

1 [Acceptance and Recording of Avigation Easement - Navdeep Bhakhri - 413 Alida Way,
2 Unincorporated San Mateo County]

3 **Resolution authorizing the acceptance and recording of an avigation easement by the**
4 **City and County of San Francisco from Navdeep Bhakhri for the development at 413**
5 **Alida Way in unincorporated San Mateo County, California, at no cost to the City and**
6 **County of San Francisco; affirming the Planning Department's determination under the**
7 **California Environmental Quality Act; and to authorize the Director of Property to enter**
8 **into amendments or modifications to the grant of avigation easement that do not**
9 **materially increase the obligations or liabilities to the City and are necessary to**
10 **effectuate the purpose and intent of this Resolution.**

11
12 WHEREAS, Navdeep Bhakhri ("Grantor"), owns a 0.61-acre parcel located at 413 Alida
13 Way in unincorporated San Mateo County, California, on which Grantor has constructed a
14 new primary residence and converted the former primary residence into an accessory
15 dwelling unit within the existing lot (the "Development"); and

16 WHEREAS, San Francisco International Airport (the "Airport") is required by the State
17 of California Noise Standards for Airports (Title 21, California Code of Regulations) to
18 eliminate incompatible land uses within its noise impact area; and

19 WHEREAS, The Airport can eliminate incompatibility under Title 21 by acquiring
20 avigation easements; and

21 WHEREAS, The California Public Utilities Code provides for the adoption of airport
22 land use compatibility plans to safeguard the general welfare of the inhabitants within the
23 vicinity of airports and the public in general; and

24 WHEREAS, The City/County Association of Governments of San Mateo County
25 adopted the Comprehensive Airport Land Use Compatibility Plan for the Environs of San

1 Francisco International Airport (the “ALUCP”); and

2 WHEREAS, Due to the location of the Development within the 70 decibel (dB)
3 Community Noise Equivalent Level contour for the Airport and in compliance with ALUCP
4 policies, the County of San Mateo requires the Grantor to grant the City and County of San
5 Francisco, at no cost, an avigation easement, a copy of which is on file with the Clerk of the
6 Board of Supervisors in File No. _____; and

7 WHEREAS, On January 3, 2025, the Airport Commission by Resolution No. 25-0082, a
8 copy of which is on file with the Clerk of the Board of Supervisors under File No. _____
9 and incorporated by reference, authorized the Airport to request the Board of Supervisors
10 approval to accept and record the grant of avigation easement; and

11 WHEREAS, The Director of Planning, by letter dated February 1, 2022, which is on file
12 with the Board of Supervisors under File No. _____ and incorporated by reference, found
13 that the acquisition of an avigation easement is consistent with the General Plan, and with the
14 eight priority policies of Planning Code, Section 101.1; and

15 WHEREAS, The Planning Department has determined that the actions contemplated in
16 this Resolution comply with the California Environmental Quality Act (California Public
17 Resources Code, Sections 21000 et seq.); said determination is on file with the Clerk of the
18 Board of Supervisors in File No. _____ and is incorporated herein by reference; the
19 Board of Supervisors affirms this determination; now, therefore, be it

20 RESOLVED, That in accordance with the recommendations of the Airport Commission
21 and the Director of Property, the Board of Supervisors approves and authorizes the Director of
22 Property to accept the grant of avigation easement; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
24 Property to enter into any additions, amendments, or other modifications to the grant of
25 avigation easement that the Director of Property determines, in consultation with the Office of

1 the City Attorney, are in the best interest of the City, do not materially increase the obligations
2 or liabilities of the City, and are necessary and advisable to complete the transaction and
3 effectuate the purpose and intent of this Resolution, such determination to be conclusively
4 evidenced by the execution and delivery by the Director of Property of the grant of avigation
5 easement and any amendments; and, be it

6 FURTHER RESOLVED, That the Director of Property is authorized, in the name and
7 on behalf of the City and County of San Francisco, to accept the grant of avigation easement
8 from the Grantor and to take any and all steps (including, but not limited to, the execution and
9 delivery of any and all certificates, agreements, notices, escrow instructions, closing
10 documents, and other instruments or documents) as the Director of Property deems
11 necessary or appropriate in order to accept the grant of avigation easement, or to otherwise
12 effectuate the purpose and intent of this Resolution, such determination to be conclusively
13 evidenced by the execution and delivery by the Director of Property of any such documents;
14 and, be it

15 FURTHER RESOLVED, That within thirty (30) days of the grant of avigation easement
16 being fully executed by all parties, the Director of Property shall provide a copy of the grant of
17 avigation easement to the Clerk of the Board for inclusion in the official file.