

Public Works Order No.: 200542

This Order supersedes PW Order 188,360.



London N. Breed
Mayor

Mohammed Nuru
Director

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Determination to recommend conditionally vacating streets and easements in the Sunnydale HOPE SF Project site, generally bounded by Assessor's Block Parcel No. 6220 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, The City and County of San Francisco has fee title ownership of property underlying most public right-of-ways, which includes streets and sidewalks; and

WHEREAS, The area to be vacated ("the Vacation Area") is generally bounded by Assessor's Block Parcel No. 6220 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 December 19, 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"). No public or private utility company or agency objected to the proposed vacation; consequently, Public Works finds the Vacation Area is unnecessary for the City's present or prospective public street purposes; 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 public interest, convenience, and necessity require that the City reserve from the proposed vacation of the Vacation Area exclusive easements for the benefit of the City to maintain active utilities. The exclusive easements proposed for reservation will be extinguished by quitclaim deed upon acceptance of the replacement facilities or earlier at PW Director's discretion based on consultation with Directors of the affected City departments; and

WHEREAS, The City proposes to quitclaim its interest in the Vacation Area to the San Francisco Housing Authority ("SFHA") to help facilitate the development of the Sunnydale HOPE SF Project. Because many of these streets and easements will remain in use until specified times, the Vacation Area shall be vacated upon satisfaction of the following conditions:

- (1) Board of Supervisors approval of the Final Map for the corresponding phase.
- (2) Recording of quitclaim deed with reserved easements for active utilities.
- (3) Within active streets that remain open, pedestrian access shall be maintained on at least one side where adjacent to an active construction area.
- (4) The vacation shall be implemented only as to the streets and easements that are shown on the approved Final Map for the corresponding phase.

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 to effectuate the purpose and intent of this Ordinance.

X

DocuSigned by:

Bruce Storrs

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City and County Surveyor

X

DocuSigned by:

Mohammed Nuru

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Director