

File No. 160499

Committee Item No. 1

Board Item No. 5

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date June 27, 2016

Board of Supervisors Meeting

Date July 19, 2016

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 700 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vacancy Notice |
| <input type="checkbox"/> | <input type="checkbox"/> | Information Sheet |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Recreation Park Commission Resolutions 1511-09, 1502-012</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DPW Order No. 164839</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>SVR Map 2016-003</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>General Plan Referral, dtd 10/27/15</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Notice of Public Hearing</u> |

Completed by: Alisa Somera Date June 23, 2016

Completed by: Alisa Somera Date July 1, 2016

1 [Summary Street Vacation - Greenwich Street - Pioneer Park Improvements]

2
3 **Ordinance ordering the summary street vacation of a portion of Greenwich Street**
4 **adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to**
5 **the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west,**
6 **and Montgomery Street to the east, as part of improvements to Pioneer Park;**
7 **approving an interdepartmental transfer of the vacation area from Public Works to the**
8 **Recreation and Park Department; affirming the Planning Department's determination**
9 **under the California Environmental Quality Act; adopting findings that the actions**
10 **contemplated in this Ordinance are consistent with the General Plan, and the eight**
11 **priority policies of Planning Code, Section 101.1; and authorizing official acts in**
12 **connection with this Ordinance.**

13 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
14 **Additions to Codes** are in *single-underline italics Times New Roman font*.
15 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
16 **Board amendment additions** are in double-underlined Arial font.
17 **Board amendment deletions** are in ~~strikethrough Arial font~~.
18 **Asterisks (* * * *)** indicate the omission of unchanged Code
19 subsections or parts of tables.

18 Be it ordained by the People of the City and County of San Francisco:

19
20 Section 1. Findings.

21 (a) California Streets and Highways Code Sections 8300 et seq. and San Francisco
22 Public Works Code Section 787(a) establish the process for the Board of Supervisors to
23 vacate a street, highway, or public easement. Streets and Highways Code Sections 8334 and
24 8334.5 provide that the legislative body of a local agency may summarily vacate an excess
25 right-of-way of a street under certain circumstances. The actions contemplated in this

1 ordinance are being taken in accordance with the Streets and Highways Code Sections 8300
2 et seq. and Public Works Code Section 787(a).

3 (b) The location and extent of the area on Greenwich Street to be vacated is generally
4 bounded by Assessor's Block 0079 to the north, Assessor's Block 0086 to the south, Kearny
5 Street to the west, and Montgomery Street to the east. This area more particularly shown on
6 the Public Works ("PW") SUR Map No. 2016-003, dated April 28, 2016 (the "Vacation Area").
7 A copy of this map is on file with the Clerk of the Board of Supervisors in File No. 160499 and
8 is incorporated herein by reference.

9 (c) The Vacation Area is within Pioneer Park. It is an undeveloped portion of
10 Greenwich Street, which is primarily used for vehicular parking and adjacent to Coit Tower.
11 The Vacation Area is not necessary for street purposes as (1) all properties that abut the
12 Vacation Area are owned by the City and County of San Francisco and under the jurisdiction
13 of the Recreation and Park Department ("RPD") on behalf of, (2) the Vacation Area does not
14 continue through Pioneer Park or end touching the property of another, and therefore, is a
15 dead end, and (3) Pioneer Park is served by another roadway, so the Vacation Area is excess
16 right-of-way. There are no in-place functioning utilities that will be affected by the street
17 vacation, and therefore, the Vacation Area qualifies for summary street vacation under Streets
18 and Highways Code Section 8334.5. Based on these factors, the Vacation Area may be
19 summarily vacated in accordance with Streets and Highways Code Sections 8334 and
20 8334.5.

21 (d) The vacation of the Vacation Area and proposed interdepartmental transfer of the
22 Vacation Area from PW to RPD would allow improvements in Pioneer Park to provide for the
23 sale of food and beverages to members of the public that visit Coit Tower and Pioneer Park.

24 (e) In PW Order No.184839, dated April 29, 2016, the Director of Public Works (the
25 "PW Director") determined (1) the Vacation Area may be summarily vacated based on the

1 factors identified in subsection (c) above and the other findings set forth below: (2) the
2 Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, and
3 service easement purposes; (3) there are no in-place functioning public or private utilities that
4 will be affected by the vacation of the Vacation Area, based on the absence of any objections
5 from any utility company or entity to the street vacation; (4) the public interest, convenience,
6 and necessity do not require any easements or other rights be reserved for any public or
7 private utility facilities that may be in place in the Vacation Area; and (5) any rights based
8 upon any such public or private utility facilities referenced in subsections (e)(3) and (e)(4) shall
9 be extinguished automatically upon the effectiveness of the vacation.

10 (f) Pursuant to California Streets and Highways Code Section 892, the PW Director in
11 PW Order No. 184839 also has found that the Vacation Area is currently not necessary for
12 non-motorized transportation, as there are numerous other streets in the immediate area
13 available for such transportation and those members of the public availing themselves of non-
14 motorized transportation will not be inconvenienced by the street vacation. Further, the PW
15 Director has found that the public convenience, necessity, and welfare would be enhanced by
16 the proposed improvements to Pioneer Park. The PW Director has determined that it is a
17 policy matter for the Board of Supervisors to approve the interdepartmental property transfer
18 of the Vacation Area from PW to RPD.

19 (g) The recommendations of the PW Director concerning vacation of the Vacation
20 Area are set forth in PW Order No. 184839, a copy of which is on file with the Clerk of the
21 Board of Supervisors in File No. 160499 and is incorporated herein by reference. The Board
22 of Supervisors hereby adopts these recommendations and findings as its own.

23 (h) In a letter dated October 27, 2015 (the "Planning letter"), the Planning Department
24 determined that the actions contemplated in this ordinance comply with the California
25 Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). The

1 Board hereby affirms this determination. A copy of said letter is on file with the Clerk of the
2 Board of Supervisors in File No. 160499 and is incorporated herein by reference.

3 (i) In the Planning Letter, the Planning Department also determined that the proposed
4 vacation of the Vacation Area and other actions contemplated herein are consistent with the
5 General Plan and the priority policies of Planning Code Section 101.1. The Board of
6 Supervisors hereby adopts as its own the findings in the Planning Letter.

7 (j) The Clerk of the Board published and PW posted notice of a public hearing on the
8 street vacation action that is the subject of this ordinance. The public hearing was held on
9 July 27, 2016. Evidence of this public notice is on file with the Clerk of the Board of
10 Supervisors in File No. 160499.

11
12 Section 2. Vacation

13 (a) The Board of Supervisors finds that the Vacation Area is unnecessary for present
14 or prospective public use.

15 (b) The Board of Supervisors further finds that the public interest and convenience
16 support the decision to undertake the street vacation as set forth in this ordinance.

17 (c) The Vacation Area, as shown on SUR Map No. 2016-003, is hereby ordered
18 summarily vacated pursuant to California Street and Highways Code Sections 8300 et seq.,
19 including in particular Sections 8334 and 8334.5, and San Francisco Public Works Code
20 Section 787(a).

21 (d) Pursuant to California Streets and Highways Code Sections 8340 and 8341, the
22 Board of Supervisors reserves and excepts from the vacation a future easement for street and
23 roadway purposes, which shall be operative upon the occurrence of either of the following
24 events: (1) removal, for any reason, of a food and/or beverage kiosk from the Vacation Area
25 subject to a new or amended lease or license with the Recreation and Park Department on or

1 after the effective date of this ordinance; or (2) termination of a new or amended lease or
2 license with the Recreation and Park Department on or after the effective date of this
3 ordinance to operate and/or maintain the use of the kiosk for purposes of selling food and/or
4 beverages and abandonment of that use for a period of one year, provided that if the
5 Recreation and Park Department is in the process of a Request for Proposals process for a
6 new operator of the kiosk, then that period shall extend in one year increments until there is
7 no longer an open Request for Proposal. For purposes of Subsection (d)(2), abandonment
8 shall mean that the kiosk has not been in continuous and uninterrupted use for one year.
9

10 Section 3. Interdepartmental Property Transfer from Public Works to Recreation and
11 Park Department.

12 Notwithstanding the requirements of Administrative Code Chapter 23, the Board of
13 Supervisors hereby approves the interdepartmental property transfer of the Vacation Area
14 from PW to RPD upon the effective date of this ordinance and directs the Real Estate Division
15 Director to modify the City's records concerning City property ownership accordingly.
16

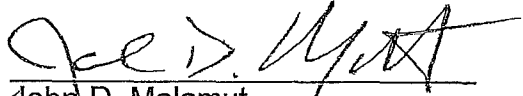
17 Section 4. Official Acts in Connection with this Legislation.

