

1 [Construct retaining walls in public right-of-way in order to provide for a parking garage
2 driveway and a level entry to a new resident at 719 Peru Avenue (Block 5943, Lot 24).]

3
4 **Resolution granting revocable permission to Alan Tran to occupy a portion of the**
5 **street area along Peru Avenue for the purpose of constructing and maintaining**
6 **retaining walls in order to provide for a parking garage driveway and a level entry to a**
7 **new building at 719 Peru Avenue (Assessor Block 5943, Lot 024).**

8 WHEREAS, That pursuant to Public Works Code Section 786, permission, revocable
9 at the will of the Board of Supervisors and automatically terminating upon failure to continue
10 in force the insurance protection hereafter referred to is hereby granted to Alan Tran to
11 occupy a portion of the street area to construct retaining walls in order to provide for a
12 parking garage driveway and a level entry to a new resident at 719 Peru Avenue (Block
13 5943, Lot 024) as shown on the plans, a copy of which is on file in the office of the Clerk of
14 the Board of Supervisors; and,

15 WHEREAS, The Department of City Planning, by Motion No. 1999.685 R, dated
16 October 4, 2000, declared that the proposed encroachment would be in conformity with the
17 General Plan if the following conditions are met:

- 18 1. Permanent and unobstructed easement for ingress and egress across the
19 public right-of-way is given to the adjacent property (715 Peru, Assessor's
20 Block 5943, lot 025) and,
21 2. Such easement must satisfy all relevant building code

22 WHEREAS, That this permit shall not become effective until:

- 23 [a] There shall have been executed and acknowledged by the Permittee; and by it
24 delivered to the City's Controller, who shall have the recorded in the office of
25

1 the City Recorder a street encroachment agreement, a copy of which is on file
2 with the Clerk of the Board of Supervisor in File No. _____, and;

3 [b] There shall have been executed and acknowledged by the Permittee; and by it
4 delivered to the City Controller, who shall have the recorded in the office of the
5 City Recorder a maintenance agreement, a copy of which is on file with the
6 Clerk of the Board of Supervisor in File No. _____, and;

7 [c] There shall be delivered to the Controller the policy of insurance provided for in
8 said agreement and the Controller shall have had approved same as
9 complying with the requirement of said agreement. The Controller may, as his
10 option accept, in lieu of said insurance policy, the certificate of an insurance
11 company certifying to the existence of such a policy, which is hereby declared
12 to be a part of this resolution as if set forth fully herein; and,

13 [d] There shall have been executed and acknowledge by the Permittee; and by it
14 delivered to the City's Controller, who shall recorded in the office of the City
15 Recorder a maintenance agreement, a copy of which is on file with the Clerk of
16 the Board of Supervisor in File No. _____, and;

17 WHEREAS, The Permittee, at the permittee's sole expense, and as is necessary as a
18 result of this permit shall make arrangements:

19 [1] to provide for the support and protection of facilities belonging to the
20 Department of Public Works, public utility companies, the San Francisco Water
21 Department, the San Francisco Fire Department and other City Departments;

22 [2] to remove or change the location of such facilities and provide access to such
23 facilities for the purpose of constructing, reconstructing, maintaining, operating,
24 or repairing such facilities; and,
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1 WHEREAS, The Permittee shall procure the necessary permits from the Central
2 Permit Bureau, Department of building Inspections, and/or Bureau of Street-Use and
3 Mapping, Department of Public Works, and pay the necessary permit fees and inspection
4 fees before starting work; and,

5 WHEREAS, That the Board of Supervisors reserves the right to exact a permit fee, or
6 rental, for the use of said street area for the purpose of performance of its governmental or
7 proprietary activities, including the construction, reconstruction, maintaining, operating,
8 repairing, removing, and use of public utilities located under, over or along said street area;
9 and,

10 WHEREAS, That no structure shall be erected or constructed within said street right-
11 of-way except as specifically permitted herein; and,

12 WHEREAS, That the Permittee shall assure all costs and maintenance and repair of
13 the encroachments at no cost or obligation of any kind shall accrue to the City and County of
14 San Francisco by reason of this permission granted; now, therefore, be it

15 RESOLVED, That pursuant to Public Works Code Section 786, permission, revocable
16 at the will of the Board of Supervisors and automatically terminating upon failure to continue
17 in force toe provisions and requirements of the Street Encroachment Agreement hereafter
18 referred to, is hereby granted to Alan Tran to occupy a portion of the street area to construct
19 retaining walls in order to provide for a parking garage driveway and a level entry to a new
20 resident at 719 Peru Avenue (Block 5943, Lot 024) as shown on the plans, a copy of which
21 is on file in the office of the Clerk of the Board of Supervisors.

22 RECOMMENDED:

APPROVED:

23 _____

24 Robert P. Beck

Edwin M. Lee

25 Deputy Director for Engineering

Director of Public Works

Department of Public Works

BOARD OF SUPERVISORS

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