

File No. 190112 Committee Item No. 2
 Board Item No. 9

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date April 22, 2019

Board of Supervisors Meeting Date May 7, 2019

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PLN Letter 041718</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PLN Cat-Ex 030718</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PW Order No. 200532</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PW SUR Map No. 2019-001 011619</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Francisco Reservoir MOU 080114</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PW Affidavit 040419</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Hearing Notice 042219</u> |
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Completed by: Erica Major Date April 18, 2019
 Completed by: Erica Major Date 04/24/2019

1 [Summary Street Vacation - Francisco Street in Connection with Francisco Park
2 Improvements - Interdepartmental Property Transfer]

3 **Ordinance ordering the summary street vacation of the 900 block of Francisco Street,**
4 **generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel**
5 **Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as**
6 **part of the development of Francisco Park, subject to certain terms and conditions, and**
7 **approving a conditional interdepartmental transfer of the vacation area from Public**
8 **Works to the Recreation and Park Department; affirming the Planning Department's**
9 **determination under the California Environmental Quality Act; adopting findings that**
10 **the actions contemplated in this Ordinance are consistent with the General Plan, and**
11 **the eight priority policies of Planning Code, Section 101.1; and authorizing official acts**
12 **in connection with this Ordinance, as defined herein.**

13 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
14 **Additions to Codes** are in *single-underline italics Times New Roman font*.
15 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
16 **Board amendment additions** are in double-underlined Arial font.
17 **Board amendment deletions** are in ~~strikethrough Arial font~~.
18 **Asterisks (* * * *)** indicate the omission of unchanged Code
19 subsections or parts of tables.

20 Be it ordained by the People of the City and County of San Francisco:

21 Section 1. Findings.

22 (a) California Streets and Highways Code Sections 8300 et seq. and San Francisco
23 Public Works Code Section 787(a) establish the process for the Board of Supervisors to
24 vacate a street, highway, or public easement. Streets and Highways Code Sections 8334 and
25 8334.5 provide that the legislative body of a local agency may summarily vacate an excess
right-of-way of a street, under certain circumstances. The actions contemplated in this

1 ordinance are being taken in accordance with Streets and Highways Code Sections 8300 et
2 seq. and Public Works Code Section 787(a).

3 (b) The location and extent of the area to be vacated is the 900 block of Francisco
4 Street, which is generally bounded by Assessor's Parcel Block No. 0046 to the north,
5 Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to
6 the east, as depicted on Public Works ("PW") SUR Map No. 2019-001, dated January 16,
7 2019 (the "Vacation Area"). A copy of this map is on file with the Clerk of the Board of
8 Supervisors in File No. 190112 and is incorporated herein by reference.

9 (c) The Vacation Area is an undeveloped portion of Francisco Street within the
10 Francisco Reservoir and Russian Hill Open Space Park, which is in the process of becoming
11 a single park named Francisco Park. The Vacation Area is not necessary for active street
12 purposes now or in the future as (1) all properties that abut the Vacation Area have been
13 approved for transfer from the San Francisco Public Utilities Commission ("SFPUC") to the
14 Recreation and Park Department ("RPD") for the creation of Francisco Park, pending RPD's
15 delivery of certain payments to SFPUC which is expected to occur by 2026, as set forth in the
16 August 1, 2014 Memorandum of Understanding ("MOU") which is on file with the Clerk of the
17 Board of Supervisors in File No. 190112 and is incorporated herein by reference; (2) the
18 Vacation Area has never been used, and is not useful, as a nonmotorized transportation
19 facility under Streets and Highways Code Sections 892 and 8314 as there are other such
20 facilities available in close proximity; (3) Francisco Park is served by several roadways, so the
21 Vacation Area is excess right-of-way; 4) there are no in-place functioning public utility facilities
22 in the Vacation Area; and 5) PW sent notice of the proposed street vacation to the
23 Department of Technology, Municipal Transportation Agency, Fire Department, Public Utilities
24 Commission, AT&T, Sprint, and Pacific Gas and Electric, and no City agency or utility
25 objected to the proposed vacation. Based on these factors, the Vacation Area may be

1 summarily vacated in accordance with Streets and Highways Code Sections 8334 and
2 8334.5.

3 (d) The vacation of the Vacation Area, following the successful transfer of the abutting
4 properties from SFPUC to RPD pursuant to the MOU, would allow for the interdepartmental
5 transfer of the Vacation Area from PW to RPD for park purposes. Transferring the Vacation
6 Area to RPD alongside the abutting parcels will allow RPD to assemble the complete
7 Francisco Park and manage the entire property as a unified whole, which will provide a
8 seamless experience for park users. Accordingly, the Board of Supervisors finds it
9 appropriate to pursue a street vacation of the Vacation Area, contingent on the successful
10 transfer of the abutting properties from SFPUC to RPD.

11 (f) In PW Order No. 200532, the Director of Public Works (the "PW Director")
12 determined that (1) the Vacation Area may be summarily vacated based on the factors
13 identified in subsection (c) above and the other findings set forth below: (2) the Vacation Area
14 is unnecessary for the City's present or prospective public street, sidewalk, and service
15 easement purposes; (3) there will be no physical public or private utilities affected by the
16 vacation of the Vacation Area, based on the absence of any objections from any utility
17 company and the fact that the public interest, convenience, and necessity do not require any
18 easements or other rights be reserved for any public or private utility facilities that may be in
19 place in the Vacation Area; (4) any rights based upon any such public or private utility facilities
20 identified in subsection (f)(2) shall be extinguished automatically upon the effectiveness of the
21 vacation; and (5) it is a policy matter for the Board of Supervisors to approve the
22 interdepartmental property transfer of the Vacation Area from PW to RPD. A copy of this PW
23 Order is on file with the Clerk of the Board of Supervisors in File No. 190112 and is
24 incorporated herein by reference.
25

1 (g) Pursuant to California Streets and Highways Code Sections 892 and 8314, the PW
2 Director in PW Order No. 200532 also found that the Vacation Area is currently not accessible
3 to or necessary for non-motorized transportation, because there are adjacent streets available
4 for such transportation, and because those members of the public availing themselves of non-
5 motorized transportation will not be inconvenienced by the street vacation. The PW Director
6 also found that the public convenience, necessity, and welfare would be enhanced by the
7 proposed development of Francisco Park.

8 (h) The PW Director recommends that the Board of Supervisors adopt as its own the
9 recommendations of the PW Director as set forth in PW Order No. 200532 concerning the
10 vacation of the Vacation Area and other actions in furtherance thereof. The Board hereby
11 incorporates such recommendations and findings by reference as though fully set forth herein.

12 (i) In a letter dated April 17, 2018 (the "Planning Letter"), the Planning Department
13 determined that the proposed vacation of the Vacation Area and other actions contemplated
14 in this ordinance are consistent with the General Plan and priority policies of Planning Code
15 Section 101.1. A copy of said letter is on file with the Clerk of the Board of Supervisors in File
16 No. 190112 and is incorporated herein by reference. The Board of Supervisors adopts as its
17 own the findings in the Planning Letter.

18 (j) In the Planning Letter, the Planning Department also determined that the actions
19 contemplated in this ordinance comply with the California Environmental Quality Act
20 (California Public Resources Code Sections 21000 et seq.). The Board hereby affirms this
21 determination.

22
23 Section 2. Summary Street Vacation.

24 (a) The Vacation Area, as shown on SUR Map No. 2019-001, is hereby ordered
25 summarily vacated pursuant to California Street and Highways Code Sections 8300 et seq.,

1 including in particular Sections 8334 and 8334.5, and San Francisco Public Works Code
2 Section 787(a), upon the successful transfer of the abutting properties from SFPUC to RPD
3 pursuant to the MOU as set forth in Section 1(d) of this ordinance. The vacation of the
4 Vacation Area shall not take effect until such transfer occurs but shall take effect thereafter
5 provided there is no material change to the street area prior to said transfer.

6 (b) The Board of Supervisors finds that the Vacation Area is unnecessary for present
7 active public street use or prospective public street use.

8 (c) The public interest and convenience require that the vacation be done as declared
9 in this ordinance.

10
11 Section 3. Interdepartmental Property Transfer from Public Works to Recreation and
12 Park Department.

13 Notwithstanding the requirements of Administrative Code Chapter 23, the Board of
14 Supervisors hereby approves the interdepartmental property transfer of the Vacation Area
15 from PW to RPD upon the successful transfer of the abutting parcels from SFPUC to RPD
16 pursuant to the MOU as set forth in Section 1(d) of this ordinance, and directs the Real Estate
17 Division Director to modify the City's records concerning City property ownership accordingly.
18 Until such transfer occurs, the Vacation Area shall remain under the jurisdiction and
19 ownership of PW.

20
21 Section 4. Official Acts in Connection with this Ordinance.

22 (a) The Mayor, Clerk of the Board of Supervisors, PW Director, County Surveyor; and
23 the Director of the Division of Real Estate are hereby authorized and directed to take any and
24 all actions which they or the City Attorney may deem necessary or advisable to effectuate the
25 purpose and intent of this ordinance (including, without limitation, the filing of this ordinance in

1 the Official Records of the City and County of San Francisco and modification of the City's
2 property ownership designation in accordance with the interdepartmental property transfer).

3 (b) Immediately upon the effective date of this ordinance, this ordinance shall be
4 recorded.

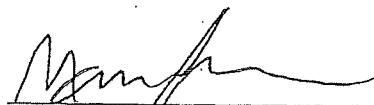
5
6 Section 5. Effective and Operative Dates.

7 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
8 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
9 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
10 Mayor's veto of the ordinance.

11 (b) If enacted, this ordinance shall become operative upon the successful transfer of
12 the abutting parcels from SFPUC to RPD pursuant to the MOU as set forth in Section 1(d) of
13 the ordinance. If such transfer does not occur and the MOU is terminated, then this ordinance
14 shall expire by operation of law.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18
19 By:


20 MANU PRADHAN
21 Deputy City Attorney

22 n:\egana\as2018\1900178\01314512.doc
23
24
25

LEGISLATIVE DIGEST

[Summary Street Vacation - Francisco Street in Connection with Francisco Park Improvements - Interdepartmental Property Transfer]

Ordinance ordering the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, subject to certain terms and conditions, and approving a conditional interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

Existing Law

The Vacation Area is a "paper" street consisting of the 900 block of Francisco Street, bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east.

Amendments to Current Law

The vacation of the Vacation Area is conditioned on the successful transfer of the abutting parcels from the San Francisco Public Utilities Commission (SFPUC) to the Recreation and Park Department (RPD). If the abutting parcels transfer to RPD, the vacation will occur and the Vacation Area will no longer be a public street and will transfer to RPD. If the abutting parcels do not transfer to RPD, then the vacation and transfer will not occur.

Background Information

The Vacation Area is an undeveloped portion of Francisco Street within the Francisco Reservoir and Russian Hill Open Space Park. The SFPUC has conditionally transferred the parcels abutting the Vacation Area to RPD for development into a park, named Francisco Park, provided that RPD delivers certain payments to SFPUC as set forth in the August 1, 2014 Memorandum of Understanding (see File No. 140782). The final jurisdictional transfer is expected to occur by 2026. Vacating the Vacation Area and transferring it to RPD alongside the abutting parcels will allow RPD to assemble the complete Francisco Park and manage the entire property as a unified whole.

Jan 15, 2019 - 4:25pm A:\Survey\STREET VACATION & EASEMENTS\AB 0046 Lot 001 Francisco St\DVD\JOB AB 0046 - 2018-07-02.dwg



LARKIN ST

BAY ST

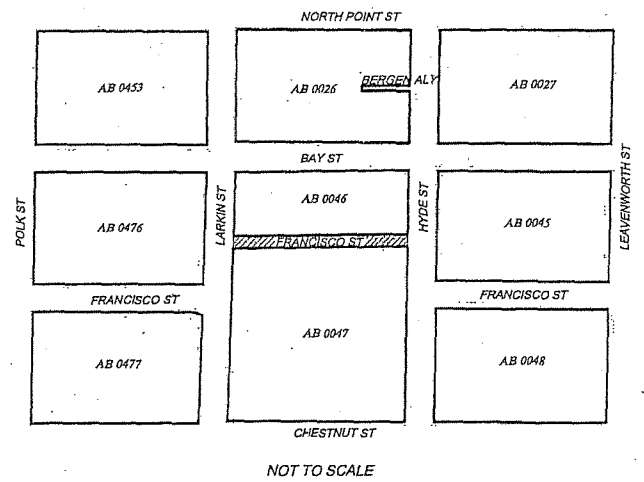
AB 0046
LOT 001

AB 0046 LOT 002

FRANCISCO ST

AB 0047
LOT 001


HYDE ST



LEGEND:

AB 5731 ASSESSORS BLOCK NO.

----- PROPERTY LINE

 VACATION AREA



(IN FEET)
1 inch = 60 ft.



APPROVED:

BRUCE R. STORRS
CITY & COUNTY SURVEYOR

1/16/2019
DATE

CITY AND COUNTY OF SAN FRANCISCO PUBLIC WORKS
SUBDIVISION AND MAPPING

STREET VACATION OF FRANCISCO STREET BETWEEN LARKIN STREET AND HYDE STREET.

