

## **LEGISLATIVE DIGEST**

[Land Transfer, Street Vacation, Gift Acceptance, Encroachment Permit, and Related Actions - Archstone Daggett Place, LLC - Daggett Street Between 16th and 7th Streets]

**Ordinance approving an agreement with the Port of San Francisco for the City's transfer of Daggett Street between 16th and 7th Streets; summarily vacating the northern portion of the street; authorizing an interdepartmental transfer of the vacation area from Public Works to the Real Estate Division of the Office of the City Administrator for public open space; modifying the official public right-of-way width, changing the official sidewalk width, and changing the official grade on the remaining portion of Daggett Street and portions of 16th and 7th Streets; accepting a gift from Archstone Daggett Place, LLC, for certain open space improvements on the portion of Daggett Street to be vacated and their maintenance; approving a street encroachment permit for the shared public way improvements on the remaining southerly portion of Daggett Street; delegating to the Director of Public Works the authority to accept other required public improvements associated with the adjacent development project; authorizing the Director of Property to execute a license agreement for the maintenance of the vacation area; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1 for the actions contemplated in this ordinance.**

### **Existing Law**

The one-block segment of Daggett Street between 16th and 7th Streets currently is impassable public right-of-way under jurisdiction of the Port of San Francisco. Streets under City jurisdiction are subject to the requirements of the Public Works Code.

### **Amendments to Current Law**

This legislation would authorize payment for and approval of the Daggett Street land transfer from the Port of San Francisco to the City using money primarily from the State Housing Related Parks Program Grant. The ordinance would approve a summary street vacation for the northern portion (approximately 2/3 of the street area) of Daggett Street, subject to certain conditions, and an interdepartmental transfer of this area to the City's Real Estate Division for the installation of open space improvements for future Board consideration as a City Plaza under Administrative Code Chapter 94. The legislation would accept a gift to the City from Archstone Daggett Place, LLC (the "Project Sponsor"), the developer of the adjacent mixed use project, for the cost of the open space improvements in excess of the Planning Code Eastern Neighborhood impact fees, which have been partially offset by the construction cost for the open space. This gift also includes the Project Sponsor's permanent maintenance of

the open space area, which obligation is addressed in a maintenance license agreement that is included in the approval actions before the Board. The ordinance would approve a new public right-of-way width for the remaining portion of Daggett Street, a grade change, and various actions related to sidewalk widths in or adjacent to Daggett Street. The legislation would approve issuance of a street (major) encroachment permit to the Project Sponsor to occupy and maintain Daggett Street with the Daggett Street Shared Public Way improvements along with the adjacent public sidewalks on the Daggett Street open space. The ordinance would delegate to the Public Works Director and Real Estate Division Director certain powers to accept future public improvement that are not yet finished and finalize various transactional documents related to this project. The legislation also adopts findings under the California Environmental Quality Act and consistency findings with the City's General Plan and Planning Code Section 101.1.

#### Background Information

This legislation would facilitate implementation of the Daggett open space project as identified in the Showplace Square Open Space Plan, which is a component of the Eastern Neighborhoods Area Plan, and establishment of a pedestrian-oriented shared public way on the remaining portion of Daggett Street.

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