18 (a) The Board of Supervisors hereby authorizes and directs the Mayor, Clerk of the
19 Board, PW Director, County Surveyor, and the Real Estate Division Director to take any and
20 all actions which they or the City Attorney may deem necessary or advisable in order to
21 effectuate the purpose and intent of this ordinance (including, without limitation, the filing of
22 this ordinance in the Official Records of the City and County of San Francisco and
23 modification of the City's property ownership designation in accordance with the
24 interdepartmental property transfer).
25

1 (b) Upon the effective date of the vacation of the Vacation Area, this ordinance shall
2 be recorded.

3
4 Section 4. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor's veto of the ordinance.

8
9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

11 By: 
12 John D. Malamut
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST
(6/27/2016, Amended in Committee)

[Summary Street Vacation - Greenwich Street - Pioneer Park Improvements]

Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

Existing Law

San Francisco Public Works Code Section 787 and California Streets and Highways Code Sections 8300 et seq. establish the process and procedures that the City follows to vacate streets and public service easements. California Street and Highways Code Sections 8334 and 8334.5 permit the summary vacation of a public street or public service easement if certain conditions are satisfied. A summary street vacation allows for in a more expeditious legislative process than a standard street vacation. California Street and Highways Code Sections 8340 and 8341 allow the City to reserve a future easement for street purposes under which the street vacation area would revert to its prior street use status.

Amendments to Current Law

This legislation would summarily vacate a portion of Greenwich Street as part of improvements to Pioneer Park and adjacent to Coit Tower. The ordinance would approve an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department. As specified in the legislation, the ordinance also would reserve a future easement for street and roadway purposes upon the occurrence of certain events related to a food and/or beverage kiosk proposed to be located on the street vacation area. The legislation would adopt findings under the California Environmental Quality Act and findings that the legislative actions are consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

Background Information

FILE NO. 160499

The street vacation and proposed interdepartmental transfer of the vacated area from Public Works to the Recreation and Park Department would allow improvements in Pioneer Park to provide for the sale of food and beverages to members of the public that visit Coit Tower and Pioneer Park.

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RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution No. 1511-009

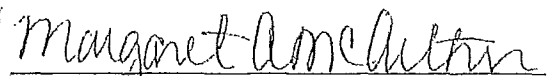
COIT TOWER - LEASE EXTENSION

RESOLVED, That this Commission does approve an amendment to the lease between the City and Coit Tower LLC for operation of the Coit Tower elevator and bookstore operations to, among other things; 1) provide for a credit against rent for additional staff to provide enhanced mural protection, visitor engagement and visitor education regarding the building and the murals; 2) allow the lessee to construct and operate a small refreshment kiosk for the purposes of selling light food and beverage offerings; 3) provide for a credit against rent until the earlier of the date a food and beverage concession is implemented or July 31, 2016; 4) amend the definition of gross receipts to exclude lessee's credit card service fee attributable to elevator ticket sales; and 5) allow the lessee to implement a service charge for online elevator ticket sales. The action on this lease is an approval action under Chapter 31 of the City's Administrative Code and that the lease amendment has been reviewed and granted a categorical exemption.

Adopted by the following vote:

Ayes	6
Noes	0
Absent	0

I hereby certify that the foregoing resolution
was adopted at the Recreation and Park
Commission meeting held on November 19, 2015


Margaret A. McArthur, Commission Liaison

RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution No. 1502-012

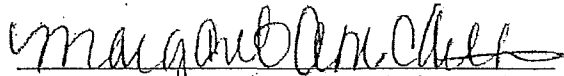
COIT TOWER FOOD KIOSK

RESOLVED, That this Commission does endorse the location of the west side of the parking lot north of Coit Tower for the purposes of commencing environmental review and directing staff to take all necessary steps to obtain any required approvals for such a kiosk after completion of any required environmental review.

Adopted by the following vote:

Ayes	6
Noes	0
Absent	1

I hereby certify that the foregoing resolution
was adopted at the Recreation and Park
Commission meeting held on February 19, 2015


Margaret A. McArthur, Commission Liaison



Office of the City and County Surveyor
1155 Market Street, 3rd Floor
San Francisco, Ca 94103
(415) 554-5827 ■ www.sfdpw.org



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

DPW Order No: 184839

Determination to recommend the summary vacation of a portion of Greenwich Street, generally bounded by Assessor's Block 0079 to the north, Assessor's Block 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Public Works Code Section 787.

WHEREAS, Most public streets and sidewalks are owned by the City and County of San Francisco as a public right-of-way; and

WHEREAS, Greenwich Street, generally bounded by Assessor's Block 0079 to the north, Assessor's Block 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, the area to be vacated ("the Vacation Area"), is specifically shown on SUR Map 2016-003, dated April 28, 2016; and

WHEREAS, The Vacation Area is within Pioneer Park, and is an undeveloped portion of Greenwich Street, which is primarily used for vehicular parking and adjacent to Coit Tower. The Vacation Area is not necessary for street purposes as (1) all properties that abut the Vacation Area are owned by the San Francisco Recreation and Park Department ("RPD") on behalf of the City and County of San Francisco, (2) the Vacation Area does not continue through Pioneer Park or end touching the property of another, and therefore, is a dead end, and (3) Pioneer Park is served by another roadway, so the Vacation Area is excess right-of-way. In addition, there are no in-place functioning utilities that will be affected by the street vacation. Based on these factors, the Vacation Area may be summarily vacated in accordance with Streets and Highways Code Sections 8334 and 8334.5.

WHEREAS, On October 27, 2015 the Department of City Planning (Case No. 2015:011384GPR) found that the proposed Vacation is on balance in conformity with the General Plan and Planning Code Section 101.1, and the under the California Environmental Quality Act.

WHEREAS, Pursuant to the California Streets and Highway Code, the Department of 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 DPW 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 utility company or agency objected to the proposed vacation, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and

WHEREAS, In correspondence from the PUC dated September 25, 2015, the PUC raised no objections to the street vacation and recommended its approval; and

WHEREAS, The public interest, convenience, and necessity require that no other easements or other rights should be reserved by City for any public or private utilities or facilities that may be in place in the Vacation Area and that any rights based upon any such public or private utilities or facilities are unnecessary and should be extinguished; and

WHEREAS, Pursuant to the Streets and Highways Code Section 892, the Department determines that the Vacation Area is unnecessary for non-motorized transportation as there are multiple streets surrounding that Vacation Area that remain available for such transportation and those members of the public availing themselves of non-motorized transportation will not be inconvenienced by the proposed street vacation; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

1. The vacation is being carried out pursuant to the California Streets and Highways Code Sections 8300 et seq.
2. The vacation is being carried out pursuant to San Francisco Public Works Code Section 787.
3. The street can be summarily vacated under Streets and Highway Code Sections 8334 and 8334.5 because it meets the criteria for excess right-of-way and the other factors necessary for a summary street vacation as described in the above findings.
4. The Vacation Area to be vacated is shown on the SUR Map No. 2016-003.
5. The Vacation Area is within Pioneer Park, and is an undeveloped portion of Greenwich Street that has not been used as a street for many years.
6. There will be no physical public or private utilities affected by the vacation of the Vacation Area, based on the absence of any objections from any utility company and the public interest, convenience, and necessity do not require any easements or other rights be reserved for any public or private utility facilities that are in place in the Vacation Area and that any rights based upon any such public or private utility facilities shall be extinguished automatically upon the effectiveness of the vacation
7. The Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, or public service easement purposes.
8. Pursuant to the Streets and Highways Code Section 892, the Vacation Area is not useful as a non-motorized transportation facility for the reasons set forth herein.



9. The public interest, convenience and necessity require that, no easements or other rights be reserved for any public or private utilities or facilities that are in place in such vacation area and that any rights based upon any such public or private utilities or facilities may be extinguished.

10. It is a policy matter for the Board of Supervisors to approve the interdepartmental transfer of the vacated street area from PW to the Recreation and Park Department.

