File No1404		nmittee Item No. ard Item No	2
COMI	MITTEE/BOARD O AGENDA PACKET CO		SORS
Committee: Land	Use and Economic Devel	opment_Date	May 5, 2014
Board of Supervis	ors Meeting	Date	-
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MOU

OTHER

Grant Budget

Award Letter Application

Completed by:

Grant Information Form

Public Correspondence

Form 126 - Ethics Commission

(Use back side if additional space is needed)

Completed by: Andrea Ausberry Date May 1, 2014

Date

Subcontract Budget Contract/Agreement

[Resolution of Intent - Street Vacation - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Ave and Newcomb Ave]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Quint Street, McKinnon Avenue, and Newcomb Avenue as a part of the Quint Street Railroad Crossing Improvement Project; and setting a hearing date of June 3, 2014, for all persons interested in the proposed vacation of said street areas.

WHEREAS, The Quint Street Railroad Crossing Improvement Project (Project), to be executed by the Peninsula Corridor Joint Powers Board (JPB), involves the improvement of a dilapidated railroad overcrossing at Quint Street north of Newcomb; and

WHEREAS, The Project will result in construction of a physical berm across Quint Street to stabilize the rail corridor crossing at that location, which will result in closure of Quint Street and other noted affected areas of Newcomb Avenue and McKinnon Avenues (collectively, the "Vacation Area"); and

WHEREAS, This vacation proceeding for the Project is conducted under the general vacation procedures of the Public Streets, Highways and Service Easements Vacation Law (California Streets and Highways Code, section 8300 et seq.); and

WHEREAS, Section 787(a) of the San Francisco Public Works Code provides that the street vacation procedures for the City and County of San Francisco (the "City") shall be in accordance with the applicable provisions of the California Streets and Highways Code and such rules and conditions as are adopted by the Board of Supervisors; and

WHEREAS, The location and extent of the Vacation Area is more particularly described on the Department of Public Works' SUR Map No. 2013-004, dated October 31, 2013, copy of said map is on file with the Clerk of the Board of Supervisors in File No. 140452; and

WHEREAS, in DPW Order No. ______, dated ______, 2014, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 140452, the Director of the Department of Public Works determined: (a) the Vacation Area is no longer necessary for the City's present or prospective future public street and sidewalk purposes; (b) in accordance with the Streets and Highways Code, Section 892 and 8314, the right-of-way and part thereof proposed for vacation are no longer useful as a nonmotorized transportation facility, as defined in Section 887, because the design of the Project includes a new facility for bicycle and pedestrian movement that are equal to or in excess of what may currently exist; (c) the proposed quitclaim of public right-of-way is necessary for execution of the Project; (d) the value of quitclaimed public right-of-way to JPB is negligible, and of no greater value than those rights previously quitclaimed at no cost to City by JPB in relation to an adjacent but unrelated development project; and (e) there are no physical public utility or private facilities within the Vacation Area except SFPUC for waterline purposes; and

WHEREAS, The public interest, convenience and necessity require that the City reserve from the vacation of the Vacation Area an exclusive easement for the benefit of the City's Public Utilities Commission (SFPUC) for waterline purposes in, upon, and under that certain portion of the Vacation Area in which their respective in-place and functioning facility is located, to the extent necessary to maintain, operate, repair and remove existing lines of pipe and other convenient structures, equipment and fixtures for the SFPUC, together with reasonable access to the foregoing utility for the purposes set forth above; and

WHEREAS, The Planning Department, in a letter dated June 24, 2013, determined that the proposed vacation is, on balance, consistent with the General Plan and priority policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No. 140452, and is incorporated herein by reference; and

WHEREAS, Subject to the reservations and conditions specified in this Resolution, none of the Vacation Area is necessary for present or prospective public use; and

WHEREAS, Except as specifically provided above, the public interest, convenience, and necessity require that no other easements or other rights be reserved for any public or private utility facilities that in place in the Vacation Area and that any rights based upon any such public or private utility facilities be extinguished; now, therefore, be it

RESOLVED, That under section 8320 et seq. of the California Streets and Highway Code, the Board of Supervisors hereby declares that it intends to order the vacation of the Vacation Area as shown on SUR Map No. 2013-004, which is incorporated herein by reference; and be it

FURTHER RESOLVED, That notice is hereby given that on June 3, 2014, at 3:00 P.M. in the Legislative Chambers of the Board of Supervisors, all persons interested in or objecting to the proposed vacation will be heard; and, be it

FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board to transmit to the Department of Public Works a certified copy of this Resolution, and the Board of Supervisors directs the Director of Public Works and Clerk of the Board to publish and post this Resolution and to give notice of the hearing of such contemplated action in the manner required by law.

