Edwin M. Lee, Mayor  
Recreation and Park Commission  

Minutes  
November 15, 2012

Commission President Mark Buell called the meeting of the Recreation and Park Commission to order at 10:01 a.m. on Thursday, November 15, 2012.

Present
Mark Buell  
Tom Harrison  
Paige Arata  
Gloria Bonilla  
Meagan Levitan  
Allan Low  
Larry Martin

Commissioner Buell announced that item 11 - Outside Lands Music Festival Permit was removed from calendar.

PRESIDENT'S REPORT  
Commissioner Buell: Thank you. There are a couple of items I want to announce and go over. One, we have had a couple of groundbreakings and some celebrations of projects completed so I wanted to congratulate the staff on the Fulton Playground job which was really terrific. I recommend that everybody go out and take a look at first class facility, restored a clubhouse and moved it to make sure it got properly treated. We had a great groundbreaking of the Boedeker Park yesterday in the Tenderloin and I want to thank Commissioner Low for representing the Commission saying a few remarks there. That is a true partnership with the Trust for Public Land and the Park Alliance and a number of private sponsors and that State to the tune of about $4 million. So that's terrific and we'll look forward to that project moving forward. Speaking of the Trust for Public Land I'm probably stealing the thunder of part of the General Manager's report but last week for those of you who know the Trust for Public Land is one of the largest philanthropic entities in the county assisting in the purchase of open space, the development of recreation facilities around the country. They conducted a survey of the largest cities in the country and if my eyesight serves me well they have a program called Park Score and that is basically they assess the park systems in the largest cities in the country and give them a score based on the condition, proximity, size and scope of recreation and park facilities. And San Francisco I am proud to say came I number one as the best park system in the country and everybody should take credit with that and they presented the Mayor and me and the General Manager with a etched park bench that I believe the Mayor has in his office and is going to have it sitting there for a couple weeks just to tell everybody how proud he is of us having the best park system in the country. That leads me to another congratulatory note and that is for Prop B. Everybody from the Mayor to the Trust for Public Land to the Board of Supervisors all 11 members to the San Francisco Park Alliance to the Port to all the volunteers and to the Recreation and Park Department staff a hearty congratulations. Let me inform you of some numbers just to reinforce this. There were seven down ticket ballot measures on the ballot, Props A-G. The Park Bond received more votes than any of those items on the ballot. This demonstrates what we know every time we meet here, everybody loves their parks and has an opinion about them in San Francisco and oftentimes never hesitate to let us know what those opinions are and we welcome those opinions. They proved it by turning out, 303,000 votes and the bond measure almost received 72 percent yes. That is up from 2008 where it was 71.33, it’s up to 71.79. If there were ever a valid test of the public opinion about how we’re doing with our park system we increased the number of people who are supporting what we’re doing here. So I want to send to the staff a real congratulations. I know how hard everybody is working under increasingly difficult circumstances financially and economically and so to get more votes and more enthusiastic support for what we’re doing is just very heartening for all concerned. Finally, we were at a little presentation out at Harding, the Schwab Cup will be coming back in 2013, another congratulatory note to the staff, that’s a major event with the PGA and we appreciate their participation. That concludes my report.
GENERAL MANAGER’S REPORT

Phil Ginsburg: Good morning Commissioners. Thank you Mr. President. It’s been a good couple of weeks for parks. Even moving back to the incredible events that we had right out here in Civic Center where we had the world’s best skateboards and mountain bikers followed by a public viewing of Game Four, the clinching game of the World Series, followed by a couple days later a parade that welcomed hundreds of thousands of people to the Civic Center area to Proposition B to the groundbreaking of Boeddeker Park yesterday. It’s really been an extraordinary week and yes the beloved bench which is our version of the Stanley Cup and it will move around from location to location and will end up in the Mayor’s Office in 200 for a while.

The best qualitative state about the Urban Park Score that resulted in San Francisco having the best urban park system in the country is that 96 percent of San Franciscans live within a ten-minute walk of a park. Think about that. There is no other city in the country that can claim that and we’re very proud and that is an honor which celebrates the city’s commitment to parks but also the incredible wisdom and vision of those who’ve come before us in building a really tremendous park system in San Francisco. So there’s a lot to be proud about. Just a few short announcements. Looking forward, this Friday we are able to celebrate the grand reopening of the Sunset Recreation Center Friday November 16th at 1:00 o’clock it will reopen after a $14 million renovation and this project was made possible through the 2008 Clean and Safe Neighbor Parks Bond program and it’s another example of how our bond dollars are working to make our parks and recreations centers better all across the city. I was able to take a little bit of an advance tour of the nearly complete site last week and it is going to amaze. It is really, really spectacular.

Tomorrow evening you can get a head start on Thanksgiving at Recreation and Park’s Annual Turkey Cook-Off, a no recipes barred cooking competition between youth and staff teams from each of our recreation centers. This is one of our very best and certainly most tasty events. You get to join the fun and anybody who wants to come out can help judge this year’s award for best turkey, best side dish, and best dessert. The fun and tastings get started at 7:00 o’clock p.m. tomorrow evening at Potrero Hill Rec Center. Bring your appetite and your baggy pants.

Tree lighting. Come celebrate the state of the holiday season at our annual holiday tree lighting at McLaren Lodge in Golden Gate Park, Thursday, December 6th from 5:00 p.m. 7:00 p.m. featuring free carnival rides, arts and crafts, a cookie factory, live entertainment, and a visit from Santa. For more information you can visit sfrecpark.org. This is one of our four family-friendly events that we have throughout the year that includes Scaregrove which we just successfully hosted in Stern Grove over Halloween. Extravaganza which is spring festival in Golden Gate Park and the Playday on the Green which last summer was a summer event that we hosted here at Civic Center. One final sort of kudos or recognition before moving on to this month’s video. Last night I had the great honor of attending at Sunnyside Conservatory the Outdoor Educator’s Institute Graduation Ceremony. This is the first graduation ceremony for this program. It is a program that was convened by an organization called the Foundation for Youth Investment, a partner of ours that is focused on getting kids outside. This particular program and this institute is an in-depth ten-week instructor training program for young urban adults who demonstrate high interest and aptitude in the outdoors. The Outdoor Educators Institute focuses on building competencies and leadership skills and creating pathways for a career in the outdoor education field. The first graduating class had eight graduates who completed a six-month course where they end up with back country rescue training certificates and a number of different competencies including rope course facilitator training, wilderness first responder training, kayak guide training, environmental education. They had to do a final backcountry expedition. We were a partner in this endeavor and we hosted and arranged for the swim and water rescue curriculum. And I really want to thank Jim Wheeler of our staff for working with OEI and the Foundation for Youth Investment. We made a significant contribution in terms of pool and staff time to this program which also gave these kids water safety and lifeguard training. What is so fabulous about his and I got to hear each of these eight individuals speak during the graduation ceremony, all eight of them grew up in neighborhoods where there was no exposure whatsoever to the outdoors and all eight of them spoke with incredible passion about how important this program was to them and how they now want to devote their lives and their careers, their professional careers to helping welcome both their peers and younger adults to the outdoors and to give them the same sort of exposure and training. It was such a touching event and such a poignant reminder of the important work we do and we were truly honored to have been a partner in the endeavor. And now without further ado, This Month In Parks. [video plays] That concludes the General Manager’s report.

