

City and County of San Francisco

San Francisco Public Works



GENERAL - DIRECTOR'S OFFICE

City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.SFPublicWorks.org



London N. Breed, Mayor
Mohammed Nuru, Director

Public Works Order No: 200452

RECOMMENDATION OF APPROVAL TO THE SAN FRANCISCO BOARD OF SUPERVISORS FOR FINAL APPROVAL OF MAJOR ENCROACHMENT PERMIT NO. 17ME-0008 FOR BUILD, INC TO OCCUPY AND MAINTAIN A PORTION OF THE PUBLIC RIGHT OF WAY WITH WIDENED SIDEWALKS, LANDSCAPING, AND ROADWAY REALIGNMENT WITH ONE TRAVEL LANE IN EACH DIRECTION ON 12TH STREET BETWEEN HARRISON STREET AND BERNICE STREET (EAGLE PLAZA).

APPLICANT: Build, Inc
Attn: Katie O'Brien
315 Linden Street
San Francisco, CA 94102

PROPERTY IDENTIFICATION: 1532 Harrison Street
(12th Street frontage)
San Francisco, CA 94103

DESCRIPTION OF REQUEST: Major Encroachment Permit 17ME-0008

BACKGROUND:

1. On November 20th, 2017, the applicant filed a request with San Francisco Public Works (Public Works) to consider approval of a Major Encroachment Permit to construct and maintain a new pedestrian plaza space (Eagle Plaza) comprising of widened sidewalks, landscaping, and roadway realignment with one travel lane in each direction on 12th Street between Harrison Street and Bernice Street.
2. The San Francisco Planning Department approved the General Plan Referral (Case No. 2018-009489GPR) on July 16, 2018, with the finding that the project is on balance and in conformity with the General Plan.
3. The project was determined to be consistent with the Western SoMa Community Plan Environmental Impact Report (EIR) and exempt from environmental review per CEQA Guidelines Section 15183 (Planning Case No. 2013.1390E) on September 9, 2015.
4. The Transportation Advisory Staff Committee (TASC) had no objections from the meeting on July 26, 2018.



5. Upon reviewing and receiving no additional comments from other City Departments to the overall project, Public Works scheduled a public hearing on August 8, 2018 to consider the proposed encroachment.
6. Notice of Public Hearing was mailed to all property owners within a 300-foot radius of the boundary of the encroachment with greater than ten (10) days in advance of the hearing date.
7. No objections or queries were received by the Department prior to the hearing.
8. On August 8, 2018, Hearing Officer John Goldberg conducted a hearing to consider the proposed encroachment.
9. There was one public testimony in support of the project but had the following concerns:
 - a. Requested security between the hours of 12:00AM and 6:00AM.
 - b. Requested for Eagle Bar to relocate their entrance line to the Harrison Street frontage.
 - c. Requested for Eagle Bar's trash pick-up to be on the Harrison Street frontage.
10. Upon hearing the above testimony and reviewing the application, reports, plans, and other documents contained in the Public Works files, the Hearing Officer informed the attendees that he would make his recommendation to the Director following the hearing.

RECOMMENDATION: CONDITIONALLY RECOMMEND TO THE BOARD OF THE SUPERVISORS TO APPROVE the subject Major Encroachment Permit with consideration of the following conditions and findings, and waive the public right-of-way occupancy assessment fee pursuant to Public Works Code Section 786.7(f)(4).

CONDITION OF RECOMMENDATION: The Applicant shall submit and fulfill all Major Encroachment Permit requirements to the Department, including but not limited to the following conditions.

CONDITION 1: The Applicant shall sign encroachment agreements accepting responsibility for the construction, maintenance, and liability of the proposed and conditionally approved encroachment.

CONDITION 2: The Applicant shall submit evidence of General Commercial Liability Insurance as required by the Department.

CONDITION 3: Following approval by the Board of Supervisors, the Applicant shall construct Eagle Plaza with a separate Street Improvement Permit issued by Public Works.

FINDING 1: The Planning Department determined that the subject encroachment is in conformity with the General Plan.

FINDING 2: The City Agencies with jurisdiction or having interest in the encroachment area have provided review and submitted no further comment to the overall encroachment.

FINDING 3: Pursuant to Public Works Code Section 786.7(f)(4) *“no public right-of-way occupancy assessment fee shall be charged against the permittee for elements installed...for improvements associated with a Planning Commission approved in-kind agreement in accordance with the Planning Code”*.

X DocuSigned by:
Debra Lutske

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Nuru, Mohammed
Director