

File No. 111076 Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date November 14, 2011

Board of Supervisors Meeting Date _____

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 type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | 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"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Environmental Review Determination</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Alisa Miller Date November 10, 2011
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Allowing Playground Structures in Certain Portions of Sue Bierman Park]

2

3 **Ordinance amending the conditions previously placed on portions of Sue Bierman Park**
4 **and authorizing the construction of playground structures, and making CEQA findings.**

5 NOTE: Additions are single-underline italics Times New Roman;
6 deletions are ~~strike-through italics Times New Roman~~.
7 Board amendment additions are double-underlined;
8 Board amendment deletions are ~~strikethrough normal~~.

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

9 Section 1. This Section is uncodified. The Board of Supervisors of the City and
10 County of San Francisco hereby makes the following findings:

11 A. Pursuant Board of Supervisors Ordinance No. 109-01, adopted on May 7, 2001,
12 and signed by the Mayor on May 18, 2001, the City transferred from the Department of Public
13 Works to the Recreation and Park Department certain real property comprised of Assessor's
14 Block 202, Lots 6, 14 and a portion of 15 ("Lot 15"), and a portion of Assessor's Block 203, Lot
15 14, as more particularly described by the legal descriptions on file with the Clerk of the Board
16 of Supervisors in File No. 010620 (collectively, the "Property").

17 B. The Recreation and Park Commission has jurisdiction within the meaning of San
18 Francisco Charter Section 4.113 over Assessor's Block 202, Lot 18, as more particularly
19 described by the legal description on file with the Clerk of the Board of Supervisors in File No.
20 010620 ("Lot 18"), which adjoins the Property.

21 C. The Property and Lot 18 are zoned "P" under Planning Code Section 234, which
22 includes open space.

23 D. The height and bulk designation for the Property and Lot 18 is "OS" (Open Space),
24 for which Planning Code Section 290 provides that "no building or structure or addition shall
25 be permitted [in an OS district] unless in conformity with the Master [General] Plan." Section

1 290 further provides that "the inclusion of land in [OS] Districts is intended to indicate its
2 principal or exclusive purpose as open space, with future development of any character
3 strictly limited."

4 E. On November 4, 1996, the Board of Supervisors adopted Resolution No. 1022-96,
5 which endorsed the urban design concepts of the Mid-Embarcadero Roadway project.
6 Resolution No. 1022-96 limited "improvements" on the Property to "landscape improvements
7 until such time as additional public uses that may be proposed in the future are further
8 analyzed by the Planning Commission and the Board of Supervisors."

9 F. Ordinance No. 109-01, among other things, found that the public would substantially
10 benefit if no building, improvement or structure is constructed on the surface of the Property
11 and Lot 18. The Ordinance listed a number of landscape and other improvements that would
12 not be prohibited. Playground structures were not included among those that would not be
13 prohibited.

14 G. The Board now finds that the public will substantially benefit if playground
15 structures are allowed on the Property and Lot 18.

16
17 Section 2. As of the date hereof, and for so long as the Property, excluding the
18 subsurface of Assessor's Block 202, Lots 6, 14 and 15, and Lot 18 are held by the City,
19 playground structures may be constructed on the surfaces of the Property and Lot 18, in
20 conformance with San Francisco Charter Section 4.113.

21
22 Section 3. Environmental Findings. The Planning Department has determined that the
23 actions contemplated in this Ordinance are in compliance with the California Environmental
24 Quality Act (California Public Resources Code section 21000 et seq.). Said determination is
25

1 on file with the Clerk of the Board of Supervisors in File No. 111076 and is
2 incorporated herein by reference.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 VIRGINIA DARIO ELIZONDO
8 Deputy City Attorney

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BOARD of SUPERVISORS



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October 13, 2011

File No. 111076

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On October 4, 2011, Supervisor Chiu introduced the following proposed legislation:

File No. 111076

Ordinance amending the conditions previously placed on portions of Sue Bierman Park and authorizing the construction of playground structures, and making CEQA findings.

The legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

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

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

- c: Nannie Turrell, Major Environmental Analysis
- Brett Bollinger, Major Environmental Analysis

SAN FRANCISCO DEPARTMENT OF CITY PLANNING
CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW

CLASS 3 - New Construction

of a small structure on an existing public park.

Brett Bollinger 10/13/11

Approved Planning Dept. Brett Bollinger
2011.1157E