

1 [Release of Reservation of Abutter's Rights - 725 Jamestown Avenue]

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3 **Resolution approving the abandonment and release of the City's reserved abutter's**
4 **rights to permit curb cuts at 725 Jamestown Avenue (Assessor's Parcel Block No.**
5 **4991, Lot No. 276); authorizing the abandonment and release of the City's reserved**
6 **abutter's rights on a final map and the execution of a corresponding quitclaim deed;**
7 **finding the proposed release is in conformance with the General Plan, and the eight**
8 **priority policies of Planning Code, Section 101.1; and adopting California**
9 **Environmental Quality Act findings.**

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11 WHEREAS, Under a Grant Deed dated May 26, 1964, approved by this Board of
12 Supervisors on May 7, 1964, by Ordinance No. 121-64, (recorded in the Official Records at
13 Book A776, Page 422), and under a Quitclaim Deed approved by this Board of Supervisors
14 on January 9, 1967 by Ordinance No. 19-67 (recorded in the Official Records at Book B125
15 page 698) (collectively, the "Deeds"), the City reserved abutter's rights of access (the
16 "Reserved Abutter's Rights") to the property located at 725 Jamestown Avenue, San
17 Francisco (Assessor's Parcel Block No. 4991, Lot No. 276; the "Jamestown Property"); and

18 WHEREAS, The Reserved Abutter's Rights provided the City the right to prohibit or
19 limit any curb cuts on the Jamestown Property as a means of traffic management and control
20 on this access road for Candlestick Stadium; and

21 WHEREAS, On July 9, 2020, by Planning Commission Resolution No. 20755, the San
22 Francisco Planning Commission adopted California Environmental Quality Act (CEQA)
23 Findings and findings of consistency with the General Plan, and Planning Code, Section
24 101.1, and approved the construction of a residential project with approximately 122 dwelling
25 units (the "Jamestown Project") on the Jamestown Property (which the Planning Commission

1 Resolution denotes as “853 Jamestown Avenue”), including the construction of curbs cuts on
2 Jamestown Avenue for street access to the Jamestown Project; and

3 WHEREAS, The proposed street improvements for the Jamestown Project, including
4 the curb cuts on Jamestown Avenue, were reviewed by and designed with input from the
5 City’s Street Design Advisory Taskforce (“SDAT”), comprised of members of Public Works,
6 the Municipal Transportation Agency, the Fire Department, and the Planning Department,
7 which review was formalized in a memorandum published by SDAT on December 11, 2019;
8 and

9 WHEREAS, To enable the Jamestown Project to proceed with the identified curb cuts,
10 the City and County of San Francisco must abandon the Reserved Abutter’s Rights, which the
11 Director of Real Estate and the Interim Director of Public Works agree are no longer needed
12 and the purpose for which they were reserved no longer exists; and

13 WHEREAS, On February 25, 2022, the Acting City and County Surveyor approved
14 Vesting Tentative Map Application 10847 to subdivide the Jamestown Property and this
15 approval was conditioned upon the City’s vacation and/or relinquishment of the Reserved
16 Abutter’s Rights prior to the submittal of the Final Map; and

17 WHEREAS, The California Subdivision Map Act (Government Code, Section 66434,
18 subdivision (g)) provides that the City may abandon a public easement, including a
19 reservation of abutter’s rights, by action of the final subdivision map, if a written notation of the
20 abandonment is listed and certified on the map; and

21 WHEREAS, The Interim Public Works Director and the Acting City and County
22 Surveyor have determined in Public Works Order No. 206209 that the Reserved Abutter’s
23 Rights are not required to provide access to the public right-of-way and/or future subdivisions;
24 and

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1 WHEREAS, The Board of Supervisors find that as a policy matter the Reserved
2 Abutter's Rights no longer serve a public purpose, and the benefits to the City of the
3 Jamestown Project, including the housing, exceed any value of the Reserved Abutter's
4 Rights; now, therefore, be it

5 RESOLVED, The Board of Supervisors affirms the Planning Commission's findings
6 under CEQA and findings of consistency with the General Plan, and Planning Code, Section
7 101.1, for the reasons set forth in Planning Commission Resolution No. 20755, and, be it

8 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Real
9 Estate, the Interim Director of Public Works, and/or the Acting City and County Surveyor to
10 take such action as may be necessary to abandon, release, or otherwise extinguish the
11 Reserved Abutter's Rights by action of the approval of Final Subdivision Map No. 10847,
12 making written notation of the release and abandonment on the map under the California
13 Subdivision Map Act; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes City's
15 Director of Real Estate, Interim Director of Public Works, and/or the Acting City and County
16 Surveyor to take any and all other steps that they, in consultation with the City Attorney, deem
17 necessary to effectuate the purpose and intent of this Resolution, including execution of a
18 quitclaim deed.