FILE: SUR 2019-001

SHEET 1 OF 1

SCALE: 1:60

REVISION

MEMORANDUM OF UNDERSTANDING
(Francisco Reservoir)

THIS MEMORANDUM OF UNDERSTANDING (this "MOU"), dated for reference purposes only as of August 1, 2014 (the "Agreement Date"), is by and between the City and County of San Francisco Recreation and Park Department ("RPD") and the City and County of San Francisco Public Utilities Commission ("PUC").

RECITALS

A. The City and County of San Francisco ("City") owns that certain property (the "Site") described in attached Exhibit A and depicted approximately in the attached Exhibit B.

B. PUC obtained jurisdiction over the Site at some time after the City purchased the Site in 1930 for the PUC's predecessor, the San Francisco Water Department.

C. Pursuant to Charter Section 8B.121, PUC has exclusive charge of real assets under its jurisdiction. PUC, by Resolution No. 14-0113, adopted on July 8, 2014, determined that the Site is surplus to the needs of any utility under its jurisdiction, and PUC wishes to transfer jurisdiction of the Site in exchange for fair market value, as required by applicable law, subject to Board of Supervisors approval of a jurisdictional transfer consistent with this MOU. Fair market value was established based on the appraised value for the Site set forth in the appraisal prepared by Clifford Advisory LLC dated September 15, 2013 and approved by the Director of City's Real Estate Division ("RED") (the "Appraisal"), in the total amount of \$9.9 million dollars.

D. RPD wishes to acquire jurisdiction over the Site in order to explore the feasibility of developing a neighborhood park, consistent with the Board of Supervisors' Resolution No. 502-08, adopted on December 16, 2008. RPD has not undertaken any planning or design for such a potential park. On May 20, 2014, the City Planning Department opined that the jurisdictional transfer of the Site from PUC to RPD would not be subject to the California Environmental Quality Act Public Resources Code Section 21000 *et seq.* (CEQA), pursuant to CEQA Guidelines Section 15060(c)(2), which provides that an activity is not subject to CEQA if the activity will not result in a direct or reasonably foreseeable indirect physical change to the environment."

E. PUC is willing to transfer possession and jurisdiction to RPD, and RPD is willing to accept such transfers, on the terms and subject to the conditions set forth in this MOU.

NOW, THEREFORE, the parties agree as follows:

AGREEMENT

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. Transfer of Possession. On September 30, 2014, or within thirty (30) days after the MOU Execution Date [as defined in Section 4(b)(1)], whichever is later, PUC will tender possession of

the Site to RPD, provided that the first Payment has been timely made by RPD as provided in Section 4(d). Such delivery of possession to RPD shall be referred to herein as the “**Initial Closing**.” RPD acknowledges that PUC will retain jurisdiction over the Site until the Final Closing (as defined in Section 3), and any investment in Site improvements prior to the Final Closing shall be at RPD’s sole risk. RPD’s possession of the Site from the Initial Closing to the Final Closing shall be subject to the terms of Section 5. In no event shall the Site be considered open space or park land under the City Charter until a transfer of jurisdiction occurs on the Final Closing.

3. Transfer of Jurisdiction. No later than thirty (30) days after RPD delivers the final Payment to PUC thereby completing payment in full of the RPD Transfer Price and all outstanding interest in accordance with Section 4, or a later date mutually agreed upon by PUC and RPD (the “**Closing Date**”), PUC shall transfer jurisdiction over the Site to RPD by submitting to RED all necessary materials to enable RED to effect the full jurisdictional transfer of the Site to RPD, and RED shall memorialize the jurisdictional transfer of the Site in the City’s real estate records (the “**Final Closing**”).

4. RPD Transfer Price; Payments for Site.

(a) RPD Transfer Price. In consideration of the jurisdictional transfer of the Site and the interim transfer of possession of the Site pending payment in full, RPD shall pay PUC an amount (the “**RPD Transfer Price**”) equal to Nine Million Nine Hundred Thousand Dollars (\$9,900,000), in installments as provided in Section 4(d) below, together with interest on the unpaid principal balance from time to time outstanding at an annual interest rate equal to the Interest Rate, as defined below. The RPD Transfer Price for the Site was established based on the Appraisal.

(b) Interest; Interest Rates.

(1) Basic Interest Rate. Subject to Section 4(b)(2) below, interest on the unpaid principal balance will accrue at the Interest Rate from the day this MOU is executed by RPD and PUC (following approval by City’s Board of Supervisors and Mayor and all necessary approvals by the RPD Commission and PUC Commission) (the “**MOU Execution Date**”). The “**Interest Rate**” shall be the average annual rate of interest earned on the City’s pooled investment funds during the fiscal year that ends on the June 30th preceding the Payment Date (as defined in Section 4(d)) in question. Such rate is reported as “**Earned Income Yield**” in the City Treasurer’s annual report of pooled fund portfolio statistics, which is posted on the Treasurer’s website under Investment Reports.

(2) Default Rates. Any principal not paid on the Payment Date when due (the “**Due Date**”) shall then automatically bear interest at an increased interest rate determined as follows (the “**Default Rate**”). From the Due Date until the one-year anniversary of the Due Date, the Default Rate shall be the annual Interest Rate that was applicable on the Due Date plus one (1) percentage point. For principal that remains delinquent for more than one year, the Default Rate shall be adjusted on each September 30th (commencing on the one-year anniversary of the Due Date) to be equal to the annual Interest Rate applicable to nondelinquent payments due on such September 30 plus four (4) percentage points.

(c) Application of Payments. Each Payment shall be credited first to interest then due and any remainder to principal. All payments of principal shall be applied to the most remote principal installment then unpaid.

(d) Payment Schedule. The RPD Transfer Price and accrued interest shall be paid in twelve installments (each, a "Payment") in accordance with the payment schedule set forth below. The first Payment shall be due on the later of September 30, 2014, or thirty (30) days after the MOU Execution Date. The second Payment shall be due on September 30 of the next fiscal year. The remaining 10 Payments shall be due on September 30 of each succeeding fiscal year. Each such due date is referred to herein as a "Payment Date." By August 15 prior to each Payment Date, PUC will deliver an invoice to RPD, setting forth the amount payable on the Payment Date and providing a breakdown of principal and interest. If RPD has questions or concerns about the invoice, the parties shall meet and confer in good faith to resolve the issues.

Subject to appropriation and approval by the Board, RPD shall make the Payments according to the following schedule:

<u>Payment</u>	<u>Payment Due Date</u>	<u>Payment Amount</u>
1	Later of 9.30.14 or 30 days after MOU Execution Date	\$207,918.90 in principal, plus accrued interest
2	9.30.15	\$198,018.00 in principal, plus accrued interest
3	9.30.16	\$198,018.00 in principal, plus accrued interest
4	9.30.17	\$425,738.70 in principal, plus accrued interest
5	9.30.18	\$455,441.40 in principal, plus accrued interest
6	9.30.19	\$455,441.40 in principal, plus accrued interest
7	9.30.20	\$950,486.40 in principal, plus accrued interest
8	9.30.21	\$980,189.10 in principal, plus accrued interest
9	9.30.22	\$1,039,594.50 in principal, plus accrued interest
10	9.30.23	\$1,564,342.20 in principal, plus accrued interest
11	9.30.24	\$1,633,648.50 in principal, plus accrued interest
12	9.30.25	\$1,792,062.90 in principal, plus any other remaining unpaid principal and accrued interest

If RPD proposes a restructuring of any of Payments 7 through 11, PUC will consider such restructuring, provided that RPD proposes the restructuring in writing at least one year in advance with an explanation of the reasons for the requested restructuring. PUC will not unreasonably withhold agreement to a proposed restructuring, taking into consideration such factors as PUC's ratepayer obligations, RPD's payment history, the circumstances giving rise to

the proposed restructuring, and PUC's determination, in its sole judgment, of the impact the restructuring may have on the likelihood of RPD completing payment in full by the twelfth Payment.

(e) Prepayment. RPD's obligation may be prepaid at any time, in whole or in part, without premium or penalty, as long as any principal prepayment is accompanied by a payment of interest accrued to the date of prepayment on the amount prepaid.

(f) Termination Default.

(i) Termination Default. If RPD fails to pay a Payment in full when due and payable, which failure is not cured by the second anniversary of the Due Date (which cure deadline shall be extended by the period of any Unavoidable Delay as defined in Section 4(g)), such failure shall constitute a "Termination Default."

(ii) Termination Notice; Termination Date. At any time after a Termination Default until the delinquent Payment and accrued default interest (together, the "Cure Amount") are paid, PUC may, at its option, terminate this MOU and RPD's right of possession by giving not less than thirty (30) days' notice to RPD ("Termination Notice"). Any such Termination Notice shall identify the effective date of the termination ("Termination Date"), which shall be a date not less than thirty (30) days after delivery of the Termination Notice to RPD.

(iii) Termination of MOU. If RPD fails to pay the Cure Amount in full by the Termination Date [which may be extended by the period of any Unavoidable Delay as provided in Section 4(g)], this MOU and RPD's right of possession shall end on the Termination Date, in which event (i) RPD shall surrender possession of the Site to PUC in accordance with the following subparagraph (iv); (ii) RPD and PUC shall each be relieved of all obligations accruing hereunder after the Termination Date, other than those that expressly survive termination and those required to be performed in connection with the termination or surrender of possession; and (iii) PUC shall thereafter have the right to use the Site for any purposes, including transferring the Site to a third party for other uses. If the Termination Default giving rise to the Termination Notice is based on a delinquency in any of Payments 1 through 5, PUC shall retain all interest payments but shall refund to RPD the amount of all principal payments received from RPD prior to such termination, within one hundred eighty (180) days after RPD surrenders possession of the Site in accordance with this paragraph. If the Termination Default giving rise to the Termination Notice is based on a delinquency in any of Payments 6 through 12, PUC shall retain all interest payments previously received from RPD and shall refund principal payments previously received from RPD according to the following schedule:

Delinquent Payment on which the Termination Default is Based	<u>Principal Refund Schedule</u>
1	PUC shall refund 100% of RPD's principal payments.
2	PUC shall refund 100% of RPD's principal payments.
3	PUC shall refund 100% of RPD's principal payments.
4	PUC shall refund 100% of RPD's principal payments.
5	PUC shall refund 100% of RPD's principal payments.
6	PUC shall refund 50% of RPD's principal payments.
7	PUC shall refund 40% of RPD's principal payments.
8	PUC shall refund 30% of RPD's principal payments.
9	PUC shall refund 20% of RPD's principal payments.
10	PUC shall refund 10% of RPD's principal payments.
11	PUC shall not issue any refund of RPD's principal payments.
12	PUC shall not issue any refund of RPD's principal payments.

For example, if RPD fails to make Payment 7 on or before September 30, 2020, and thereafter fails to pay the Cure Amount before September 30, 2022, such failure shall be a Termination Default. If PUC sends a Termination Notice based on such failure and RPD fails to pay the Cure Amount before the Termination Date, this MOU and RPD's right of possession shall terminate and PUC shall refund to RPD 40% of the principal payments previously received.

(iv) Surrender of Possession. Upon the termination of this MOU, RPD shall surrender the Site in broom clean condition, free from hazards and clear of all debris. At such time, RPD shall remove all of its signs, personal property and equipment from the Site and, upon the PUC's reasonable request, any recreational structures or improvements installed by or for RPD, and shall repair, at its cost, any damage to the Site caused by such removal. RPD's obligations under this paragraph shall survive the termination of this MOU.

(g) Unavoidable Delay. For purposes hereof, "Unavoidable Delay" shall mean any period in which RPD is unable to perform due to terrorist or enemy action, riots, explosion, flood, hurricane, earthquake, firestorm or other natural disaster. In the event of any Unavoidable Delay, RPD shall give prompt written notice to PUC of the occurrence of such event and the projected delay in performance, and thereafter shall keep PUC regularly informed.

of the status of such Unavoidable Delay. Under no circumstances shall the number of days of Unavoidable Delay for any one event exceed a total of thirty (30) days.

(h) Transaction Costs. RPD and PUC shall each bear its own attorney and consultant fees and costs incurred in negotiating this MOU, except that RPD and PUC shall each bear fifty percent (50%) of the attorney fees for the Deputy City Attorney assigned to prepare this MOU and advise both parties on real estate legal issues. Any costs charged by RED and the City Attorney's Office to effect the jurisdictional transfer of the Site pursuant to Section 3 shall be born by RPD.

5. RPD's Interim Possession. Commencing on the Initial Closing and continuing until the earlier of the Termination Date or the Final Closing, the following terms and conditions shall apply.

(a) Permitted Use. RPD may use the Site and allow its employees, agents, consultants, contractors, authorized representatives, invitees and guests (together, "**RPD Affiliates**") to use the Site only for purposes within RPD's authority under Section 4.113 of the City's Charter. RPD's rights under this MOU may be exercised by RPD's contractors and any donors under contract with RPD to provide services and/or funds for the development of the Site ("**RPD Donors**"), subject to the terms and conditions of this MOU.

(b) Improvements.

