FILE NO. 220237

[Acceptance and Recording of Avigation Easement - Gabriel Gonzalez Jr. - 297 Alta Vista Drive, South San Francisco]

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from Gabriel Gonzalez Jr. for the development at 297 Alta Vista Drive in South San Francisco, California, at no cost to the City and County of San Francisco; and affirming the Planning Department’s determination under the California Environmental Quality Act.

WHEREAS, Gabriel Gonzalez Jr. ("Grantor"), owns a 0.92-acre parcel located at 297 Alta Vista Drive in unincorporated South San Francisco, California, that Grantor proposes construction of an additional 9,428 square-foot single family residential structure within the existing lot (the "Development"); and

WHEREAS, The San Francisco International Airport (the "Airport") is required by the State of California Noise Standards for Airports (Title 21, California Code of Regulations) to eliminate incompatible land uses within its noise impact area; and

WHEREAS, The Airport can eliminate incompatibility under Title 21 by acquiring avigation easements; and

WHEREAS, The California Public Utilities Code provides for the adoption of airport land use compatibility plans to safeguard the general welfare of the inhabitants within the vicinity of airports and the public in general; and

WHEREAS, The City/County Association of Governments of San Mateo County adopted the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (the "ALUCP"); and

WHEREAS, The ALUCP requires, as a condition of approving the Development, that the Grantor grant the City and County of San Francisco, at no cost to City and County of San
Francisco, an avigation easement, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 220237; and

WHEREAS, On January 8, 2022, the Airport Commission by Resolution No. 22-0009, a copy of which is on file with the Clerk of the Board of Supervisors under File No. 220237 and incorporated by reference, authorized the Airport to request the Board of Supervisors approval to accept and record the grant of avigation easement; and

WHEREAS, The Director of Planning, by letter dated February 1, 2022, which is on file with the Board of Supervisors under File No. 220237 and incorporated by reference, found that the acquisition of the avigation easement is consistent with the General Plan, and with the eight priority policies of Planning Code, Section 101.1; and

WHEREAS, The Planning Department has determined that the actions contemplated in this Resolution comply with the California Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.); said determination is on file with the Clerk of the Board of Supervisors in File No. 220237 and is incorporated herein by reference; the Board affirms this determination; now, therefore, be it

RESOLVED, That in accordance with the recommendations of the Airport Commission and the Director of Property, the Board of Supervisors approves and authorizes the Director of Property to accept the grant of avigation easement; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any additions, amendments, or other modifications to the grant of avigation easement that the Director of Property determines, in consultation with the Office of the City Attorney, are in the best interest of the City, do not materially increase the obligations or liabilities of the City, and are necessary and advisable to complete the transaction and effectuate the purpose and intent of this Resolution, such determination to be conclusively
evidenced by the execution and delivery by the Director of Property of the grant of avigation
easement and any amendments; and, be it

FURTHER RESOLVED, That the Director of Property is authorized, in the name and
on behalf of the City and County, to accept the grant of avigation easement from the Grantor
and to take any and all steps (including, but not limited to, the execution and delivery of any
and all certificates, agreements, notices, escrow instructions, closing documents, and other
instruments or documents) as the Director of Property deems necessary or appropriate in
order to accept the grant of avigation easement, or to otherwise effectuate the purpose and
intent of this Resolution, such determination to be conclusively evidenced by the execution
and delivery by the Director of Property of any such documents; and, be it

FURTHER RESOLVED, That within thirty (30) days of the grant of avigation easement
being fully executed by all parties, the Director of Property shall provide a copy of the grant of
avigation easement to the Clerk of the Board for inclusion in the official file.

RECOMMENDED:

/s/
Ivar C. Satero
Airport Director

/s/
Andrico Penick
Director of Property
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April 04, 2022 Land Use and Transportation Committee - RECOMMENDED

April 12, 2022 Board of Supervisors - ADOPTED
   Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai and Walton
   Excused: 1 - Stefani

I hereby certify that the foregoing Resolution was ADOPTED on 4/12/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

4/22/22
Date Approved