Commissioner Low: Thank you President Buell. I just wanted to compliment the staff and the Department on putting together a citizens advisory Committee for the Palace of Fine Arts. Being involved in that process it’s a very vibrant, very vocal, very creative process and I encourage all to attend the public meetings on December 5th and December 12th. There’s a lot of creative and great ideas that are coming out of the citizen advisory Committee process and I encourage all to attend.
George Wooding:  Good morning Commissioners. My name is George Wooding. I represent Coalition for San Francisco Neighborhoods and I’d like to speak for just a moment. Now that Proposition B has concluded it is time to take a closer look at the election results and what the numbers really mean. The Coalition for San Francisco Neighborhoods representing 46 neighborhood groups, the more than 25 additional organizations and over 85,000 citizens who voted no on Proposition B deeply love their parks. The No on B Coalition includes people from conservative, moderate and progressive backgrounds. These people are joined together in their deep concern for the management of our park system. According to yesterday’s San Francisco Examiner the Yes on B proponents spent over $950,000 promoting the bond, the highest expenditure of all local propositions. This was over a hundred times greater than the mere $8,800 in funding spent by the No on B campaign. In fact Yes on B spent over $4.15 a vote compared to less than ten cents a vote spent by No on B. Despite this lopsided expenditure if you compare the election results to the 2008 bond the 2012 Parks Bond only managed to increase the margin of support by less than half a percent. Why did this extraordinary campaign funding difference have so little impact on the electorate? The reason is that San Franciscans are concerned about the future of their parks. Our parks need increased General Funding for maintenance and operations not another capital bond which will build new structures without the funds to manage, maintain and staff them. Our parks need to be valued as commonly help public assets, not as site-specific revenue generation machines. Our parks need a funding source that does not depend on limited public access to the very resources that were created with the intent that they’d be made available to everyone. We will continue to urge the Department to redirect its management policies back to its core mission of providing the broadest access to our parks for everyone, giving all San Franciscans a voice in their parks and stewarding out precious resources for both San Franciscans today and for the future generations. Thank you. Katherine Howard:  I’d like to echo Mr. Wooding’s sentiments and those of all the people who worked on No on B. We love our parks, we think there is some very serious issues that need to be addressed and we always look forward to working with the Commission and the Department on these issues. Louis Dillon: Good afternoon Commissioners, Manager of Recreation and Park, Phil Ginsburg and the general public. Welcome to this timely Recreation and Park meeting. 10:00 a.m. usually these meetings were in the afternoon when more people from the public could attend them and it wasn’t so conflicting with their schedule but someone I feel like that is the plan and design of this Commission and the Recreation and Park which is to circumvent public access and public comment and notifying the public in a timely manner within the Brown Act which is something which this government seems to circumvent. Many violations of the Sunshine ordinance are routine in this Recreation and Park Department. Cultivating the desecrating of Western culture, that is what is going on in this Recreation and Park Department and if you cannot see either the ramifications of the collateral damage that this type of Recreation and Park Department agenda has achieved then you are seriously deceiving yourself and the general public. You have caused immense suffering, hardship and devastation to the Bay Area, the City and County of San Francisco and all the people who have lived in it. It’s very similar to the feeling in Benghazi, September 11th, 2012, nobody here to answer your concerns, nobody here that cares, nobody here that’s watching what’s really going on. Thank you for your time, have a great day and enjoy your Thanksgiving. Richard Fong: Good morning Commissioners and General Manager. I’d like to speak in support of what’s been happening on the fiscal complications that we’ve been having throughout the county. I like the idea of innovative new projects or anything that comes up, we’re trying to gain more capital for the Department use, we’re also looking at different places where you don’t have any funding, then you don’t have programs, so I’d just like to give a little extra support to Mr. Ginsburg in trying to make up for what’s not coming from Federal, State or County monies. Thank you.

GENERAL PUBLIC COMMENT

Andrea O’Leary:  Good morning Commissioners, Andrea O’Leary. Well-known and grassroots organizations from all sides and all over San Francisco were joined by over almost 86,000 citizens to support a No vote on Proposition B. Dedicated and informed citizens undertook this overwhelming tasking knowing that important information about park systems management was not being delivered through all of the expected civic and media channels. Park advocates are more dedicated and ever and more devoted than ever to assure a voice for all the citizens, all of who love parks and are committed to realizing the system that parks serve the people first in all of their neighborhoods. Opponents of this bond entered this election with the goal of creating a real debate about the real condition of our parks and how we need to increase the General Funding for maintenance and operations. We are expected to look at funding for another bond within the next couple of years, given this time to secure some sort of funding resource in order to manage, maintain and staff park facilities that are closed. Educated voters in San Francisco want to show a leadership that we can reward leadership for good public policy that supports and rewards a Department when it refocuses its mandate on public service which is paid for by our taxes not at the expense of public serve. And looking and going forward to build a political infrastructure of deeply committed citizens to
support the Department and to redirect the management policies back to its core purpose of stewarding the resources and providing access to all parks versus the select few. This is just a beginning for us. We are dedicated to this. We are going to see this through, we’re not going anywhere. We have a primary goal and the hard work focusing on looking at the prize in the end to give a real voice to the citizens of this city and to value and listen to what they have to say and to restore access to all of our parks and to redirect stewardship of our investment back to our parks and to our citizenry. Thank you. Richard Rothman: Good morning Commissioners and General Manager. Maybe it’s time for some good news. My name is Richard Rothman and I’m a city guide up at Coit Tower but I’m speaking for myself today and I want to thank the General Manager for what’s going on at a Coit Tower. When I started for the second time a couple of years ago the Art Commission and Recreation and Park weren’t talking to each other but the General Manager made some staff changes and now the two, the Arts Commission and Recreation and Park, are talking to each other which I think is the most important accomplishment and things are moving in the right direction at Coit Tower. Right now they’re working on doing the emergency repair work on the roof and in the spring they’re going to start restoring the murals. Apparently there won’t be enough funding to do all the work so we’ll have to go about raising some more money for that and the other thing what concerns me, my wife and I worked on this in 1988 and there was a big report that the Arts Commission and one of the recommendations was that there be periodical inspections of the murals and the building and this did not happen and this led to what we’re going through now. So I hope going forward and I’m working with Supervisor David Chiu’s office that we can find a mechanism to make sure that these murals are protected and when there’s damage coming that we be proactive in protecting the murals and we need to think of just like the Museum of Modern Art or any museum we need to think of Coit Tower as a museum, although it wasn’t designed as a museum, it was supposed to be a restaurant but it is what it is today. So hopefully we can go forward in making sure that these murals will stay protected. Thank you.