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
2. Vacation Area SUR Map No. 2016-003
3. Street vacation description (Exhibit A).
4. Street vacation Plat (Exhibit B).

The Director recommends that the Board of Supervisors move forward with the legislation to vacate said Vacation Area.

The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation. 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 in order to effectuate the purpose and intent of this Ordinance.

4/29/2016

4/29/2016

X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor
Signed by: Storrs, Bruce

X Mohammed Nuru

Nuru, Mohammed
Director
Signed by: Nuru, Mohammed



EXHIBIT "A"

EXISTING PARCEL DESCRIPTIONS

Greenwich Street Vacation

All that real property situated in the City and County of San Francisco, State of California, described as follows:

BEGINNING at a point on the southerly line of Greenwich Street (68.75 feet wide) from which the intersection of the easterly line of Kearny Street (45.42 feet wide) and the southerly line of said Greenwich Street bears North 69°26'22" East 53.00 distant;

thence leaving the line of said Greenwich Street, North 20°33'38" West 14.00 feet;

thence North 24°59'27" East 3.78' feet more or less to a point on the westerly line of Telegraph Hill Boulevard;

thence southeasterly along the line of said Boulevard on a non-tangent curve concave to the northeast and having a radius of 73.65 feet, the center of said arc bears North 24°59'27" East, through a central angle of a 22°50'04" for an arc distance of 29.36 feet to a point on said southwesterly line of Greenwich Street;

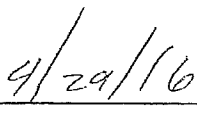
thence leaving said Boulevard and along last said street line South 69°26'22" West 26.55 feet to the **POINT OF BEGINNING**.

Containing an area of 206 Square Feet, more or less.

These real property descriptions have been prepared by me, or under my direction in conformance with the Land Surveyors Act.

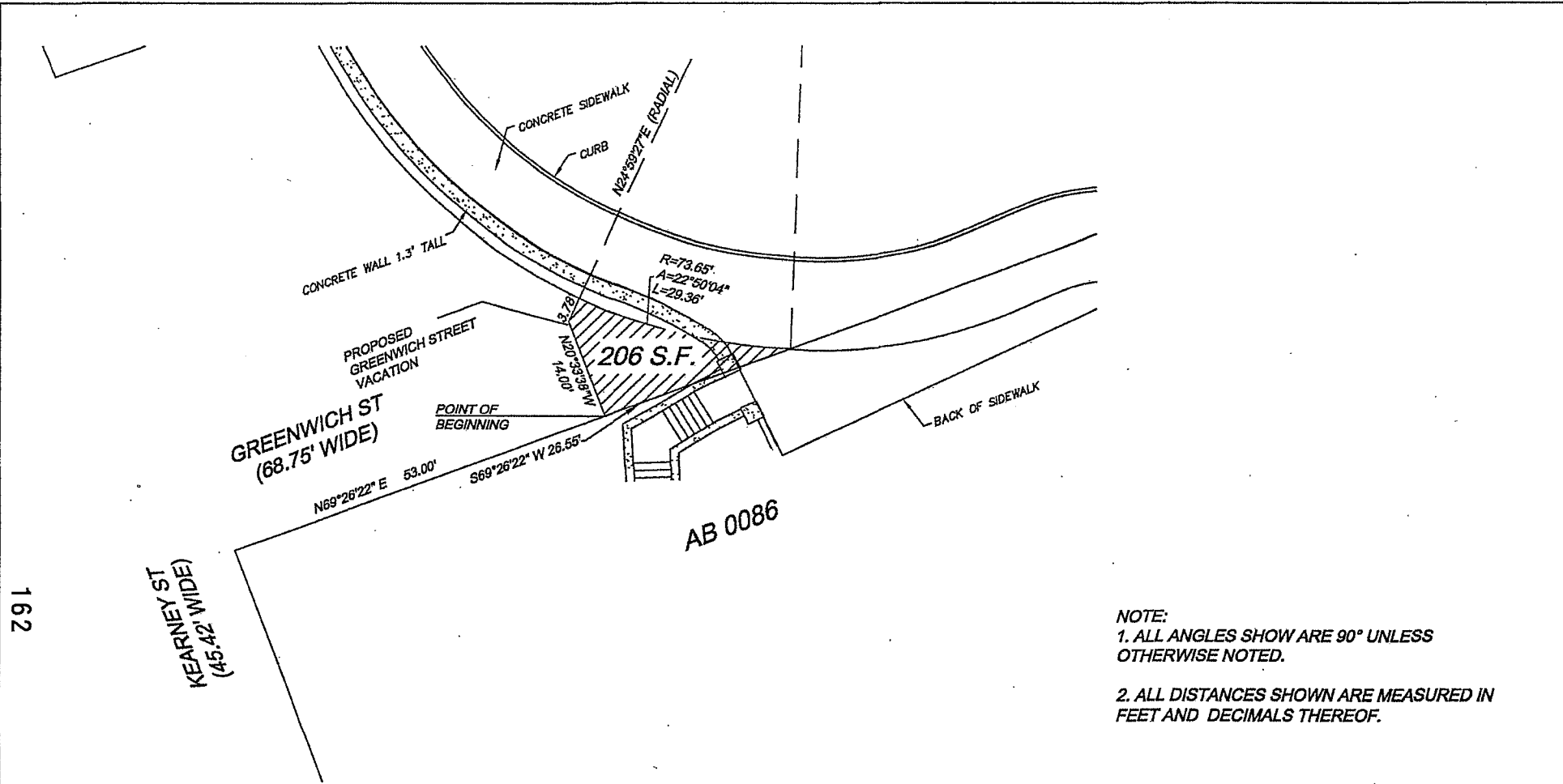


Bruce R. Storrs, PLS 6914



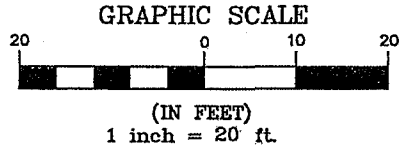
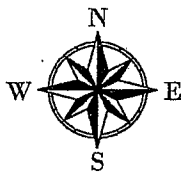
Date





NOTE:
 1. ALL ANGLES SHOWN ARE 90° UNLESS OTHERWISE NOTED.
 2. ALL DISTANCES SHOWN ARE MEASURED IN FEET AND DECIMALS THEREOF.

