

FILE NO. 000324

RESOLUTION NO. 233-00

1 [ACCEPTING GIFT OF DOG HEAD SIGN AND APPROVING EASEMENT]  
 2 ACCEPTING GIFT OF DOG HEAD SIGN LOCATED AT 2750 SLOAT BOULEVARD, SAN  
 3 FRANCISCO, CALIFORNIA; APPROVING EASEMENT AGREEMENT IN WHICH SLOAT  
 4 GARDEN CENTER GRANTS THE CITY AND COUNTY OF SAN FRANCISCO A NON-  
 5 EXCLUSIVE EASEMENT OVER PROPERTY UPON WHICH THE DOG HEAD SIGN IS  
 6 LOCATED FOR A TERM UP TO JANUARY 1, 2005; AND AGREEING TO MAINTAIN AND  
 7 RELOCATE THE DOG HEAD SIGN IN SAN FRANCISCO'S OCEAN BEACH  
 8 NEIGHBORHOOD.

9  
 10 WHEREAS, On July 7, 1999, the San Francisco Landmarks Preservation Advisory  
 11 Board ("Landmarks Board") in Resolution No. 515, recommended landmark designation of  
 12 the dog head sign (the "Sign") and adjacent restaurant building located at 2750 Sloat  
 13 Boulevard, San Francisco, California; and,

14 WHEREAS, On November 4, 1999, the San Francisco Planning Commission in  
 15 Resolution No. 14915, disapproved landmark designation of the Sign and adjacent restaurant  
 16 building; and

17 WHEREAS, On November 4, 1999, Ocean Beach Historical Society, filed an appeal  
 18 with the Board of Supervisors of the Planning Commission's disapproval of landmark  
 19 designation of the Sign and adjacent restaurant building; and

20 WHEREAS, On November 17, 1999, the Landmarks Board filed an appeal with the  
 21 Board of Supervisors of the Planning Commission's disapproval of landmark designation of  
 22 the Sign; and

23 WHEREAS, On February 22, 2000, after a full public hearing, the Board of Supervisors  
 24 voted to deny the appeal of the Landmarks Board; and

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SUPERVISOR ALICIA BECERRIL, AMOS BROWN  
 BOARD OF SUPERVISORS

1           WHEREAS, On February 28, 2000, the Board of Supervisors voted to deny the appeal  
2 of the Ocean Beach Historical Society; and

3           WHEREAS, The Board of Supervisors recognizes that although the Sign does not  
4 merit designation as a landmark under the Article 10 of the San Francisco Planning Code,  
5 the Sign is nonetheless worthy of protection because of its social and cultural significance in  
6 the City and County of San Francisco ("City"), particularly in the Ocean Beach neighborhood  
7 where the Sign is currently located; and

8           WHEREAS, Sloat Garden Center, the owner of the Sign and the property located at  
9 2750 Sloat Boulevard, has offered to give the City the Sign and to grant the City a non-  
10 exclusive easement over the property on which the Sign is currently located, for a term up to  
11 and including January 1, 2005; now, therefore, be it

12           RESOLVED, That the Board of Supervisors shall accept with gratitude the  
13 unconditional gift of the Sign from Sloat Garden Center as provided in the accompanying Gift  
14 Deed and Easement Agreement, the terms of which Sloat Garden Center has agreed upon,  
15 and copies of which are on file with the Clerk of the Board of Supervisors, in File No. 000324;  
16 and, be it

17           FURTHER RESOLVED, That the Board of Supervisors approves the accompanying  
18 Easement Agreement, in which Sloat Garden Center grants the City and easement over the  
19 property on which the Sign is currently located up to January 1, 2005, subject to earlier  
20 termination as provided in the Easement Agreement; and, be it

21           FURTHER RESOLVED, That following the City Attorney's review and approval of the  
22 termination provisions of Sloat Garden Center's lease to Mr. Silver Ballasteros and any  
23 consent or subordination agreement determined to be necessary by Mark Primeau, Director,  
24 Department of Public Works, the Board of Supervisors authorizes Mark Primeau, to execute  
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BOARD OF SUPERVISORS