(i) Advanced Notice. RPD shall not construct or place any permanent structures or improvements in, on, under or about the Site, nor shall RPD make any alterations or additions to any existing structure or improvement on the Site, without providing thirty (30) days' prior written notice and a copy of the plans and specifications to the PUC.

(ii) Improvements Requiring Consent. Any improvement, alteration or addition (individually or collectively, "**Improvements**") inconsistent with the permitted uses shall require PUC's prior written consent. RPD shall request such consent by written notice to the PUC which such notice shall be accompanied by the plans and specifications for such improvements. PUC shall give or withhold consent to such improvements in its reasonable discretion within fifteen (15) days following PUC's receipt of RPD's request for consent. For purposes hereof, asphalt, concrete and cementitious concrete driveways, sidewalks and parking areas, shacks and storage facilities, and fences shall be deemed "Improvements."

(c) Dumping. RPD shall not cause or permit the dumping or other disposal in, on, under or about the Site of landfill, refuse, Hazardous Material (as defined below) or any other materials, including but not limited to materials that are unsightly or could pose a hazard to human health or safety, native vegetation or wildlife, or the environment.

(d) Hazardous Material. RPD shall not cause, nor shall RPD allow any of the RPD Affiliates to cause, any Hazardous Material (as defined below) to be brought upon, kept, used, stored, generated, released or disposed of in, on, under or about the Site, or transported to, from or over the Site. RPD shall immediately notify the PUC when RPD learns of, or has reason to believe that, a release of Hazardous Material has occurred in, on, under or about the Site. RPD shall further comply with all laws, statutes, ordinances, rules, regulations, policies, orders, edicts

and the like (collectively, Laws) requiring notice of such releases or threatened releases to governmental agencies, and shall take all action necessary or desirable to mitigate the release or minimize the spread of contamination. In the event that RPD or RPD Affiliates cause a release of Hazardous Material, RPD shall, without cost to the PUC and in accordance with all Laws and using the highest and best technology available, promptly return the Site to the condition immediately prior to the release. In connection therewith, RPD shall afford the PUC a full opportunity to negotiate and participate in any discussion with governmental agencies and environmental consultants regarding any settlement agreement, cleanup or abatement agreement, consent decree or other compromise proceeding involving Hazardous Material, and any other abatement or clean-up plan, strategy and procedure. For purposes hereof, "Hazardous Material" means material that, because of its quantity, concentration or physical or chemical characteristics, is at any time now or hereafter deemed by any federal, state or local governmental authority to pose a present or potential hazard to public health, welfare or the environment. Hazardous Material includes, without limitation, the following: any material or substance defined as a "hazardous substance, pollutant or contaminant" pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sections 9601 et seq., or pursuant to Section 25316 of the California Health & Safety Code or any other federal, state, or local Law; a "hazardous waste" listed pursuant to Section 25140 of the California Health & Safety Code; any asbestos and asbestos containing materials whether or not such materials are part of the Site or are naturally occurring substances in the Site; and any petroleum, including, without limitation, crude oil or any fraction thereof, natural gas or natural gas liquids, provided, the foregoing shall not prohibit RPD from traversing to, from and across the Site in standard motor vehicles that do not exceed the weight limitations set forth below. The term "release" or "threatened release" when used with respect to Hazardous Material shall include any actual or imminent spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing in, on, under or about the Site.

(e) Nuisances. RPD shall not conduct, or allow, any activities in, on, under or about the Site that constitute waste, nuisance or unreasonable annoyance (including, without limitation, emission of objectionable odors, noises or lights) to the PUC, to the owners or occupants of neighboring property, or to the public, or that constitute waste or nuisance per se.

(f) Damage. RPD shall not do anything in, on, under or about the Site that could cause damage or interference to any operational pipelines, cables or other property located in, on, under or about the Site. At RPD's written request, PUC shall notify RPD of any pipelines, cables or other utility facilities owned or operated by PUC in, on or under the Site that remain in operation. RPD shall be responsible for identifying and locating any third party facilities in, on or under the Site.

(g) Ponding; Water Courses. RPD shall not conduct or allow any activities in, on, under or about the Site that cause any ponding on the Site or any flooding on adjacent land.

(h) Maintenance and Repair. RPD shall maintain the Site in good, sightly condition and repair at its sole cost. The PUC shall have no obligation to maintain or repair any or all of the Site.

(i) Insurance, Indemnity and Warranties.

(i) RPD shall cause its contractors and subcontractors, and any contractors and subcontractors retained by RPD Donors to design and construct any Improvements for the Site, to maintain at all times such insurance as the City Risk Manager recommends. The City and its officers, commissioners, agents and employees shall be included as additional insureds with respect to any such insurance.

(ii) RPD shall cause the City to be named as beneficiary of all warranties and guaranties from contractors and suppliers related to the construction of Improvements on the Site. To the extent that any Improvements will be constructed by contractors of RPD Donors, RPD will require that the RPD Donors enforce such warranties and guaranties or assign such warranties and guaranties to the City.

(iii) RPD shall require that the City, including but not limited to all of its boards, commissions, departments, agencies and other subdivisions, and all of its and their agents, employees, officers, contractors and representatives, and their respective heirs, legal representatives, successors and assigns be included as an indemnified party in any indemnification provision between RPD and the RPD Donors or any agent, contractor or subcontractor RPD hires in connection with its use of the Site.

(j) Compliance with Laws. RPD shall, at its expense, conduct and cause to be conducted all activities on the Site allowed hereunder in a safe and reasonable manner and in compliance with all Laws of any governmental or other regulatory entity (including, without limitation, the Americans with Disabilities Act) and all covenants, restrictions and provisions of record, whether presently in effect or subsequently adopted and whether or not in the contemplation of the Parties. RPD shall, at its sole expense, procure and maintain in force at all times during its use of the Site any and all business and other licenses or approvals necessary to conduct the activities allowed hereunder. RPD understands and agrees that the PUC is entering into this Agreement in its capacity as a property owner with a proprietary interest in the Site and not as a regulatory agency with police powers. RPD further understands and agrees that no approval by the PUC for purposes of this Agreement shall be deemed to constitute approval of any federal, state, the PUC or other local regulatory authority with jurisdiction, and nothing herein shall limit RPD's obligation to obtain all such regulatory approvals at RPD's sole cost, or limit in any way the PUC's exercise of its police powers.

(k) Repair of Damage. If any portion of the Site on or about the Site is damaged or threatened by any of the activities conducted by RPD or anyone acting by or through RPD hereunder, RPD shall immediately, at its sole cost, notify the PUC by telephone and by email of such damage or threat, by telephone and email to the telephone number and email address in Section 8 as well PUC's CDD Emergency Dispatch number [(415) 550-4956 or 550-4900]. The PUC may, but shall not be obligated to, remedy such damage or threat at RPD's sole cost, or the PUC may elect to witness RPD's repair work. In the event the PUC elects not to remedy such damage or threat, RPD shall repair any and all such damage and restore the Site to good, sightly condition subject to the PUC's inspection, review and approval. RPD shall be solely responsible for arranging and paying directly for any utilities or services necessary for its activities hereunder.

(m) No Costs to the PUC. RPD shall bear all costs or expenses of any kind or nature in connection with its use of the Site, and shall keep the Site free and clear of any liens or claims of lien arising out of or in any way connected with its use of the Site.

(n) Waiver of Claims.

(i) Neither the PUC nor any of its commissioners, departments, boards, officers, agents or employees ("Agents") shall be liable for any damage to the property of RPD or RPD Affiliates or for any bodily injury to or death of any such persons, resulting or arising from the condition of the Site or its use by RPD or RPD Affiliates, and RPD expressly assumes responsibility for any and all claims, demands, losses, liabilities, damages, liens, injuries, penalties, fines, lawsuits and other proceedings, judgments and awards and costs and expenses, including, without limitation, reasonable attorneys' and consultants' fees and costs (together, "Claims"), whether direct or indirect, known or unknown, foreseen or unforeseen, that may arise on account of or in any way be connected with any such property damage, injury or death, or the physical or environmental condition of the Site and any related improvements or any law or regulation applicable thereto or the suitability of the Site for RPD's intended use.

(ii) RPD acknowledges that this MOU is subject to termination pursuant to Section 4 and in view of such fact, RPD expressly assumes the risk of making any expenditure in connection with this MOU, even if such expenditures are substantial.

(iii) The PUC would not be willing to enter into this MOU in the absence of a waiver of liability for consequential or incidental damages due to the acts or omissions of the PUC or its Agents, and RPD expressly assumes the risk with respect thereto.

(iv) RPD accepts the Site in its "AS IS" condition, without representation or warranty of any kind by the PUC or its Agents, and subject to all applicable laws, rules and ordinances governing the use of the Site. Without limiting the foregoing, this Agreement is made subject to any and all existing and future covenants, conditions, restrictions, easements, encumbrances and other title matters affecting the Site, whether foreseen or unforeseen, and whether such matters are of record or would be disclosed by an accurate inspection or survey.

6. Conditions to Jurisdictional Transfer. Notwithstanding anything to the contrary contained herein (but subject to the remedies set forth in Sections 4(b) and 4(f) for delinquent payment), RPD shall have no obligation to make the Payments and complete the jurisdictional transfer unless all of the following conditions are satisfied:

(a) Prior to the Initial Closing, PUC shall have maintained the Site in substantially the same condition it was in as of June 1, 2014, and PUC shall not, without first obtaining RPD's prior written approval, have taken any of the following actions: (i) constructed any improvements on the Site, (ii) encumbered all or any part of the Site with any lien, transfer, grant, lease, license or other encumbrance, or entered into any contract affecting the Site, except for contracts that are terminable on thirty days notice or less, or (iii) caused or authorized any use of the Site different from the use of the Site as of the Agreement Date.

(b) Prior to the MOU Execution Date, RPD's Commission, PUC's Commission and the City's Board of Supervisors and Mayor, each in their respective sole discretion, shall have approved this MOU, the Park Transfer Price and the jurisdictional transfer of the Site.

(c) The Board of Supervisors and Mayor shall approve the annual appropriation of funds for RPD payments for the Site.

7. Approval Contingency. This MOU shall only be effective as of the date that all of the following conditions are met: (i) all parties hereto shall have executed this MOU; (ii) PUC's Commission, acting in its sole discretion, approves of this MOU and declares the Site surplus property, and (iii) RPD's Commission, acting in its sole discretion, approves of this MOU.

8. Notices. All notices, demand, consents or approvals which are or may be required to be given by either party to the other under this MOU shall be in writing and shall be delivered in person or sent by United States mail, postage prepaid, or reputable commercial courier, and addressed as follows:

If to PUC: San Francisco Public Utilities Commission
Real Estate Services
525 Golden Gate Avenue, 10th floor
San Francisco, CA 94102
Attn: General Manager
Tel No.: (415) 554-3155

With a copy to: San Francisco Public Utilities Commission
Real Estate Services
525 Golden Gate Avenue, 10th floor
San Francisco, CA 94102
Attn: Real Estate Director
Tel No.: (415) 487-5210
RES@sfwater.org

If to RPD: Recreation & Parks Department
510 Stanyan Street – McLaren Lodge Golden Gate Park
San Francisco, CA 94102
Attn: Philip Ginsburg, General Manager
Fax No.: (415) 831-2096
Tel No.: (415) 831-2701

If to RED: Real Estate Division
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102
Attn: Director of Property

or such other address that a party may from time to time designate by notice to the other parties given pursuant to the provisions of this Section. Telephone or fax numbers are provided to facilitate communication and will not be a sufficient method of delivering notice. Any correctly

addressed notice sent by a method that provides confirmation of delivery shall be deemed delivered on the first date of confirmed delivery or confirmed attempted delivery:

9. Authority. All matters requiring PUC's approval under the express terms of this MOU (including any proposed restructuring of Payments or Interest Rate pursuant to Section 4(d)) shall be approved by the General Manager of PUC or his or her designee, and by the PUC Commission, if required. All matters requiring RPD's approval shall be approved of by the General Manager of RPD or his or her designee and by the RPD Commission, if required.

10. Identification and Application of Additional Funding Sources. RPD shall have the right to apply for any federal, state or local funds that may be available to pay for any costs incurred in developing the Site, respectively. PUC shall cooperate to provide any documents held by PUC that are needed to submit such applications or to qualify for distribution of such federal, state or local funds.

11. Cooperation. Subject to the terms and conditions of this MOU, PUC and RPD staff shall use reasonable efforts to do, or cause to be done, all things reasonably necessary or advisable to carry out the purposes of this MOU as expeditiously as practicable, including, without limitation, performance of further acts and the execution and delivery of any additional documents in form and content reasonably satisfactory to all parties (subject to any necessary approvals). Notwithstanding anything to the contrary in this MOU, no party is in any way limiting its discretion or the discretion of any department, board or commission with jurisdiction over the actions described in this MOU. In addition to any conditions described in this MOU, the parties' obligations are expressly subject to the receipt of all legally required approvals following any required environmental review.

