



Edwin M. Lee, Mayor
Mohammed Nuru, Director



Bruce R. Storrs, City and County Surveyor

DPW Order No: 181894

RE: Recommendation for formal acceptance of an irrevocable offer for a public access easement on the Brighton Avenue Extension at Ocean Avenue and accepting an easement for these purposes; accepting an irrevocable offer for improvements and real property related to Lee Avenue at Ocean Avenue and accepting a grant deed for these purposes; conditionally accepting an irrevocable offer for sidewalk improvements for Ocean Avenue east of Lee Avenue; declaring such areas to be open public right-of-way and dedicating them for right-of-way and roadway purposes; accepting maintenance and liability for these areas subject to certain limitations; establishing public right-of-way width and sidewalk width for Lee Avenue and the Ocean Avenue sidewalk; approving an interdepartmental transfer of property for a portion of Lee Avenue and for a portion of Ocean Avenue.

WHEREAS, On November 18, 2013 Avalon Ocean Avenue LP (“Avalon”) made an irrevocable offer of improvements and real property for right-of-way purposes at Lee Avenue north of Ocean Avenue, which includes the form of grant deed for the transfer of such street improvements and real property.

WHEREAS, On November 18, 2013 Avalon also made an irrevocable offer of a public access easement over its property for the Brighton Avenue extension north of Ocean Avenue, which includes the form of public sidewalk easement agreement for such easement.

WHEREAS, As part of the Phelan Loop relocation project and the creation of Lee Avenue north of Ocean Avenue, the San Francisco Municipal Transportation Agency (“SFMTA”) has agreed to an interdepartmental transfer of certain SFMTA property to DPW as described in a letter from the SFMTA Director of Transportation to the Director of DPW dated October 24, 2013.

WHEREAS, On February 5, 2013 the City Engineer certified that the improvements along Lee Avenue have been constructed in accordance with all City codes, regulations, and standards, and that they are ready for their intended use.

WHEREAS, On July 22, 2010 the City Planning Department determined that the improvements and real property for right-of-way purposes are on balance, and in conformity with the General Plan and Planning Code Section 101.1, and with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq. Case No. 2009-1117C



NOW THEREFORE BE IT ORDERED THAT,

1. I hereby recommend the Board of Supervisors, as part of the Phelan Loop relocation project and the creation of Lee Avenue North of Ocean Avenue; authorize the interdepartmental transfer of property from the San Francisco Transportation Agency to the Department of Public Works for the portion of the new Lee Avenue right-of-way.
2. I further recommend that the Board of Supervisors accept the irrevocable offer, from Avalon, of improvements and real property and Assumption of Maintenance of Lee Avenue north of Ocean Avenue, as shown on map A-17-168, subject to the offer shall be effective only upon Closing. The improvements within Lee Avenue have been inspected and certified as complete in accordance with the Project plans and specifications and all City codes, regulations, standards governing the Project and that such improvements are ready for their intended use.
3. I further recommend that the Board of Supervisors in accordance with San Francisco Administrative Code Sections 1.51 et seq., approve Map A-17-168 titled “Map Showing the Extension and Dedication of Lee Avenue” attached hereto which establishes the official right-of-way width and dedicates the newly developed portion of the Lee Avenue as an open public right-of-way for public use to be accepted for City maintenance and liability purposes.
4. I further recommend notwithstanding the California Streets and Highways Code Sections 8000 et seq., the Board of Supervisors, in accordance with San Francisco Administrative Code Sections 1.51 et seq., follow its own procedures for the establishment of street grades and accept and designate the street grades for Lee Avenue as shown on the Department of Public Works, Public Improvement Permit 091E-0693, dated May 26, 2011.
5. I further recommend that the Board of Supervisors amend Board of Supervisors Ordinance No. 1061, entitled “Regulating the Width of Sidewalks,” by adding section 1600, approving the official sidewalk changes along Lee Avenue and along Ocean Avenue as shown on DPW drawing Q-20-697 attached hereto, with the condition that the Director of DPW have the authority to accept an offer of the improvements when the Future Ocean Avenue Sidewalk is constructed as shown in the drawing.
6. I further recommend that the Board of Supervisors accept the irrevocable offer of a public access easement over the Brighton Avenue extension north of Ocean Avenue, which includes the form of public sidewalk easement agreement for such easement as shown on Map 5410 recorded on November 16, 2011 in Book DD of Survey Maps, at pages 164-169. Provided, however, that such area shall not be accepted for City maintenance or liability purposes.
7. I further recommend that the Board of Supervisors declare this area as open public right-of-way for right-of-way and roadway purposes and dedicate it for right-of-way and roadway purposes.



11/20/2013

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X Bruce R. Storrs

Storrs, Bruce
City & County Surveyor

11/20/2013

X 

Sweiss, Fuad
Deputy Director & City Engineer

X Mohammed Nuru

Nuru, Mohammed
Director

