

1 [Street Encroachment - Outdoor Child Play Area - Redwood Street]

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3 **Resolution: 1) granting revocable permission to the Public Utilities Commission to**  
4 **occupy a portion of the public right-of-way on Redwood Street, approximately 150**  
5 **feet west of Polk Street, to construct and maintain an outdoor play area accessible to**  
6 **a child care facility within the new building at 525 Golden Gate Avenue (Assessor's**  
7 **Block No. 0766, Lot No. 001); and 2) making environmental findings and findings of**  
8 **consistency with the General Plan and the priority policies of Planning Code Section**  
9 **101.1.**

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11 WHEREAS, Pursuant to Public Works Code Section 786, Department of Public  
12 Works Project Management, on behalf of the Public Utilities Commission (PUC) requested  
13 permission to occupy a portion of the public right-of-way on Redwood Street, approximately  
14 150 feet west of Polk Street, with an outdoor play area accessible to a child care facility, as  
15 required by State Title 22 Regulations which mandates that a licensed child care facility  
16 provide a minimum of 75 square feet of outdoor space per child, within the new building at  
17 525 Golden Gate Avenue. The encroachment is shown on plans filed with the Department  
18 of Public Works. Copies of such plans are on file in the office of the Clerk of the Board of  
19 Supervisors in File No. 120016 and are incorporated herein by reference; and

20 WHEREAS, The Transportation Advisory Staff Committee (TASC), at its meeting of  
21 December 1, 2011, recommended the proposed encroachment for approval; and

22 WHEREAS, The Planning Department by letter dated September 6, 2011, found the  
23 proposal, on balance, to be in conformity with the General Plan. This letter also includes a  
24 determination pursuant to the California Environmental Quality Act (California Public  
25 Resources Code sections 21000 et seq.). A copy of said letter is on file with the Clerk of the

1 Board of Supervisors in File No. 120016, and is incorporated herein by reference; and

2 WHEREAS, After a duly noticed public hearing on January 4, 2012, the Department  
3 of Public Works recommended approval of the proposed encroachment; and

4 WHEREAS, The permit and associated encroachment agreement shall not become  
5 effective until the Permittee executes and acknowledges the permit and agreement and  
6 delivers ~~said permit both~~ to the Department of Public Works. A copy of the ~~permit and~~  
7 agreement ~~are~~ is on file with the Clerk of the Board of Supervisors in File No. 120016, and  
8 ~~are~~ is incorporated herein by reference; and

9 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a  
10 result of this permit, shall make the following arrangements: (a) To provide for the support  
11 and protection of facilities belonging to the Department of Public Works, San Francisco  
12 Water Department, the San Francisco Fire Department and other City Departments, and  
13 public utility companies; and (b) To remove or relocate such facilities and provide access to  
14 such facilities for the purpose of constructing, reconstructing, maintaining, operating, or  
15 repairing such facilities; and

16 WHEREAS, The Permittee shall procure ~~the necessary~~ permits, if legally required,  
17 from the Central Permit Bureau, Department of Building Inspection and/or Bureau of Street-  
18 Use and Mapping, Department of Public Works, and pay the necessary permit fees and  
19 inspection fees before starting work; and

20 WHEREAS, No structures shall be erected or constructed within said street right-of-  
21 way except as specifically permitted herein; and

22 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of  
23 the encroachments and no cost or obligation of any kind shall accrue to the Department of  
24 Public Works by reason of this permission granted; now, therefore, be it  
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1           RESOLVED, That pursuant to Public Works Code Section 786, the Board of  
2 Supervisors hereby grants permission, revocable at the will of the Director of the  
3 Department of Public Works, to the Public Utilities Commission (PUC) to occupy a portion of  
4 the public right-of-way on Redwood Street, approximately 150 feet west of Polk Street to  
5 construct and maintain an outdoor play area accessible to a child care facility within the new  
6 building at 525 Golden Gate Avenue; and, be it

7           FURTHER RESOLVED, That this Board adopts the findings of the Planning  
8 Department, which determined that said permit is consistent with the General Plan and the  
9 priority policies of Planning Code Section 101.1.

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11 RECOMMENDED:

APPROVED:

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13 \_\_\_\_\_  
14 Fuad Sweiss  
15 Deputy Director for Engineering  
16 and City Engineer

17 \_\_\_\_\_  
18 Mohammed Nuru  
19 Director of Public Works