

Public Works Order No.: 200532



London N. Breed
Mayor

Mohammed Nuru
Director

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Determination to recommend the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Public Works Code Section 787.

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 an undeveloped portion of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, and is specifically shown on SUR Map 2019-001, dated January 16, 2019; and

WHEREAS, The Vacation Area as shown on PW SUR Map No. 2019-001 is unnecessary for the City's present or prospective public street, sidewalk, and service easement purposes and that any rights based upon any such public or private utility facilities shall be extinguished automatically upon the effectiveness of the vacation; the summary street vacation is appropriate under Streets and Highways Code Sections 8334 and 8334.5 because: (A) this area is a paper street that constitutes excess right-of-way which is no longer needed for street purposes, (B) the street area has been impassable to vehicular travel for five (5) consecutive years, and (C) there are no in-place functioning utilities in the street segment; the Vacation Area is no longer useful as a nonmotorized transportation under Streets and Highways Code Section 892 facility as there are other such facilities available in close proximity. Based on these factors, the Vacation Area may be summarily vacated in accordance with Streets and Highways Code Sections 8334 and 8334.5; and

WHEREAS, The vacation is being carried out pursuant to San Francisco Public Works Code Section 787; and

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, a draft SUR drawing, and a DPW referral letter to the Department of Technology, San Francisco Municipal Transportation Agency, AT&T, Sprint, Comcast, Level Three, Point to Point, XO-Communications, Verizon, San Francisco Fire Department, San Francisco Water Department, Pacific Gas and Electric ("PG&E"), Bureau of Light, Heat and Power, Bureau of Engineering, and the San Francisco Public Utility Commission ("PUC"). No utility company or agency objected to the proposed vacation, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and

WHEREAS, On April 17, 2018 the Department of City Planning (Case No. 2016-012507GPR) found that the proposed Vacation is on balance in conformity with the General Plan and Planning Code Section 101.1. Said letter states that on February 28, 2018 the Department determined that the Project is Categorically Exempt from Environmental Review under CEQA Guidelines Sections 15301, 15303 and 15304; and

WHEREAS, On October 3, 2016 the San Francisco Fire Department provided notice that they had reviewed and had no objections to the proposed vacation; and

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

WHEREAS, The vacation of the Vacation Area shall not take effect until the successful transfer of the abutting properties from PUC to Recreation and Park Department (RPD); and

WHEREAS, Transferring the Vacation Area to the RPD alongside the abutting parcels will allow RPD to assemble the complete Francisco Park and manage the entire property as a unified whole, which will provide a seamless experience for park users; and

WHEREAS, It is a policy matter for the Board of Supervisors to approve the interdepartmental transfer of the vacated street area from Public Works to the Real Estate Division.

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
2. Vacation Area SUR Map No. 2019-001

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

The Director recommends that the Board of Supervisors approve the interdepartmental property transfer of the Vacation Area from PW to RPD upon the successful transfer of the abutting parcels from PUC to RPD

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.

X

DocuSigned by:

Bruce Storrs

Storrs, Bruce^{97ABC41507B0494...}

City and County Surveyor

X

DocuSigned by:

Mohammed Nuru

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Director