

FILE NO. 050045

ORDINANCE NO. 45-05

1 [Sale of City Property]

2

3 **Ordinance ordering the sale at public auction of City-owned property located at**
4 **1648 Pacific Avenue and 2350 19th Avenue; adopting findings pursuant to the California**
5 **Environmental Quality Act; adopting findings that the sale is consistent with the City's**
6 **General Plan and Eight Priority Policies of City Planning Code Section 101.1; and**
7 **authorizing other actions in furtherance of this ordinance.**

8

Note: Additions are single-underline italics Times New Roman;
9 deletions are ~~strikethrough-italics Times New Roman~~.
Board amendment additions are double underlined.
10 Board amendment deletions are ~~strikethrough-normal~~.

11

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

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Section 1. In accordance with the recommendation of the San Francisco Fire
13 Commission (Fire Commission Resolution Numbers 03-9 and 04-4), Chief of the Fire
14 Department, and the Director of Property, the Board of Supervisors hereby declares that the
15 public interest or necessity will not be inconvenienced by the sale at public auction of the
16 following property owned by the City under the jurisdiction of the Fire Department, all of which
17 is located within the City and County of San Francisco and which is shown on the maps
18 marked "Exhibit A" and "Exhibit B" which are on file with the Clerk of the Board of Supervisors:

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Parcel 1. Assessor's Block 0574, Lot 011, 1648 Pacific Avenue, located on the
20 north side of Pacific Avenue, between Van Ness Avenue and Polk Street;

21

Parcel 2. Assessor's Block 2347, Lot 004G, 2350 19th Avenue, located on the east
22 side of 19th Avenue, between Santiago Street and Taraval Street.

23

Section 2. In a letter dated December 15, 2004 from the Director of Planning to the
24 Director of Property, the Planning Department determined that the sale of Parcel 1 is
25 (i) consistent with the City's General Plan, (ii) consistent with the Eight Priority Policies of City

1 Planning Code Section 101.1, and (iii) categorically exempt from environmental review under
2 California Environmental Quality Act (California Public Resources Code Sections 21000
3 et seq.) (CEQA). A copy of the letter is on file with the Clerk of the Board of Supervisors in
4 File No. 050045 and is incorporated herein by reference. The Board of Supervisors
5 finds that the proposed sale is consistent with the City's General Plan and with Planning Code
6 Section 101.1(b) for the reasons set forth in said letter.

7 Section 3. On December 9, 2004, at a duly noticed public hearing, the Planning
8 Commission in Motion No. 16909, found that the sale of Parcel 2 was consistent with the
9 City's General Plan and with Planning Code Section 101.1(b). A copy of the Motion is on file
10 with the Clerk of the Board of Supervisors in File No. 050045 and is incorporated
11 herein by reference. The Board finds that proposed sale is consistent with the City's General
12 Plan and with Planning Code Section 101.1(b) for the reasons set forth in said Motion. In
13 addition, the Planning Department determined that the sale of Parcel 2 is in compliance with
14 CEQA. A copy of the determination is on file with the Clerk of the Board of Supervisors in File
15 No. 050045 and is incorporated herein by reference.

16 Section 4. The Board of Supervisors has previously included the estimated sale
17 proceeds of Parcels 1 and 2 as revenue in the San Francisco Fire Department's 2004-2005
18 budget to balance its budget.

19 Section 5. The Board of Supervisors hereby authorizes the Director of Property, on
20 behalf of the City and County of San Francisco, to request and receive bids at public auction
21 for the sale of Parcels 1 and 2. Notwithstanding Section 23.3 of the San Francisco
22 Administrative Code, the Director of Property is hereby authorized to sell said surplus property
23 at public auction without subsequent approval or confirmation by the Board of Supervisors on
24 the condition that the sales price is equal to or greater than the fair market value as
25 determined by an independent appraisal. All documents conveying parcel 1 of this ordinance

1 (Assessor's Block 0574, Lot 011, 1648 Pacific Avenue, located on the north side of Pacific
2 Avenue, between Van Ness Avenue and Polk Street) shall indicate that the property is San
3 Francisco landmark No. 188 and that the property shall not be demolished and that the
4 property shall be subject to the controls and procedures set forth in this Board of Supervisors'
5 Ordinance designating the property as a landmark and the controls and procedures set forth
6 in Planning Code Article 10. Subsequent to the public auction sale, the Director of Property
7 shall report to the Clerk of the Board of Supervisors the results of the public auction sale. The
8 provisions of San Francisco Administrative Code Chapter 23A, the Surplus City Property
9 Ordinance, shall not apply to the sale of Parcels 1 and 2 as set forth above.

10 Section 6. The Mayor, Clerk of the Board, Controller, and Director of Property are
11 hereby authorized and directed to take any and all actions which they or the City Attorney may
12 deem necessary or advisable in order to effectuate the purpose and intent of this ordinance.


13
14 RECOMMENDED:

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16 _____
Director of Property

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18 (see file for signature)

19 _____
Chief of the Fire Department

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

22 By: 
23 _____
Charles R. Sullivan
24 Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 050045

Date Passed:

Ordinance ordering the sale at public auction of City-owned property located at 1648 Pacific Avenue and 2350 19th Avenue; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

February 22, 2005 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

February 22, 2005 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Alioto-Pier

March 1, 2005 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

File No. 050045

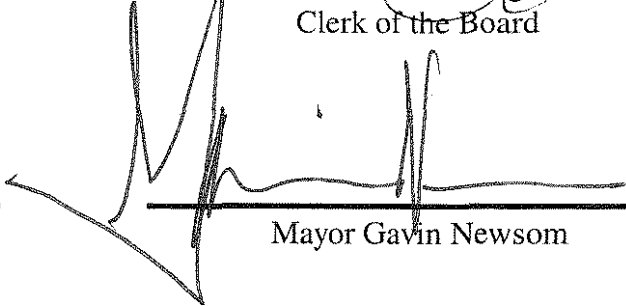
I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on March 1, 2005 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

03-12-05

Date Approved



Mayor Gavin Newsom