12. CEQA Compliance. RPD has not planned, designed, or proposed a project for the Site. Accordingly, all parties understand that, at such time any such project is proposed for the Park, such project would be subject to review under CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code, as well as all other applicable laws and regulations. The City, including RPD and PUC, retains absolute discretion to: (a) require modifications in any such project to mitigate significant adverse environmental impacts; (b) select feasible alternatives that avoid significant adverse impacts; (c) require the implementation of specific measures to mitigate any significant adverse environmental; (d) reject all or part of any such project as proposed if its economic and social benefits do not outweigh otherwise unavoidable significant adverse impacts of the project; or (e) approve any such project upon a finding that its economic and social benefits outweigh otherwise unavoidable significant adverse environmental impacts.

13. Miscellaneous. (a) This MOU may be amended or modified only by a writing signed by the General Manager of PUC, or his or her designee, and the Director of RPD, or his or her designee, following any necessary approvals. (b) No waiver by any party of any of the provisions of this MOU shall be effective unless in writing and signed by an authorized representative, and only to the extent expressly provided in such written waiver. (c) This MOU (including all exhibits) contains the entire understanding between the parties as of the date of this MOU, and all prior written or oral negotiations, discussions, understandings and agreements are merged herein. (d) Notwithstanding anything to the contrary set forth herein, no officer, director, or employee of PUC has the authority to bind PUC to any action contemplated herein unless and until its Commission and the Board of Supervisors or the Mayor, if necessary, approves thereof.

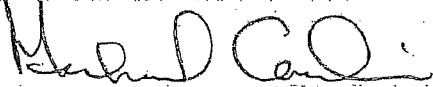
and no officer, director or employee of RPD has the authority to bind RPD to any action contemplated herein unless and until the Board of Supervisors or the Mayor, as applicable, approves of such action. (e) All transactions described herein are subject to and must be conducted in accordance with the applicable requirements of the City's Charter and codes and applicable state and/or federal laws.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed as of the dates written below.

PUC:

PUBLIC UTILITIES COMMISSION

By:


Harlan L. Kelly, Jr., General Manager

Date:

August 6, 2014

RPD:

RECREATION AND PARK

By:

Philip Ginsburg, General Manager

Date:

addressed notice sent by a method that provides confirmation of delivery shall be deemed delivered on the first date of confirmed delivery or confirmed attempted delivery.

9. Authority. All matters requiring PUC's approval under the express terms of this MOU (including any proposed restructuring of Payments or Interest Rate pursuant to Section 4(d)) shall be approved by the General Manager of PUC or his or her designee, and by the PUC Commission, if required. All matters requiring RPD's approval shall be approved of by the General Manager of RPD or his or her designee and by the RPD Commission, if required.

10. Identification and Application of Additional Funding Sources. RPD shall have the right to apply for any federal, state or local funds that may be available to pay for any costs incurred in developing the Site, respectively. PUC shall cooperate to provide any documents held by PUC that are needed to submit such applications or to qualify for distribution of such federal, state or local funds.

11. Cooperation. Subject to the terms and conditions of this MOU, PUC and RPD staff shall use reasonable efforts to do, or cause to be done, all things reasonably necessary or advisable to carry out the purposes of this MOU as expeditiously as practicable, including, without limitation, performance of further acts and the execution and delivery of any additional documents in form and content reasonably satisfactory to all parties (subject to any necessary approvals). Notwithstanding anything to the contrary in this MOU, no party is in any way limiting its discretion or the discretion of any department, board or commission with jurisdiction over the actions described in this MOU. In addition to any conditions described in this MOU, the parties' obligations are expressly subject to the receipt of all legally required approvals following any required environmental review.

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and no officer, director or employee of RPD has the authority to bind RPD to any action contemplated herein unless and until the Board of Supervisors or the Mayor, as applicable, approves of such action. (e) All transactions described herein are subject to and must be conducted in accordance with the applicable requirements of the City's Charter and codes and applicable state and/or federal laws.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed as of the dates written below.

PUC:

PUBLIC UTILITIES COMMISSION

By:

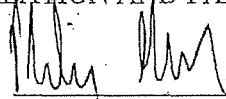
Harlan L. Kelly, Jr., General Manager

Date:

RPD:

RECREATION AND PARK

By:


Philip Ginsburg, General Manager

Date:

8/7/14

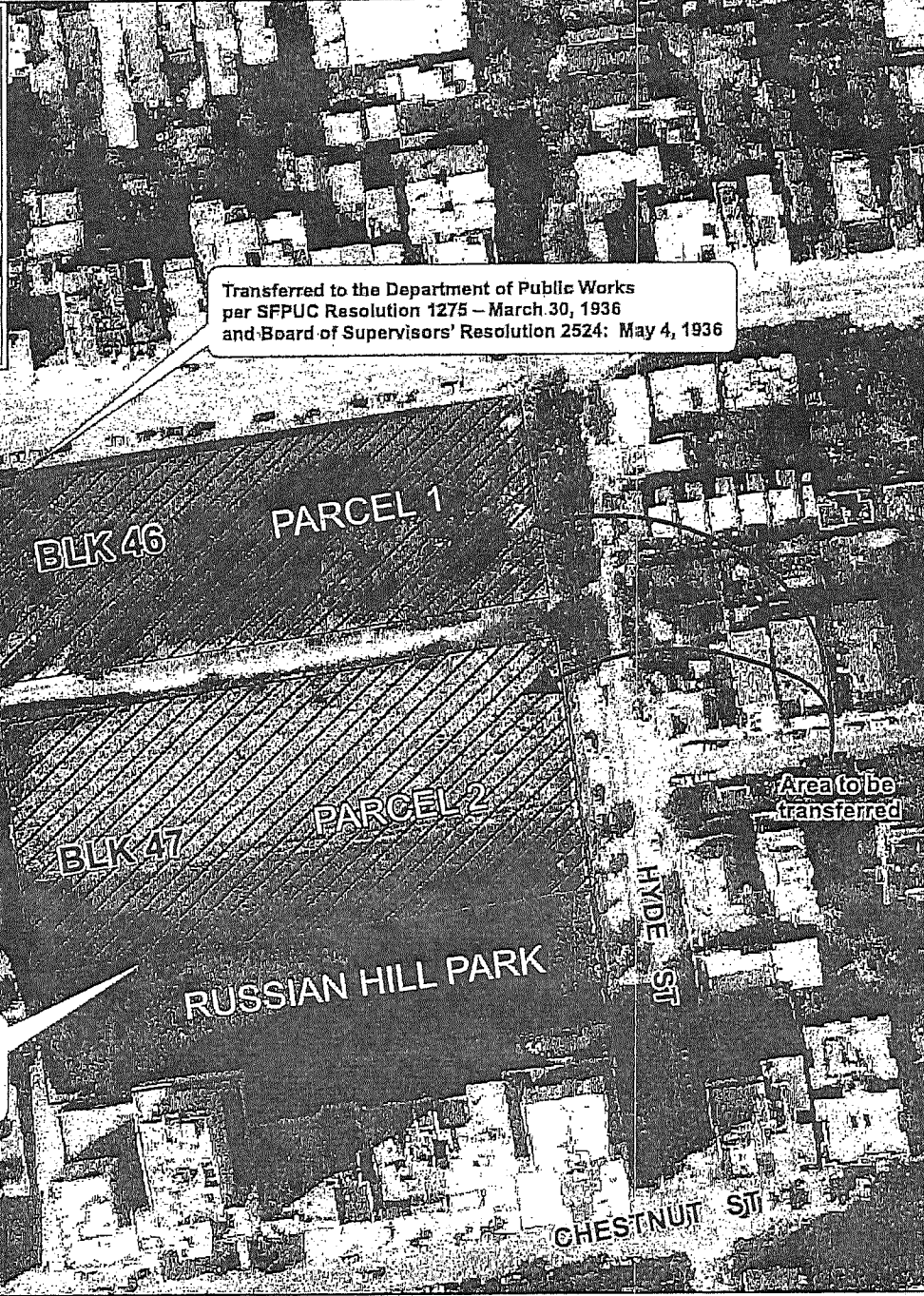
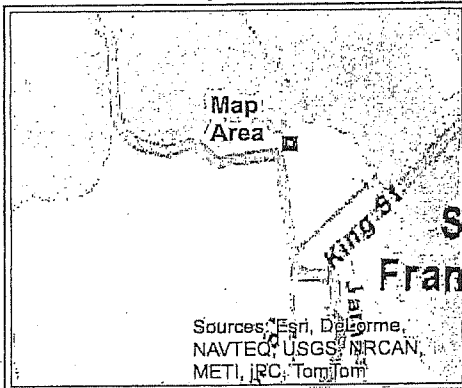
EXHIBIT A

SITE LEGAL DESCRIPTION

Real property in the City and County of San Francisco, California, consisting of (i) Assessor's Block No. 0046, Lot No. 1, and (ii) that portion of Assessor's Block No. 0047, Lot No. 001 which is under the jurisdiction of the San Francisco Public Utilities Commission, as depicted approximately on the Project Map attached as Exhibit B to this MOU.

EXHIBIT B

PROJECT MAP




Transferred to the Department of Public Works per SFPUC Resolution 1275 – March 30, 1936 and Board of Supervisors' Resolution 2524: May 4, 1936

RUSSIAN HILL PARK
Transferred to the SF Park Commission per Board of Supervisors Resolution No. 7103 – December 29, 1947



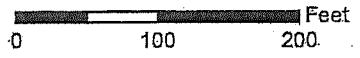
Exhibit B-1952
Drawing No. B-4920

Legend

 Area to be transferred



Scale 1:1,500
1 inch = 125 feet



FRANCISCO RESERVOIR

Date: 8/5/2014 Author: K.Laine

The City does not guarantee that the information is accurate or complete. The City provides this information on an "as is" basis and disclaims all warranties, express or implied, including but not limited to warranties of merchantability, fitness for a particular purpose and non-infringement. The City is not responsible for any damages arising from the use of data. Users should verify the information before making project commitments.

Public Works Order No.: 200532



London N. Breed
Mayor

Mohammed Nuru
Director

San Francisco Public Works
1 Dr. Carlton B. Goodlett Pl.
Room 348
San Francisco, CA 94102
tel 415-554-6920

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks
twitter.com/mrcleansf

Determination to recommend the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Public Works Code Section 787.

WHEREAS, Most public streets and sidewalks are owned by the City and County of San Francisco as a public right-of-way; and

WHEREAS, The area to be vacated ("the Vacation Area") is an undeveloped portion of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, and is specifically shown on SUR Map 2019-001, dated January 16, 2019; and

WHEREAS, The Vacation Area as shown on PW SUR Map No. 2019-001 is unnecessary for the City's present or prospective public street, sidewalk, and service easement purposes and that any rights based upon any such public or private utility facilities shall be extinguished automatically upon the effectiveness of the vacation; the summary street vacation is appropriate under Streets and Highways Code Sections 8334 and 8334.5 because: (A) this area is a paper street that constitutes excess right-of-way which is no longer needed for street purposes, (B) the street area has been impassable to vehicular travel for five (5) consecutive years, and (C) there are no in-place functioning utilities in the street segment; the Vacation Area is no longer useful as a nonmotorized transportation under Streets and Highways Code Section 892 facility as there are other such facilities available in close proximity. Based on these factors, the Vacation Area may be summarily vacated in accordance with Streets and Highways Code Sections 8334 and 8334.5; and

WHEREAS, The vacation is being carried out pursuant to San Francisco Public Works Code Section 787; and

WHEREAS, Pursuant to the California Streets and Highway Code, the Department of Public Works, Bureau of Street Use and Mapping (the "Department") has initiated the process to vacate the Vacation Area; and

WHEREAS, The Department sent notice of the proposed street vacation, a draft SUR drawing, and a DPW referral letter to the Department of Technology, San Francisco Municipal Transportation Agency, AT&T, Sprint, Comcast, Level Three, Point to Point, XO-Communications, Verizon, San Francisco Fire Department, San Francisco Water Department, Pacific Gas and Electric ("PG&E"), Bureau of Light, Heat and Power, Bureau of Engineering, and the San Francisco Public Utility Commission ("PUC"). No utility company or agency objected to the proposed vacation, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and

WHEREAS, On April 17, 2018 the Department of City Planning (Case No. 2016-012507GPR) found that the proposed Vacation is on balance in conformity with the General Plan and Planning Code Section 101.1. Said letter states that on February 28, 2018 the Department determined that the Project is Categorically Exempt from Environmental Review under CEQA Guidelines Sections 15301, 15303 and 15304; and

WHEREAS, On October 3, 2016 the San Francisco Fire Department provided notice that they had reviewed and had no objections to the proposed vacation; and

WHEREAS, The public interest, convenience, and necessity require that no other easements or other rights should be reserved by City for any public or private utilities or facilities that may be in place in the Vacation Area and that any rights based upon any such public or private utilities or facilities are unnecessary and should be extinguished; and

WHEREAS, The vacation of the Vacation Area shall not take effect until the successful transfer of the abutting properties from PUC to Recreation and Park Department (RPD); and

WHEREAS, Transferring the Vacation Area to the RPD alongside the abutting parcels will allow RPD to assemble the complete Francisco Park and manage the entire property as a unified whole, which will provide a seamless experience for park users; and

WHEREAS, It is a policy matter for the Board of Supervisors to approve the interdepartmental transfer of the vacated street area from Public Works to the Real Estate Division.