Linda Cutner: First, I’d like to congratulate you. I felt very honored I’d say when I heard that we were voted the best in the USA. I perform in parks all over the country it’s true on a yearly basis from New York to the bay, down to a city called LA, over to Dallas and New Orleans it’s true, up to Aspen and Boulder too. I see many, many children every year you see and I always can’t wait to get back to my home by the bay. Yes, I think our parks are number one, by the way. And I’m here to talk about the holidays it’s true, once again it’s the time of the year for the elves to arrive in Union Square too and I’ll be there, yes sir-ee, I hope to see all your smiling faces you see. Richard Fong: I was looking over at the Betty Ann Ong Chinese Recreation Center and I took the liberty of going out there and looking around the location and I talked to the facilitator there. They seem to have a little problem with trying to set up where they’re going to be going into program developments from the new $40 million from the park bond of trying to monitor the location. I believe it was already approved that they’re going to be able to have some type of surveillance but there was an additional complication, young kids with their laptops and their iPads need to have better source of wi-fi. What’s happening is if they get about half a dozen or so of them trying to do their homework it overworks the umbrella of it. So I don’t know what type of cost that comes out of, whether it’s from programs or whether it comes out from the development that I would expect that Mr. Ginsburg and his staff would be able to rectify but the little kids they’re going to be doing a lot of their afterschool programs and stuff and they do need some of that type of how should I say it, high tech communication devices present. It’d probably be very costly, though. Another problem there had to do with if they’re ever going to deal with announcements they’re not going to be able to handle it too well because they only have one person with a microphone way down in the lower office. I don’t know if they’re every going to get fiber optics, I thought possibly they may be able to use something that would be from cell phone to communication and that way be able to get on to your loudspeaker system. Another part at looking over the Betty Ann Ong has to do with the structure of the place, I don’t know if I got the message yet but I kind of look at it and it looks down I just through maybe they should have a structural engineer just take a once-look over at it because I saw a little crack on different floors and cracks in the corridor parts and even in the office parts. They’re not too bad. I think the facility was informed that it’s still within the safety requirements.

Thank you. Louis Dillon: Good afternoon Commissioners, General Manager of the Recreation and Park Department, members of the public. A little food for thought for you to chew on over Thanksgiving and hopefully you won’t choke on it. September 11th, 2011, Mayor Willie Brown was given advance warning of the nation’s worst terrorist attack since Pearl Harbor. If only he’d have told Betty Ann Ong not to travel on September 11th then we wouldn’t have had to have—

Commissioner Buell: I just have to remind you, that was a tragic event and I think you just have to show a little respect for that situation here in this room, thank you.

Louis Dillon: It was a very tragic event on September 11th and if you were in San Francisco at that time you were getting evicted from your stable which was being managed by Recreation and Park and the Commission here and
you were told that you were going to get your facilities modernized, your stalls enlarged. That was ten years ago and you’re sitting there telling me to have respect for September 11th? What if you owned a horse in San Francisco September 11th, 2001? I think your tone would be a little bit different Mr. Buell. You seem to have total contempt for this city and the people that live in it and especially the people that have recreational activities in it. Yes, you my friend are the person with a character flaw, you my friend are the person with a lack of respect and you my friend are that absolute epitome of what is wrong with this country. When people that have served the City and County of San Francisco and their country in any capacity to get booted out at that time is unforgivable and there is nothing that you can say or do that will ever undo the gross cultural damage that this Recreation and Park Department and Commission achieved, absolutely unforgivable. Thank you.

CONSENT CALENDAR
On motion by Commissioner Harrison and duly seconded, the following resolutions were unanimously adopted:

RES. NO. 1211-001
RESOLVED, That this Commission does approve the minutes from the May 24, 2012, July 2012 and August 2012 meetings.

RES. NO. 1211-002
RESOLVED, That this Commission does approve inaugural appointments to Seats 1 and 6 of the Alemany Farm Community Advisory Committee (CAC) in accordance with the Alemany Farm Management Plan.

RES. NO. 1211-003
RESOLVED, That this Commission does approve a time extension of 81 calendar days, an increase of 13.5%, to Dutra Construction, Inc. for the SF Marina, West Harbor Renovation project.

RES. NO. 1211-004
RESOLVED, That this Commission does amend a construction contract to Plant Construction for the Betty Ann Ong Chinese Recreation Center Project in an amount not to exceed $1,990,000 which is greater than 10% over the original approved contract amount.

RES. NO. 1211-005
RESOLVED, That this Commission does approve a Memorandum of Understanding with the San Francisco Arts Commission regarding the installation and maintenance of the Brotherhood of Man Mosaic in Franklin Square Park.

SAN FRANCISCO ZOO
Tanya Peterson: Good morning, congratulations again on the park bond. Thank you for all that good work.

Tanya Peterson, Director of the San Francisco Zoo. I’ll start with October attendance. We finished slightly over 50,400 visitors versus budget of 48,000 visitors. The Zoo thus concluded the October month over budget by 2,400 visitors. I’m happy to announce November attendance is commencing well especially with great attendance on Veteran’s Day. For the month of November the Zoo is over budget by 7,000 visitors. Year to date attendance is 335,000 visitors versus budget of 319,000 which is approximately a five percent lead and should position us well in case of heavy rains this winter. I’ve been asked at times why the Zoo tracks attendance. Just simply put it informs us how much funds we have to spend on animal care, conservation, education and facility support as we go through the fiscal year. The same is also true for our members. I think our members, those funds also support our conservation and education programs. Lastly, I can’t forget the donors but they often restrict their gifts to certain projects and animals so those general unrestricted funds from attendance and membership that supports mainly this facility. Thank you. With that, speaking of attendance I’m going to go to the slide show here. We are grateful that local groups help raise the awareness of the Zoo. As I speak hockey players from the San Francisco Bulls are actually at the Zoo this morning. They are passing out icy fish pucks to our bears and helping us kick off our winter programs. I guess there’s something appropriate about Bulls visiting a Zoo. Part of our winter programming today for Santa’s favorite reindeer have arrived, Peppermint, Bell, Holly and Velvet. They’re here for the winter to help teach the children about North American conservation. Another thing we do today is we delivered ten tons of snow for our polar bears. Our polar bears and Uloo and Pika. That’s actually Pika our thirty year-old polar bear. She was born in a Zoo but Uloo who is thirty-two was actually rescued from Canada, she was about to be euthanized for encroaching into the village. Historically Uloo has not wanted snow, she’s like a New Yorker moved to Florida but I understand this morning she’s actually enjoying the snow so this is a really fun day and weekend for our animals, so thank you all for that. Speaking of holidays we are trying something new this year, we are going to do Wild Lights. The Zoo will be lit up during the weekends of the holiday season. Of course the lights will have animal and wild themes, the Zoo will be open until 8:00 o'clock. This is free for Zoo members and I think it gives a chance for our
families and visitors to enjoy the Zoo during the evening. So we look forward to that. Speaking of winter it’s time for winter Zoo camp. There are some of our campers. This is run for two weeks by Joe Fitting who is the Vice President of Education for over thirty years. Hundreds of thousands of kids come through our camp programs annually and information and fees can be found on our Zoo website. Speaking of kids, this year we have partnered with the San Francisco public library, they have come on our San Francisco resident free days, this has been wildly popular. We think the public libraries again they’re here on the first Wednesdays of the Zoo free services from the library. If they kids can’t come to the Zoo we go to them. Through the Zoomobile program we take animals to underserved areas. This is our latest acquisition, this is Russell, a crow, he actually came to us as a pet if you can believe somebody had a crow as a pet. Unfortunately due to that he can no longer be released to the wild. We have been bringing Russell now to the kids in the classrooms and he has been receiving rave reviews. On some other good news, I wanted to thank Vet staff and animal staff. There is a picture of Sumatran female tiger Leanne. She is actually awake while she’s being probed with gels and other medical devices. In the front there we’re taking an ultrasound of her uterus. In this instance we’re taking one because she’s just recently been housed with our male. We’re hoping to see hopefully young tigers in that uterus. But this is a great process and procedure for us because she is not under anesthesia. We’re one of the few Zoos able to do this with a tiger while she lay awake. Because of those efforts the Zoo lastly has been cited in a book that’s coming out on Zoo animal welfare, chapter 8 is all about the San Francisco Zoo in particular our rescued grizzly bears. This is authored by Dr. Terry Mable, one of the world’s renowned psychologists and animal welfare experts. He is also a consultant for us, a psychologist and professor in residence but we are very honored that we made chapter 8 of Zoo Animal Welfare. With that I thank you and have finished my report.

