



San Francisco Public Works
General – Director’s Office
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San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 212779

Recommending dedication of public right-of-way for a widening of Geneva Avenue associated with the affordable housing project at 2340 San Jose Avenue; designating the public infrastructure thereon for public street and roadway purposes; accepting the public infrastructure thereon for City maintenance and liability purposes, subject to specified limitations; establishing official public right-of-way width and street grade; amending Ordinance No. 1061 entitled “Regulating the Width of Sidewalks” to establish official sidewalk widths on a portion of Geneva Avenue; recommending approval of an interdepartmental transfer of jurisdiction from the Mayor’s Office of Housing to Public Works for the public right-of-way area; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

WHEREAS, City and County of San Francisco, acting by and through the Mayor’s Office of Housing and Community Development (MOHCD), being the fee title owner of that parcel of land identified as Assessor’s Block 6973 Lot 039, also known as 2340 San Jose Avenue, and commonly known as Balboa Park Upper Yard or Kapuso (the “Project”); and

WHEREAS, Record of Survey 12215, filed in book JK of Survey Maps, at pages 19 and 20, shows the portion of Assessor’s Block 6973 Lot 039 to be dedicated as a public street as “Lot A”, and “Lot A” and the public improvements thereon constructed under Street Improvement Permit Number 20IE-00373 have not been dedicated to public use or accepted for maintenance and liability, but are being used as a public sidewalk; and

WHEREAS, The Lessee of Assessor’s Block 6973, Lot 039, constructed said public improvements on Lot A and quitclaimed all its interest in Lot A to City and County of San Francisco by Quitclaim Deed recorded at document number 2024043496; and

WHEREAS, MOHCD is proposing an interdepartmental transfer of Lot A on which the new public right-of-way has been constructed to Public Works; and

WHEREAS, Any portion of that storm drain lateral under the responsibility of the San Francisco Bay Area Rapid Transit District Storm, and described in Easement Agreement recorded at document number 2021105983, as amended by First Amendment to Easement Agreement recorded at document number 2024043498, that lies within or beneath “Lot A”, if any, has not been offered for dedication and is not recommended for acceptance by City and County of San Francisco for maintenance and liability; and

WHEREAS, The official sidewalk widths along Geneva Avenue to be established in addition to street grades are as shown on Drawing Q-20-1214; and

WHEREAS, The Director recommends that the Board of Supervisors approve the legislation to amend Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910, by adding thereto a new section to read as follows:

Section 1647. The width of sidewalks on portions of Geneva Avenue shall be changed as shown on the Public Works Drawing Q-20-1214.

WHEREAS, Map A-17-232 shows the public right-of-way width changes for the area that will be dedicated to public use for street and roadway purposes; and

WHEREAS, The Planning Department determined that the acceptance of the Public Infrastructure and associated actions are, on balance, in conformity with the General Plan and eight priority policies of Planning Code Section 101.1. under Case No. 2017-012515GPR; and

WHEREAS, In the same letter, the Planning Department determined the project is approved under California Senate Bill 35; is considered a ministerial approval and is not subject to California Environmental Quality Act (CEQA), see case number 2017-012151ENV; and

NOW THEREFORE BE IT ORDERED THAT,

The Director recommends that the Board of Supervisors approves the following documents either attached hereto or referenced herein:

1. Official Sidewalk Width Map Q-20-1214 with street grades
2. Official Street Dedication Map A-17-232
3. Record of Survey 12215, filed in book JK of Survey Maps, at pages 19 and 20
4. Form of Ordinance to dedicate public right-of-way and accept public infrastructure for maintenance and liability purposes, subject to specified limitations

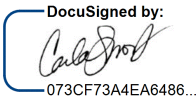
The Director further recommends that the Board of Supervisors approve the legislation to make an interdepartmental transfer of jurisdiction for Lot A from MOHCD to Public Works and

dedicate Lot A to public use, designate it as open public right-of-way for permit and public purposes, and accept it for City maintenance and liability purposes subject to the following:

1. Maintenance of the sidewalk within lot A shall be the responsibility of the owner of the adjacent parcel. In the event the City and County of San Francisco is the owner of the adjacent parcel, it shall be the responsibility of the ground lessee.
2. Any encroachments into Lot A, permitted or permitted, are not accepted.
3. The portions of Geneva Avenue being accepted for street and roadway purposes are constructed from back of sidewalk, unless specified otherwise or as shown on the permit materials for the Public Infrastructure;
4. Acceptance of the Public Infrastructure for City maintenance and liability purposes is from back of curb, unless specified otherwise, and sidewalk maintenance is the responsibility of adjacent property owners or, in this case, any MOHCD lessees in accordance with the Public Works Code; and
5. Acceptance of the Project Sponsors' conditional assignment of all warranties and guaranties to the City related to the construction of the Public Infrastructure and its warranty obligations under any street improvement permit.

X  Signed by:
Eli French
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French, Eli
City and County Surveyor

X  DocuSigned by:
Carla Short
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Short, Carla
Director of Public Works