LEGEND:
 S.F. SQUARE FEET



GREENWICH STREET VACATION

**EXHIBIT B
 PLAN TO ACCOMPANY LEGAL DESCRIPTION 'A'**

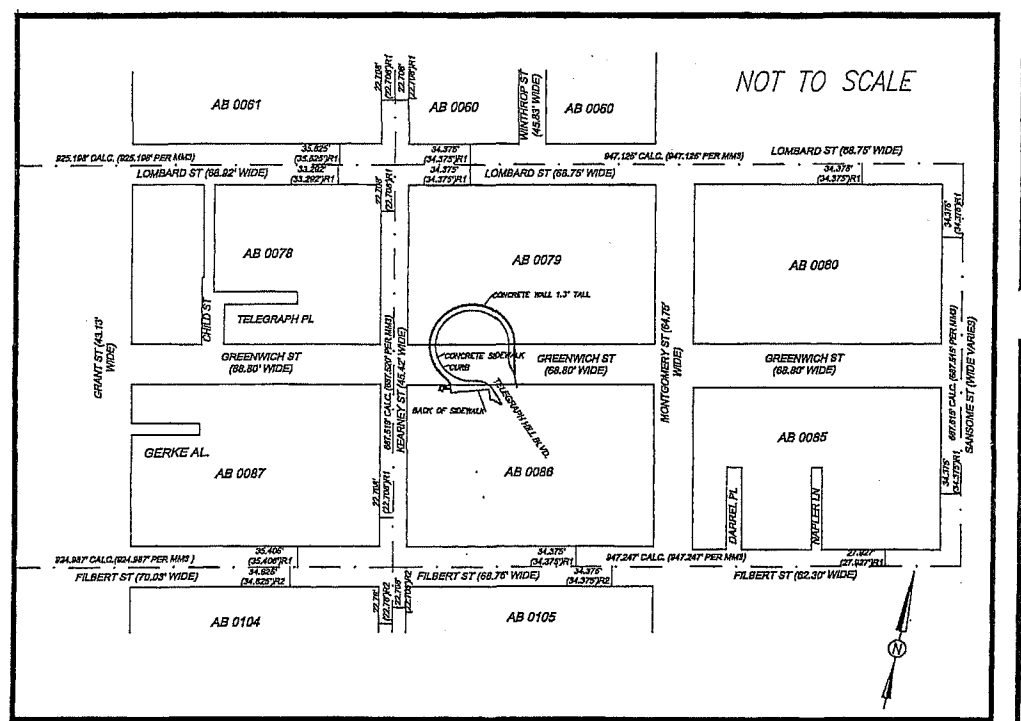
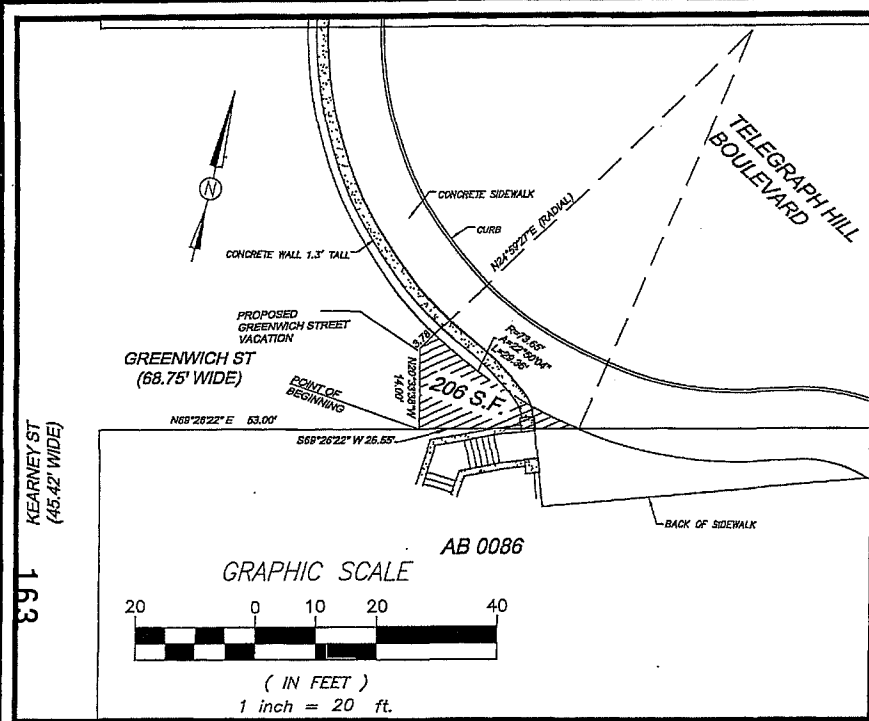
PREPARED BY:
BUREAU OF STREET USE AND MAPPING
 DEPARTMENT OF PUBLIC WORKS
 CITY AND COUNTY OF SAN FRANCISCO
 PHONE: 415.554.5827 FAX: 415.554.5324

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE LAND SURVEYORS ACT.

Signature *Bruce R. Storrs*
 Date 4/29/16



△	BY	DATE	REVISIONS



LEGEND

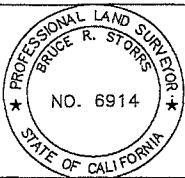
ABBREVIATIONS

AB ASSESSOR'S BLOCK
 () RECORD DATA
 MM3 MONUMENT MAP 3

———— PROPERTY/RIGHT-OF-WAY LINES
 // // // // AREA TO BE VACATED
 - - - - MONUMENT LINE PER MM3.
 R1 MONUMENT MAP 3
 R2 MONUMENT MAP 4

GENERAL NOTES:

1. DETAILS NEAR PROPERTY LINE MAY NOT BE TO SCALE.
2. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
3. ALL ANGLES ARE 90°, UNLESS OTHERWISE NOTED.



APPROVED:

Bruce R. Storrs

BRUCE R. STORRS
 CITY & COUNTY SURVEYOR

4/20/16
 DATE

CITY AND COUNTY OF SAN FRANCISCO
 DEPARTMENT OF PUBLIC WORKS

STREET VACATION OF AN UNDEVELOPED PORTION OF GREENWICH ST. FRONTING AB 0086.

FILE: SUR 2016-003	SHEET 1 OF 1	SCALE: 1:20	CHANGE
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SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: October 27, 2015
Case No. Case No. 2015-011384GPR
Coit Tower Lease Agreement and
Paper Street Vacation (Greenwich Street)

Block/Lot No.: 0086/012
Project Sponsor: Cassandra Costello
501 Stanyan Street,
San Francisco, CA 9417

Applicant: Same as Above

Staff Contact: Paul Chasan -- (415) 575-9065
Paul.Chasan@sfgov.org

Recommendation: Finding the project, on balance, is in conformity with
the General Plan

Recommended
By: 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

The project seeks to amend an existing lease agreement between Coit Tower LLC and the City and a possible street vacation (pending future action by the Board of Supervisors).

The proposed lease amendment will allow for a number of modifications to the existing Coit Tower lease including authorization to sell refreshments in a refreshment kiosk near Coit Tower, a mural protection staffing credit, the ability to sell elevator tickets and mural tour tickets online, and authorization to install a refreshment kiosk on the west side of the parking lot.

The proposed location for the refreshment kiosk is in the paper street portion of the Greenwich Street. Although, the site is technically in the public right-of-way it has never been developed as a street and has been functioning as ground cover in Pioneer Park and is aesthetically indistinguishable from the surrounding Recreation and Parks Department-owned property that surrounds it. The siting of the proposed kiosk location was chosen through an extensive public process that included public meetings with the surrounding community and a hearing at the Recreation and Parks Commission in February 2015. To legally sell food and beverages from the

kiosk at the proposed kiosk location the paper street portion of Green Street will need to be vacated and the property ownership transferred to the Recreation and Parks Department.

Because the street vacation for this site will be legislated at later date, the lease agreement includes a provision stipulating that the ability to sell food at this location is contingent upon a street vacation being approved by the Board of Supervisors. Should the street vacation be approved, the refreshment kiosk will be installed in the vacated portion of Greenwich Street. Should the street vacation be denied, the Department will work with the lessee, the Commission and the community to identify an alternative location.

Both amendments to lease agreements held by City agencies and street vacations require General Plan Referrals.

This General Plan Referral covers both the provisions in the lease that are non-street vacation related *and* the potential street vacation that is required for the Kiosk installation to move forward should the Board of Supervisors decide to approve it. The submittal is for a General Plan Referral to recommend whether the Project is in conformity with the General Plan, pursuant to Section 4.105 of the Charter, and Section 2A.52 and 2A.53 of the Administrative Code.

If the Board of Supervisors chose to reject the proposed street vacation (the vote of which will likely transpire after they've voted on the lease amendment), the Recreation and Parks Department will be unable to use Greenwich site for their kiosk. The Recreation and Parks Department will need to choose a different location outside of the Greenwich Street right-of-way for the proposed food and beverage kiosk. Because this new potential site is not covered by this General Plan Referral, the Recreation and Parks Department will also need to seek a separate general plan referral for the new kiosk location if the street vacation is rejected by the Board.

ENVIRONMENTAL REVIEW

On 10/26/15, the Environmental Planning Division of the Planning Department determined that the project is categorically exempt from environmental review under Classes 1 and 3 (Planning Record No. 2015-005093ENV).

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The project seeks to amend an existing lease agreement between Coit Tower LLC and the City and a possible street vacation (pending future action by the Board of Supervisors). The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, in-conformity with the following Objectives and Policies of the General Plan:

Authorization to sell refreshments in a refreshment kiosk near Coit Tower

This provision in the lease agreement is consistent with Policies in the Recreation and Open Space Element because a portion of the profits generated by the refreshment kiosk will fund park maintenance. The Recreation and Parks Department went through an extensive public process to ensure the public was well notified about the addition of the proposed refreshment kiosk to Pioneer Park.

RECREATION AND OPEN SPACE ELEMENT

OBJECTIVE 1. Ensure a well-maintained, highly utilized, and integrated open space system

Policy 1.1: Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

OBJECTIVE 6. Secure long-term resources and management for open space acquisition, and renovation, operations, and maintenance of recreational facilities and open space

POLICY 6.1. Pursue and develop innovative long-term funding mechanisms for maintenance, operation, renovation and acquisition of open space and recreation.

