to the Department of Public  
12 Works, public utility companies, the San Francisco Water Department, the San Francisco Fire  
13 Department and other City Departments;

14 [2] to remove or change the location of such facilities and provide access to such facilities for the  
15 purpose of constructing, reconstructing, maintaining, operating, or repairing such facilities; and,

16 WHEREAS, The Permittee shall procure the necessary permits from the Central Permit  
17 Bureau, Department of building Inspections, and/or Bureau of Street-Use and Mapping, Department  
18 of Public Works, and pay the necessary permit fees and inspection fees before starting work; and,

19 WHEREAS, That the Board of Supervisors reserves the right to exact a permit fee, or rental,  
20 for the use of said street area for the purpose of performance of its governmental or proprietary  
21 activities, including the construction, reconstruction, maintaining, operating, repairing, removing, and  
22 use of public utilities located under, over or along said street area; and,

23 WHEREAS, That no structure shall be erected or constructed within said street right-  
24 of-way except as specifically permitted herein; and,

25 WHEREAS, That the Permittee shall assure all costs and maintenance and repair of  
the encroachments at no cost or obligation of any kind shall accrue to the City and County of  
San Francisco by reason of this permission granted; now, therefore, be it

RESOLVED, That pursuant to Public Works Code Section 786, permission, revocable  
at the will of the Board of Supervisors and automatically terminating upon failure to continue  
in force toe provisions and requirements of the Street Encroachment Agreement hereafter  
referred to, is hereby granted to Robert C. M. & Lori O. W. Chiang to occupy a portion of the  
street area to construct retaining walls in order to provide for a parking garage driveway and  
a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 025) as shown on the  
plans, a copy of which is on file in the office of the Clerk of the Board of Supervisors.

\*\*Department of Public Works\*\*

**BOARD OF SUPERVISORS**

Page 2  
7/27/2011

d:\insite\files\sfm\attachments\15020.doc

1 RECOMMENDED:

2 \_\_\_\_\_

3 Robert P. Beck

4 Deputy Director for Engineering

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

APPROVED:

\_\_\_\_\_

Edwin M. Lee

Director of Public Works