

1 [Street Encroachment at 365 Main Street.]

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3 **Resolution granting revocable permission to Harrison 160, LLC, for a street**  
4 **encroachment comprised of two (2) existing previously installed vaults that encroach**  
5 **into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008)**  
6 **and making environmental findings and findings of consistency with the General Plan**  
7 **and the priority policies of Planning Code Section 101.1.**

8 WHEREAS, Pursuant to Public Works Code Section 786, Harrison 160 LLC, requested  
9 permission to occupy a portion of the public sidewalk right-of-way for two (2) existing  
10 previously installed vaults, as shown on a plan a copy of which is on file with the Clerk of the  
11 Board of Supervisors in File No. 051948 ; and,

12 WHEREAS, The Planning Department, by letter dated January 5, 2005, made a  
13 determination under the California Environmental Quality Act (California Public Resources  
14 Code Sections 21000 et seq.) and declared that the proposed encroachment is in conformity  
15 with the General Plan and with the priority policies of Planning Code Section 101.1. A copy of  
16 said letter is on file with the Clerk of the Board of Supervisors in File No. 051948 , and is  
17 incorporated herein by reference; and,

18 WHEREAS, After a duly noticed public hearing on February 16, 2005, the Department  
19 of Public Works recommended approval of the proposed street encroachment; and,

20 WHEREAS, The permit and associated encroachment agreement, copies of which are  
21 on file with the Clerk of the Board of Supervisors in File No. 051948 and are incorporated  
22 herein by reference, shall not become effective until:

23 (a) The Permittee executes and acknowledges the permit and delivers said permit to  
24 the City's Controller;

1 (b) Permittee delivers to the City Controller a policy of insurance provided for in said  
2 agreement and the Controller shall have had approved the same as complying with the  
3 requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said  
4 insurance policy, the certificate of an insurance company certifying to the existence of such a  
5 policy; and,

6 (c) The City Controller records the permit and associated agreement in the office of the  
7 County Recorder; and,

8 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a  
9 result of this permit, shall make the following arrangements:

10 (a) To provide for the support and protection of facilities belonging to the Department of  
11 Public Works, San Francisco Public Utilities Commission, San Francisco Fire Department,  
12 and other City Departments, and public utility companies; and

13 (b) To provide access to such facilities for the purpose of constructing, reconstructing,  
14 maintaining, operating, or repairing such facilities; and,

15 WHEREAS, The Permittee shall procure the necessary permits from the Central Permit  
16 Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping,  
17 Department of Public Works, pay the necessary permit fees and inspection fees before  
18 starting work, and pay the annual right-of-way occupancy assessment fee of \$1,500 as  
19 adjusted annually per section 786.7 of the Public Works Code and,

20 WHEREAS, No structure shall be erected or constructed within said street right-of-way  
21 except as specifically permitted herein; and,

22 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the  
23 encroachments and no cost or obligation of any kind shall accrue to the City and County of  
24 San Francisco by reason of this permission granted; now, therefore be it  
25

1 RESOLVED, That pursuant to Public Works Code Section 786, the Board of  
2 Supervisors hereby grants permission, subject to the conditions set forth herein and revocable  
3 at the will of the Director of the Department of Public Works, to Harrison 160, LLC, to occupy  
4 a portion of the public sidewalk right-of-way with an encroachment comprised of two (2)  
5 existing previously installed vaults located at 365 Main Street (Block 3745, Lot 008); and, be it

6 FURTHER RESOLVED, That this Board adopts the Planning Department's  
7 environmental findings and findings of consistency with the General Plan and the priority  
8 policies of Planning Code Section 101.1.

9  
10 RECOMMENDED:

11   
12 \_\_\_\_\_

13 Robert P. Beck  
14 Deputy Director for Engineering

10 APPROVED:

11   
12 \_\_\_\_\_

13 for Edwin M. Lee  
14 Director of Public Works



# City and County of San Francisco

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

## Tails Resolution

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**File Number:** 051948

**Date Passed:**

Resolution granting revocable permission to Harrison 160, LLC, for a street encroachment comprised of two (2) existing previously installed vaults that encroach into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008) and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

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January 17, 2006 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

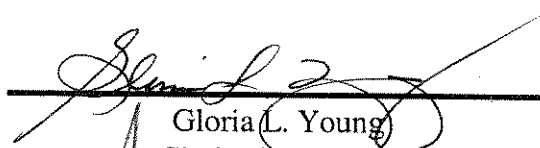
Excused: 1 - Ammiano

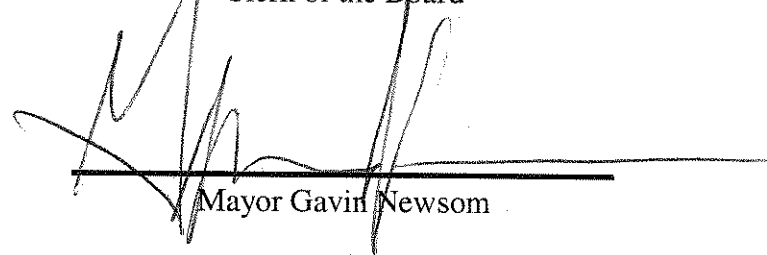
File No. 051948

I hereby certify that the foregoing Resolution was ADOPTED on January 17, 2006 by the Board of Supervisors of the City and County of San Francisco.

1/23/06

Date Approved

  
Gloria L. Young  
Clerk of the Board

  
Mayor Gavin Newsom