Establishing a mural protection staffing credit

This provision in the lease agreement will ensure better maintain the City's park system.

RECREATION AND OPEN SPACE ELEMENT

POLICY 1.2. Prioritize renovation in highly-utilized open spaces and recreational facilities and in high needs areas.

POLICY 1.4. Maintain and repair recreational facilities and open spaces to modern maintenance standards.

POLICY 1.7. Support public art as an essential component of open space design.

Authorizing the sale of elevator tickets and mural tour tickets online

This provision in the lease agreement will improve access to and provide a funding stream to better maintain the City's park system.

RECREATION AND OPEN SPACE ELEMENT

POLICY 2.2. Provide and promote a balanced recreation system which offers a variety of high quality recreational opportunities for all San Franciscans.

OBJECTIVE 6. Secure long-term resources and management for open space acquisition, and renovation, operations, and maintenance of recreational facilities and open space

POLICY 6.1. Pursue and develop innovative long-term funding mechanisms for maintenance, operation, renovation and acquisition of open space and recreation.

Authorization to install a refreshment kiosk on the west side of the parking lot.

The Recreation and Parks Department went through an extensive public process to ensure the public was notified about new provisions in the modified lease agreement and in selecting a site for the refreshment kiosk. This process included a hearing at the Recreation and Park Board who endorsed the lease agreement modifications and proposed kiosk location. The Planning Department's Historic Preservation Division, worked closely with Recreation and Parks staff to ensure the design and siting of the refreshment kiosk are compatible with historic Coit Tower through the environmental review process.

RECREATION AND OPEN SPACE ELEMENT

POLICY 1.12. Preserve historic and culturally significant landscapes, sites, structures, buildings and objects.

POLICY 1.13. Preserve and protect character-defining features of historic resources in City parks, when it is necessary to make alterations to accommodate new needs or uses.

POLICY 5.1. Engage communities in the design, programming and improvement of their local open spaces, and in the development of recreational programs.

Potential Future Street Vacation

The General Plan typically does not support vacating public rights-of-way unless there are substantial public benefits to be gained from doing so. Two of the criteria suggested by the General Plan for street vacations include maintaining the public rights-of-ways for public uses, and converting unimproved rights-of-ways (called paper streets) into open space. In this case the proposed segment of Greenwich Street to be vacated has been effectively functioning as part of Pioneer Park for decades. Should the Board of Supervisors choose to convert the Greenwich Street to Recreation and Parks property the action would be compliant with the General Plan because Greenwich Street would maintain its status as public open space in perpetuity, and enable the Recreation and Parks Department to better maintain and manage the City's park system.

RECREATION AND OPEN SPACE ELEMENT

POLICY 1.3. Preserve existing open space by restricting its conversion to other uses and limiting encroachment from other uses, assuring no loss of quantity or quality of open space.

POLICY 3.1. Creatively develop existing publicly-owned right-of-ways and streets into open space.

URBAN DESIGN ELEMENT

POLICY 2.9. Review proposals for the giving up of street areas in terms of all the public values that streets afford.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project, demolition

and replacement of the Chinese Recreation Center, is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

The proposed project is found to be consistent with the eight priority policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced:

The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses. The proposed project complies with this policy because it provides for a local small business to offer food and beverages to the guests to Pioneer Park and visitors to Coit Tower. Additionally, a portion of the items proposed for the food and beverage kiosk will be provided by businesses in the adjacent North Beach neighborhood, thus complimenting and enhancing neighborhood-serving retail uses and resident employment.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

The Project would have no adverse effect on the City's housing stock or on neighborhood character. The existing housing and neighborhood character will be not be negatively affected. The proposed project would enhance the economic diversity of the neighborhood by creating a space for an additional small business to operate in the neighborhood.

3. That the City's supply of affordable housing be preserved and enhanced.

The Project would have no adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project would not result in commuter traffic impeding MUNI's transit service, overburdening the streets or altering current neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

The Project would enhance this priority as it employs residents of the City for the operation of the kiosk and enhances the business of the small business operator who runs Coit Tower. The proposed project will not harm, displace or affect industrial or service sectors.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake. It would improve the City's ability to respond to injuries caused by earthquakes and other emergencies.

7. That landmarks and historic buildings be preserved.

The proposed project would preserve adjacent historic landmarks. The proposed project kiosk is in Pioneer Park, surrounding Coit Tower. It falls outside of the landmark boundary of Coit Tower. The refreshment kiosk is designed to complement Coit Tower and its surroundings.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposed project would not negatively impact access to sunlight in parks and open space, nor would it impact views and vistas. The proposed kiosk is approximately 9'x12' in a small portion of Pioneer Park adjacent to the parking lot in front of Coit Tower. The proposed kiosk will not intrude on views of the city or block sunlight. It is surrounded by existing foliage. Additionally, the proposed project is consistent with the Recreation and Open Space Element (ROSE), specifically as it relates to policy 1.1 "Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open spaces uses where appropriate."

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
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SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
RPD Coit Tower Food Kiosk		0086/012, 0079/008, and Greenwich Street right-of-way	
Case No.	Permit No.	Plans Dated	
2015-005093ENV		N/A	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Install refreshment kiosk at west side of parking lot north of Coit Tower; vacate small portion of Greenwich (paper) Street and transfer property to RPD to install kiosk.			

STEP 1: EXEMPTION CLASS

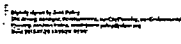
TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I

	Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (<i>optional</i>): Jean Poling 	

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .

<input checked="" type="checkbox"/>	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments): See attached Preservation Team Review Form.
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input type="checkbox"/>	10. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify): _____
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Pilar LaValley <small>Digitally signed by Pilar LaValley, DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Pilar LaValley, email=pilar.lavalley@sfgov.org, Date: 2015.10.26 17:12:32 -0700</small>	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.
Planner Name: Pilar LaValley	Signature: Pilar LaValley <small>Digitally signed by Pilar LaValley, DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Pilar LaValley, email=pilar.lavalley@sfgov.org, Date: 2015.10.26 17:12:32 -0700</small>
Project Approval Action: BOS lease agr.&st.vacation If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:		Date of Form Completion:	10/26/2015
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PROJECT INFORMATION:		
Planner:	Address:	
Pilar LaValley	RPD Coit Tower food kiosk	
Block/Lot:	Cross Streets:	
0086/012 & 0079/008		
CEQA Category:	Art. 10/11:	BPA/Case No.:
Category A	Landmark #165	2015-005093ENV

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input checked="" type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	10/22/15 - refreshment kiosk
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PROJECT ISSUES:	
<input type="checkbox"/>	Is the subject Property an eligible historic resource?
<input checked="" type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Coit Tower is designated as City Landmark #165. Coit Memorial Tower is listed on the National Register of Historic Places (1/29/2008). Pioneer Park is included in the National Register listing as a contributing resource to Coit Tower.	

PRESERVATION TEAM REVIEW:				
Historic Resource Present:		<input checked="" type="radio"/> Yes	<input type="radio"/> No *	<input type="radio"/> N/A
Individual		Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 3 - Architecture:	<input checked="" type="radio"/> Yes <input type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Period of Significance:	1933-1934	Period of Significance:		
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art 10/Art 111	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
CEQA Material Impairment	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team	<input type="radio"/> Yes	<input checked="" type="radio"/> No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

