



San Francisco Public Works  
General – Director’s Office  
49 South Van Ness Ave., Suite 1600  
San Francisco, CA 94103  
(628) 271-3160 [www.SFPublicWorks.org](http://www.SFPublicWorks.org)

**Public Works Order No: 205457**

**Determination to recommend: 1) the summary street vacation of Michigan Street, generally bounded by Assessor’s Parcel Block No. 4298 to the north and west, Assessor’s Parcel Block No. 4310 to the east, and Cesar Chavez Street to the south, as part of the improvement of the MUNI Metro East maintenance facility, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Public Works Code Section 787; and 2) the interdepartmental transfer of the vacated area to SFMTA.**

WHEREAS, The location and extent of the area to be vacated is a partially paved portion of Michigan Street, generally bounded by Assessor’s Parcel Block No. 4298 to the north and west, Assessor’s Parcel Block No. 4310 to the east, and Cesar Chavez Street to the south, as depicted on San Francisco Public Works (“Public Works”) SUR Map 2021-006, dated July 2, 2021 (the “Vacation Area”); and

WHEREAS, the Vacation Area is owned by the City and County of San Francisco and is within Public Works’ jurisdiction as shown on Official Grade Map number 328, titled “Record of Survey” filed March 31, 1998 in Book Z at Page 71, and Street Vacation Map, titled “SUR 12001”; and

WHEREAS, The Vacation Area terminates in front of the San Francisco Municipal Transportation Agency’s (“SFMTA”) MUNI Metro East maintenance facility (“MUNI Metro East”); and

WHEREAS, The Vacation Area is unnecessary for the City’s present or prospective public street, sidewalk, and service easement purposes, and Vacation Area may be summarily vacated according to 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 now and in the future; (B) the street area has been impassable to vehicular travel and has not been maintained using public funds for five (5) consecutive years; (C) all properties that abut the Vacation Area to the west and the north are already part of MUNI Metro East and are intended to be improved along with the Vacation Area after the Vacation Area is transferred from Public Works to the SFMTA; (D) the Vacation Area has never been used, and is not useful, as a nonmotorized transportation facility under Streets and Highways Code Sections 892 and 8314 as there are other such facilities available in close proximity; (E) MUNI Metro East is served by several roadways, so the Vacation Area is excess right-of-way; and (F) there are no in-place functioning utilities in the street segment; 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, Public Works (Bureau of Street Use and Mapping) has initiated the process to vacate the Vacation Area; and

WHEREAS, Public Works sent notice of the proposed street vacation, a draft SUR Map drawing, and a Public Works referral letter to the Department of Technology, SFMTA, the Fire Department, the San Francisco Public Utilities Commission, the San Francisco Planning Department, AT&T, Sprint, Comcast Cable Corp., Point to Point, Inc., XO Communications, Verizon Communications, Inc.,

CenturyLink / Level 3 Communications, Shasta Consulting Group, Inc., ExteNet Systems, Inc., and Pacific Gas and Electric.

No City agency, utility company, or other notice recipient objected to the proposed vacation, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and

WHEREAS, On March 10, 2021 the San Francisco Fire Department provided notice that they had reviewed and had no objections to the proposed vacation; and

WHEREAS, On April 13, 2021 the San Francisco Municipal Transportation Agency provided notice that they had reviewed and had no objections to the proposed vacation; and

WHEREAS, In a letter dated March 31, 2021, the Planning Department found that the proposed Vacation and the transfer of the Vacation Area are on balance in conformity with the General Plan and Planning Code Section 101.1. The Planning Department letter states that the Project received CEQA clearance under the Third Street Light Rail Project/Central Subway Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report (FSEIS/FSEIR), adopted in August 2008 (Planning Case No. 1996.281E); 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 upon the effectiveness of the vacation; and

WHEREAS, Transferring the Vacation Area to the SFMTA will allow SFMTA to expand and improve their MUNI Metro East maintenance facility by including an additional Light Rail Vehicle track, which aims to improve SFMTA's services; and

WHEREAS, It is within the policy discretion of the Board of Supervisors to approve the interdepartmental transfer of the Vacation Area from Public Works to the SFMTA.

**NOW, THEREFORE, BE IT ORDERED THAT:**

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

1. Ordinance to summarily vacate the Vacation Area
2. Vacation Area SUR Map No. 2021-006

The Director recommends that the Board of Supervisors approve the ordinance to vacate said Vacation Area.

The Director recommends that the Board of Supervisors approve the interdepartmental property transfer of the Vacation Area from Public Works to SFMTA.

X

DocuSigned by:

*Ryan, James*

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Acting City and County Surveyor

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DocuSigned by:

*Carla Short*

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Interim Director