

**[ENCROACHMENTS ON McALLISTER STREET FOR THE ASIAN ART MUSEUM]**

GRANTING REVOCABLE PERMISSION TO THE ASIAN ART MUSEUM OF SAN FRANCISCO TO EXCAVATE, INSTALL, AND OCCUPY A PORTION OF THE PUBLIC RIGHT-OF-WAY WITH A NEW TRANSFORMER VAULT AND A BASE ISOLATION STRUCTURAL SYSTEM WITH A PERIMETER MOAT, ALLOWING 5'-0" OF TOTAL BUILDING MOVEMENT IN AN EARTHQUAKE, AT THE McALLISTER STREET FRONTAGE OF THE ASIAN ART MUSEUM AT 200 LARKIN STREET (BLOCK 353, LOT 1) AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

RESOLVED, That permission, revocable at the will of the Board of Supervisors and automatically terminating upon failure to continue in force the maintenance responsibilities and conditions referred to in a street encroachment agreement executed by the Permittee and the Department of Public Works (DPW), is hereby granted to The Asian Art Museum of San Francisco to occupy a portion of the public right-of-way, under McAllister Street, between Larkin and Hyde Streets, for the purpose of installing and maintaining a new transformer vault and a base isolation structural system with a perimeter moat, as shown on the plan, a copy of which is on file in the office of the Clerk of the Board of Supervisors.

FURTHER RESOLVED, That the project intended by the encroachments is consistent with the eight priority policies of Planning Code Section 101.1; in that:

1. The project is for the installation of a new transformer vault under McAllister Street, replacing an existing vault under Larkin Street, and for the construction of a base isolation structural system with a perimeter moat for the Asian Art Museum, and would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.
2. The project would have no adverse effect on the City's housing stock or on neighborhood character.

- 1           3. The project would have no adverse effect on the City's supply of affordable housing.
- 2           4. The project would not result in commuter traffic impeding Muni transit service or
- 3           overburdening the streets or neighborhood parking.
- 4           5. The project would not adversely affect the industrial or service sectors or future
- 5           opportunities for resident employment or ownership in these sectors.
- 6           6. The project would improve the facility's preparedness against injury and loss of life in
- 7           an earthquake.
- 8           7. The project would facilitate the preservation of a landmark or historic building.
- 9           8. The project would have no adverse effect on parks and open space or their access to
- 10          sunlight and vistas.

11          PROVIDED HOWEVER, That this permission shall not become effective until:

12                 [a] There shall have been delivered to DPW a street encroachment agreement  
13                 provided for in this resolution, and DPW shall have had approved same as  
14                 complying with the requirements of said resolution.

15                 [b] There shall have been executed and acknowledged by the Permittee and DPW;  
16                 who shall have had recorded in the office of the County Recorder a street  
17                 encroachment agreement, a copy of which is on file with the Clerk of the Board of  
18                 Supervisors in File No. 010005 and which is hereby declared to be a part of  
19                 this resolution as if set forth fully herein, and the copy of this resolution attached  
20                 thereto as Exhibit A.

21                 FURTHER PROVIDED, That the Permittee, in accordance with Government Code Section  
22                 4216.1, shall become a member of, participate in, and share in the costs of the Underground Service  
23                 Alert – Northern California (U.S.A.) regional notification center.

24                 FURTHER PROVIDED, That the Permittee, at the permittee's sole expense, and as is  
25                 necessary as a result of this permit, shall make arrangements: [1] to provide for the support and

1 protection of facilities belonging to DPW, the Public Utilities Commission (PUC), public utility  
2 companies, the San Francisco Water Department, the San Francisco Fire Department, and other City  
3 departments; [2] to remove or change the location of such facilities for the purpose of constructing,  
4 reconstructing, maintaining, operating or repairing such facilities.

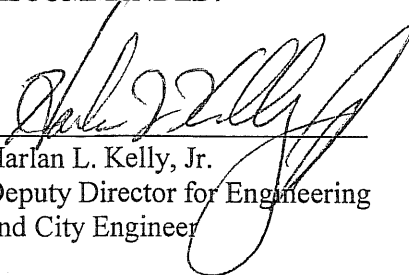
5 FURTHER PROVIDED, That the Permittee shall procure the necessary permits from the  
6 Department of Building Inspection and/or Bureau of Street-Use and Mapping, Department of Public  
7 Works, and pay the necessary permit fees and inspection fees before starting work.

8 FURTHER PROVIDED, That the Board of Supervisors reserves a right to exact a permit fee,  
9 or rental, for the use of said street areas for the purpose of its governmental or proprietary activities,  
10 including the constructing, reconstructing, maintaining, operating, repairing, removing and use of  
11 public utilities located under, over or along said street area;

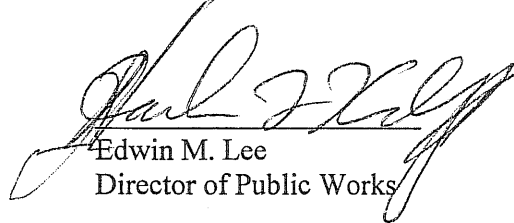
12 FURTHER PROVIDED, That no structure shall be erected or constructed within said street  
13 right-of-way except as specifically permitted herein;

14 FURTHER PROVIDED, That the Permittee shall assure all costs, maintenance and repair of  
15 the encroachments and no cost or obligation of any kind shall accrue to DPW, PUC, or other City  
16 departments by reason of this permission granted.

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19 RECOMMENDED:

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22 Harlan L. Kelly, Jr.  
23 Deputy Director for Engineering  
24 and City Engineer  
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APPROVED:

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22 Edwin M. Lee  
23 Director of Public Works  
24  
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# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

## Resolution

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**File Number:** 010005

**Date Passed:**

Resolution granting revocable permission to the Asian Art Museum of San Francisco to excavate, install, and occupy a portion of the right-of-way with a new transformer vault and a base isolation structural system with a perimeter moat, allowing 5'-0" of total building movement in an earthquake, at the McAllister Street frontage of the Asian Art Museum at 200 Larkin Street (Block 353, Lot 1) and adopting findings pursuant to Planning Code Section 101.1.

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February 12, 2001 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno,  
Newsom, Peskin, Sandoval, Yee

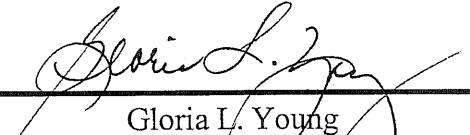
File No. 010005

I hereby certify that the foregoing Resolution was ADOPTED on February 12, 2001 by the Board of Supervisors of the City and County of San Francisco.

FEB 23 2001

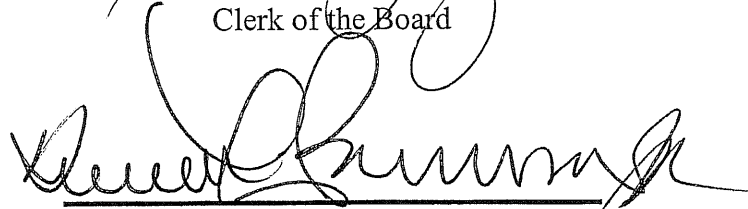
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Date Approved

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Gloria L. Young  
Clerk of the Board

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Mayor Willie L. Brown Jr. *i*