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1 the Easement Agreement, the Gift Deed and any such consent or subordination agreement  
2 on behalf of the City; and, be it

3 FURTHER RESOLVED, That the City shall move the Sign from its current location  
4 according to the terms of the Easement Agreement, and the following additional terms:

5 a. The City, after timely consulting with the President of the Landmarks Board, shall  
6 determine the new location for the Sign;

7 b. The City shall use its best efforts to relocate the Sign to a public site in the City  
8 where the Sign will be (i) visible from its current location; (ii) within a two (2) block radius of its  
9 current location; and (iii) along sight lines to the Great Highway, the ocean, and the Sign's  
10 original location;

11 c. The City shall maintain the Sign in the Ocean Beach neighborhood as provided in  
12 the Easement Agreement, and shall use its best efforts to avoid placing the Sign in storage;  
13 and, be it

14 FURTHER RESOLVED, That the Board of Supervisors urges the San Francisco  
15 Department of Public Works to take immediate possession of the Sign, and to relocate the  
16 Sign on City property as provided above and in accordance with the terms of the Easement  
17 Agreement; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors urges the Department of Public  
19 Works to consult with the San Francisco Department of Real Estate and the San Francisco  
20 Planning Department in connection with any relocation of the Sign; and, be it

21 FURTHER RESOLVED, That the City shall maintain the Sign as provided in the  
22 Easement Agreement; and, be it

23 FURTHER RESOLVED, That the City shall accept any donations of services, labor,  
24 and materials from Painters and Tapers Local Union No. 4 and sign contractor John Law for  
25 maintenance and/or restoration of the Sign and pole supporting the Sign; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors declares its intention to  
2 designate any funds necessary for the maintenance and/or restoration of the Sign to the  
3 Department of Public Works, and any other appropriate City departments on an annual basis;  
4 and, be it

5 FURTHER RESOLVED, That upon final determination of a relocation site for the Sign,  
6 the City will pay any costs associated with relocation of the Sign that are not paid by Sloat  
7 Garden Center; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors urges the Department of Public  
9 Works to place on the base of the Sign a commemorative plaque in consultation with the  
10 President of the Landmarks Board; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors acknowledges the Landmarks  
12 Board, Ocean Beach Historical Society, Sloat Garden Center, Painters and Tapers Local  
13 Union No. 4, and sign contractor John Law in their efforts to protect the Sign.

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SUPERVISOR ALICIA BECERRIL  
BOARD OF SUPERVISORS



# 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:** 000324

**Date Passed:**

Resolution accepting gift of dog head sign located at 2750 Sloat Boulevard, San Francisco, California; approving easement agreement in which Sloat Garden Center grants the City and County of San Francisco a non-exclusive easement over property upon which the dog head sign is located for a term up to January 1, 2005; and agreeing to maintain and relocate the dog head sign in San Francisco's Ocean Beach neighborhood.

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February 28, 2000 Board of Supervisors — SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA

February 28, 2000 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

February 28, 2000 Board of Supervisors — REFERRED: Audit and Government Efficiency Committee

March 20, 2000 Board of Supervisors — ADOPTED


Ayes: 8 - Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Bierman

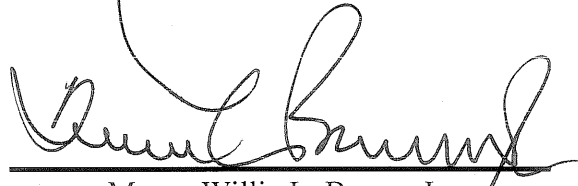
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I hereby certify that the foregoing Resolution was ADOPTED on March 20, 2000 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

MAR 31 2000

\_\_\_\_\_  
Date Approved

  
\_\_\_\_\_  
Mayor Willie L. Brown Jr.