

1 **[IMPROVEMENTS ON CLEMENTINA STREET, EAST OF SUMNER STREET]**

2 GRANTING REVOCABLE PERMISSION TO GEORGE F. HAUSER TO CONSTRUCT  
3 IMPROVEMENTS, INCLUDING NEW PAVERS, BOLLARDS, IMPROVED DRAINAGE AND  
4 TREES ON A DEAD END PORTION OF CLEMENTINA STREET, EAST OF SUMNER STREET, IN  
5 CONJUNCTION WITH THE CONSTRUCTION OF NEW LIVE-WORK PROJECTS AT 60 RAUSCH  
6 AND 73 SUMNER STREETS (BLOCK 3730, LOTS 160 & 157) AND ADOPTING FINDINGS  
7 PURSUANT TO PLANNING CODE SECTION 101.1.

8  
9 RESOLVED, That permission, revocable at the will of the Board of Supervisors and  
10 automatically terminating upon failure to continue in force the insurance protection hereafter referred  
11 to, is hereby granted to George F. Hauser to occupy a portion of the public right-of-way, for the  
12 purpose of constructing and maintaining new improvements including new pavers, bollards, improved  
13 drainage and trees, as shown on the plan, a copy of which is on file in the office of the Clerk of the  
14 Board of Supervisors.

15 FURTHER RESOLVED, That the project intended by the encroachment is consistent with the  
16 Eight Priority Policies of Planning Code Section 101.1; in that:

- 17 1. The project is for the construction of improvements on a dead-end portion of  
18 Clementina Street, east of Sumner Street, in conjunction with the construction of new  
19 live-work projects and will not adversely affect opportunities for resident employment  
20 in and ownership of neighborhood serving retail uses.
- 21 2. The project will not adversely affect existing housing character or neighborhood  
22 character. The proposed project will not adversely affect the cultural and economic  
23 diversity of San Francisco's neighborhoods.
- 24  
25

- 1           3. The project will not adversely affect the City's supply of affordable housing. The
- 2           project will result in a net gain of housing.
- 3           4. The project will not increase commuter traffic so as to impede Muni transit service or
- 4           overburden San Francisco's streets or neighborhood parking.
- 5           5. The project would not adversely affect San Francisco's industrial and service sectors.
- 6           6. The project will not affect the ability of the City to achieve the greatest possible
- 7           preparedness to protect against injury and loss of life in an earthquake.
- 8           7. The project will not adversely affect landmarks and historic buildings.
- 9           8. The project will not adversely affect parks and open space.

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

11           [a] There shall have been executed and acknowledged by the Permittee; and by it

12           delivered to the City's Controller, who shall have had recorded in the office of the

13           County Recorder a street encroachment agreement, a copy of which is on file with the

14           Clerk of the Board of Supervisors in File No. 002157 and which is hereby

15           declared to be a part of this resolution as if set forth fully herein, and the copy of this

16           resolution attached thereto as Exhibit A.

17           [b] There shall have been delivered to the Controller the policy of insurance provided for

18           in said agreement and the Controller shall have had approved same as complying with

19           the requirements of said agreement. The Controller may, at his option accept, in lieu

20           of said insurance policy, the certificate of an insurance company certifying to the

21           existence of such a policy.

22           FURTHER PROVIDED, The Permittee, at the permittee's sole expense, and as is necessary as

23           a result of this permit, shall make arrangements: [1] to provide for the support and protection of

24           facilities belonging to the Department of Public Works, public utility companies, the San Francisco

25           Water Department, the San Francisco Fire Department and other City departments; [2] to remove or

1 change the location of such facilities and provide access to such facilities for the purpose of  
2 constructing, reconstructing, maintaining, operating or repairing such facilities.

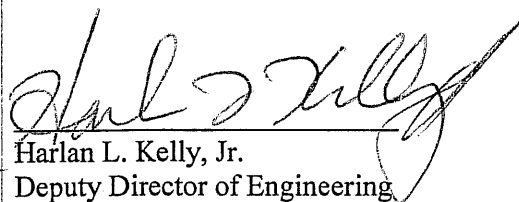
3 FURTHER PROVIDED, That the Permittee shall procure the necessary permits from the  
4 Department of Building Inspection and Bureau of Street-Use and Mapping, Department of Public  
5 Works, and pay the necessary permit fees and inspection fees before starting work.

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

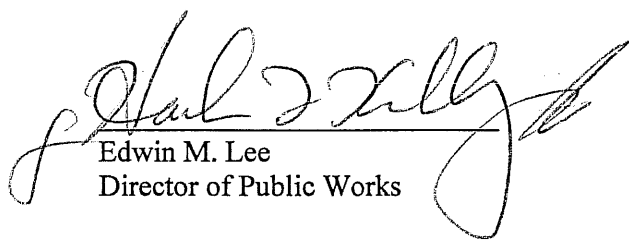
10 FURTHER PROVIDED, That no structure shall be erected or constructed within said street  
11 right-of-way except as specifically permitted herein;

12 FURTHER PROVIDED, That the Permittee shall assure all costs and maintenance and repair  
13 of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San  
14 Francisco by reason of this permission granted.

15  
16 RECOMMENDED:

17   
18 Harlan L. Kelly, Jr.  
19 Deputy Director of Engineering  
and City Engineer

APPROVED:

20   
21 Edwin M. Lee  
22 Director of Public Works  
23  
24  
25



# 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:** 002157

**Date Passed:**

Resolution granting revocable permission to George F. Hauser to construct improvements, including new pavers, bollards, improved drainage and trees on a dead end portion of Clementina Street, east of Sumner Street, in conjunction with the construction of new live-work projects at 60 Rausch and 73 Sumner Streets (Block 3730, Lots 160 and 157) and adopting findings pursuant to Planning Code Section 101.1.

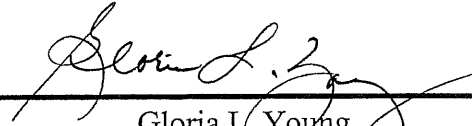
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January 2, 2001 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 002157

I hereby certify that the foregoing Resolution was ADOPTED on January 2, 2001 by the Board of Supervisors of the City and County of San Francisco.

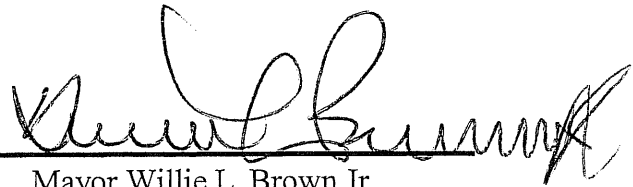


Gloria L. Young  
Clerk of the Board

JAN 12 2001

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Date Approved



Mayor Willie L. Brown Jr.