PRESERVATION TEAM COMMENTS	
<p>Coit Memorial Tower is listed on the National Register under Criterion 3 (Architecture) as an excellent example of the Depression era Public Works of Art Project (PWAP) and American Scene art movement for the interior frescoes and murals. Coit Tower is also designated a San Francisco Landmark #165 - this designation notes the Tower's significant associations with architect, Arthur Brown Jr., and with Lillie Hitchcock Coit, who funded the Tower's construction. Pioneer Park, where the Tower is located, appears to be a contributing resource to the Tower's historic, although not designed setting.</p> <p>The Art Deco structure consists of a 180-foot tall fluted, reinforced concrete tower on a polygonal base. Near the top of the tower, a series of arches provide an open-air observation deck. The exterior is clad with stucco and there are narrow steel casement windows at lower levels as well as several bronze plaques and signs at the building base. On the interior are fresco murals depicting scenes of California life. Pioneer Park, located at the apex of Telegraph Hill, is accessed by several stairs and a curving street that ends in a circular parking lot. Along the edge of the parking lot is a concrete sidewalk and low concrete wall; the eastern portion of the wall steps down the hill.</p> <p>The proposed refreshment kiosk will be a small (approximately 12' L by 9' W by 10' H), wood-frame structure on concrete footings at the west side of the parking lot. The structure will have wood walls and metal shed roof painted dark green. Rows of small wood-frame windows will frame the east-facing service windows, which will be enclosed with a roll-down grille, and metal letters will be affixed to the top edge of the roof. The west wall, facing the park and stairs, will be covered with a metal mesh for a "living," or "green" wall. Access to the kiosk will be through a wood and glass door; a wood walkway with wood guardrail will lead to the kiosk. In order to access the walkway, a small area of rock wall at the existing stair will be removed.</p> <p>With the exception of the rock wall at stair, the kiosk will not damage or destroy distinctive features or materials that characterize Coit Tower or Pioneer Park. The kiosk design incorporates the low concrete wall that outlines the parking lot and is located within the landscaping to preserve the setting of the tower and to allow the kiosk to blend into the landscaping as much as possible. The simple utilitarian design and wood-frame construction of the kiosk appropriately differentiates it from the Tower while it also relating it to the park setting of the Tower. With the simple construction, the kiosk could be removed in the future without impacting the integrity of the property. As proposed, the kiosk appears to be compatible with Coit Tower and Pioneer Park in conformance with the Secretary's Standards.</p>	

Signature of a Senior Preservation Planner / Preservation Coordinator	Date
<i>Uma On</i>	10-26-2015



Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

May 9, 2016

Subject: Pioneer Park Street Vacation

Dear Ms. Calvillo,

Please see the enclosed Summary Street Vacation in connection with Pioneer Park Improvements.

The street vacation and proposed interdepartmental transfer of the vacated area from Public Works to the Recreation and Park Department would allow improvements in Pioneer Park to provide for the sale of food and beverages from a small refreshment kiosk to members of the public that visit Coit Tower and Pioneer Park.

In the enclosed packet you will find the following:

- Legislative Digest
- Street Vacation Ordinance
- Two resolutions from the Recreation and Park Commission
- DPW Order No: 184839
- SUR Map
- General Plan Referral
- CEQA Categorical Exemption Determination

Please let me know if you or your staff has any questions or comments.

Thank you.

Sincerely,

Cassandra Costello
Property Manager
Recreation and Park Department

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 MAY -9 AM 10:16
AK

Somera, Alisa (BOS)

From: Board of Supervisors, (BOS)
Sent: Thursday, June 23, 2016 1:44 PM
To: Ausberry, Andrea; Somera, Alisa (BOS)
Subject: FW: File No. 160499: Letters from family of Lillie Hitchcock Coit and Protect Coit Tower opposing proposed ordinance to vacate public right of way in front of Coit Tower to build concession stand in violation of Proposition B
Attachments: CoitTowerConcessionStand_PCT Letter_6.23.16.pdf; CoitFamilyLetter_6.23.16.pdf

From: jongolinger@gmail.com [mailto:jongolinger@gmail.com] **On Behalf Of** Protect Coit Tower
Sent: Thursday, June 23, 2016 12:04 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Wiener, Scott <scott.wiener@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Subject: File No. 160499: Letters from family of Lillie Hitchcock Coit and Protect Coit Tower opposing proposed ordinance to vacate public right of way in front of Coit Tower to build concession stand in violation of Proposition B

June 23, 2016

Dear Chair Cohen and Members of the Board of Supervisors Land Use and Transportation Committee:

Please see the two attached letters - one from the family of Lillie Hitchcock Coit and one from Protect Coit Tower - opposing the ordinance proposed by the Recreation and Park Department to permanently vacate the public right of way in front of Coit Tower in order to construct a concession stand building.

We understand that this ordinance is scheduled to be heard before the Land Use and Transportation Committee on Monday, June 27. Please include these letters in the committee packet and take them into consideration.

Sincerely,

Jon Golinger
Protect Coit Tower

www.protectcoittower.org



www.ProtectCoitTower.org

June 23, 2016

Chair Malia Cohen and Members
Land Use and Transportation Committee
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: *File No. 160499 – Opposition to proposed permanent vacation of public right of way in front of Coit Tower for purposes of building a concession stand in violation of Proposition B*

Dear Chair Cohen and Members,

I write on behalf of Protect Coit Tower, a nonprofit citizens group dedicated to promoting public education about, and the restoration and preservation of, San Francisco's Coit Tower and the historic murals that reside inside.

Coit Tower is a special place, and the people of San Francisco have voted to keep it that way. In June 2012, San Francisco voters approved a ballot measure creating an official Coit Tower Preservation Policy to strictly limit commercial activities and private events at Coit Tower and to prioritize the funds generated for the City every year by Coit Tower elevator fees and concession operations for the maintenance and protection of the Coit Tower murals, building, and Pioneer Park.

We strongly oppose the Recreation and Park Department's proposed ordinance to vacate the public right of way in Pioneer Park in front of Coit Tower in order to construct a concession stand building outside Coit Tower. Over the last four years the city has made important progress to respect the truly unique place that is Coit Tower. Unfortunately, this ordinance and the concession stand would roll back that progress.

We urge the Committee and Board of Supervisors to reject this ordinance and instead take budgetary action to ensure that the ample revenue already generated by Coit Tower and diverted elsewhere is instead prioritized for its maintenance and protection, as the people of San Francisco voted to do.

Sincerely,

Jon Golinger
Protect Coit Tower

Cc: All Members, San Francisco Board of Supervisors

FROM THE FAMILY OF LILLIE HITCHCOCK COIT



June 23, 2016

Chair Malia Cohen, Supervisor Scott Wiener and Supervisor Aaron Peskin
Land Use and Transportation Committee
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: File No. 160499 - The family of Lille Hitchcock Coit urges you to reject the ordinance proposed by the SF Recreation and Park Department to vacate the public right of way in Pioneer Park in front of Coit Tower to enable a private vendor to construct a concession stand building in violation of the Coit Tower Preservation ballot measure approved by San Francisco voters

Dear Chair Cohen, Supervisors Wiener and Supervisor Peskin,

When Lillie Hitchcock Coit left a third of her estate in 1929 to the city of San Francisco as a bequest to “beautify the city I have always loved,” she gave a wonderful gift to the people of San Francisco that in 1933 became Coit Tower. As her descendants, we believe it is very important to remain vigilant and ensure that Coit Tower is well-maintained and preserved for future generations to honor and respect Lillie’s gift.

That’s why we were so very delighted when, in June of 2012, a majority of San Francisco voters from across the city voted to pass Proposition B. Prop. B created an official “Coit Tower Preservation Policy” designed to ensure that the city finally started to take appropriate care of Coit Tower and its historic New Deal-era murals. The Coit Tower Preservation ballot measure stated: “It shall be the policy of the People of the City and County of San Francisco to protect Coit Tower and preserve the historic murals

inside Coit Tower by strictly limiting commercial activities and private events at Coit Tower and by prioritizing the funds received by the City from any concession operations at Coit Tower for preserving the Coit Tower murals, protecting and maintaining the Coit Tower building, and beautifying Pioneer Park around Coit Tower.”

However, the San Francisco Recreation and Park Department has continued to refuse to implement the will of the voters by dedicating a sufficient portion of the over \$1 million in annual revenue being generated from visitors to Coit Tower to adequately pay for the day-to-day operation, maintenance, and preservation of Coit Tower. Instead, the San Francisco Recreation and Park Department is asking the Board of Supervisors to approve an ordinance that would generate more revenue to pay for Coit Tower operations by permanently vacating a portion of the public right of way in Pioneer Park in front of Coit Tower to enable the construction of a concession stand building. Despite the voters passing a ballot measure making it city policy to “strictly limit” commercial activities at Coit Tower, this ordinance would facilitate exactly the opposite result.

We understand that the private concession operator who is currently managing Coit Tower is doing a fine job but they have discovered that they are losing money because they receive only 10% of the more than \$1 million that Coit Tower elevator fees now generate every year under the current contract with the Recreation and Park Department. The rest of the funds generated by Coit Tower continue to be almost entirely diverted away from Coit Tower for other purposes, despite the clear wishes of San Francisco voters that funds generated at Coit Tower be prioritized for its protection.

