

**LEGISLATIVE DIGEST**

[Street and Public Service Easement Vacation Order Parkmerced Development Project]

**Ordinance ordering the conditional vacation of portions of Higuera Avenue, Vidal Drive, Arballo Drive, and Garces Drive (the “Street Vacation Area”), and certain San Francisco Public Utilities Commission public service easements (the “Easement Vacation Area”), all within the Parkmerced Development Project area, an approximately 152-acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserving various easement rights in favor of the City and third-party utilities, subject to specified conditions; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions by City officials in furtherance of this Ordinance, as specified herein.**

Existing Law

The Parkmerced Development Project (“Project”) is a large, multi-phased project to redevelop an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco, generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west. Among other things, the Project involves the realignment of various streets and public service easements.

Amendments to Current Law

The proposed ordinance would conditionally vacate portions of certain streets and public service easements for the third subphase (Phase 1C) of the Project. Specifically, Subphase 1C of the Project involves the conditional vacation of certain street segments in the locations shown in the Public Works SUR Map Nos. 2022-003, 2022-004, 2022-005, 2022-006, 2022-007, and 2022-008, and the public service easements in the Areas shown in Public Works SUR Map Nos. 2022-009, 2022-010, 2022-011, 2022-012, 2022-013, 2022-014, and 2022-015.

The proposed vacations implement the Project, which was approved by the Board of Supervisors in 2011, by, among other approvals, approval of a Development Agreement for the Project by Ordinance No. 89-11. The City will retain a public right of way easement to continue public street and utility use until Project Sponsor replaces the same in new public rights of way. For the vacations to become final, the Project Sponsor must

provide an irrevocable offer of dedication to the City for all lands needed for construction of proposed improvements shown on the Street Improvement Permit for Subphase 1C of the Project subject to the reservation of an easement in favor of Project Sponsor for all domestic water utilities and recycled water systems. The reserved easement, as to the domestic water utilities, shall be extinguished upon completion of all Development Phases of the Project and formal acceptance of the domestic water utilities by the City, and, as to the recycled water systems, shall be extinguished upon completion of Development Phase 1 and formal acceptance of the recycled water systems by the City. In addition, the Project Sponsor must meet certain additional conditions, including providing PW with an acceptable Public Improvement Agreement (PIA) with the City for all the improvements required by the Final Map for this phase of the Project, addressing, among other issues, security provisions and provide interim easements or licenses, so that the City can complete the improvements if the Project Sponsor fails to do so.

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