General Plan Referral

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information: 415,558,6377

Date:

June 24, 2013

Case No.

2013.0640R

DPW Quint Street Bridge Replacement

Block/Lot No:

5304/001

Project Sponsors;

Javier Rivera, Assistant Engineer

San Francisco Department of Public Works

875 Stevenson, Room 460 San Francisco, CA 94103

Applicant:

Peninsula Corridor Joint Powers

Staff Contact:

Lily Langlois - (415) 575-9083

lily.langlois@sfgov.org

Recommendation:

Finding, the project, on balance, is in conformity with the

General Plan

Recommended

Riz:

ohn Kahaim Director of Planning

PROJECT DESCRIPTION

On May 13, 2013, the Planning Department (herein "the Department") received a request from the San Francisco Department of Public Works to investigate the vacation of a portion of Quint Street between Newcomb Avenue and Jerold Avenue, McKinnon Avenue southeast of Quint Street and Newcomb Avenue southeast of Quint Street.

The project proposes to replace the Quint Street Bridge with fill supported retaining walls. Quint Street would be closed to through traffic under the railroad tracks, but the street will remain open and accessible on both sides of the bridge.

To accommodate the Quint Street Bridge Replacement, three street vacations are needed. Portions of Quint Street, McKinnon Avenue and Newcomb Avenue are posed to be vacated. Currently McKinnon and Newcomb are paper streets at the intersection of the rail crossing. Quint is an operational street that would be vacated for the rail crossing. The vacation of portions of these three streets would accommodate the Rail Corridor Upgrade, a project of the Joint Powers Board. The street vacations are planned in conjunction with the City and County of San Francisco's Quint-Jerrold Connector Road Project.

ENVIRONMENTAL REVIEW

On January 11, 2011, the Peninsula Corridor Joint Powers Board determined that the project is Categorically Exempt from Environmental Review as a Categorical Exemption Class 2 as defined by CEQA, per CEQA Guidelines Section 15302: Replacement or Reconstruction and Pursuant to Public Resources Code Section 21080.13: Act not applicable to railroad grade separation projects.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

As described below, the Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in-conformity with the following Objectives and Policies of the General Plan:

Note: General Plan Objectives and Policies are in **bold** font; General Plan text is in regular font. Staff comments are in *italic font*.

Community Safety Element

OBJECTIVE 1

REDUCE STRUCTURAL AND NONSTRUCTURAL HAZARDS TO LIFE SAFETY AND MINIMIZE PROPERTY DAMAGE RESULTING FROM FUTURE DISASTERS.

The project includes the replacement of the Quint Street Bridge which has structural deficiencies.

POLICY 1.6

Consider site soils conditions when reviewing projects in areas subject to liquefaction or slope instability.

The project includes soil improvements to address seismic vulnerabilities.

POLICY 1.18

Identify and replace vulnerable infrastructure and critical service lifelines in high-risk areas. The project includes the replacement of the Quint Street Bridge which has structural deficiencies.

Bayview Hunters Point Area Plan

OBJECTIVE 4

DEVELOP AND MAINTAIN A SYSTEM FOR THE EASY MOVEMENT OF PEOPLE AND GOODS, TAKING INTO ACCOUNT ANTICIPATED NEEDS OF BOTH LOCAL AND THROUGH TRAFFIC.

The proposed Quint-Jerrold Connector Road would link Quint Street to Jerrold Avenue via a new road along the west side of the Caltrain tracks.

POLICY 4.2

Develop the necessary improvements in public transit to move people efficiently and comfortably between different neighborhoods of Bayview Hunters Point, to and from Candlestick Park Point, and to and from Downtown and other parts of the region.

The proposed project would accommodate a new Caltrain station at Oakdale Avenue and provide access to other nearby land uses.