NOW THEREFORE BE IT ORDERED THAT,

The Director approves all of the following documents either attached hereto or referenced herein:

1. Ordinance to vacate the Vacation Area
2. Vacation Area SUR Map No. 2019-001

The Director recommends that the Board of Supervisors move forward with the legislation to vacate said Vacation Area.

The Director recommends that the Board of Supervisors approve the interdepartmental property transfer of the Vacation Area from PW to RPD upon the successful transfer of the abutting parcels from PUC to RPD

The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation. The Director further recommends the Board of Supervisors authorize the Mayor, Clerk of the Board, Director of Property, County Surveyor, and Director of Public Works to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Ordinance.

X DocuSigned by:
Bruce Storrs

Storrs, Bruce
City and County Surveyor

X DocuSigned by:
Mohammed Nuru

Nuru, Mohammed
Director



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

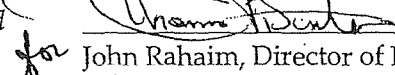
Date: April 17, 2018
Case No. Case No. 2016-012507GPR
Street Vacation of Francisco Street

Block/Lot No.: 0046/001, 0047/001
Project Sponsor: Stacy Bradley
San Francisco Recreation and Park Department
30 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Applicant: Same as Above

Staff Contact: Lily Langlois (415) 575-9083
lily.langlois@sfgov.org

Recommendation: Finding the project, on balance, is **in conformity** with
the General Plan

Recommended
By:  John Rahaim, Director of Planning

PROJECT DESCRIPTION

The proposed project involves the vacation of Francisco Street between Larkin and Hyde Streets. This portion of Francisco Street is located between Russian Hill Park and Russian Hill Open Space. Public Works owns the property, which is currently a paper street used to access the Francisco Reservoir. The vacation of Francisco Street would allow for the creation of a new public open space adjacent to the Francisco Reservoir.

ENVIRONMENTAL REVIEW

On February 28, 2018 the Planning Department determined that the proposed project was Categorical Exempt from further environmental review pursuant to CEQA Guidelines Section 15301, 15303 and 15304. To view the Categorical Exemption Checklist please refer to case number 2015-005865ENV.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, in-conformity with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

POLICY 2.8

Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

The street vacation will allow for the creation of a new public park.

POLICY 2.9

Review proposals for the giving up of street areas in terms of all the public values that streets afford. Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permit or other means, shall be judged with the following criteria as the minimum basis for review:

- a. No release of a street area shall be recommended which would result in:
1. Detriment to vehicular or pedestrian circulation;
 2. Interference with the rights of access to any private property;
 3. Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
 4. Obstruction or diminishing of a significant view, or elimination of a viewpoint; industrial operations;
 5. Elimination or reduction of open space which might feasibly be used for public recreation;
 6. Elimination of street space adjacent to a public facility, such as a park, where retention of the street might be of advantage to the public facility;
 7. Elimination of street space that has formed the basis for creation of any lot, or construction or occupancy of any building according to standards that would be violated by discontinuance of the street;
 8. Enlargement of a property that would result in (i) additional dwelling units in a multi-family area; (ii) excessive density for workers in a commercial area; or (iii) a building of excessive height or bulk;
 9. Reduction of street space in areas of high building intensity, without provision of new open space in the same area of equivalent amount and quality and reasonably accessible for public enjoyment;
 10. Removal of significant natural features, or detriment to the scale and character of surrounding development.
 11. Adverse effect upon any element of the General Plan or upon an area plan or other plan of the Department of City Planning; or
 12. Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.
- b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:
1. Necessary for a subdivision, redevelopment project or other project involving assembly of a large site, in which a new and improved pattern would be substituted for the existing street pattern;

2. In furtherance of an industrial project where the existing street pattern would not fulfill the requirements of modern industrial operations;
3. Necessary for a significant public or semi-public use, or public assembly use, where the nature of the use and the character of the development proposed present strong justifications for occupying the street area rather than some other site;
4. For the purpose of permitting a small-scale pedestrian crossing consistent with the principles and policies of The Urban Design Element; or
5. In furtherance of the public values and purposes of streets as expressed in The Urban Design Element and elsewhere in the General Plan.

Eight Priority Policies Findings

Overall, the project is consistent with SF Planning Code Section 101.1 in that:

The proposed project is found to be consistent with the eight priority policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

The Project would have no adverse effect on the City's housing stock or on neighborhood character. The existing housing and neighborhood character will be not be negatively affected

3. That the City's supply of affordable housing be preserved and enhanced.

The Project would have no adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project would not result in commuter traffic impeding MUNI's transit service, overburdening the streets or altering current neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

The Project would not affect the existing economic base in this area.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.

7. That landmarks and historic buildings be preserved.

This site has no buildings so no landmarks would be affected.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would have no adverse effect on parks and open space or their access to sunlight and vista.

**RECOMMENDATION: Finding the Project, on balance, in-conformity
with the General Plan**

cc: Stacy Bradley, SF Recreation and Park Department

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SAN FRANCISCO PLANNING DEPARTMENT

ENVIRONMENTAL EVALUATION APPLICATION COVER MEMO - PUBLIC PROJECTS ONLY

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.

Please attach this memo along with all necessary materials to the Environmental Evaluation Application.

Project Address and/or Title:	Francisco Park @ Francisco Reservoir
Project Approval Action:	Concept Plan Acceptance by Rec and Park Commission
Will the approval action be taken at a noticed public hearing? <input checked="" type="checkbox"/> YES* <input type="checkbox"/> NO	
* If YES is checked, please see below.	

IF APPROVAL ACTION IS TAKEN AT A NOTICED PUBLIC HEARING, INCLUDE THE FOLLOWING CALENDAR LANGUAGE:

End of Calendar: CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code If the Commission approves an action identified by an exemption or negative declaration as the Approval Action (as defined in S.F. Administrative Code Chapter 31, as amended; Board of Supervisors Ordinance Number 161-13), then the CEQA decision prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Individual calendar items: This proposed action is the Approval Action as defined by S.F. Administrative Code Chapter 31.

THE FOLLOWING MATERIALS ARE INCLUDED:

- 2 sets of plans (11x17)
- Project description
- Photos of proposed work areas/project site
- Necessary background reports (specified in EEA)
- MTA only: Synchro data for lane reductions and traffic calming projects



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
Francisco Street Reservoir		0046/001
Case No.		Permit No.
2015-005865ENV		201802010182
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input checked="" type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Convert inactive reservoir and open space into a 4.5-acre public park with a lawn, playground, dog run, pathways, stairways, view terraces, historic interpretive area, and an approximately 1,600-square-foot maintenance/public restroom building. Vacate Francisco Street between Hyde and Larkin Streets to become part of the new park.</p>		

STEP 1: EXEMPTION CLASS

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft. ; change of use under 10,000 sq. ft.
<input checked="" type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input checked="" type="checkbox"/>	<p>Class _____ Class 4 - Minor alterations to land -- creation of a new park.</p>

STEP 2: CEQA IMPACTS
TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input checked="" type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i></p>
<input checked="" type="checkbox"/>	<p>Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input checked="" type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</p>
<input checked="" type="checkbox"/>	<p>Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.</p>
<p>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</p>	
<p>Comments and Planner Signature (optional): Jeanie Poling</p> <p>No biological effects per 6/10/16 report and 2/28/18 memo. No Maher enrollment required per 1/17/18 DPH email. No archeological effects per 1/8/18 memo. Project will follow recommendations of 11/13/15 draft geotechnical report and 4/4/17 geotechnical memo. No transportation impacts per 2/8/18 memo.</p>	

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE

TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST

TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Facade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input checked="" type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments): Conforms with the Secretary of the Interior's Standards for Rehabilitation. Please see Improvement Measures included in HRER and incorporated as part of the Building Permit.
<input checked="" type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): Conforms with the Secretary of the Interior's Standards for Rehabilitation. Please see Improvement Measures included in HRER and incorporated as part of the Building Permit. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i>
<input type="checkbox"/>	10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation)</i> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C. a. Per HRER dated 02/26/2018 <i>(attach HRER)</i> b. Other <i>(specify)</i> : Cat A. Conforms with the Secretary of the Interior's Standards for Rehabilitation. Please see Improvement Measures included in HRER and
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments <i>(optional)</i> :	
Preservation Planner Signature: Elizabeth Gordon Jonckheer	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i> : <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Recreation & Park Commission Approval of Concept Plan	Signature: Jeanie Poling
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	02/28/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Francisco Street Reservoir		0046/001
Case No.	Previous Building Permit No.	New Building Permit No.
2015-005865PRJ	201802010182	
Plans Dated	Previous Approval Action	New Approval Action
	Other (please specify)	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



SAN FRANCISCO PLANNING DEPARTMENT

Historic Resource Evaluation Response

Date February 23, 2018
Case No.: 2015-005865ENV
Project Address: RPD Francisco Street Reservoir (Francisco Park)
Zoning: P - PUBLIC
OS (Open Space) Height and Bulk District
Block/Lot: 0046/001 and 0047/001
Date of Review: February 7, 2018 (Part I and Part II)
Staff Contact: Jeanie Poling (Environmental Planner)
(415) 575-9072
jeanie.poling@sfgov.org
Elizabeth Jonckheer (Preservation Planner)
(415) 575-8728
elizabeth.gordon-jonckheer@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PART I: HISTORIC RESOURCE EVALUATION

Buildings and Property Description

The subject property is located on a hillside in the Russian Hill neighborhood between Hyde and Larkin Streets at Francisco Street. The property is comprised of two separate parcels (0046/001 and 0047/001). The northernmost portion (0046/001) bounded by Bay, Francisco, Larkin, and Hyde streets sits near the flat end of the block. The block has a steep incline toward Francisco Street to the south, where the reservoir and steep open space is located (0047/001). The property contains a brick and concrete lined reservoir measuring approximately 410 feet by 170 feet. The reservoir is rectangular on the north, east, and west sides and uneven against the excavated hillside on the south side. It is formed by excavations of the hillside on the south, east, and west sides and a built-up embankment on the north side. A cut-off wall constructed of board-formed-concrete atop a brick-lined embankment wall runs east to west and divides the reservoir into two chambers. The wall is damaged at approximately the mid-point, where there is a large hole in the brick lining. The now-drained uncovered chamber of the reservoir has allowed for visual inspection of the lining material. The floor of the chamber is entirely lined with brick. Since the roof has been removed (2012), vestiges of the concrete piers that supported timber posts remain. In places, particularly on the west end, the brick extends a short distance up the slope and a thin crumbling layer of concrete lines the excavation. A drain pipe is located at the east end of the uncovered chamber. The inlet pipe approaches the reservoir from the west and is gapped and covered at the point where it extends from the retaining wall on the west side. Modern additions to the reservoir site include chain-link fencing around the perimeter and a pressure-treated wooden access staircase on the southwest end of the reservoir. Concrete retaining walls are located on both the east and west ends of the reservoir, against the excavation.

The park area on the north parcel consists of a generally flat open field that runs along the length of Bay Street between Larkin and Hyde streets. The northern parcel slopes steeply upward to the south as it nears the reservoir. A contemporary maintenance shed sits at the southeast corner of the field, near where the terrain starts to incline. The only accommodations in the park area are three benches set in a U-shape

at the center of the open field. Near the benches at the base of the slope is a remnant stone feature that may have originally functioned as a drinking fountain; a low stone wall also runs along the base of the reservoir slope on either side of the fountain area. The undeveloped parcel south of the reservoir consists of a steep slope that is covered with thick brush.

Aerial photographs indicate that curved pathways and a central site feature – such as a statue or other piece of sculpture -- were installed in the park area at the northern part of the reservoir site sometime between 1938 and 1946. It also appears that a stone wall and fountains were installed as improvements around the time that the pathways and central site feature were completed (c.1940). Aerial photos indicate that the park's central site feature/statue had been removed by 1968, and the pathways had begun to fade in prominence. Today, these pathways are not visible in the landscape and only the stone wall and fountain feature remain. The property is located within a P (Public) Zoning District and an OS (Open Space) Height and Bulk District.

Pre-Existing Historic Rating / Survey

In September of 2012, the Francisco Street Reservoir (APN 0047/001) was evaluated by Planning Department Preservation staff per Case No. 2012.0571E. At this time, staff concurred with the 2012 Historic Resource Evaluation (HRE) report provided by JRP Historical Consulting, LLC (JRP), that the site was individually eligible for both the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register) under Criterion 1 for its role in the early efforts to establish infrastructure for a reliable water source for municipal distribution in San Francisco. JRP identified the period of significance (POS) as 1859 to 1887 and determined that the site retained sufficient integrity to convey its historical significance. The Reservoir is considered a "Category A" property (Known Historical Resources) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures.

The open area portions of the park were not previously evaluated and are considered a "Category B" property (Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's California Environmental Quality Act (CEQA).

