



San Francisco Public Works
General – Director's Office
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San Francisco, CA 94103
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Public Works Order No: 211272

RECOMMENDING APPROVAL OF "FINAL MAP 11177", BEING A SUBDIVISION OF REAL PROPERTY WITHIN AND BETWEEN THE FOLLOWING EXISTING OR YET TO BE CONSTRUCTED STREETS: MAYOR EDWIN M. LEE AVENUE, DIEGO LANE, WISTERIA LANE, LOQUAT LANE, AND MEYER LANE, RESULTING IN FIFTEEN LOTS INTENDED FOR UP TO 1,100 RESIDENTIAL UNITS, OF WHICH 624 MAY BE CONDOMINIUMS, AND 2 COMMERCIAL UNITS, SUBJECT TO CERTAIN CONDITIONS.

FINDINGS

1. The Director of Public Works ("Director") adopted Public Works ("PW") Order No. 207308 approving Tentative Map No. 11177 ("Tentative Map") supporting the Balboa Reservoir Mixed-Use Development Project under the Balboa Reservoir Special Use District and the Development Agreement ("Project") relating to Assessor's Block 3180, Lot 198, and Lots 200-203, inclusive, of Documents No. 2022112688 and 2022112689 of the Official Records ("Official Records") of the City and County of San Francisco ("City").
2. In PW Order No. 207308, the Director determined that the Tentative Map was within the scope of the Final Subsequent Environmental Impact Report for the Project ("FSEIR") that the Planning Commission's certified in Motion No. 20730 and conditioned the approval of compliance with the mitigation measures adopted by the City Planning Commission pursuant to Motion No. 20731. The FSEIR was prepared pursuant to the California Environmental Quality Act, California Public Resources Code §§ 21000 et seq. ("CEQA").
3. BRIDGE Housing Corporation, the sole manager of BHC Balboa Builders, LLC ("Subdivider") filed an application for a final map, with the map referred to hereafter as the "Final Map", requesting approval to merge and re-subdivide three (3) existing parcels within Assessor's Block 3180, being lots 190, 196, and 197, as described in that certain Certificate of Compliance recorded February 15, 2012, Document No. 2012-J355048, Official Records and of the Grant to the City and County of San Francisco of the Fee interest in the real property comprising the "College Property Easement Area" as described in that certain document entitled "Amended and Restated Access Easement Agreement and Deed" recorded May 14, 2021, Document No. 2021080272, Official Records, which would result in fifteen (15) lots containing up to 1,100 residential dwelling units of which 50% must be affordable, and two (2) commercial condominium units, and up to 624 of the total dwelling units may be condominiums.

4. The Final Map area is located within and between the following existing or yet to be constructed streets: Mayor Edwin M. Lee Avenue, Diego Lane, Wisteria Lane, Loquat Lane, and Meyer Lane. These street names were approved by BOS Resolution Nos. 249-23 and 250-23.
5. The City Planning Department, in its letter dated May 5, 2022, found that the subdivision, on balance, is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.
6. The Director will consider for approval a series of Exceptions and Design Modifications for the subdivision that the Subdivider has requested and the affected City departments have tentatively approved.
7. The Director will consider a Major Encroachment Permit approval for the existing retaining wall along Diego Street adjacent to Archbishop Riordan High School, between Frida Kahlo Way and Mayor Edwin M. Lee Avenue, to allow it to remain in place within the future public right-of-way.
8. Because Subdivider has not completed the required public improvements associated with this Final Map and certain conditions have not been fulfilled at the time of the filing of this Final Map, the San Francisco Subdivision Code requires that Subdivider and the City enter into a Public Improvement Agreement ("PIA") to address this requirement. Subdivider has executed a PIA to address this requirement.
9. The Department of Public Works and the Mayor's Office of Housing and Community Development ("MOHCD") have entered into a Memorandum of Agreement ("MOA") regarding MOHCD's use of an allocation of its funding for the Project as interim security for improvements that Subdivider is required to construct pursuant to the PIA, until such time as the Subdivider is able to provide a payment and performance bond after it has a contract with a general contractor. The Director has determined that the provisions of the MOA provide assurances of security that are the equivalent of California Government Code Section 66499(a)(3), and therefore are acceptable as interim security under Government Code Section 66499(a)(5). When the Subdivider, a California nonprofit public benefit corporation, has hired its general contractor, the contractor will add the City as a co-obligee on the security it posts with the Subdivider, and this security arrangement will replace the interim security. The Director has determined that the replacement security will be in compliance with Government Code Section 66499.3(c).

NOW THEREFORE BE IT ORDERED THAT, EFFECTIVE DECEMBER 12, 2024,

The Director recommends that the Board of Supervisors approve the PIA and authorize the Director and City Attorney to execute and file the PIA in the Official Records.

The Final Map includes certain offers of real property interests for public street and utilities uses and public improvements required by the PIA. The Director recommends that the Board of Supervisors conditionally accept on behalf of the public the offers of improvements required by the PIA, subject to the City Engineer's issuance of a Notice of Completion for the improvements and subsequent Board of Supervisors action.

The Final Map includes certain easements for water, storm drain, overland flow, and emergency vehicle access that are shown on the Final Map and referenced in the Owner's Statement on such Map. The Director also recommends that the Board acknowledge that the Director of Property will approve and record easement agreements as separate instruments in connection with the recordation of the Final Map.

The Director further recommends that the Board of Supervisors acknowledge that the Director of Property will accept the easements and easement agreements by separate instrument in accordance with the terms of the Balboa Reservoir Development Agreement (Ordinance No. 142-20) and related approvals and these easement shall be recorded concurrently with the Final Map

The Director and County Surveyor find that the Final Map is consistent with the requirements and conditions imposed by the Subdivision Map Act, California Government Code §§ 66410 et seq., the San Francisco Subdivision Code, and the Tentative Map, and substantially conforms with the Tentative Map.

The Director, City Engineer, and County Surveyor recommend that the Board of Supervisors approve the Final Map subject to the conditions specified herein.

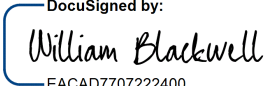
Attachments & Transmittals

Transmitted herewith are the following in electronic format:

- i. One (1) copy of the Motion approving said map.
- ii. One (1) mylar signature sheet and one (1) paper set of the "Final Map 11177", comprising sixteen (16) sheets.

- iii. One (1) copy of the Tax Certificate from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
- iv. One (1) copy of the letter from the City Planning Department, dated May 5, 2022, verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.
- v. One (1) copy of the Public Improvement Agreement.

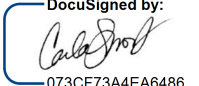
It is recommended that the Board of Supervisors adopt this legislation.

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Blackwell, William
Acting City and County Surveyor

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Ko, Albert J
City Engineer

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Short, Carla
Director of Public Works