We strongly oppose the vacation of a portion of the public right-of-way in front of Coit Tower to enable the construction of a concession stand building in front of Coit Tower. We urge you to reject the Recreation and Park Department’s proposed ordinance and to instead take the necessary action to prioritize the ample funds being generated from Coit Tower already to be used to maintain, protect, and preserve Coit Tower and its historic murals, in accordance with the will of the voters of San Francisco.

Sincerely,

Susie Coit Williams

Debbie Coit Smith

Philip Hersee Coit

Felicia Coit Pasley

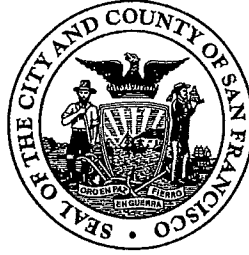
Belle Coit Druding

Karen Coit Wozniak

Corey Walker Jones

cc: All Members, San Francisco Board of Supervisors

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

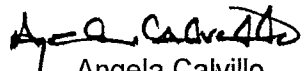
Date: Monday, June 27, 2016

Time: 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: File No. 160499. Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, June 24, 2016.


Angela Calvillo
Clerk of the Board

DATED: June 9, 2016
POSTED/PUBLISHED: June 13 & 21, 2016

BOARD of SUPERVISORS

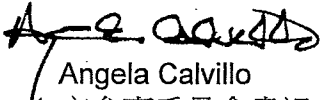


City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

公聽會通知

三藩市市及縣市參事委員會
土地使用與交通運輸委員會

- 日期: 2016年6月27日星期一
- 時間: 下午1時30分
- 地點: 市政廳，立法會議廳 250 室，地址：1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
- 議題: 檔案號碼 160499。該項條例頒令對毗鄰 Coit Tower 的 Greenwich 街的地段（大致以評估地街區編號 0079 以北、評估地街區編號 0086 以南、Kearny 街以西，以及孟金街以東為界線）實施撮要街道閒置，此措施將作為先鋒公園（Pioneer Park）改進規劃的一部分；批准閒置區的跨部門（即自工務局至娛樂及公園局）轉讓；依據「加州環境質量法」（California Environmental Quality Act）確定規劃局的決定；鑒於該項條例內經慎重考慮的行動，作出與總體計劃及規劃規例第 101.1 條款的八項優先政策相一致的裁斷；並授權與該項條例相關聯的正式法令。


Angela Calvillo
市參事委員會書記

張貼/公佈：June 13 & 21, 2016



NOTIFICACIÓN DE AUDIENCIA PÚBLICA

JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO

COMITÉ DE USO DE TERRENOS Y TRANSPORTE

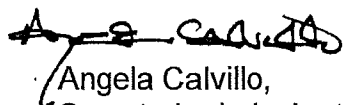
SE NOTIFICA POR LA PRESENTE que el Comité de Uso de Terrenos y Transporte celebrará una audiencia pública para considerar la siguiente propuesta y dicha audiencia pública se celebrará de la siguiente manera, en tal momento que todos los interesados podrán asistir y ser escuchados:

Fecha: Lunes, 27 de junio de 2016

Hora: 1:30 p. m.

Lugar: Cámara Legislativa, Sala 250 del Ayuntamiento
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Asunto: Expediente Núm. 160499. Ordenanza que ordena el vaciamiento rápido de una parte de la Calle Greenwich adyacente a la Torre Coit, generalmente delimitada por la Parcela de Manzana Núm. 0079 al norte, por la Parcela de Manzana Núm. 0086 al sur, por la Calle Kearny al oeste y por la Calle Montgomery al este, como parte de las mejoras al Parque Pioneer; aprueba la transferencia interdepartamental del área de vaciamiento por parte del Departamento de Obras Públicas hacia el Departamento de Parques; afirma la determinación del Departamento de Planificación según la Ley de Calidad Medioambiental de California; aprueba las conclusiones que las medidas previstas en esta Ordenanza son coherentes con el Plan General, y las ocho políticas prioritarias de la Sección 101.1 del Código de Planificación; y autoriza los actos oficiales en relación con la presente Ordenanza.


Angela Calvillo,
Secretaria de la Junta

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF POSTING

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2016 JUN 14 PM 3:57
RW

Legislative File No. 160499

Description of Items:

Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

I, Javier Rivera, an employee of the City and County of San Francisco, posted the above described document(s) in at least three (3) public places along the street(s) to be affected at least ten (10) days in advance of the hearing (pursuant to CA Streets and Highways Code, Section 970.5):

Date: June 10, 2016

Time: 2:45 PM

Location: Greenwich St between Kearny and Montgomery

Signature: Javier Rivera

Instructions: Upon completion, original must be filed in the above referenced file.

CALIFORNIA NEWSPAPER SERVICE BUREAU

DAILY JOURNAL CORPORATION

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AA
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description LUT Summary Street Vacation 160499 006/27/16

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

06/13/2016 , 06/21/2016

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

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ORANGE COUNTY REPORTER, SANTA ANA	(714) 543-2027
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CNS 2891875

NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS OF THE
CITY AND COUNTY OF SAN FRAN-
CISCO LAND USE AND TRANSPOR-
TATION COMMITTEE JUNE 27, 2016 -
1:30 PM LEGISLATIVE CHAMBER,
RM 250, CITY HALL, 1 DR. CARLTON
B. GOODLETT PLACE, SAN FRAN-
CISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 160499. Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, June 24, 2016. Angela Calvillo, Clerk of the Board



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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

June 23, 2016

SENT CERTIFIED MAIL (Return Receipt Requested)

Pacific Gas and Electric Company (PG&E)
Land Management
111 Almaden Boulevard
San Jose, CA 95113-2098
Attn: David Neal

SUBJECT: Summary Street Vacation - Greenwich Street - Pioneer Park Improvements

Mr. Neal:

For your information, please find a copy of the following legislation, which will be considered by the Land Use and Transportation Committee on Monday, June 27, 2016 (agenda enclosed):

- **File No. 160499** - Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

Pacific Gas and Electric Company is receiving notice of this street vacation in response to the letter from Rodger Leatherman, Senior Land Agent (PG&E), dated July 21, 2015, requesting that PG&E be notified of the adoption of street vacations pursuant to California Streets and Highways Code, Sections 8346 and 8347.

If you have any questions or require additional information, please call Alisa Somera, Legislative Deputy Director, at (415) 554-7711 or email alisa.somera@sfgov.org.

Sincerely,

A handwritten signature in cursive script that reads "Alisa Somera".

for Angela Calvillo
Clerk of the Board

160499
✓ 4/27/10 Supervisor Peskin's
Amendments

1 [Greenwich Street -- Summary Street Vacation in Connection with Pioneer Park (ACCEPTED)
Improvements]

2
3 **Ordinance ordering the summary street vacation of a portion of Greenwich Street**
4 **adjacent to Coit Tower, and generally bounded by Assessor's Block 0079 to the north,**
5 **Assessor's Block 0086 to the south, Kearny Street to the west, and Montgomery Street**
6 **to the east, as part of improvements to Pioneer Park; approving an interdepartmental**
7 **transfer of the vacation area from Public Works to the Recreation and Park Department;**
8 **affirming the Planning Department's determination under the California Environmental**
9 **Quality Act; adopting findings that the actions contemplated in this ordinance are**
10 **consistent with the General Plan and eight priority policies of Planning Code section**
11 **101.1; and authorizing official acts in connection with this ordinance.**

12 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
13 **Additions to Codes** are in *single-underline italics Times New Roman font.*
14 **Deletions to Codes** are in *strikethrough italics Times New Roman font.*
15 **Board amendment additions** are in double-underlined Arial font.
16 **Board amendment deletions** are in ~~strikethrough Arial font.~~
17 **Asterisks (* * * *)** indicate the omission of unchanged Code
18 subsections or parts of tables.

17 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. Findings.

20 (a) California Streets and Highways Code Sections 8300 et seq. and San Francisco
21 Public Works Code Section 787(a) establish the process for the Board of Supervisors to
22 vacate a street, highway, or public easement. Streets and Highways Code Sections 8334 and
23 8334.5 provide that the legislative body of a local agency may summarily vacate an excess
24 right-of-way of a street under certain circumstances. The actions contemplated in this

25

1 ordinance are being taken in accordance with the Streets and Highways Code Sections 8300
2 et seq. and Public Works Code Section 787(a).

