FILE NO. 040320 RESOLUTION NO. 193-04

[Interdepartmental jurisdictional transfer of the Geneva Office Building and Powerhouse.]

Resolution Transferring Jurisdiction over the Geneva Office Building and Powerhouse, Located at the Corner of Geneva Avenue and San Jose Avenue, from the Municipal Transportation Agency to the Recreation and Park Commission for Recreational Uses; Adopting Findings pursuant to the California Environmental Quality Act; and Adopting Findings that the Transfer of Jurisdiction Is Consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

WHEREAS, The Geneva Avenue Office Building and Powerhouse (the "Building") is located on certain real property at the corner of Geneva Avenue and San Jose Avenue owned by the City and County of San Francisco (the "City") under the jurisdiction of the City's Municipal Transportation Agency ("MTA") and adjacent to the MTA's Geneva Rail Yard and Carhouse (collectively, the "Yard"); and,

WHEREAS, The Building, which was built in 1901 and declared a City Landmark in 1985, consists of two adjoining structures: a two-story office building containing approximately 12,000 square feet with a Romanesque design, slanted wooden bays, a rounded Queen Anne turret; and a single-story car shed, known as the Powerhouse, containing approximately 4,000 square feet with windows extending 28 feet from the floor to the ceiling; and,

WHEREAS, The MTA's Municipal Railway ("Muni") previously used the Building for office functions, but the Building has sat vacant since being severely damaged in the 1989 Loma Prieta Earthquake; and,

WHEREAS, The MTA and the City's Recreation and Park Department (the "Department") have reached a conceptual agreement to transfer jurisdiction over the Building and the property surrounding the Building as shown on a survey plan, a copy of which is on

Supervisors Sandoval, Hall Recreation and Park Department **BOARD OF SUPERVISORS**

file with the Clerk of the Board of Supervisors in File No. <u>040320</u> and which is hereby declared to be a part of this resolution as if set forth fully herein, (collectively, the Building and surrounding property are hereinafter referred to as the "Property") to the Recreation and Park Commission (the "Commission") for recreational use as a new space for youth and teen arts and related uses consistent with the Department's mission; and,

WHEREAS, The MTA has used Federal and San Francisco County Transportation Authority funds to design a project to stabilize the Building and also can contribute toward the rehabilitation of the Building approximately \$865,000, including \$540,000 in funds obtained from the State Transportation Congestion Relief Program for the Building, of which up to \$490,000 can be used for the stabilization project and the remainder for future design work; and,

WHEREAS, The Department will be responsible for securing the remaining funds for the rehabilitation of the Building after the transfer; and,

WHEREAS, The MTA and the Department shall enter into a mutually acceptable memorandum of understanding regarding funding for the rehabilitation of the Building, coordination of construction staging and other issues during the rehabilitation project for the Building, access to the Property and the surrounding Yard by both parties, and coordination of operational issues; and

WHEREAS, The MTA and the Department have agreed that the transfer of jurisdiction over the Property is subject to a condition subsequent whereby if the Commission determines that the Property is no longer necessary for a recreational purpose, jurisdiction will revert to the MTA; and,

WHEREAS, On January 20, 2004, the Municipal Transportation Agency Board of Directors adopted Resolution No. 04-014, a copy of which is on file with the Clerk of the Board of Supervisors in File No. <u>040320</u>, which is hereby declared to be a part of this

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resolution as if set forth fully herein, finding the Property surplus for the MTA's needs and requesting that the Property be transferred to the Recreation and Park Commission at no cost to be used for recreational purposes and related uses consistent with the Department's mission; and,

WHEREAS, On January 15, 2004, the Recreation and Park Commission adopted Resolution No. 0401-008, a copy of which is on file with the Clerk of the Board of Supervisors in File No. <u>040320</u>, which is hereby declared to be a part of this resolution as if set forth fully herein, requesting that the Board of Supervisors approve the jurisdictional transfer of the Property to the Commission; and,

WHEREAS, In accordance with the provisions of Section 23.13 of the San Francisco Administrative Code, the Director of Property has reported to the Mayor his opinion that the subject property can be most advantageously used by the Recreation and Park Commission and has therefore recommended that the transfer be made; and,

WHEREAS, The Mayor recommends the proposed transfer of the Property; and,

WHEREAS, In a letter dated February 26, 2004, a copy of which is on file with the Clerk of the Board of Supervisors in File No. <u>040320</u>, which is hereby declared to be a part of this resolution as if set forth fully herein, the Director of Planning found that the jurisdictional transfer of the Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and pursuant to the California Environmental Quality Act ("CEQA"), State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code, the Director of Planning also found that the transfer is categorically exempt from CEQA; now, therefore be it

RESOLVED, That pursuant to San Francisco Administrative Code Section 23.13, this Board hereby determines that the subject property is surplus to the Municipal Transportation

Recreation and Park Department BOARD OF SUPERVISORS

Page 3 3/16/2004 8:58 AM H:\WP\LEGISJURTRGENEVAOFFBLDG.DOC Agency and that it can be used most advantageously by the Recreation and Park Commission; and, be it

FURTHER RESOLVED, That, accordingly and in accordance with the recommendations of the Director of Property, the Mayor, the Director of Transportation and the General Manager of the Recreation and Park Department, and with the approvals of the Municipal Transportation Agency's Board of Directors and the Recreation and Park Commission, jurisdiction of the subject Property is hereby transferred to the Recreation and Park Commission, subject to the condition subsequent that if the Commission determines that the Property is no longer necessary for a recreational purpose, jurisdiction will revert to the MTA; and, be it

FURTHER RESOLVED, That the Board of Supervisors finds, based on the record before it and in its independent judgment, that the actions proposed in this legislation are categorically exempt from CEQA for the reasons set forth in the CEQA findings of the Director of Planning set forth above and adopts as its own and incorporates by reference herein as though fully set forth said findings; and, be it

FURTHER RESOLVED, That the Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings in the Director of Planning's letter referred to above, that the jurisdictional transfer is in conformity with the General Plan and is consistent with the Eight Priority Policies of Planning Code Section 101.1.

RECOMMENDED:

General Manager.

Recreation & Park Department

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Director of Transportation

Director of Property

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Tails

Resolution

File Number: 040320

Date Passed:

Resolution transferring jurisdiction over the Geneva Office Building and Powerhouse, located at the corner of Geneva Avenue and San Jose Avenue, from the Municipal Transportation Agency to the Recreation and Park Commission for recreational uses; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

March 23, 2004 Board of Supervisors — AMENDED Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval Absent: 1 - McGoldrick

March 23, 2004 Board of Supervisors — ADOPTED AS AMENDED Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval Absent: 1 - McGoldrick File No. 040320

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on March 23, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young Clerk of the Board

APR 0 1 2004

Date Approved

Mayor Gavin Newlom