

1 [Street Encroachment at 3711-19th Avenue and Crespi Drive.]

2
3 **Resolution granting revocable permission to Parkmerced Investors Properties LLC, to**
4 **occupy a portion of the public right-of-way to construct, realign, and maintain an**
5 **existing paved curb island to improve pedestrian accessibility and vehicular traffic**
6 **circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped**
7 **concrete paving and install three (3) decorative columns at the entry way to Crespi**
8 **Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the**
9 **Property at 3711-19th Avenue (Assessor's Blocks 7315, 7316, 7320), conditioned upon**
10 **the payment of an annual assessment fee; and making environmental findings and**
11 **findings of consistency with the General Plan and the priority policies of Planning**
12 **Code Section 101.1.**

13 WHEREAS, Pursuant to Public Works Code Section 786, Parkmerced Investors
14 Properties LLC, requested permission to occupy a portion of the public right-of-way to
15 construct, realign, and maintain an existing paved curb island to improve pedestrian
16 accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with
17 new Bomanite stamped concrete paving and install three (3) decorative columns at the entry
18 way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance
19 the property at 3711-19th Avenue. The encroachment and related improvements are shown
20 on plans filed with the Department of Public Works. Copies of such plans are on file with the
21 Clerk of the Board of Supervisors in File No. 090252; and

22 WHEREAS, The Interdepartmental Staff Committee on Traffic and Transportation
23 (ISCOTT), at its meeting of December 7, 2006, recommended the proposed encroachment for
24 approval; and

25

1 WHEREAS, The Planning Department, by letter dated November 7, 2008, found the
2 proposal, on balance, consistent with the General Plan and the eight priority policies of
3 Planning Code Section 101.1. This letter also includes a determination relating to the
4 encroachment pursuant to the California Environmental Quality Act (California Public
5 Resources Code sections 21000 et seq.). A copy of said letter is on file with the Clerk of the
6 Board of Supervisors in File No. 090252, and is incorporated herein by reference; and,

7 WHEREAS, After a duly noticed public hearing on January 14, 2009, the Department of
8 Public Works recommended approval of the proposed encroachment; and

9 WHEREAS, The permit and associated street encroachment agreement, which are
10 incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in
11 File No. 090252, shall not become effective until:

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

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

19 (c) The Department of Public Works records the permit and associated agreement in
20 the office of the County Recorder; and

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

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

1 (b) To provide access to such facilities to allow said entities to construct, reconstruct,
2 maintain, operate, or repair such facilities; and

3 (c) To remove or relocate such facilities if installation of the encroachment requires
4 said removal or relocation and to make all necessary arrangements with the owners of such
5 facilities, including payment for all their costs, should said removal or relocation be required;
6 and

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

11 WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-
12 way occupancy assessment pursuant to Public Works Code Section 786 and the initial
13 amount of said fee shall be \$18,900.00; and

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

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

19 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
20 Supervisors hereby grants revocable permission to Parkmerced Investors Properties LLC, to
21 occupy portions of the public right-of-way to construct, realign, and maintain an existing paved
22 curb island to improve pedestrian accessibility and vehicular traffic circulation and safety,
23 resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install
24 three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th
25 Avenue and Serrano Drive, to enhance the property at 3711-19th Avenue, conditioned upon

1 the payment of an annual occupancy assessment fee and other conditions set forth herein;
2 and, be it

3 FURTHER RESOLVED, That the Board adopts as its own the findings of consistency
4 with the General Plan and Planning Code Section 101.1 as set forth in the Planning
5 Department letter dated November 7, 2008, and affirms the environmental determination
6 contained in said letter.

7

8 APPROVED:

9

10 _____

11 Edward D. Reiskin

12 Director of Public Works

13

14

15

16

17

18

19

20

21

22

23

24

25