

City and County of San Francisco

San Francisco Public Works



**London N. Breed, Mayor
Mohammed Nuru, Director**

GENERAL - DIRECTOR'S OFFICE

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



Public Works Order No: 201415

Determination to recommend conditionally vacating streets in the Potrero HOPE SF Project site, generally bounded by 25th Street on the north, 26th Street on the south, Wisconsin Street on the west, and Connecticut Street on the east, as part of the Potrero 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 25th Street on the north, 26th Street on the south, Wisconsin Street on the west, and Connecticut Street on the east; and

WHEREAS, On December 10, 2015, by Motion No. 19529, the Planning Commission certified the Final Environmental Impact Report (“FEIR”) for the Potrero HOPE SF Project (Planning Case No. 2010.0515E) 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 December 10, 2015, by Motion No. 19530, the Planning Commission approved CEQA Findings, including adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2010.0515ETZ/GPR, for approval of the Potrero HOPE SF Project; and

WHEREAS, On December 10, 2015, by Motion No. 19531, the Planning Commission adopted findings establishing the Potrero HOPE SF Project, on balance, consistent with the General Plan, and Planning Code, Section 101.1; and

WHEREAS, On December 10, 2015, by adopting Resolution Nos. 19792, 19793, 19794 and 19795, 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 BRIDGE-Potrero Community Associates, LLC, respectively; and

WHEREAS, On January 31, 2017, the Board of Supervisors adopted Ordinance Nos. 13-17, 14-17, 15-17, and 19-17 (File Nos. 161308, 161159, 161160, and 161161) approving General Plan Amendments, Planning Code Text Amendments, Planning Code Map Amendments, and the Development Agreement respectively; and



WHEREAS, 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 Potrero HOPE SF Project, as approved on January 31, 2017. The abovementioned development plan and related approvals are found in Ordinance Nos. 13-17, 14-17, 15-17, and 19-17; 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 Public Works 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 public interest, convenience, and necessity require that the City reserve the following rights:

1. The reservation of rights for pedestrian access to APN 4285B-001 using APN 4285B-002, which will terminate upon merger of the two parcels; and
2. The reservation of access rights for existing PG&E facilities, which will terminate on the earlier of relocation of the facilities, termination of service to customers through the facilities, or City's acceptance of public right of way in the Vacation Area.; and

WHEREAS, Within active streets that remain open, pedestrian access shall be maintained on at least one side where adjacent to an active construction area; 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; 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 Potrero HOPE SF Project; and

WHEREAS, It is a policy matter for the Board of Supervisors to quitclaim the City's interest in the Vacation Area; 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 2019-003
2. Vacation Area SUR Map No. 2019-003, dated June 17, 2019

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

Storrs, Bruce 97ABC41507B0494...
County Surveyor

X DocuSigned by:
Nuru, Mohammed

Nuru, Mohammed 45AB17F474FA...
Director