Neighborhood Context and Description

The entire subject property was initially owned by the San Francisco City Water Works (SFCWW), and later by the Spring Valley Water Company (SVWC) after 1865, when it purchased the SFCWW. The City of San Francisco acquired the site of approximately four acres when it purchased the SVWC in 1930. The construction of the Francisco Street Reservoir by SFCWW in 1859 preceded most of the residential development in the area. The site received water from the company's Black Point pumps, and the construction of the Francisco Street Reservoir reflected the city's rapid growth and increasing need for a substantial municipal water supply. The portion of the site just south of the reservoir has always been undeveloped. Early photographs of the site taken soon after the reservoir's construction in 1859 show development along the bay's edge with a scattering of structures extending up the northern slope of Russian Hill. Today the reservoir is located in a primarily residential neighborhood composed of a mixture of single and multifamily residences dating primarily from the post-1906 Earthquake and Fire period. The residences represent a wide yet cohesive range of turn-of-the-century styles (Italianate, Stick East-Lake, Queen Anne, Classical Revival, Shingle, and Spanish Revival) with fine detailing and traditional compositions.

Within the surrounding blocks, several known historic resources (Category A) properties are present. These include, but are not limited to:

- 898 Francisco Street (Assessor's Block 0045/Lot 076), constructed in 1914, and determined per Case No. 2013.0893E to be eligible for inclusion on the California Register as an individual resource under Criterion 3 (Architecture) as both the work of a master architects Clarence R. Ward & J. Harry Blohme, and as a successful example of the Tudor Revival style.
- 1001 Chestnut Street (Assessor's Block 0069/Lot 020), constructed in 1903-04, and determined per Case No. 2013.0809E to be eligible for inclusion on the California Register as an individual resource under Criterion 3 (Architecture) as a well-preserved example of the Classical Revival style, and also as a rare surviving pre-1906 mansion of Russian Hill that embodies the distinctive characteristics of a type and period.
- Additional Category A properties either referenced in the 1967 Here Today Junior League Survey and/or the 1976 Citywide Architectural Survey¹ include:
 - 930 Chestnut Street (Assessor's Block 0048/Lot 006), a single-family, two-story over raised basement Italianate architectural style structure constructed circa 1866 by an unknown architect with rear additions in 1941 (by William Wurster) and 1966 (by Thomas Higley) with front and rear gardens designed by Thomas Church in 1941 (see also Case No. 2012.1396E).
 - 944 Chestnut Street (Assessor's Block 0048/Lot 020), known as the "Spring Garden", and containing a single-family, two-story structure designed in the Georgian and Italianate architectural styles, and constructed circa 1863 by an unknown architect (see also Case No. 2014-000070ENV).
 - 825 Francisco Street (Assessor's Block 0048/Lot 013) constructed circa 1850.
 - 2705 Larkin Street (Assessor's Block 0477/Lot 004) constructed circa 1905.
 - 2707 Larkin Street (Assessor's Block 0477/Lot 003) constructed circa 1900.
 - 2709 Larkin Street (Assessor's Block 0477/Lot 002) constructed circa 1903.

CEQA Historical Resource(s) Evaluation

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA.

¹ The Architectural Survey was conducted by the Planning Department between 1974 and 1976. When completed, the 1976 Architectural Survey was believed to represent the top 10 percent of the city's architecturally significant buildings.

Individual	Historic District/Context
<p>Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:</p> <p>Criterion 1 - Event: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Period of Significance: 1859 to 1960 (revised)</p>	<p>Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:</p> <p>Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Period of Significance: <input type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor</p>

To assist in the evaluation of the property associated with the proposed project, the Project Sponsor has submitted a consultant report:

- Architectural Resources Group, *Francisco Park Reservoir, Historic Resource Evaluation Part 1* (March 2016)

Based on the California Register significance criteria, Department staff concurs with the Architectural Resources Group (ARG) report provided. The full summary below is based upon the ARG Part 1 report. Specifically, ARG concurred with the 2012 JRP report, and the Department determination per Case No. 2012.0517E, that the reservoir itself appears individually eligible for listing in the National Register and the California Register under Criterion 1 for its association with San Francisco's early water distribution system. The ARG report recommends increasing the Period of Significance (POS) from 1859 to 1960 to reflect the full history of the reservoir's contributions to San Francisco's water system and to include all extant features (see detailed discussion under Criterion 1 below), and staff concurs with this recommendation.

Although a portion of the site has been used as a public park since at least the 1940s, it was never cohesively developed as a recreational area. ARG determined that the previously unevaluated open areas do not appear to qualify as historic designed landscapes, nor are they related to the development of the municipal water system in San Francisco. Staff concurs with these findings and refers the reader to the ARG report for a more thorough evaluation of significance.

Criterion 1: Property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

To be eligible under the event Criterion, the building cannot merely be associated with historic events or trends but must have a specific association to be considered significant. Case No. 2012.0517E found the Francisco Street Reservoir eligible for listing on the California Register under this criterion for its association with the development of the City's municipal water supply. The reservoir is the only remaining structure from the early period of San Francisco's water system development and is therefore a valuable historical resource.

Case No. 2012.0517E identified the Period of Significance (POS) for the Francisco Street Reservoir as spanning from 1859 to 1887. The 1859 date marks the year of reservoir completion, and 1887 is the year

that the Francisco Street reservoir was converted from use as a distribution reservoir to use as a pressure balancing reservoir. When JRP conducted the site inspection for the 2012 Historic Resource Evaluation, the non-historic roof had yet to be removed and visual access to the reservoir's interior was limited to photographs taken from the south edge of the reservoir. Physical access into the reservoir and inspection of the east end of the reservoir or reservoir floor was not permitted at the time because of the unstable roof structure. Since that time, however, the roof has been removed, which allowed ARG to conduct a full inspection of the reservoir's physical features in 2015. As part of this inspection, a water tank and wooden volume gauge at the east end of the reservoir have been added to the list of extant features that served the reservoir's historic function. No records exist to accurately document the date these items were installed, but per their investigation, ARG estimated that installation occurred sometime between 1931 and 1950. This estimation is based on a set of plan drawings from 1931 that show Hyde Street improvements at the east end of the reservoir. The tank does not clearly appear in these drawings and is thought to have been installed sometime thereafter. Since the reservoir was removed from service in 1960, and these elements would not have been installed after that time, the ARG report recommends extension of the POS from 1859 to 1960 to reflect the reservoir's full history of service and include all extant features related to its historical significance. Staff concurs with ARG's recommendation.

Staff also concurs with the ARG finding that the open areas of the site do not appear eligible for listing on the California Register under Criterion 1. Although the site as a whole was owned by the Spring Valley Water Works – later the Spring Valley Water Company – in the mid-1800s, the only remaining structure is the reservoir. Any other features and structures related to the water company are no longer extant. The site has been in use by the water company since the late 1850s, but the reservoir is the only remaining feature that represents this association and history of the site. As such, the other open spaces do not appear to have played a significance role in the development of San Francisco's municipal water system.

See the ARG report for additional historic context.

Criterion 2: Property is associated with the lives of persons important in our local, regional or national past.

Case No. 2012.0517E found that existing records do not indicate that any persons significant in the local, regional or national past are associated with the subject property. No information was found regarding the original owners, engineers, or builders indicating a significant role in local, state or national history. The ARG report notes that the subject property is most closely associated with Aitken Montgomery, who acted as watchman for the reservoir, and may have been involved in its construction. Minimal biographical information about Mr. Montgomery is available. Extant records do not indicate, however, that his activities were demonstrably important in local, state, or national contexts. Thus, he does not appear to be a notable historical figure. Further, his residence no longer exists on the site. (See the ARG report for additional historic context.)

Therefore, the subject property is not eligible for listing on the California Register under Criterion 2.

Criterion 3: Property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

Case No. 2012.0517E found the Francisco Street Reservoir did not embody the distinctive characteristics of a type, period, region, or method of construction; and did not represent the work of a master; nor possess high artistic values. Moreover, the structure is not associated with any collection of buildings identified by their type, style, or pattern of development. Therefore, the reservoir was determined to not be eligible for listing on the California Register under Criterion 3.

The ARG report notes that the northern portion of the site has been informally utilized as a public park since at least the 1940s, and was officially designated a park in the 1950s. However, it was never formally designed or programmed as a park. While the site is composed of two separate parcels, and it was largely conceived and utilized as such, the site's form and design were not planned by a design professional, nor does it appear to have been fully developed by the water company. Aerial photographs show that symmetrical pathways of unknown composition were present in the northern part of the site before 1946, but these were removed by the 1990s. Therefore, the site does not embody a particular period or style of park design, nor was it designed by a master or have high artistic value.

Staff concurs with ARG's determination that the previously unevaluated open areas of the site do not appear to be significant under Criterion 3. See the ARG report for additional historic context.

Criterion 4: Property yields, or may be likely to yield, information important in prehistory or history.²
Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type.

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

The subject property has retained or lacks integrity from the period of significance noted in Step A:

Location:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Design:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

Case No. 2012.0517E found that the setting of the reservoir has become densely urbanized over time, somewhat reducing its historic integrity; however, the design is largely intact. The 2012 evaluation found that the most substantial change to the site was the raising of the division wall between the reservoir chambers and the insertion of concrete footings for the roof posts. Case 2012.0571E also found that these changes, however, are not substantial and do not prevent the site from conveying its historical significance.

The previously unevaluated open areas at the subject site do not appear to be historically significant; therefore an integrity analysis is not required.

² Assessment of archeological sensitivity is undertaken through the Department's Preliminary Archeological Review process.

Step C: Character Defining Features

If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

The character-defining features of the subject property include the following:

- rectangular shape of the main excavation
- volume of reservoir
- remains of secondary reservoir chamber (south of main chamber)
- embankment or berm on the north side of the reservoir
- brick-lining of reservoir floors and base walls (both chambers)
- brick-lined portions of the interior slopes
- concrete-lined portions of the interior walls
- brick and concrete division wall between north and south reservoirs
- remaining inlet/outlet pipes and other pipe features
- retaining walls at east and west ends of reservoir
- water tank and wooden volume gauge
- brick-lined drainage channel

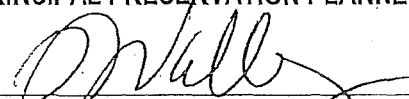
As outlined in Case No. 2012.0517E, the reservoir itself appears individually eligible for listing in the National Register and the California Register under Criteria 1 for association with San Francisco's early water distribution system. The Department concurs with ARG's recommendation to extend the previously identified Period of Significance (POS) of 1859 to 1887 to the period from 1859 to 1960 to reflect the full history of the reservoir's contributions to San Francisco's water system and to include all extant features.

The Planning Department concurs with ARG's determination that the previously unevaluated open areas to the north and south of the reservoir do not appear to qualify as historic designed landscapes, nor are they related to the development of the municipal water system in San Francisco.

CEQA Historic Resource Determination

- Historical Resource Present
- Individually-eligible Resource
 - Contributor to an eligible Historic District
 - Non-contributor to an eligible Historic District
- No Historical Resource Present

PART I: PRINCIPAL PRESERVATION PLANNER REVIEW

Signature: 
M. Pilar LaValley, Acting Principal Preservation Planner

Date: 2/26/18

PART II: PROJECT EVALUATION

Proposed Project

Demolition

Alteration

Per Drawings Dated: December 19, 2017 by 450 Architects (lead architects)

Project Description

The following summarizes information included in the narrative project description found in the 60% CEQA Drawing Set provided to the Planning Department on December 19, 2017.

The proposed project seeks to build a public park on the site of the existing inactive Francisco Reservoir, along with the surrounding publicly open space and hillside. The 4.5 acre (195,300 square foot) park is bound by Bay, Hyde and Larkin Streets and is intersected by Francisco Street. The proposed park includes an un-programmed main lawn, children's playground, dog run, multiple view terraces and overlooks, an interpretive area highlighting the history of the Reservoir, as well as information regarding water conservation. Paved pathways and stairways are proposed through the park connecting Bay Street to the north with Larkin and Hyde Streets to the south. Midblock access will be provided at or near Francisco Street on the East and West edges of the park. The proposed park also includes a combined convenience and maintenance structure of approximately 1600 square feet that includes interior spaces programmed for maintenance use and for convenience use. Materials for the building include concrete board formed site retaining walls. The building will be located near the Main Lawn – at a mid-level height within the park - visible from the Main Lawn and Children's Playground.

Building Design and Function

The proposed convenience and maintenance building will contain public restrooms (men's, women's and all gender), a common sink/handwashing room and a janitor's closet. The proposed façade will include an exposed smooth finish concrete column and beam structure with infill concrete board formed walls and a continuous band of clerestory ventilation screens. The column and beam structure would create a shade trellis at the view terrace overlooking the Main Lawn. The building is proposed to have a living roof with native planting screening the structure from uphill neighbors and the upper view terraces. The interior is proposed to have polished concrete floors with wall ceramic tiles. Plumbing fixtures will be per Recreation and Park Department (RPD) maintenance standards. Interior lighting will be indirect or natural. Exterior lighting will be located directly above the restroom entrances, recessed into the walls.

The maintenance portion of the building is proposed to house a garage space for RPD maintenance vehicles, a pump room for the rainwater harvesting system, a trash room and a semi exposed bin for deliveries of mulch, compost and soil as needed for the upkeep of the park. Electrical and mechanical rooms would be included as requirements are developed. Additional exterior lighting will be located directly above the garage and trash room entrances, recessed into the walls.