Richard Fong: I took a look at the Zoo Master Plan while looking over this there seems to be a need to update the water parameter to it and the use of ground water. That’s an old standard and it’s pre-21st century and that was my only comment about what’s going on at the Zoo, to upgrade the Zoo Master Plan, the water issue. Richard Rothman: Commissioners and General Manager. While we were successful in restoring our Coit Tower we have another building, the Mother’s building that the Zoo I don’t know if the Commissioners are aware but the official title is the Delia Fleishhacker Memorial building and I think it’s in honor of our former President of the Commission that this building needs to be restored. I did some research, there was an effort in 88-89 to restore the building, the Arts Commission is responsible for the artwork in the building and Recreation and Park owns the building, I guess it’s managed by the Zoo. So this is another building that has multiple jurisdictions and I would hope that we could rehabilitate the building. The first two things that need to be done in my opinion right away while this building is a National landmark it’s not a city landmark and I’ve talked to the Landmarks Board and they started a file on that and one thing they would like to request is either the Zoo Committee or this Commission here to send a letter or resolution to the Planning Department encourage them to make this a city landmark. This would give it additional protection that any changes would have to go before the Landmarks Commission although this Commission did approve it being a National landmark I believe in 1979. And the other thing that I think needs to be done with the staff and the Arts Commission is do a joint study to see what work needs to be done to rehabilitate the building not only the physical building but the artwork in the building. This was successful that the Commission with ARG of Coit Tower and I think we should use the same model at the Delia Fleishhacker Memorial building and since the next item is the rehabilitation of the children’s playground and if my memory serves me right these buildings are right next to each other. So I hope the staff and the Commission will take action this important building, thank you.

This item was discussion only.

SAN FRANCISCO ZOO – ELINOR FRIEND PLAYGROUND
Karen Mauney-Brodek: Good morning Commissioners. Karen Mauney-Brodek from the Recreation and Park Department Planning and Capital Committee. I’m very pleased to present this project. I’m going to be handing it over to Joe Fitting, the Vice President of Education at the Zoo but I just wanted to briefly introduce the item. Again, this is discussion and possible action to approve the San Francisco Zoological Society’s conceptual plan for the renovation to the Eleanor Friend Playground at the San Francisco Zoo and the Society’s expenditure of up to $3.2 million on the project which includes $138,000 from the Recreation and Park Department and two, to adopt findings under the California Environmental Quality Act and adopt the mitigation, monitoring and reporting program. That $138,000 was previously approved, this is just reaffirming the expenditure of that. Again, this is an existing playground in poor shape, ADA issues, safety issues, doesn’t meet curtain Safety Code and included in your Commission report under Attachments 3 and 4 we worked from closely with the Planning Department to identify and describe all of the appropriate CEQA language that is needed to move forward with this project. Again, it was
Commissioner Bonilla: That concludes the presentation on this item, thank you.

Commissioner Low: I would like to make certain findings in connection with this project and would like to make the motion but I defer first to my colleagues if they have any questions regarding this matter.

Commissioner Bonilla: I was looking through my packet and trying to see if I could find a little bit more information on the materials that will be used to construct all of these different venues and also wanted to know a little bit more about the shelf life of these structures and how they will be maintained if new materials are going to be used, if there’s going to be any new plan, if you’re going to have a special maintenance plan for these materials because I’ve never seen such extravagance playground structures and they looked a little bit special and so I wanted to get a little bit more information about them.

Tim Woo: Thank you Commission, I’m Tim Woo of EPF Philanthropy at the Zoo. Scientific Arts is the studio that’s been commissioned to do this. They are a design and build firm, so they see the process through from conception to construction. They have been very careful looking at materials now, they’re creating the structures off-site so they can modularly put into the playground. It’s a combination of steel infrastructures with a variety of composite materials around them that have been tested for understand the topography of the Zoo, the salt weather, corrosion issues, they’ve looked at all of these issues. They also have looked at the maintenance issues. So we are looking at even the ground levels around them, asphalt versus concrete and what will last over time, what’s easier to maintain but prevents things from cracking. That’s all been taking into consideration and also particularly there’s a tactile element in all the structures so that disabled children when they play on them will be able to feel the structures and have a tactile sense of what they’re doing as well as people visually to look at that. That’s all been looked at very carefully and the Mayor’s Office on Disability has gone through all of this and approved it as well. And what will be the shelf life of these structures considering the ones previously designed were 1980 and we’re just now replacing them. I must say I’ve been to the Zoo many times and I’ve always wondered what kind of playground is this and who really plays in it. I mean, I have seen kids play there but it doesn’t seem to have the excitement for kids that I would think would be normally the case.

Commissioner Bonilla: And what will be the shelf life of these structures considering the ones previously designed were 1980 and we’re just now replacing them. I must say I’ve been to the Zoo many times and I’ve always wondered what kind of playground is this and who really plays in it. I mean, I have seen kids play there but it doesn’t seem to have the excitement for kids that I would think would be normally the case.

Tim Woo: It’s very much so that this one will have a much more exciting sense. We’ve asked Scientific Arts to tell us the shelf life of these. They do not have a sense of an end-date for them. The materials are meant to extend as
long as we can maintain them and support there. There is not a specific closing or end date for that so it would really be up to us to maintain them as they are but they are designed to endure the weather and elements and little kids jumping up and down on them for as long as they’ll be there.

Commissioner Bonilla: And they’re safe for children.

Tim Woo: Absolutely. And we’ve had everything vetted by the Mayor’s Office on Disability as well for all those issues.

Commissioner Bonilla: Thank you.

Commissioner Low: I’d like to make the following findings before we move. First of all to acknowledge the condition of existing playground as dilapidated. It is the subject of a lawsuit requiring ADA compliance and is in need of repairs. I think Exhibit 3 on the CEQA findings adequately addresses the no project alternative which we did receive communications from citizens requesting the no project alternative and I think the Zoo Master Plan does address the need for children’s play activity so that a no project alternative is not feasible. Next, I also wanted to acknowledge that the EIR which is dated 1998 is adopted and is part of our record in approving this project and that I think the concept plan does achieve the goals of what’s referred to in the staff report for ADA compliance, environment education, and to also boost attendance at the Zoo. So I guess Margaret can we make this into one motion? So I move that we approve the San Francisco Zoological Society conceptual plan for the renovation of the Eleanor Friend playground, to adopt the findings in our package under Exhibit 3, acknowledging the mitigation and reporting program measures which are recommended in the staff report. I just want to add that that should be both for construction and after completion of construction, particularly on monitoring animal behavior, adopt the CEQA findings, adopt the monitoring and reporting requirements, and approve the conceptual plan finding that it is consistent with the Zoo Master Plan.

