

1 [Disapproving Street Encroachment at 601-605 Market Street.]

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3 **Resolution affirming the recommendation of the Director of Public Works to disapprove**
4 **permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace**
5 **an existing sub-sidewalk elevator enclosure with a new decorative enclosure and**
6 **construct and maintain a new stairway at sidewalk level to provide a means of**
7 **secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of**
8 **601-605 Market Street (Block 3707, Lot 001).**

9 WHEREAS, Pursuant to Public Works Code Section 786, permission was requested by
10 TRH, Inc., agents for the owners, CA SF NO. 1, LP, to occupy a portion of the public right-of-
11 way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure
12 and construct and maintain a new stairway at sidewalk level to provide a secondary means of
13 egress from the existing sub-sidewalk basement at the subject property, as shown on the
14 plans, a copy of which is on file in the office of the Clerk of the Board of Supervisors in File
15 No. _____; and

16 WHEREAS, The Department of Parking and Traffic (DPT), in a message dated
17 December 19, 2003, stated that encroachments of this nature would impede the already high
18 volume of pedestrian traffic and may set a precedent for these types of structures to be
19 constructed elsewhere in the downtown area; and

20 WHEREAS, The Department of City Planning, by letter dated March 31, 2003, declared
21 that the proposed encroachments are not in conformity with the General Plan and with the
22 priority policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk
23 of the Board of Supervisors in File No. _____, and is incorporated herein by reference;
24 and

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1 WHEREAS, It is and has been the policy of the Department of Public Works (DPW)
2 that ingress and/or egress to an existing sub-sidewalk basement should be accommodated
3 within the owner's private property; and,

4 WHEREAS, After a duly noticed public hearing on May 19, 2004, continued to June 16,
5 2004 at the request of the applicant, the Department of Public Works recommended
6 disapproval of the proposed encroachments as set forth in DPW Order No. 174,868, approved
7 June 23, 2004. A copy of said DPW Order is on file with the Clerk of the Board of Supervisors
8 in File No. _____, and is incorporated herein by reference; and

9 WHEREAS, Based on the above determinations, it is the decision of the Board of
10 Supervisors that the proposed encroachments are not in the best interest of the general
11 public, and are inappropriate use of the public right-of-way; now, therefore be it

12 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
13 Supervisors hereby disapproves permission to CA SF NO. 1, LP, to occupy a portion of the
14 public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new
15 decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a
16 secondary means of egress from the existing sub-sidewalk basement at 601-605 Market
17 Street (Block 3707, Lot 001).

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19 RECOMMENDED:
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21 _____
22 Robert P. Beck
23 Deputy Director for Engineering

APPROVED:
24
25 _____
Edwin M. Lee
Director of Public Works