Children's Playground

The approximately 4,100 square foot children's playground is proposed to have three primary spaces with a secure entry point adjacent to the open space designed for unobstructed sightlines of children in the playground. A middle space designed for younger-aged children is proposed to include ADA compliant play structures and may have nature play and water play areas. The older children's area would also have ADA compliant play structures, potentially with a nautical theme; within a nature play

environment. Structures are proposed to be built into the slope. Slides, contours and elevated structures would include educational opportunities pertaining to water storage, use and conservation. The playground would also contain benches, multi-height drinking fountains, shade trees and native plantings. Structures proposed would not exceed 12 feet in height.

Landscaping pathways

The proposed landscape concept is to convert the reservoir into a naturalistic park with passive recreation area and protections, and interpretation of the historic reservoir resource. Design features would include:

- At the Bay Street main frontage and entry, the lowest elevation of the park, the proposal includes new street trees and a widened sidewalk. At the corner of Bay and Hyde streets, the main entry would contain a small paved seating area and lawn. Along Bay Street a fenced dog park is proposed with artificial turf that approximates the existing informal use. A large existing Monterey Cypress tree is proposed to be retained as a focal point.
- At the entry at Bay and Hyde streets a ramping walkway is proposed to lead up the steepest part of the site from east to west, providing access to the flat reservoir basin (informal garden steps would provide an alternative route). The proposed ramp would have flat landings, metal handrails and guardrails as needed, with a slightly larger landing opposite the existing Cypress tree. An overlook with bench seating is proposed at the west site boundary adjacent to a retained Australian Tea Tree grove. The ramp would head east, passing through a preserved section of the berm that used to form the reservoir.
- Proposed interpretive elements describing the history and mechanics of the water system would be included at a preserved brick patio at the children's play area. At the large oval lawn area, the concrete path would continue beyond the boundaries of the historic brick reservoir basin and would be marked with seating to identify the boundaries of the historic basin. Pedestrians and service vehicles would enter the site at the level of the basin from Hyde and Larkin streets. At the Larkin Street side, a Community Garden and a fenced area are proposed with small outbuildings for storing gardening supplies. The Community Garden is proposed to consist of between ten and fifty plots adjacent to Larkin and Francisco Streets (made available to the public through a to-be-determined lottery based system managed by the RPD). A donated, historic Huntington fence is also proposed to be re-used on the site either at the southern-most property line or to enclose the community garden or other re-use.
- At the brick reservoir basin and playground, the proposed path would cut through remnants of the historic berm, which would be planted. At the upper chamber of the reservoir, the pathway is proposed to extend to a terrace at the highest level of the park. The proposed path would also extend to a large open lawn for picnicking, viewing and tot recreation. The upper slope is designated as habitat, and is proposed to be minimally disturbed so that existing vegetation with some natives can be preserved and enhanced on a natural grade.
- Several mature trees are proposed to be preserved on the north slope of the site along Bay Street. Invasive plants would be removed. Trees proposed to be removed include five *Pinus radiata* (Monterey Pines) that are infected with Pine Pitch Canker or Red Turpentine Beetle. Several smaller, more common species such as *Pittosporum*, *Prunus* and *Pyrus* would be removed due to the location of the new entry ramp. Once regraded, approximately two feet of topsoil amended from existing site soils and/or imported soil would be placed in order to support revegetation.

- Pathways materials are proposed to consist of concrete walls and paving with some areas of masonry-unit pavers. The dog park is proposed to have metal fencing with artificial turf surfacing.

Fill

The proposed project would fill approximately 75 percent of the existing main reservoir, but preserve a full section of the reservoir and associated historic features at the east end of the resource. The preserved section would consist of a section cut through the earthen berm at the north side of the reservoir, an open interpretive area retaining the historic brick reservoir base and concrete clad retaining walls, and a protected area featuring the remnant outlet pipes, draining elements, brick tank, and wood sight gauge. A section of the south retaining wall – approximately 81 feet in length – would be preserved, as would a section of the brick-lined channel at the floor of the reservoir. Retention of these elements is intended to give a sense of the depth and scale of the original reservoir, and an understanding of its original construction. Interpretive elements planned for this plaza are proposed to describe the historic role of the reservoir within the context of early water conveyance in San Francisco.

The remainder of the reservoir is proposed to be filled. Several design features would be incorporated into the construction to reference the form and location of the reservoir, including:

- Along the north, west, and south edges of the main reservoir, a concrete band at the ground plane would mark the location of the perimeter walls below. The refuse storage area at the southwest corner of the reservoir would be set back from the concrete band to maintain a visual line along the south reservoir wall below. Similarly, the seat wall and paved area to the south of the central playing field would also be set back from the line of the reservoir's south wall.
- The portions of the reservoir to be buried in place are proposed to be protected by a layer of non-woven filter fabric prior to covering with fill. Where portions of the existing brick lining of the reservoir require removal, the bricks would be salvaged for future repair and replacement of damaged bricks at the interpretive plaza. All of the secondary overflow reservoir to the south of the main reservoir would be covered with fill. The landscape design here would reference the location and shape of this feature through grading, and the interpretive proposal proposes to provide historic photographs and other information to describe the size and function of the secondary reservoir.

Interpretive Program

The interpretive design proposed intends to inform visitors of the changing landscape of the park by bridging historical and contemporary water conveyance stories via a variety of integrated interpretive techniques. The interpretive design intends to accomplish two goals: create a robust and comprehensive family of educational elements, which interpret the historical water features of the site; and augment historical interpretive moments with stories of ecology, context of the park's surroundings and contemporary water use/conservation at the park and at home. The interpretive design would divide the park into three zones: the first zone is proposed to serve as the introduction, providing a thematic overview of park messages at all major points of entry; the theme of the second zone would be water, bridging the park's history with contemporary messages regarding changes in water conveyance and reclamation processes in the park and water conservation; the third zone, located at the southernmost and elevated corner of the park, would be cultural, highlighting the changing cultural landscape and urban development stories in tandem with water history. (Please reference the *Francisco Park Interpretive Elements 60% CEQA Set* prepared by Macchiatto Design, dated December 19, 2017 for additional information on the Interpretive Program).

Site Demolition

Demolition proposed would involve the clearing and grubbing of the existing site (currently a mix of trees and shrubs outside of the existing brick and concrete reservoir footprint). The small storage shed in the northern portion of the site would be removed. Existing trees to be preserved would be included in the landscape plans and would require protection of roots systems per the recommendations of the project arborist. Existing topsoil would be removed and stockpiled for amendment and reuse. If the site is to remain inactive between demolition and construction, it would be properly stabilized against soil loss due to wind or stormwater. A number of site elements would be preserved and protected during demolition and construction. The existing brick reservoir base is proposed to have limited areas of disturbance where necessary for structural stability of proposed improvements. The existing historic reservoir features, including inlet and outlet pipes, brick-lined drainage channel, water tank and volume gauge, portions of the original walls and a segment of the existing berm would be preserved and protected during construction.

Grading, Earthwork and Stormwater

The proposed project would require significant grading to achieve the desired program and site elevations. In general, excavation depths are proposed to not exceed eight feet, nonetheless there may be potential cuts up to 8 feet, in particular into the downslope berm of the reservoir. Earthwork estimates based on the latest design indicate approximately 30,000 cubic yards of required import. Earthwork calculations are based on a net analysis, assuming that cut material would be reused on site as fill material. Site grading would include some cut on the lower portion of the site but would largely consist of fill placement to raise grades above the existing reservoir and at the upper portion of the site. Overall grading would be required for: (1) building foundations for the restroom/maintenance building, (2) to accommodate hardscape paving along all proposed paths, stairways, and plazas, and (3) new retaining walls installed as part of the overall grading and site improvements to accommodate elevation changes across the park.

Site grading is proposed to conform to the back of sidewalk curb on Bay Street to the north and to the existing slope to the south property line. Existing topsoil would be stockpiled and stored for reuse in landscaping. The project anticipates that additional horticultural topsoil would be imported to achieve topsoil conditions specified by the landscape architect. All earthwork and subgrade preparation would be done in accordance with the geotechnical report prepared by San Francisco Public Works Design and Engineering, titled *Geotechnical Investigation Report; Francisco Reservoir Improvement Project; San Francisco, California* (dated November 13, 2015) and their *Francisco Reservoir Park Memorandum* (dated April 4, 2017).

Onsite stormwater management is proposed to include conveyances to protect buildings, paths, and planted slopes from inundation and erosion. Site drainage would be aligned with the landscape design and include cobble lined swales, storm drain inlets and pipes, green infrastructure and perforated subdrains to collect subsurface water behind walls and within fill benches at intervals to be determined with the geotechnical engineer. All of the stormwater and subsurface water collected by the conveyances, except below the dog park, would be stored in the stormwater harvesting system for onsite non-potable reuse. Rainwater from the restroom building would also be captured and sent to the storage system. The stormwater harvesting system would include two storage areas: (1) the main stormwater storage with up to a one-million-gallon capacity installed within the existing reservoir and below the main lawn, and (2) a second smaller storage system with an approximately 10,000 to 100,000 gallon subsurface cistern installed at the lower portion of the site underneath the entry lawn near Bay Street.

Signage, Wayfinding and Donor Recognition Program

Signage would consist of code-required and directional, educational and informational type signage. Signage is proposed to be reviewed by a peer committee for appropriateness and effectiveness. A donor recognition program would be implemented to help fund the park design and construction. The elements to be affected may include bricks, pavers, seat walls, walls, trees and other naming opportunities.

Lighting Design Concepts

The project proposes the following lighting design elements:

- Illumination for pedestrian pathways, stairs, terraces, and similar areas using a combination of pedestrian-scaled poles (12 feet to 15 feet) or bollards, wall recessed walkway lighting and low-level surface lighting.
- Illumination for pedestrian-focused special activity areas such as playgrounds, dog runs and similar using a combination of pedestrian-scaled poles, limited pole mounted adjustable area lighting (25 feet to 30 feet) and special purpose lighting.
- Illumination of historic artifacts and related interpretative materials using surface mounted accent and area lighting, pole mounted adjustable area lighting and other similar techniques.
- Illumination highlighting of select plant materials and trees using both ground based up lighting and in-tree canopy illumination with "moonlighting."
- Illumination of community gardens with localized lanterns and limited adjustable area lighting.
- Illumination of work and access areas around building with full cutoff, low-glare fixtures.
- Illumination of building interiors.

All light sources proposed include solid state LED with warm color temperature and high color rendering with minimization of short wavelength light, controlled through a centralized control system and grouped in zones for time-of-day and calendar responsive dimming. Appropriate stewardship of the nighttime environment would include specific measures to address: sky glow, light trespass, nuisance glare, intrusive wavelength control, curfew light management.

Project Evaluation

If the property has been determined to be a historical resource in Part I, please check whether the proposed project would materially impair the resource and identify any modifications to the proposed project that may reduce or avoid impacts.

Subject Property/Historic Resource:

- The project will not cause a significant adverse impact to the historic resource as proposed.
- The project will cause a significant adverse impact to the historic resource as proposed.

California Register-eligible Historic District or Context:

- The project will not cause a significant adverse impact to a California Register-eligible historic district or context as proposed.

- The project will cause a significant adverse impact to a California Register-eligible historic district or context as proposed.

To assist in the evaluation of the proposed project, the Project Sponsor has submitted a consultant report:

- Architectural Resources Group, *Francisco Park Reservoir, Historic Resource Evaluation Part 2* (December 21, 2017)

Staff has reviewed the project proposal, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)* analysis included in the Part 2 report for the Francisco Park Reservoir project as prepared by ARG. Staff finds that the proposed project would not cause a significant adverse impact to a historic resource such that the significance of a historic resource would be materially impaired.

The following is an analysis of the proposed construction per the applicable *Secretary of the Interior Standards for Rehabilitation (Secretary's Standards)*:

Standard 1.

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The Francisco Reservoir was originally used as a distribution reservoir and was later converted for use as a pressure-balancing reservoir. For a majority of its existence from construction to the present, the main reservoir excavation has been covered by a roof structure. The proposed project will fill approximately 75% of the main reservoir and 100% of the secondary reservoir for the purposes of adapting the site for use as a public park. The bulk of the historic reservoir will be buried in place. Buried inside the main reservoir basin, under the main lawn of the new park, will be a storm water harvesting system to capture runoff for reuse in landscape irrigation and toilet flushing on site.

The water harvesting, storage, and on-site distribution use proposed as part of the new park is generally in keeping with the reservoir's historic use of water storage and dispersal. Though the amount of proposed fill will alter the observable volume of the reservoir basins and obscure most of the original reservoir walls and floor from view, much of the reservoir structure itself will remain in place. A full section of the existing reservoir (including the brick floor, concrete and brick side walls, cast iron pipes, water tank and wood sight gauge, and a portion of the brick-lined draining channel) at the east end will remain intact, visible, and protected to provide a sense of the reservoir's original scale, function, and volume. Buried portions of the reservoir (side walls, brick lining) will be protected by a layer of non-woven filter fabric prior to covering with earth. Further, interpretive installations proposed for the site will provide historical photographs and other information to describe the history and development of the reservoir during its Period of Significance (POS).