On motion by Commissioner Low and duly seconded, the following Resolution was adopted:

RESOLVED, That this Commission does: 1) find that the existing playground at the San Francisco Zoo is dilapidated, was the subject of a lawsuit regarding ADA compliance, and is in need of repairs, 2) find that the 1998 Environmental Impact Report was certified and is part of the Commission record in approving this project, 3) find that the conceptual plan-attached to the staff report as Exhibit 1 achieves the goals referred to in the staff report for ADA compliance, environmental education, and boosting attendance at the Zoo, 4) approve the San Francisco Zoological Society’s conceptual plan for the renovation of the Eleanor Friend Playground attached to the staff report as Exhibit 1 and the Society's expenditure of up to $3.2 million on the project, which includes $138,000 from RPD, 5) adopt the findings under the California Environmental Quality Act (“CEQA”) attached to the staff report as Exhibit 3, and 6) adopt the Mitigation Monitoring and Reporting Program (MMRP) attached to the staff report as Exhibit 4. (Attachments: Staff Report Exhibits 1-4. These attachments are located at: http://sfrecpark.org/about/recreation-park-commission/full-commission-documents/)

181 FREMONT STREET
Karen Mauney-Brodek: The item before you is discussion and possible action to recommend to the Planning Commission that the net shadow for the proposed project at 181 Fremont will not have an adverse impact on the use of Union Square pursuant to the Planning Code Section 295, the Sunlight Ordinance, and B, a portion of the shadow budget for Union Square will be allocated to the proposed project at 181 Fremont Street and to adopt findings under the California Environmental Quality Act and adopt the mitigation, monitoring and reporting program. We presented this item for review at the Capital Committee and now we are making the same presentation today. We provided a little bit more information as you received an additional attachment under attachment E and you also received an updated Exhibit 1 also under attachment E. So full packet should be available to you and I’m quickly going to do a presentation. I’m also joined by Kevin Guy from the Planning Department if you have any questions for him as well. Thank you. So as you can see this is the map of the Transit Center District Plan that this Commission also reviewed with the Planning Commission in October. The 181 Fremont site is identified with an arrow. Here is a map that shows the vicinity of the project. The project is a fifty-two-floor building with 74 residential units. It is qualifying for LEED Gold with is an environment certification program. Here’s a few renderings of the project both at street level and more detailed depictions of the facility. As you can see there is a green space that surrounds the building and a couple of things that might be of particular interest to this Commission
is the fact that the project includes a public elevator. This building adjacent to the Transbay Center which has a very large park above it and this will provide public access and a public lobby and public restroom which is something that we’re always very interested in that will allow people to access this park. Here you can is the sky bridge from 181 Fremont building to the new park. Here is a couple other images provided by the project sponsor as they render images for us to understand how this building may appear. This project like all of the Transbay projects including the Transbay Plan provide amenities and also fees that go towards certain public benefits that have been discussed and considered in the Transbay Plan. That includes open space, street and transportation fees, the downtown park fee, downtown artwork fund, childcare fee, amongst other fees. This also does pay into a fund that provides improvements to open spaces both inside but often outside the plan area that we discussed in the October 11th hearing. So I’m going to specifically talk a little bit about the shadow cast by this project. Again, this project was analyzed within the October 11th presentation that you say the analysis of this shadow was included within those shadow images and the presentation including the slideshows that you all saw. As we said at that time we’d be coming back when we have specific shadow details from specific projects. So again 181 Fremont was included in that shadow analysis and an unsculpted form. 181 Fremont’s actual design was refined by the designers and Planning Department staff that are here today and then was analyzed and specific shadow analysis was included in your packet as you received a memo from ESA the environmental consultants that did that further analysis. Both analysis at that time and analysis now show no new shadows on any Prop K park except for Union Square. So the detail of the shadow on Union Square from 181 Fremont, the shadow occurs approximately two weeks in the year, the week of August 16th and the week of April 24th. It occurs for five minutes from 7:25 to 7:30 a.m. The 181 Fremont project is approximately two-thirds of a mile from Union Square. The amount of the shadow is .0005 of total annual available sunlight, one-three hundredth of the current remaining shadow budget. I will mention that this amount of shadow was already available in the existing budget before both Commissions took action on the 11th. So here you can see included in your packet images that show shadow on non-Prop K parks, so that’s why in your packet you will see that we show a shadow that falls on parks other than Union Square which is the only park shadowed by this project that falls under Prop K. Here you see the shadow. This is a video that shows how the shadow falls. Because the shadow falls for a very quick period of time you can’t actually see the shadow as it passes so I’m going to quickly pause. The lower left-hand corner that is Union Square so that is the little blue sliver that you can see there on Union Square. It occurs basically when the sun lines up in such a way that Maiden Lane allows for the sunlight to be cast for a moment. So here is a zoom-in where you can see the orange strip on Union Square again from 7:25 to 7:30 a.m. Here is where that shadow is cast on Union Square. So again the actual design of 181 Fremont has been sculpted and refined from an earlier height of 875 to 700. I think I’m going to ask Kevin Guy to come up and talk a little bit about that. One thing I did want to mention, included in your findings is an analysis of usage at that time in Union Square and there was very minimal usage at that time. Mostly members of the public passing through the square quickly, the café was open though they generally don’t have a lot of customers or seating at that time but there were people inside the café at that time. So just to understand that’s why we anticipate that use would not be impacted by this shadow.

**Kevin Guy:** Thank you, Kevin Guy with Planning Department staff. A couple things that I would like to note just as a fresher from your joint hearing in October, the height limitations for new buildings in the Transbay Center plan area and the bulk regulations that talk about how buildings should be sculpted and act on the skyline, those regulations were set very much with an eye towards trying to minimize shadow impacts of new development on Section 295 parks and other open spaces. So for individual projects the mere act of complying with those height limitations and the bulk regulations is in and of itself a means of addressing Prop K impacts. It’s sort of built into the plan, as it were. Specific to the project if we could maybe get the image up again, the very top portion of the building what you see is that angular element and then reaching up to a spire, those are decorative features that are above the habitable floors of the building. The shadow that is being cast on Union Square is partly contributed by the solid habitable portions of the building but some amount of it is also being cast by those decorative features. Now, the decorative features are actually primarily open, they’re clear glass and surrounded by these relatively thing structural members as well as the spire. So what you see on the graphic showing the shadow impacts is a little bit different from the reality of how those shadows would act in real life because the sun obviously would pass through the clear glass and because of the distance between this building and Union Square any shadow that would potentially be cast by the structural elements up at the very top would actually if they appear at all would appear very light gray, very diffuse in color because of the nature of the sun’s light being able to pass around very thing elements are great distances. So there is just sort of a technical clarification I wanted to make. It shows up in your graphics as a hard line being cast by the spire but the reality is you probably wouldn’t even perceive the shadow
even for that very short amount of time that shadow is shown to occur. I’m available for any questions you may have on the technicalities.

