



London N. Breed, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

Public Works Order No: 188360

Determination to recommend conditionally vacating streets and easements in the Sunnydale HOPE SF Project site, generally bounded by Assessor's Block Parcel No. 6310 on the north, Velasco Avenue and Assessor's Block Parcel nos. 6332 and 6331 on the south, Assessor's Block Parcel Nos. 6220 and 6316 on the west, and Hahn Street on the east, as part of Sunnydale HOPE SF Project, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Section 787 of the San Francisco Public Works Code.

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

WHEREAS, The area to be vacated ("the Vacation Area") is generally bounded by Assessor's Block Parcel No. 6310 on the north, Velasco Avenue and Assessor's Block Parcel Nos. 6332 and 6331 on the south, Assessor's Block Parcel Nos. 6220 and 6316 on the west, and Hahn Street on the east, and is specifically shown on SUR Map 2018-002, dated August 27, 2018; and

WHEREAS, On July 9, 2015, by Motion No. 19409, the Planning Commission certified the Final Environmental Impact Report ("FEIR") for the Sunnydale HOPE SF Project (Planning Case No. 2010.0305E) as accurate, complete and in compliance with the California Environmental Quality Act (California Public Resources Code, Sections 21000 *et seq.*, "CEQA") and Administrative Code, Chapter 31; and

WHEREAS, On June 16, 2016, the Planning Department issued an Addendum to the FEIR, that included the addition of Parcel Q to the original Sunnydale HOPE SF Description; the Planning Department determined that no additional environmental impacts, or impacts of greater severity would occur, and that the analysis and conclusions from the FEIR remained valid; and

WHEREAS, On November 17, 2016, by Motion No. 19784, the Planning Commission by Motion No. 20018 approved CEQA Findings, including adoption of a Mitigation Monitoring and Reporting Program ("MMRP"), under Case No. 2010.0305ENV, for approval of the Sunnydale HOPE SF Project; and

WHEREAS, On November 17, 2016, by Motion No. 19785, the Planning Commission adopted findings establishing the Sunnydale HOPE SF Project, on balance, consistent with the General Plan, and Planning Code, Section 101.1; and

WHEREAS, On November 17, 2016, by adopting Resolution Nos. 19786, 19787, 19788 and 19789, the Planning Commission recommended to the Board of Supervisors that the Board



approve General Plan Amendments, Planning Code Text Amendments, Planning Code Map Amendments, and a Development Agreement between the City, the Housing Authority and Sunnydale Development Co., LLC, respectively; and

WHEREAS, On January 31, 2017, the Board of Supervisors adopted Ordinance Nos. 20-17, 16-17, 17-17, 18-17(File Nos. 161356, 161309, 161162, 161163, and 161164) approving General Plan Amendments, Planning Code Text Amendments, Planning Code Map Amendments, and the Development Agreement respectively; and

WHEREAS, In a letter dated February 27, 2018 (the "Planning Letter"), the City Planning Department determined that the proposed vacation of the Vacation Area and other actions contemplated herein are consistent with the General Plan and priority policies of the Planning Code, Section 101.1. Also in the Planning Letter, the Planning Department has determined that the actions contemplated in this ordinance comply with CEQA; and

WHEREAS, The vacation of the Vacation Area is necessary to fulfill the objectives of the Sunnydale HOPE SF Project, as approved on January 31, 2017. The abovementioned development plan and related approvals are found in Ordinance No. 18-17; and

WHEREAS, Pursuant to the California Streets and Highway Code Sections 8300 et seq., 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 PW referral letter to the Department of Technology, San Francisco Municipal Transportation Agency, AT&T, Sprint, 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"); and

WHEREAS, No utility company or agency objected to vacating the Vacation Area; and

WHEREAS, The applicant is the owner of all of the property adjacent to the Vacation Area; and

WHEREAS, The vacation is being carried out pursuant to the California Streets and Highways Code sections 8300 *et seq.*, and section 787 of the San Francisco Public Works Code; and

WHEREAS The Sunnydale Hope Redevelopment Project has detailed site plans for the development area, including entirely revised street grids and block patterns, along with more specific development controls. The streets and easements proposed for vacation are incompatible with the new street grids; the proposed vacations would facilitate the conversion from the existing grid to the approved grid and the platting of new street, block and easements in furtherance of the original project approvals; and

WHEREAS, The City proposes to quitclaim its interest in the Vacation Area. Because many of these streets and easements will remain in use until specified times, the Vacated Area shall not be vacated until certain conditions are satisfied, as follows:

(1) Prior to the vacation of each phase, interim access shall be approved and maintained for active utility access, MUNI lines and emergency vehicles.



(2) Within active streets to remain open, pedestrian access shall be maintained on at least one side where adjacent to an active construction area.

(3) PUC Easements. Effectiveness of the vacation is conditioned on the construction, inspection, and determination of completion of the replacement utilities; and

WHEREAS, The Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, and service easement purposes; and

WHEREAS, The public interest, convenience, and necessity do not require any easements or other rights be reserved for any public or private utility facilities that are in place in the Vacation Area and any rights based upon any such public or private utility facilities shall be extinguished automatically upon the effectiveness of the vacation; and

WHEREAS, In accordance with Streets and Highways code Section 892 and 8314, the Vacation Area is no longer useful as a nonmotorized transportation facility

WHEREAS, It is a policy matter for the Board of Supervisors to quitclaim the City's interest in the Vacation Area; and

WHEREAS, It is recommended that the effectiveness of each phase of the street vacation be conditioned on simultaneous recordation of the City's quitclaim deed; and

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 as shown on Department of Public Works drawing SUR 2018-002.
2. Vacation Area SUR Map No. 2018-002

The Director recommends that the Board of Supervisors move forward with the legislation to conditionally vacate said Vacation Area.

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 2018-002, dated August 27, 2018.

9/4/2018

9/4/2018

X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor
Signed by: Storrs, Bruce

X Mohammed Nuru

Nuru, Mohammed
Director
Signed by: Nuru, Mohammed