Staff concurs with ARG, that although the proposed filling of the bulk of the reservoir alters the spaces of the reservoir chambers as they exist today, the proposed new water storage and distribution use is in keeping with the historic use, and most of the distinctive materials and features will remain in place, preserved either through burial or through repair and restoration. As such, the proposed project is generally in keeping with Standard 1.

Standard 2.

The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property will be avoided.

The bulk of the reservoir will be buried in place, and a cross section of the main basin will be retained at the east end. Minimal removal of distinctive materials and features are proposed. A portion of the north berm will be removed to provide access to the interpretive plaza at the east end, where a section of the original reservoir will be retained and preserved to communicate the historic volume, scale, materials, and function of the reservoir's main chamber. Staff concurs with ARG that the retention of this part of the reservoir preserves representative sections of the brick floor, the brick and concrete side walls, the east retaining wall, and all of the extant pipes, drainage, and measurement features in this area. As a result, the bulk of the character-defining features will remain intact and visually accessible to park visitors to communicate the historic character of the site. Moreover the majority of the reservoir will be retained under fill. Though the full extent of the reservoir's historic industrial and functional character will be altered through fill and other park improvements, the retention of the eastern end of the reservoir and its incorporation into the park plan as an interpretive plaza is in keeping with Standard 2.

Standard 3.

Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

No major conjectural features are proposed as part of the project. The project description references a "historic Huntington fence" to be donated for reuse on site, either at the southernmost property line or to enclose the community garden. Even though the proposed locations for the fence are not within or adjacent to the historic section of the reservoir, but within areas of new development, staff concurs with ARG that the use of historic features from other sites is not compliant with the Standard 3. In order to comply with this Standard, the project should locate this element away from the historic reservoir and provide clear interpretation of the fence as a relocated feature to bring this aspect into compliance with Standard 3 (please see **Improvement Measures** section below).

Standard 4.

Changes to a property that have acquired historic significance in their own right will be retained and preserved.

The reservoir's POS is from 1859 to 1960, reflecting the full history of the reservoir's contributions to San Francisco's water system and including all extant features. No changes to the reservoir outside of the POS have acquired significance in their own right.

Therefore, the proposed project complies with Rehabilitation Standard 4.

Standard 5.

Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Though a large portion of the reservoir will be filled, the majority of the distinctive materials, features, finishes, and construction techniques evident in the reservoir will be retained in full or in part in the proposed plan. At the interpretive plaza at the east end of the reservoir, visitors will be able to walk on the historic brick reservoir floor and view the concrete clad retaining walls. At the entry to the plaza, a reveal at the section cut through the historic north berm will show the layered construction of the north reservoir wall by exposing a portion of the brick lining and concrete cladding of the reservoir. Within the protected area at the easternmost end, visitors can view the historic pipes, draining elements, brick tank, and wood sight gauge.

Therefore, the proposed project complies with Rehabilitation Standard 5.

Standard 6.

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

A section of the existing brick lining between the interpretive area and the children's playground will be removed to provide for the structural stability of proposed improvements. These bricks will be salvaged for use as replacement bricks where needed. A *Historic Materials Conservation Treatment Report* (dated December 19, 2017) completed by ARG provides guidance on the appropriate treatment of deteriorated stucco or concrete parging. Staff concurs with ARG's directives and treatments as included in the *Material Conservation Report*. In order to comply with Standard 6, the project should employ the recommendations in the *Materials Conservation Report* as well as any other directives developed by a retained historic architect as the project design progresses (please see **Improvement Measures** section below).

With the measures noted, the proposed project would comply with Rehabilitation Standard 6.

Standard 7.

Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The *Historic Materials Conservation Treatment Report* contains directives on the protection, cleaning, treatment and repair of historic materials and features on site. Staff concurs with these directives. In order to comply with Standard 7, the project should employ the recommendations in the *Materials Conservation Report* as well as any other directives developed by a retained historic architect as the project design progresses (please see **Improvement Measures** section below).

With the measures noted, the proposed project would comply with Rehabilitation Standard 7.

Standard 8.

Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

The site consists of a series of artificial terraces created by cuts to bench a steep north-facing slope. The project would include fill and could potentially cut to up to 8 feet deep, in particular into the downslope berm of the reservoir. There are no known or suspected archaeological resources at the project site or in

the immediate vicinity based on Planning Department mapping files, and the potential for prehistoric or historic archaeological deposits appears to be low based on the steep setting and history of grading at the site. However, the reservoir itself is a historical resource. There is a potential that excavations on the site, in particular cuts into the downslope berm of the reservoir, could expose features related to the original construction and operation of the reservoir.

In order to comply with Standard 8, the project includes an improvement measure that requires that, in the event that historic artifacts or features are uncovered during earth moving, the find will be protected and the Planning Department's Environmental Planning staff and a qualified historical archaeologist be contacted to inspect the find, so that any artifacts or archaeological deposits present in the berm or elsewhere on site are appropriately documented for inclusion in the park's interpretive displays as appropriate. (Please also see: *Environmental Planning Preliminary Archeological Review Memo dated January 8, 2018*).

With the measure noted above, the proposed project would comply with Rehabilitation Standard 8.

Standard 9.

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

See discussions under Standards 1, 2, and 5 above. Proposed new work will be differentiated yet compatible with the existing reservoir. Though the bulk of the reservoir will be filled to provide for a new park, several design features have been incorporated into the proposed project to reference its historic form and location. Along the north, west, and south edges of the main reservoir, a sandblasted concrete band at the ground plane will mark the location of the perimeter walls below. The refuse storage building at the southwest corner of the reservoir will be set back from this band to maintain a visual line along the south reservoir wall below. Similarly, the seat wall and paved area to the south of the central playing field are also set back from the line of the reservoir's south wall. Areas of new work will utilize different paving materials to differentiate new from historic. The sandblasted concrete material used for the perimeter band will also be used for the concrete retaining wall at the interpretive plaza (north berm section cut) to provide consistency in the material palette marking where new meets old. A ¼ inch steel edging will be installed at the interpretive plaza where the historic brick meets new concrete pavers or playground turf. The new building constructed on the west side of the site will be simple in design and constructed of concrete and metal; these will read clearly as modern interventions in the landscape. Staff concurs with ARG, that as such, the project complies with Standard 9.

Standard 10.

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

As described above, the bulk of the reservoir will remain intact, though a large portion of the existing resource will be buried in place. A layer of protective, non-woven filter fabric will be installed over those portions of the reservoir to be buried prior to covering with the earth. Most new construction within the reservoir area will occur atop areas of fill and could theoretically be removed in the future without

impact to the essential form and integrity of the reservoir. A new protective screen composed of flat metal bars will be installed within the bays of the retaining wall at the east end of the reservoir to protect the tank, pipes, and other historic elements in this location from damage and vandalism. This screen will be set back from the face of the concrete piers and minimal attachment points are intended for protection of existing materials in the future. Staff concurs with ARG, that though portions of north berm would require restoration should the park improvements be removed in the future, the overall essential form and integrity of the historic reservoir would remain intact, and thus the proposed project is compliant with Standard 10.

SUMMARY

The Department concurs with ARG that the proposed project appears generally compliant with the *Secretary of the Interior's Standards for Rehabilitation*. Despite the proposed amount of fill, a majority of the reservoir's character-defining features, finishes, and materials will be retained – in whole or in part – in the proposed design. Visitors will be able to experience the historic volume of the main reservoir basin, and view materials and features related to its original construction and historic use. Design considerations proposed in areas of new construction will allow for continued reference of the reservoir's size and shape within the landscape, but will differentiate new construction through the use of modern materials and design standards. Buried portions of the reservoir will be protected in place for potential reversibility and preservation purposes, and – though at a smaller scale – the reservoir site will continue its historic functions of water storage and distribution. A comprehensive interpretive program is also proposed to supplement understanding of the historic reservoir with historic photographs and information narratives. Therefore, as currently proposed, the project will not have a significant adverse impact upon a historic resource, as defined by CEQA.

Although the proposed project is not anticipated to have a historic resource impact, staff proposes the following improvement measures. These measures are meant to ensure conformance with the *Secretary of the Interior's Standards for Rehabilitation*. Please see below.

This evaluation is based on review of the site permit (60% drawings), which were submitted to the San Francisco Department of Building Inspection (DBI), prior to the CEQA clearance.

Improvement Measures

1. After approval of the project at the Recreation and Park Commission, the project sponsor shall submit an addendum or grading permit to DBI to ensure Planning Department review of the project plans, and consistency with CEQA and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. As part of the grading permit, the project sponsor shall incorporate construction protection measures created by a qualified preservation engineer familiar with the *Standards* and National Park Service requirements.
2. The project sponsor shall retain a qualified historic resource specialist/historic architect on site during certain stages of construction as the project progresses. The project sponsor shall advise the Planning Department when the historic resource specialist/historic architect is retained. This shall be documented in the project specifications.
3. To ensure proper documentation of the historic built environment, the project sponsor shall provide to the San Francisco Public Library, Historic American Engineering Record (HAERS) like documentation as part of the project prior to the issuance of any demolition permits, and will work with qualified professionals to archive these reports and photos. Specifically, this includes:

- a. full format digital photograph documentation with rectified photos that are scalable
 - b. engineer and archeology reports for all underground historic elements
4. As part of the addendum or grading permit, the project sponsor shall incorporate as final, the graphic and narrative descriptions for the *Francisco Park Interpretative Elements* program for review by the Planning Department.
 5. The project sponsor shall follow the directives of the *Environmental Planning Preliminary Archeological Review Memo dated January 8, 2018*. In the event that historic artifacts or features are uncovered during earth moving, the find will be protected and the Environmental Planning Division and a qualified historical archaeologist be contacted to inspect the find, so that any artifacts or archaeological deposits present in the berm or elsewhere on site are appropriately documented for inclusion in the park's interpretive displays as appropriate.
 6. The project sponsor shall follow the directives of the *Historic Materials Conservation Treatment Report*, dated December 19, 2017 by ARG, regarding retention of brick salvaged for use as replacement bricks where needed.
 7. The project sponsor shall locate the "historic Huntington fence" away from the historic reservoir and provide a clear interpretation of the fence as a relocated, non-original feature.
 8. The project sponsor shall follow the directives of the *Historic Materials Conservation Treatment Report* dated December 19, 2017 by ARG; for guidance on the appropriate treatment of deteriorated stucco or concrete parking.
 9. The project sponsor shall follow the directives of the *Historic Materials Conservation Treatment Report* dated December 19, 2017 by ARG for guidelines on the protection, cleaning, treatment and repair of historic materials and features on site as well as any other directives developed by a retained historic architect.
 10. The project sponsor shall follow grading, earthwork and subgrade preparation requirements in accordance with the geotechnical report prepared by San Francisco Public Works Design and Engineering, titled *Geotechnical Investigation Report; Francisco Reservoir Improvement Project; San Francisco, California* (dated November 13, 2015) and their *Francisco Reservoir Park Memorandum* (dated April 4, 2017).

PART II: PRINCIPAL PRESERVATION PLANNER REVIEW

Signature: _____

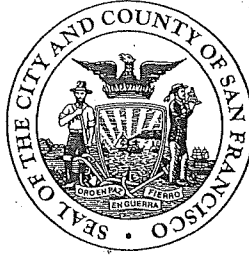
M. Pilar LaValley, Acting Principal Preservation Planner

Date: _____

2/26/18

cc: Vimaliza Byrd, Environmental Division/ Historic Resource Impact Review File

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, April 22, 2019

Time: 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subjects: File No. 190112. Ordinance ordering the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, subject to certain terms and conditions, and approving a conditional interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, April 19, 2019.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED/POSTED: April 5, 2019
PUBLISHED: April 7 and 14, 2019

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

PROOF OF POSTING

Legislative File No. **190112** Summary Street Vacation - Francisco Street in Connection with Francisco Park Improvements - Interdepartmental Property Transfer

Description of Items:

File No. 190112. Ordinance ordering the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, subject to certain terms and conditions, and approving a conditional interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

I, Dragomir Rajic, an employee of the City and County of San Francisco, posted the above described document(s) in at least three (3) public places along the street(s) to be affected at least ten (10) days in advance of the hearing (pursuant to CA Streets and Highways Code, Section 970.5):

Date: 04/04/2019
Time: 1PM-3PM
Location: Francisco Park Francisco St.- Larkin St.- Hyde St.

Signature: *Dragomir Rajic*

Instructions: Upon completion, original must be filed in the above referenced file.

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

BOARD OF SUPERVISORS
SAN FRANCISCO

2019 JAN 29 PM 2:18

BY _____
Time stamp
or meeting date *[Signature]*

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani

Subject:

Summary Street Vacation - Francisco Street in Connection with Francisco Park Improvements

The text is listed:

Ordinance ordering the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, subject to certain terms and conditions, and approving a conditional interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this ordinance are consistent with the General Plan and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this ordinance.

Signature of Sponsoring Supervisor: *[Signature]*

For Clerk's Use Only