Karen Mauney-Brodek: So the item before you is to recommend to the Planning Commission the actions that are included in your packet and to adopt we’ve included a draft resolution under Attachment E for your consideration. Thank you.

Dan Kingsley: President Buell, Commissioners, Dan Kingsley with SKS Investments, we’re the project sponsor. I just wanted to let you know that we’re here to answer any questions that you may have and we appreciate your consideration this morning, thank you. Jeffrey Hiller: Jeffrey Hiller, Hiller-Mantis Architects. We’re also available and I just wanted to say that one of the things about this project that we’re especially pleased about is the bridge to the roof park of the Transbay which I think is going to be one of those special and useful pieces of this concept. Thank you.

Commissioner Low: Thank you President Buell. This did come before the Capital Committee and we did move this matter to the full Commission for the following reason that at the time the matter was heard by the Capital Committee we didn’t have a full package. We do now have a full package which is included in your package which is the mitigation, monitoring and reporting program, certificate of determination and exemption from environmental review and the community benefit plan. So we do now have a complete package and we did move this to the general calendar with the recommendation of approval and I would like to make the motion to have this project approved.

Secretary MacArthur: Commissioner, is it the resolution you would like to adopt that’s in your binder?

Commissioner Low: Yes.

Commissioner Levitan: Prior to seconding my colleague’s motion I just want to say that about a week ago I was contacted by the head of the Union Square Association, Karen Flood, and she said that their association was supportive of this and I think that’s an important vote of approval so with that if there’s nothing else I will second Commissioner Low’s motion.

Commissioner Bonilla: I just wanted to thank the project sponsors for preparing that mitigation, monitoring and reporting program. Speaking for myself I think it would have been difficult to support without that program in place because I know how difficult it is for the community to deal with these kinds of projects and even with the program that you’ve proposed I know it’s not going to be easy, I know it will cause great inconveniences and hardships for the community residing around the project.

On motion by Commissioner Low and duly seconded the Commission adopted Resolution Number 1211-007, which is attached hereto and titled “Resolution to 1) recommend to the Planning Commission that (a) the net new shadow from the proposed project at 181 Fremont Street will not have an adverse impact on the use of Union Square, and (b) a portion of the shadow budget for Union Square be allocated to the proposed project at 181 Fremont Street; and 2) adopt findings under the California environmental Quality Act; and 3) adopt the mitigation monitoring and reporting program.”

ALAMO SQUARE WATER CONSERVATION PROJECT

Denny Kern: Good morning Commissioners, Denny Kern Director of Operations. The item before you is discussion and possible action to approve the Memorandum of Understanding between the Recreation and Park Department and the Public Utilities Commission for the implementation of the Alamo Square Park Water Conservation Project. The PUC extends grant assistance for large landscape retrofits to encourage large water users such as our Department to implement necessary retrofits to maximize our ability to realize real water savings through conservation measures and innovative practices. In 2011 the Department partnered with the PUC to develop a Parks Conservation Plan for 12 parks where the most water can be conserved and Alamo Square was ranked within the top five of those highest water-consuming parks and had high potential for water conservation. As a result Alamo Square would be the fourth such park that we’ve been able to implement this in, previous projects include Alta Plaza where we received over a $900,000 grant award which replaced the irrigation system controller, installed drought tolerant no-mow grass and improved drainage. Balboa Park we also received $120,000 grant award
and with that money we replaced the booster pump, irrigation controller, raised sunken valve boxes and improved water coverage and an additional irrigation line. Lastly and most recently her in Jefferson Square in the Western Addition with over $1 million in a grant award we replaced the entire irrigation system, installed a state-of-the-art irrigation controller, new no-mow grass and a new drought-tolerant landscaping features throughout the perimeter of that large park. If you’ve not been through there recently we’ll be taking the construction fences down the first week in December and it really has been a transformative project for us. In February of this year the Department submitted the required application documents for this project in Alamo Square and again it ranks as one of the highest water-using parks of all of our parks in our entire system. Currently, the annual water use in Alamo Square is over seven million gallons which translates annually to 23.7 acre feet which covers the 9.4 irrigated acres that comprise over four city blocks of that large and iconic park. The Alamo Square project that we propose that this MOU would cover would address this particular need within the park. The current system there we have a leaking irrigating system that’s over thirty years old and more stunningly we have a corroded coupler line which is over seventy years old which far exceeds any reasonable lifecycle expectancy for a system of that type. We have very low water pressure in the park which impacts our water distribution in the existing irrigation system. We have a very inefficient irrigation system design and layout, difficult to maintain lawn and steep slopes and under-utilized law areas. So this is the actual need that we have there and so in June of this year we were awarded by the PUC a grant in the amount of $1,318,485 to undertake this project which requires the MOU that’s before you today. That particular project that we propose that this MOU would cover would address these particular items—it would replace the irrigation system, it replaced that completely out of service quick coupler line, it would install a booster pump to increase our water pressure, improve the irrigation system layout and design, replace unusable turf with drought-tolerant plantings where appropriate in the park design and install a weather based smart irrigation controller and with this project complete our estimated water reduction would be a one-third reduction or 2,546,192 gallon annually which is very substantive. That being the project that we propose the PUC has made available this money for the project and it’s available until the end of fiscal year 13-14 and their grant funding covers fifty-seven percent of the total project cost. The remaining forty-three percent of the Alamo Square cost would be subsidized by the Department’s capital budget in an amount not to exceed $1 million. If you would approve the MOU today and once it is executed the Department must complete this particular project within two years or forfeit the grant receipts unless otherwise agreed. So the proposed MOU before you is attached to you package, outlines and describes the process and requirements of this particular project that it would govern and the timeline for that were you to approve this would be the following that you can see on the slide—again, I’m reiterating how the costs are allocated between the two Departments—and our project timeline that we would undertake community outreach for the project in January through March, we’d be back before you here at the Commission with the actual capital project in April, construction documents made through August, award of contract the end of next year with construction in February through July of 2014 and then have the project complete and reach to reopen in August of 2014. This project is supported by the Alamo Square Neighborhood Association some of which members are here today. We do not know of any opposition and the recommendation before you is approval of the proposed Memorandum of Understanding between our Department and the PUC to implement this project.

Commissioner Harrison: Excuse my lack of familiarity with no-mow grass but is that something like decorative grasses like Mondo and those types?

Denny Kern: No exactly. It is a California native. If you’ve been past Alta Plaza where we completed the first project you will see it on the very steep slopes there fronting Steiner and Clay Streets. It’s planted, it tufts and mounds and is by the description it is designed not to mow. It does have somewhat of a water quotient assigned to it but lower than regular turf and of course it’s more maintenance-free because we don’t have to do the mowing. We’ve proposed to put it on those no-usable areas like at Alta Plaza we have the very steep slopes that are difficult to mow and are not really usable for park users because of the grade. You can also see it at Cavallo Point there at Fort Baker across the Golden Gate Park.

