

1 [Street Encroachment at 1310 Stanyan Street.]

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3 **Resolution granting revocable permission to Kieran J. Woods to occupy a portion of**
4 **the public right-of-way to construct a privately maintained driveway, including a low**
5 **retaining wall, a stepped entry path, landscaping and other related improvements**
6 **within an existing unimproved portion of Stanyan Street between Clarendon and**
7 **Mountain Spring Avenues, to provide vehicular access to a proposed new single family**
8 **dwelling at 1310 Stanyan Street (Block 2706, Lot 035) conditioned upon the payment of**
9 **an annual assessment fee of \$5,600 and making environmental findings and findings of**
10 **consistency with the General Plan and the priority policies of Planning Code Section**
11 **101.1.**

12 WHEREAS, Pursuant to Public Works Code Section 786, permission was requested by
13 Mark Brand Architecture, on behalf of the owner, Kieran J. Woods, to occupy a portion of the
14 public right-of-way to construct a privately maintained driveway, including a low retaining wall
15 a stepped entry path, landscaping and other related improvements within an existing
16 unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues to
17 provide vehicular access to a proposed new single family dwelling at the subject property, as
18 shown on the plans, a copy of which is on file in the office of the Clerk of the Board of
19 Supervisors in File No. _____; and,

20 WHEREAS, The Interdepartmental Staff Committee on Traffic and Transportation
21 (ISCOTT), at its meeting of May 26, 2005, recommended the proposed encroachment for
22 approval; and,

23 WHEREAS, The Planning Department by letter dated October 14, 2005, found the
24 proposal, as modified, to be consistent with the General Plan. This letter also includes a
25 determination relating to the encroachment pursuant to the California Environmental Quality

1 Act (California Public Resources Code sections 21000 et seq.). A copy of said letter is on file
2 with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein
3 by reference; and,

4 WHEREAS, After duly noticed public hearings on January 4, and January 18, 2006 the
5 Department of Public Works recommended approval of the proposed encroachments as set
6 forth in DPW Order No. 175,850, approved January 18, 2006, revised March 8, 2006. A copy
7 of said DPW Order is on file with the Clerk of the Board of Supervisors in File No. _____,
8 and is incorporated herein by reference; and,

9 WHEREAS, The permit and associated street encroachment agreement, which are
10 incorporated herein by reference and attached hereto as Exhibit A, shall not become effective
11 until:

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

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

19 (c) The City Controller records the permit and associated agreement in the office of the
20 County Recorder; and,

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

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

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

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

8 WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-
9 way occupancy assessment pursuant to Public Works Code Section 786 and the initial
10 amount of said fee shall be \$5,600.00; and,

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

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

16 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
17 Supervisors hereby grants revocable permission was requested by Mark Brand Architecture,
18 on behalf of the owner, Kieran J. Woods, to occupy a portion of the public right-of-way to
19 construct a privately maintained driveway, including a low retaining wall a stepped entry path,
20 landscaping and other related improvements within an existing unimproved portion of Stanyan
21 Street between Clarendon and Mountain Spring Avenues to provide vehicular access to a
22 proposed new single family dwelling at 1310 Stanyan Street (Block 2706, Lot 035) conditioned
23 upon the payment of an annual occupancy assessment; and, be it

24 FURTHER RESOLVED, That the Board adopts as its own the findings of consistency
25 with the General Plan and Planning Code Section 101.1 as set forth in the Planning

1 Department letter dated October 15, 2005, and affirms the environmental determination
2 contained in said letter.

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APPROVED:

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Robert P. Beck

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Acting Director of Public Works

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