



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

DPW Order No: 182741

Re: Recommendation to vacate a portion McCoppin Street west of Valencia Street, that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block 3503 Lot 003 to the north, and Assessor's Block 3502 Lot 113 to the south, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Section 787 of the San Francisco Public Works Code.

WHEREAS, In general, public streets and sidewalks are owned by the City and County of San Francisco as public right-of-way; and

WHEREAS, The limits of the area to be vacated (the "Vacation Area") are specifically shown on SUR Map 2014-001, dated June 5, 2014, and approved by the City and County Surveyor; and

WHEREAS, The proposed vacation of the Vacation Area is part of an action to implement the construction of a City Plaza Project on McCoppin Hub that provides a plaza with planter boxes, seat walls, accessible foot paths, and a multi-use public gathering space (the "Project"). In addition, the Project will support the purpose, intent, and goals of the Plaza Program set forth in Administrative Code Chapter 94; and

WHEREAS, In order to facilitate development of the City Plaza Project and activation of the plaza by a community steward, the street vacation action includes an interdepartmental transfer of the property underlying the Vacation Area from DPW to the Division of Real Estate; and

WHEREAS, The proposed Vacation Area and Project would reduce the official sidewalk on the southerly side of McCoppin Street to 6 feet; establish a new sidewalk on the westerly side of Valencia Street across the mouth of the Vacation Area; and modify the official right-of-way width of McCoppin Street adjacent to the Vacation Area by retaining only the bicycle lane and sidewalk on the northern side of McCoppin Street all as shown in DPW drawing Q-20-743 dated June 5, 2014; and

WHEREAS, The Project was included in the Market Octavia Neighborhood Plan and obtained environmental clearance through a Final Environmental Impact Report (FEIR) prepared in accordance with the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*). As part of various actions related to the Plan, this Board adopted California Environmental Quality Act findings in Ordinance Nos. 246-07, 71-08, and 72-08. The Planning Department found there is no new information of substantial importance showing that the Project would have any significant effects not



discussed in the FEIR, that significant effects would be substantially more severe, or that new or different mitigation measures or alternatives would substantially reduce one or more significant effects, if any, of the Project; and

WHEREAS, In a letter dated December 21, 2012, the Planning Department determined that the proposed vacation and other actions contemplated herein are consistent with the General Plan and the eight priority policies of City Planning Code Section 101.1; and

WHEREAS, Pursuant to the California Streets and Highway Code, the Department of Public Works, Bureau of Street Use and Mapping (the Department) has initiated the process to vacate the Vacation Area; and

WHEREAS, The Department sent notice of the proposed street vacation, a draft SUR drawing, a copy of the petition letter, and a DPW referral letter to the Department of Technology, SFMTA, AboveNet Communications, Astound Broadband, American Telegraph & Telephone (“AT&T”), Sprint, Time Warner Telecom, Verizon, XO Communications, Caltrans, ExteNet Systems Inc., Global Crossing, Level 3 Communications, San Francisco Fire Department, San Francisco Water Department, Pacific Gas and Electric (“PG&E”), Bureau of Light, Heat and Power, Bureau of Infrastructure Design and Construction, and the Public Utility Commission (“PUC”). No utility company or agency objected to the proposed vacation. In addition, there are no physical public and private utilities affected by the vacation of the Vacation Area and the Vacation Area is unnecessary for the City’s present or prospective public street purposes; and

WHEREAS, The public interest, convenience, and necessity require that no easements or other rights should be reserved by City for any public or private utilities or facilities that are in place in the Vacation Area and that any rights based upon any such public or private utilities or facilities should be extinguished; and

WHEREAS, Pursuant to the Streets and Highways Code Section 892 and 8314, the Department determines that the Vacation Area is unnecessary for non-motorized transportation as there are multiple streets surrounding the Vacation Area that remain available for such transportation and those members of the public availing themselves of non-motorized transportation will continue to have access to a bicycle lane and sidewalk on the northern side of the Project adjacent to but outside of the Vacation Area. Pedestrians will also continue to have access to a sidewalk on the southern side of the Project adjacent to but outside of the Vacation Area; and

WHEREAS, When the street vacation becomes effective, separate companion legislation will change the zoning designation of the Vacation Area from NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) with 85-X and 40-X height/bulk districts to P (Public)/OS (Open Space). At that point, the interdepartmental property transfer from DPW to Division of Real Estate will occur; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

1. The vacation is being carried out pursuant to the California Streets and Highways Code sections 8300 et seq.



2. The vacation is being carried out pursuant to section 787 of the San Francisco Public Works Code.
3. The Vacation Area to be vacated is shown on the SUR Map No. 2014-001.
4. The Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, or public service easement purposes as described herein.
5. Pursuant to the Streets and Highways Code Section 892, the Vacation Area is not necessary for non-motorized transportation for the reasons set forth herein, and therefore has no use as a non-motorized transportation facility.
6. The public interest, convenience and necessity require that no easements or other rights be reserved for any public or private utilities or facilities that are in place in such Vacation Area and that any rights based upon any such public or private utilities or facilities may be extinguished.
7. The Vacation Area is unnecessary for the City's present or prospective public street purposes.
8. The Director does not provide a recommendation on the interdepartmental property transfer from DPW to the Division of Real Estate as this is a policy matter for the Board of Supervisors.

NOW THEREFORE BE IT ORDERED THAT,

The Director approves all of the following documents either attached hereto or referenced herein:

1. Ordinance to vacate the Vacation Area, being a portion of McCoppin Street, that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block 3503 Lot 003 to the north, and Assessor's Block 3502 Lot 113 to the south;
2. DPW drawing SUR Map No. 2014-001 showing the Vacation area.
3. DPW drawing Q-20-743 showing the official sidewalks surrounding the vacation area.

The Director further recommends the Board of Supervisors move forward with the legislation to vacate said portion of McCoppin Street.

The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation.

The Director further recommends the Board of Supervisors authorize the Mayor, Clerk of the Board, Director of Property, County Surveyor, and Director of Public Works to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Ordinance.

Attachments:

1. SUR Map No. 2014-001, dated June 5, 2014.
2. Q-20-743, dated June 5, 2014



3. Planning Department's letter December 21, 2012. (Case No. 2012.0965R)

7/1/2014

7/1/2014

X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor

X Mohammed Nuru

Nuru, Mohammed
Director