Phil Ginsburg: The PUC is also using it at Sunset Reservoir and along the medians of Sunset Boulevard. I think we have a little bit of it at Jefferson.

Denny Kern: There’s some along the Eddy Street frontage of the Jefferson Square project also.

Commissioner Levitan: It looks like green, uncut hair.
Denny Kern: But beautiful hair.

Commissioner Buell: Where at Cavallo Point, on the parade ground?

Denny Kern: The parade ground they actually mow but where you see it between Murray Circle and the main office and then interspersed between some of the hillsides there is no-mow installed.

Commissioner Bonilla: The water usage, the 7,718,612 gallons that we’re using in this park is any of that potable water?

Denny Kern: All of that is potable. It would be a substantial water conservation.

Commissioner Bonilla: You’re saying all of it is what?

Denny Kern: Yes, either through inefficient water systems or just outright leaks in the system.

Commissioner Bonilla: I would say this project is long overdue.

Katrina Jankowski: My name is Katrina Jankowski and I’m on the Board of the Alamo Square Neighborhood Association and I just wanted to confirm Dennis’ comment that we are very supportive of this. We’ve been following it closely. We’re very excited that we’re going to get a new irrigation system and conserve more water and we’ll work closely with the community communicate what’s going on as the various stages happen and to make that go more smoothly. We’re actually also already meeting with the project manager Marvin Yee and talking about how this will affect replanting and tree removal and what we can do to really take our park to the next level and make good decisions now as this irrigation system is designed so that we can have a beautiful park in a hundred years.

Gus Hernandez: Good morning Commissioners. My name is Gus Hernandez, I’m the editor of the Alamo Square newsletter and I also want to offer my support for this irrigation plan which is long overdue like Commissioner Bonilla said. We’re very excited about this and we’re going to be partnering with your Department and Recreation and Park and PUC to make sure the outreach is done properly. Our newsletter goes out every other month so we’ll be covering it and providing updates in the newsletter.

On motion by Commissioner Martin and duly seconded, the following resolution was unanimously adopted:

RESOLVED, That this Commission does approve the Memorandum of Understanding between the Recreation and Park Department and the San Francisco Public Utilities Commission for the implementation of the Alamo Square Park Water Conservation Project.

TRANSIT CENTER DISTRICT PLAN – PRIORITIES FOR OPEN SPACE IMPACT FEE REVENUES

Sarah Ballard: Good morning Commissioners, Sarah Ballard Recreation and Park Department. I apologize for my voice the fact that you got your staff report late due to my sniffles. As you recall in September this Commission held an informational hearing on the Transit Center District Plan where you heard about the plan developments, the transit improvements, the planned open space, as well as the shadow impacts. In addition you were presented with information on impact fees that would be paid by developers within the project and the Nexus study that was the basis for those fees was presented at that September hearing.

During that conversation we talked about the fact that there will be impact fees that will stay within the plan area and then there are a portion of the impact fees at $12.5 million that can be spent outside of the plan area on open space. On October 9th you probably all remember instead of watching the Giants win their League and advance to the NLCS you had your shadow hearing where again we talked primarily about the shadow impacts and your jointly approved those with the Planning Commission but also about the public benefits as well as the impact fees.

Subsequently, on October 18th the Planning Commission adopted what is known at the Transit Center District Plan implementation document which was intended to summarize the public infrastructure in the plan area, the sources of
funding associated with that infrastructure, the allocation of revenues from the different types of infrastructure and the implementation, mechanisms and process. And during that hearing the Commission approved that document and made one amendment to the document, that amendment prioritized the early spending of the $12.5 million on impact fees that could be spent outside of the plan area prioritized spending $9 million of that in the Chinatown area and that was done for a couple of reasons, many of which have been discussed in the hearings leading up to this conversation but essentially the fact that Chinatown is the densest neighborhood in San Francisco, it is our most open space poor neighborhood as you often hear in our conversations here and that the analysis that the Planning Department did indicated that much of the spillover from the increased density created by the new housing and new office space in the plan area would affect not just the downtown and South of Market but Chinatown. So what is before you today is affirming and supporting what the Planning Commission did on October 18th to prioritize spending those impact fees in the Chinatown neighborhood. And I should also just note quickly that the inter-Departmental project implement Committee known as the IPIC on which the Recreation and Park Department has a seat is the body that is charged with the actual allocation of those fees and I believe we talked a little bit about that in the September hearing but I’m happy to answer more questions on that as necessary.

Amy Chan:  Good morning Commissioners. My name is Amy Chan, I’m a legislative aid for Supervisor David Chiu. I’d like to just take a few minutes to express our support for the resolution before you that prioritizes the open space impact fees revenues from the Transbay Transit Center project for park improvements in Chinatown.  

The Chinatown neighborhood which Supervisor Chiu represents is as Sarah had mentioned one of the densest neighborhoods in the city with the least amount of open space. Portsmouth Square in particular is really the only park in the heart of the neighborhood and it’s used daily by seniors, by children and other low income and immigrant residents in our community for exercise, recreation, and community gathering. It’s a space that is heavily used that’s really important to the District, to the community and it’s in much need of repair. And while there are few other playgrounds in the neighborhood there’s really a great demand for more open space for this very, very dense neighborhood and it would really benefit the health and well-being of our residents. That’s why our office urges the Commission to support the resolution before you. Thank you.  

Phil Chin:  President Buell, Commissioners, General Manager Ginsburg, Ms. MacArthur. My name is Phil Chin, I’m the Chair of the Committee for Better Parks and Recreation in Chinatown. The Committee is a voluntary organization that has worked with the Department and the Commission on open space issues for over forty years. We started in 1969 to fight attempts by a developer to turn Chinese playground into a garage. I’m here today to speak in strong support of Item 10 the proposed regulation regarding priorities for use of the Transbay open space impact fees. We are recognized as a high-needs neighborhood and I’d like to take a couple of minutes to share with you what that really means. Forty percent of our housing stock in Chinatown is made up of what’s called SRO units, these are single room occupancy units that are eight by ten rooms, eight by ten. There’s barely enough room for a bed. When there’s a bed in there it’s really standing room only. There’s no bathroom in there, no kitchen, there’s no closet. If you need to go to the bathroom you need to take with you a flashlight. You need to take with you toilet paper. You need to take with you towels. Maybe you need to take with you some alcohol or some other cleaning solution to clean the toilet. If you leave your toilet paper or soap there somebody is going to take it. You cannot cook in your unit because there’s no kitchen, you have to use a community kitchen and sometimes it doesn’t work or it leaks gas. You have to bring your own lamp in there. You can’t leave anything in there or somebody is going to steal it or break it. For these people if you’ll indulge me I’d like to take a few minutes—to complete my comments. For these people having open space is a lifeline. Portsmouth Square is overused, overcrowded not because it’s a great park but because people have nowhere else to go. There’s a really high incidence of behavioral problems among kids that live in SROs and there are over five hundred families that live in those single rooms. Because of that we think it’s very important for you to pass this resolution. We think this opens up the opportunity to identify other open space opportunities and to expand the inventory of open space in the community. I urge your yes vote, thank you.  