3 (b) The location and extent of the area on Greenwich Street to be vacated is generally
4 bounded by Assessor's Block 0079 to the north, Assessor's Block 0086 to the south, Kearny
5 Street to the west, and Montgomery Street to the east. This area more particularly shown on
6 the Public Works ("PW") SUR Map No. _____, dated _____, 20__ (the
7 "Vacation Area"). A copy of this map is on file with the Clerk of the Board of Supervisors in
8 File No. _____ and is incorporated herein by reference.

9 (c) The Vacation Area is within Pioneer Park. It is an undeveloped portion of
10 Greenwich Street, which is primarily used for vehicular parking and adjacent to Coit Tower.
11 The Vacation Area is not necessary for street purposes as (1) all properties that abut the
12 Vacation Area are owned by the City and County of San Francisco and under the jurisdiction
13 of the Recreation and Park Department ("RPD") on behalf of, (2) the Vacation Area does not
14 continue through Pioneer Park or end touching the property of another, and therefore, is a
15 dead end, and (3) Pioneer Park is served by another roadway, so the Vacation Area is excess
16 right-of-way. There are no in-place functioning utilities that will be affected by the street
17 vacation, and therefore, the Vacation Area qualifies for summary street vacation under Streets
18 and Highways Code Section 8334.5. Based on these factors, the Vacation Area may be
19 summarily vacated in accordance with Streets and Highways Code Sections 8334 and
20 8334.5.

21 (d) The vacation of the Vacation Area and proposed interdepartmental transfer of the
22 Vacation Area from PW to RPD would allow improvements in Pioneer Park to provide for the
23 sale of food and beverages to members of the public that visit Coit Tower and Pioneer Park.

24 (e) In PW Order No. _____, dated _____, 2016, the Director of
25 Public Works (the "PW Director") determined (1) the Vacation Area may be summarily

1 vacated based on the factors identified in subsection (c) above and the other findings set forth
2 below: (2) the Vacation Area is unnecessary for the City's present or prospective public street,
3 sidewalk, and service easement purposes; (3) there are no in-place functioning public or
4 private utilities that will be affected by the vacation of the Vacation Area, based on the
5 absence of any objections from any utility company or entity to the street vacation; (4) the
6 public interest, convenience, and necessity do not require any easements or other rights be
7 reserved for any public or private utility facilities that may be in place in the Vacation Area;
8 and (5) any rights based upon any such public or private utility facilities referenced in
9 subsections (e)(3) and (e)(4) shall be extinguished automatically upon the effectiveness of the
10 vacation.

11 (f) Pursuant to California Streets and Highways Code Section 892, the PW Director in
12 PW Order No. _____ also has found that the Vacation Area is currently not
13 necessary for non-motorized transportation, as there are numerous other streets in the
14 immediate area available for such transportation and those members of the public availing
15 themselves of non-motorized transportation will not be inconvenienced by the street vacation.
16 Further, the PW Director has found that the public convenience, necessity, and welfare would
17 be enhanced by the proposed improvements to Pioneer Park. The PW Director has
18 determined that it is a policy matter for the Board of Supervisors to approve the
19 interdepartmental property transfer of the Vacation Area from PW to RPD.

20 (g) The recommendations of the PW Director concerning vacation of the Vacation
21 Area are set forth in PW Order No. _____, a copy of which is on file with the Clerk
22 of the Board of Supervisors in File No. _____ and is incorporated herein by
23 reference. The Board of Supervisors hereby adopts these recommendations and findings as
24 its own.

5

1 (h) In a letter dated October 27, 2015 (the "Planning letter"), the Planning Department
2 determined that the actions contemplated in this ordinance comply with the California
3 Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). The
4 Board hereby affirms this determination. A copy of said letter is on file with the Clerk of the
5 Board of Supervisors in File No. _____ and is incorporated herein by reference.

6 (i) In the Planning Letter, the Planning Department also determined that the proposed
7 vacation of the Vacation Area and other actions contemplated herein are consistent with the
8 General Plan and the priority policies of Planning Code Section 101.1. The Board of
9 Supervisors hereby adopts as its own the findings in the Planning Letter.

10 (j) The Clerk of the Board published and PW posted notice of a public hearing on the
11 street vacation action that is the subject of this ordinance. The public hearing was held on
12 _____, 2016. Evidence of this public notice is on file with the Clerk of the
13 Board of Supervisors in File No. _____.

14
15 Section 2. Vacation

16 (a) The Board of Supervisors finds that the Vacation Area is unnecessary for present
17 or prospective public use.

18 (b) The Board of Supervisors further finds that the public interest and convenience
19 support the decision to undertake the street vacation as set forth in this ordinance.

20 (c) The Vacation Area, as shown on SUR Map No. _____, is hereby ordered
21 summarily vacated pursuant to California Street and Highways Code Sections 8300 et seq.,
22 including in particular Sections 8334 and 8334.5, and San Francisco Public Works Code
23 Section 787(a).

24 (d) Pursuant to California Streets and Highways Code Sections 8340 and 8341, the
25 Board of Supervisors reserves and excepts from the vacation a future easement for street and

1 roadway purposes, which shall be operative upon the occurrence of either of the following
2 events: (1) removal, for any reason, of a food and/or beverage kiosk on the subject property
3 subject to a new or amended lease or license with the Recreation and Park Department on or
4 after the effective date of this ordinance; or (2) termination of a new or amended lease or
5 license with the Recreation and Park Department on or after the effective date of this
6 ordinance to operate and/or maintain the use of the kiosk for purposes of selling food and/or
7 beverages and abandonment of that use for a period of one year, provided that if the
8 Recreation and Park Department is in the process of a Request for Proposals process for a
9 new operator of the kiosk, then that period shall extend in one year increments until there is
10 no longer an open Request for Proposal. For purposes of Subsection (d)(2), abandonment
11 shall mean that the kiosk has not been in continuous and uninterrupted use for one year.

12

13 Section 3. Interdepartmental Property Transfer from Public Works to Recreation and
14 Park Department.

15 Notwithstanding the requirements of Administrative Code Chapter 23, the Board of
16 Supervisors hereby approves the interdepartmental property transfer of the Vacation Area
17 from PW to RPD upon the effective date of this ordinance and directs the Real Estate Division
18 Director to modify the City's records concerning City property ownership accordingly.

19

20 Section 4. Official Acts in Connection with this Legislation.

21 (a) The Board of Supervisors hereby authorizes and directs the Mayor, Clerk of the
22 Board, PW Director, County Surveyor, and the Real Estate Division Director to take any and
23 all actions which they or the City Attorney may deem necessary or advisable in order to
24 effectuate the purpose and intent of this ordinance (including, without limitation, the filing of
5 this ordinance in the Official Records of the City and County of San Francisco and

1 modification of the City's property ownership designation in accordance with the
2 interdepartmental property transfer).

3 (b) Upon the effective date of the vacation of the Vacation Area, this ordinance shall
4 be recorded.

5
6 Section 4. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor's veto of the ordinance.

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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
John D. Malamut
Deputy City Attorney

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BOARD of SUPERVISORS



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MEMORANDUM

TO: Mohammed Nuru, Director, Public Works
John Rahaim, Director, Planning Department
John Updike, Director, Real Estate
Ed Reiskin, Executive Director, Municipal Transportation Agency
Toney Chaplin, Acting Chief, Police Department
Joanne Hayes-White, Chief, Fire Department

FROM: Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

DATE: May 24, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following hearing request, introduced by Recreation and Park Department on May 17, 2016.

File No. 160499

Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: andrea.ausberry@sfgov.org

c:

Frank Lee, Public Works
Fuad Sweiss, Deputy Director for Infrastructure and City Engineer
Scott Sanchez, Zoning Administrator
Sarah Jones, Acting Environmental Review Officer,

AnMarie Rodgers, Senior Policy Advisor
Aaron Starr, Acting Manager of Legislative Affairs
Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning
Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillion Auyoung, Municipal Transportation Agency
Viktoriya Wise, Municipal Transportation Agency
Maria Cordero, Municipal Transportation Agency
Roberta Boomer, Municipal Transportation Agency
Christine Fountain, Police Department
Sergeant Rachael Kilshaw
Kelly Alves, Fire Department
Maureen Conefrey, Fire Commission