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

- 1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

 The project would not have an adverse effect on existing neighborhood-serving retail uses or opportunities for employment in or ownership of such businesses.
- That existing housing and neighborhood character be conserved and protected in order to preserve
 the cultural and economic diversity of our neighborhood.
 The project would not have an adverse effect on existing housing or neighborhood character.
- 3. That the City's supply of affordable housing be preserved and enhanced.
 The project would have no adverse effect on the City's supply of affordable housing. When the project is built it will increase the supply of affordable housing.
- 4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.
 The project would not result in commuter traffic impeding MUNI's transit service, overburdening the streets or altering current neighborhood parking.
- 5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.
 The project would not have an adverse effect on the existing economic base in this area.
- 6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
 The project would not affect the City's preparedness to protect against injury and loss of life in an earthquake.
 The replacement of the Quint Street Bridge will enhance earthquake preparedness.
- That landmarks and historic buildings be preserved.
 The project would not have an adverse effect on landmarks or historic buildings.
- 8. That our parks and open space and their access to sunlight and vistas be protected from development.
 The proposed project would not have an adverse effect on City parks or open spaces, or their access to sunlight and vistas.

RECOMMENDATION: Finding the Project, on balance, in-conformity with the General Plan

cc: Javier Rivera, Department of Public Works
I:\Citywide\General Plan\General Plan Referrals\2013\2013.0640R DPW Quint Street Bridge Replacement.docx

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS ORDER NUMBER

Re: Recommendation to vacate, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Section 787 of the San Francisco Public Works Code, portions of: a) Quint Street starting approximately 195 feet east of Newcomb Avenue; b) Newcomb Avenue starting approximately 109 feet south of Quint Street; and c) McKinnon Avenue for a length of approximately 89 feet south of Quint Street.

WHEREAS, In general, public streets and sidewalks are owned by the City and County of San Francisco as a public right-of-way; and

WHEREAS, The limits of the area to be vacated (the "Vacation Area") are specifically shown on SUR Map 2013-004, dated October 31, 2013, and approved by the City and County Surveyor; and

WHEREAS, The portions of Mckinnon Street and Newcomb Avenue are undeveloped public right-of-way and are currently not used by the public for the purpose of vehicular or pedestrian traffic; and

WHEREAS, The portion of Quint Street to be vacated will be rerouted along the west side of the train tracks in order to continue to allow vehicular and pedestrian traffic to have direct access to Jerrold Avenue; and

WHEREAS, On January 11, 2011 the Peninsula Corridor Joint Powers Board (JPB) determined that the project is Categorically Exempt from Environmental Review as a Categorical Exemption Class 2 as defined by CEQA per CEQA Guidelines Section 15302: Replacement or Reconstruction, and Pursuant to Public Resources Code Section 21080.13: Act not applicable to railroad grade separation projects; and

WHEREAS, On June 24, 2013 the Department of City Planning (Case No. 2013.0640R) found that the proposed Vacation is on balance in conformity with the General Plan, Planning Code Section 101.1, and the California Environmental Quality Act; and

WHEREAS, On September 27, 2013, the San Francisco Public Utilities Commission rescinded its objection to the City of San Francisco's vacation of a portion of Quint Street subject to: a) JPB will ask that the City of San Francisco reserve a waterline easement within Quint Street in favor of SFPUC as part of the vacation process. The easement will extend at least two feet from the center line of the pipe; b) JPB will design a new pipe that conforms to SFPUC requirements and standard engineering practices. The new pipe internal diameter will match the existing pipe internal diameter. The length of the pipe will extend a minimum of 5 feet from each end of the proposed earthen berm limits along Quint Street; c) JPB will pay all costs associated with the conveyance of the easement; and d) JPB will design and construct the new pipe segment at JPB's sole expense; and

WHEREAS, On October 17, 2013 the JPB responded to SFPUC agreeing to the conditions set forth by SFPUC in their letter dated September 27, 2013; and

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Page 2	

WHEREAS, Pursuant to the California Streets and Highway Code, the Department of Public Works, Bureau of Street Use and Mapping (the Department) has initiated the process to vacate the Vacation Area; and

WHEREAS, The Department sent notice of the proposed street vacation, draft SUR drawing, a copy of the petition letter, and a DPW referral letter to the Department of Technology, SFMTA, Pacific Bell, San Francisco Fire Department, San Francisco Water Department, Pacific Gas and Electric ("PG&E"), Bureau of Light, Heat and Power, Bureau of Engineering, Department of Parking and Traffic, Utility Engineering Bureau, and the Public Utility Commission ("PUC"). No utility company or agency objected to the proposed vacation, there are no physical public and private utilities affected by the vacation of the Vacation Area, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and

WHEREAS, The public interest, convenience, and necessity require that, except as specifically provided herein, no other easements or other rights should be reserved by City for any public or private utilities or facilities that are in place in the Vacation Area and that any rights based upon any such public or private utilities or facilities should be extinguished; and

