

1 [Street Encroachment at 624 Laguna Street.]

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3 **Resolution granting revocable permission to 624 Laguna LP, to occupy a portion of the**
4 **public right-of-way for the installation and operation of a new sub-sidewalk elevator**
5 **under the sidewalk fronting the subject property at 624 Laguna Street (Block 0807, Lot**
6 **012), conditioned upon the payment of an annual assessment fee of \$1,000.00.**

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8 WHEREAS, pursuant to Public Works Code Section 786, permission was requested by
9 A.R. Sanchez-Corea and Associates, Inc., agent for the owner, 624 Laguna LP to occupy a
10 portion of the public right-of-way for the installation and operation of a new sub-sidewalk
11 elevator under the sidewalk fronting the subject property, as shown on the plans, a copy of
12 which is on file in the office of the Clerk of the Board of Supervisors in File No. ; and

13 WHEREAS, The Department of City Planning, by letter dated February 27, 2005,
14 declared that the proposed encroachment does not conform with the General Plan and with
15 the priority policies of Planning Code Section 101.1. A copy of said letter is on file with the
16 Clerk of the Board of Supervisors in File No. , and is incorporated herein by reference;
17 and

18 WHEREAS, At a duly noticed public hearing on May 4, 2005, the Department of Public
19 Works recommended approval of the proposed encroachment; and

20 WHEREAS, The permit and associated encroachment agreement, which are
21 incorporated herein by reference and attached hereto as Exhibit A, shall not become effective
22 until:

23 (a) The Permittee executes and acknowledges the permit and delivers said permit to
24 the City's Controller, and

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1 (b) Permittee delivers to the City Controller a policy of insurance provided for in said
2 agreement and the Controller shall have had approved the same as complying with the
3 requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said
4 insurance policy, the certificate of an insurance company certifying to the existence of such a
5 policy; and,

6 (c) The City Controller records the permit and associated agreement in the office of the
7 County Recorder; and

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

10 (a) To provide for the support and protection of facilities belonging to the Department of
11 Public Works, San Francisco Water Department, the San Francisco Fire Department and
12 other City Departments, and public utility companies; and

13 (b) To remove or relocate such facilities and provide access to such facilities for the
14 purpose of constructing, reconstructing, maintaining, operating, or repairing such facilities;
15 and

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

20 WHEREAS, The Board of Supervisors shall implement an annual assessment fee of
21 \$1,000.00 for the use of said right-of-ways, which shall be increased at the beginning of each
22 fiscal year based upon the Consumer Price Index quotient, and shall be re-evaluated by DPW
23 every five (5) years; and

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

1 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the
2 encroachments and no cost or obligation of any kind shall accrue to the City and County of
3 San Francisco by reason of this permission granted; now, therefore be it

4 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
5 Supervisors hereby grants permission, revocable at the will of the Director of the Department
6 of Public Works, to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way
7 for the installation and operation of a new sub-sidewalk elevator under the sidewalk fronting
8 the subject property at 624 Laguna Street, fronting 624 Laguna Street (Block 0807, Lot 012),
9 conditioned upon the payment of an annual assessment fee of \$1,000.00; and, be it

10 FURTHER RESOLVED, That this Board adopts the findings of the Planning
11 Department, which determined that said permit is not consistent with the General Plan and the
12 priority policies of Planning Code Section 101.1.

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14 RECOMMENDED:

APPROVED:

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17 Robert P. Beck

Edwin M. Lee

18 Deputy Director for Engineering

Director of Public Works

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