

1 [Easement Acceptance - Public Sidewalk Easement Along Shipley Street Adjacent to 923
2 Folsom Street]

3 **Resolution accepting a public sidewalk easement on Shipley Street adjacent to the**
4 **development project at 923 Folsom Street; adopting the Public Works Order**
5 **concerning the easement; making findings under the California Environmental Quality**
6 **Act; and adopting findings that the sidewalk easement is consistent with the General**
7 **Plan, and the eight priority policies of Planning Code, Section 101.1.**

8
9 WHEREAS, On September 22, 2017, 923 Folsom Acquisition LLC, a limited liability
10 company, made an irrevocable offer ("Offer") of a public sidewalk easement over its property
11 facing Shipley Street; and

12 WHEREAS, Copies of said Offer and the public sidewalk easement are on file with the
13 Clerk of the Board of Supervisors in File No. 171257 and are incorporated herein by
14 reference; and

15 WHEREAS, In Public Works Order No. 186647 (the "Order"), dated October 31, 2017,
16 the Public Works Director (the "Director") determined and the City Engineer certified that the
17 improvements have been constructed in accordance with all City codes, regulations, and
18 standards, and that they are ready for their intended use; and

19 WHEREAS, In his Order, the Director also recommended that the public interest,
20 convenience, and necessity require that the City obtain a non-exclusive easement for
21 pedestrian passage on, over, under, and within that portion of Shipley Street fronting the
22 development project at 923 Folsom Street and that the Board of Supervisors accept the Offer
23 and the public sidewalk easement; and

24 WHEREAS, A copy of the Director's Order is on file with the Clerk of the Board of
25 Supervisors in File No. 171257 and is incorporated herein by reference; and

1 WHEREAS, The Board adopts the findings of the Director as its own; and

2 WHEREAS, On July 24, 2014, the Planning Commission in Motion No. 19205
3 (Planning Case No. 2012.1333X), authorized a Large Project Authorization for 923 Folsom
4 Street (subject to conditions of approval and a mitigation monitoring and reporting program),
5 and incorporated its prior findings under the California Environmental Quality Act for the
6 Eastern Neighborhoods Plan (Motion No. 17661) and determined that no further
7 environmental review was required; and

8 WHEREAS, This Board has reviewed the Eastern Neighborhoods Area Plan Final
9 Environmental Impact Report, and Planning Motion No. 19205 is on file with the Clerk of the
10 Board of Supervisors in File No. 171257 and the CEQA findings contained in Planning Motion
11 No. 19205 are incorporated herein by reference; now, therefore, be it

12 RESOLVED, The Board of Supervisors has reviewed and approves Order No. 186647,
13 dated October 31, 2017, which includes the City Engineer's certification and Director's
14 recommendation concerning the acceptance of the Offer and public sidewalk easement; and,
15 be it

16 FURTHER RESOLVED, The Board of Supervisors adopts as its own the Planning
17 Commission environmental findings and the General Plan, and Planning Code, Section 101.1
18 consistency findings for the reasons set forth in the Planning Commission Motion No. 19205;
19 and, be it

20 FURTHER RESOLVED, The Board of Supervisors accepts the Offer and public
21 sidewalk easement from 923 Folsom Acquisition LLC; and, be it

22 FURTHER RESOLVED, The Board of Supervisors hereby delegates authority to the
23 Director of Property to execute the public sidewalk easement, and to enter into any
24 amendments or modifications to the easement that the Director of Property, in consultation
25 with the City Attorney and the Director, determines are necessary or advisable to effectuate

1 the purposes of the public sidewalk easement or this Resolution, and are in compliance with
2 all applicable laws; and, be it

3 FURTHER RESOLVED, That within thirty (30) days of the agreement being fully
4 executed by all parties, the Real Estate Division shall provide the agreement to the Clerk of
5 the Board for inclusion into the official file.

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City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 171257

Date Passed: April 10, 2018

Resolution accepting a public sidewalk easement on Shipley Street adjacent to the development project at 923 Folsom Street; adopting the Public Works Order concerning the easement; making findings under the California Environmental Quality Act; and adopting findings that the sidewalk easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

April 02, 2018 Land Use and Transportation Committee - RECOMMENDED

April 10, 2018 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 171257

I hereby certify that the foregoing Resolution was ADOPTED on 4/10/2018 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mark E. Farrell
Mayor

Date Approved