WHEREAS, Pursuant to the Streets and Highways Code Section 892, the Department determines that the Vacation Area is unnecessary for non-motorized transportation as there are multiple streets surrounding that Vacation Area that remain available for such transportation and those members of the public availing themselves of non-motorized transportation will not be inconvenienced by the proposed street vacation; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

- 1. The vacation is being carried out pursuant to the California Streets and Highways Code sections 8300 et seq.
- 2. The vacation is being carried out pursuant to section 787 of the San Francisco Public Works Code.
- 3. The Vacation Area to be vacated is shown on the SUR Map No. 2013-004.
- 4. The Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, or public service easement purposes as described herein.
- 5. Pursuant to the Streets and Highways Code Section 892, the Vacation Area is not necessary for non-motorized transportation for the reasons set forth herein, and therefore has no use as a non-motorized transportation facility.
- 6. There are no physical public or private utilities or utility facilities affected by the Vacation Area, with the exception of the SFPUC waterline, for which an easement will be reserved at a

DPW Order No.	
Page 3	

later date as part of the conveyance to JPB of the vacated Quint Street right of way, subject to approval of the Board of Supervisors.

- 8. The public interest, convenience and necessity require that, except as provided in this Order, no other easements or other rights be reserved for any public or private utilities or facilities that are in place in such Vacation Area and that any rights based upon any such public or private utilities or facilities may be extinguished.
- 9. The Vacation Area is unnecessary for the City's present or prospective public street purposes.

NOW THEREFORE BE IT ORDERED THAT,

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

- 1. Ordinance to vacate the Vacation Area, being a portion of Quint Street east of Newcomb Avenue, a portion of Newcomb Avenue south of Quint Street, and a portion of Mckinnon Ave south of Quint Street;
- 2. Vacation Area SUR Map No. 2013-004

The Director further recommends the Board of Supervisors move forward with the legislation to vacate said portions of Quint Street, Newcomb Avenue, and Mckinnon Avenue.

The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation. The Director further recommends the Board of Supervisors authorize the Mayor, Clerk of the Board, Director of Property, County Surveyor, and Director of Public Works to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Ordinance.

Attachments:

- 1. SUR Map No. 2013-004, dated October 31, 2013.
- 2. Planning Department's letter September 11, 2013.

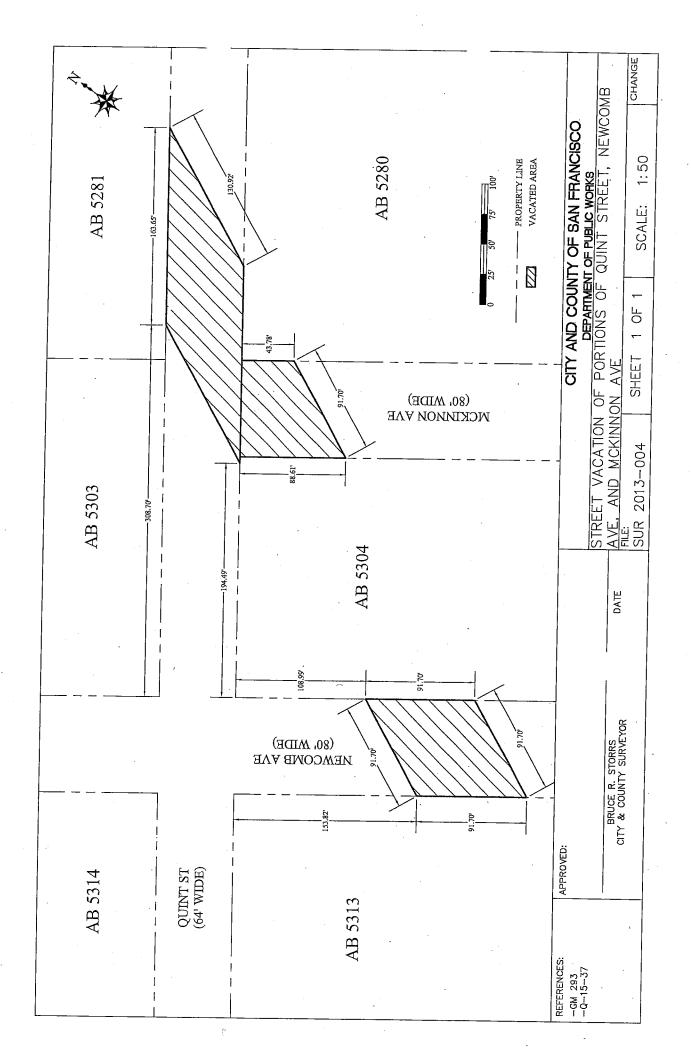
RECOMMENDED:
Bruce R. Storrs, City and County Surveyor
Street-Use and Mapping

Fuad S. Sweiss City Engineer & Deputy Director for Engineering

DPW Order No. Page 4		
APPROVED:		
<u></u>		
Mohammed Nuru	a, Acting Director	

Department of Public Works

cc. Board of Supervisors (signed)
John Malamut, City Attorney's Office
Jerry Sanguinetti, DPW-BSM
John Updike, DRE



BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO:

Mohammed Nuru, Director, Department of Public Works

John Rahaim, Director, Planning Department

Harlan Kelly, General Manager, Public Utilities Commission

Tiffany Bohee, Executive Director, Office of Community Investment and Infrastructure

FROM:

Andrea Ausberry, Assistant Clerk, Land Use and Economic Development Committee

Board of Supervisors

DATE:

May 1, 2014

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Supervisor Cohen on April 29, 2014:

File No. 140452

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Quint Street, McKinnon Avenue, and Newcomb Avenue as a part of the Quint Street Railroad Crossing Improvement Project; and setting a hearing date of June 3, 2014, for all persons interested in the proposed vacation of said street areas.

If you have any additional comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

C:

Bruce Storrs, Department of Public Works
Javier Rivera, Department of Public Works
Frank Lee, Department of Public Works
Barbara Moy, Department of Public Works
AnMarie Rodgers, Planning Department
Sarah Jones, Planning Department
Scott Sanchez, Planning Department
Jeanie Polling, Planning Department
Nannie Turrell, Planning Department
Natasha Jones, Office of Community Investment and Infrastructure

Member, Board of Supervisors District 8



City and County of San Francisco

SCOTT WIENER 威善高

DATE:

May 1st, 2014

TO:

Angela Calvillo

Clerk of the Board of Supervisors

FROM:

Supervisor Scott Wiener

Chairperson, Land Use and Eganonic Development Committee

RE:

Land Use and Economic Development Committee

COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Land Use and Economic Development Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on Tuesday, May 6th, 2014, as a Committee Report:

140452 Resolution of Intent - Street Vacation - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Ave and Newcomb Ave

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Quint Street, McKinnon Avenue, Newcomb Avenue as a part of the Quint Street Railroad Crossing Improvement Project; and setting a hearing date of June 3, 2014, for all persons interested in the proposed vacation of said street areas.

This matter will be heard in the Land Use and Economic Development Committee on Monday, May 5th. 2014, at 1:30 p.m.

Comn. Clerk Coß Leg Dep

Member, Board of Supervisors District 8



City and County of San Francisco

SCOTT WIENER 威善高

DATE:

May 1st, 2014

TO:

Angela Calvillo

Clerk of the Board of Supervisors

FROM:

Supervisor Scott Wiener

Chairperson, Land Use and Economic Development Committee

RE:

Land Use and Economic Development Committee

COMMITTEE REPORT

RECEIVED
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ZUNNAY-I AN 8:53

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This matter will be heard in the Land Use and Economic Development Committee on Monday, May 5th, 2014, at 1:30 p.m.

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):	Time stamp or meeting date
☐ 1. For reference to Committee.	
An ordinance, resolution, motion, or charter amendment.	
2. Request for next printed agenda without reference to Committee.	
3. Request for hearing on a subject matter at Committee.	
4. Request for letter beginning "Supervisor	inquires"
5. City Attorney request.	
6. Call File No. from Committee.	
7. Budget Analyst request (attach written motion).	
8. Substitute Legislation File No.	
9. Request for Closed Session (attach written motion).	
☐ 10. Board to Sit as A Committee of the Whole.	
11. Question(s) submitted for Mayoral Appearance before the BOS on	
Please check the appropriate boxes. The proposed legislation should be forwarded to the	following: Commission
☐ Planning Commission ☐ Building Inspection Com	umission
ote: For the Imperative Agenda (a resolution not on the printed agenda), use a Impe	erative
ponsor(s):	
Cohen	
ubject:	
Vacation of a portion of Quint Street, McKinnon Avenue and Newcomb Avenue	
The text is listed below or attached:	
Signature of Sponsoring Supervisor:	1
or Clerk's Use Only:	

14041-2

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