Tan Chow: My name is Tan Chow, speaking on behalf of the Chinatown Community Development Center. I want to ask you to support the resolution before you. I remember five years ago I was on the Task Force for the Rose Element of the General Plan and Chinatown according to the General Plan is a high-needs neighborhood. That means it’s the least open space per capita in America, we have a big population of families which children and senior population with ninety percent don’t own a car. That means that what we have is what we have. Also an immigrant and low income community. I think it’s an understatement if I continue to say how much open space we need and how much improvement we need but I think the good thing about what’s before us is we finally have the opportunity to turn policy into substantive outcome. So I ask you to support that and I also wanted to commend the Department, the Chinatown Community Development Center we enjoy working with this Department, we’ve built a great relationship working
with the community—Phil, Dawn, Karen, Toks Ajike, and many, many more. I appreciate the respect and the sensitivity to the neighborhood and work collaboratively with the neighborhoods whether it’s the open space bond or the North Beach Library to the Chinese Rec Center and like Obama said the best is yet to come so we’re looking forward to the improvements. Thanks.

Commissioner Low: Thank you President Buell. I just would like to echo the comments of Mr. Chin. My grandparents grew up in an SRO on Powell and Broadway and I always wondered why I had to bring toilet paper to the bathroom so many of those descriptions hit me hard during my childhood. I would like to make the following motion, first to adopt the findings of the Planning Commission and their resolution, prioritizing Chinatown as a high-needs neighborhood and to prioritize early investment in open space and parks. Two, also make the finding that and adopt as our own the objectives of the Planning Commission in their resolution in improving the open space in Chinatown. Would also like to ask the Department to seek funding to implement the resolution and our findings so that it’s consistent with the Transit Center District Plan and to hopefully bring all of these great things into fruition.

Commissioner Bonilla: For a purpose of clarity I wanted to based on the public input that we received today it appears that the monies will be earmarked for the improvement of Portsmouth Square so I wanted to get confirmation on that and whether will we be looking at a community process of down the road where people fund the Chinatown community, all the different groups in the Chinatown community will be making input in terms of open space needs.

Sarah Ballard: Thank you Commissioner for the question. I apologize for not clarifying that in the beginning. We would conduct a community conversation around how to prioritize these dollars and in the intervening few weeks between the Planning Commission’s action and now some of those conversations have begun informally. And obviously Portsmouth Square emerges as an important part of that because it is the largest open space in the area and is in many ways the center of the neighborhood. But yes, we would conduct a full community process like we do for other capital dollars.

Phil Ginsburg: I’d just like to supplement that a little bit with a reminder of the role of IPIC with is an inter-agency quasi-public body for which there is lots of process and community input and we have a seat at the table but it is an inter-organizational entity that figures out how to allocate community benefit dollars. So we would be working closely with IPIC and with the community on that allocation.

Sarah Ballard: I should also add that any proposed improvements to an existing park would obviously come before this Commission for your approval as well.

Commissioner Bonilla: I just wanted to make sure that we in approving this item that we will be engaging the community and that everyone will have an opportunity to make comment on the needs in the Chinatown community and I know that they are many. My organization has provided para-transit services in that neighborhood and I can tell you it’s been a very unpleasant experience for my drivers to have to help or assist a child or a youth who is blind up eight floors of stairs because there is no elevator and then just finding parking for the vehicles to be able to provide that assistance has been very difficult for us in the years past so I know it’s very challenging for people who live in that neighborhood and I would love for them to be able to be outdoors more and recreating. So I’m in support of the project.

On motion by Commissioner Low and duly seconded, the following resolution was unanimously adopted:

RESOLVED, That this Commission 1) does endorse and adopt as its own the findings, objectives and directives set forth in Planning Commission Resolution No. 18721 adopted on October 18, 2012 (attached to the staff report as Exhibit A), which amended the Transit Center District Plan Program Implementation Documents to incorporate the prioritization of early investment in park improvements in Chinatown from the Plan's initial projected Open Space Impact Transit Fee revenues, and 2) does direct the General Manager to seek funding to implement Resolution No. 18721 consistent with the Transit Center District Plan. (Attachment: Planning Commission Resolution No. 18721.)

Item 11 – Outside Lands Music Festival Permit – was removed from calendar.
COMMISSIONERS’ MATTERS
Commissioner Buell: Maybe this is the easiest time to try and address this issue but Item 11 was pulled off the calendar today because of a technical notification problem that staff had one length of term of the contract and it was going to be changed. I’ve been informed that the nature of the business of booking for this event which is substantial and represents a significant revenue to the Department the nature of that is such that the sooner the Outside Lands people have some guarantees of the terms of their contract the sooner they can book acts and that addresses the quality of the production of the show they’re going to do. So it seems very pressing to have this matter get as soon as possible through this Commission and to the Board of Supervisors. It’s been suggested and I’m in support of it at this point that we try and put a special meeting together in the week after Thanksgiving. I would recommend Thursday the 29th at 10:00 in the morning if that works for other Commissioners. Margaret you’re going to have to let us know about the availability of rooms but I put that on the table with the idea that I don’t want to circumvent the public process but I want to try and get this done as fast as we can.

The 29th at 10:00, is there any compelling objection to this? With that Margaret will you work on making that happen and work with the General Manager on seeing if we can put that as a one-item meeting and make sure we get the packets in sufficient time that we can—

Secretary MacArthur: We have everything.

Commissioner Buell: We have everything, all right. So we have the packets. All right, that’s the only thing I have under Item 13.

NEW BUSINESS/AGENDA SETTING
Commissioner Bonilla: I’d like to add an item to that agenda, to this list of projects that have been on hold. I would like to add that we agendize the stables at Golden Gate Park and that we at some point in time when that item is agendized that we actually do get more information from staff on what has happened from the point that we stopped operating stables to now and what possibilities there are for resources for that project if any. So I think it’s an item that needs to come before us and whether we can do something with it or not I think we still need to have some transparency about that.

Commissioner Buell: I agree Commissioner that I think it’s a discussion we should have I personally would like to get a tour of the facilities that are out there and any other Commissioner that wants to familiarize themselves with it because it seems that we have a permanent place on this agenda that it’s talked about whether we like it or not so many we can like it a little more.

Commissioner Bonilla: In fact, we did when I first came on as Commissioner we did do a tour of the facilities and it was laid out to us what was going to go where, what was going to be done and where some possible resources were and then it was just dropped. This was some time ago. I think it would be good to have other Commissioners go on the tour and kind of get brought up to date on what’s happened with that project.

ADJOURNMENT

The November 15, 2012 Special Meeting of the Recreation and Park Commission was adjourned at 11:48 a.m.

Respectfully submitted,
Margaret A. McArthur, Commission Liaison

Attachments: Recreation and Park Commission Resolution 1211-007
Planning Commission Resolution Number 18721
CITY AND COUNTY OF SAN FRANCISCO
RECREATION AND PARK COMMISSION
RESOLUTION NUMBER 1211-007

RESOLUTION TO 1) RECOMMEND TO THE PLANNING COMMISSION THAT (A) THE NET NEW SHADOW FROM THE PROPOSED PROJECT AT 181 FREMONT STREET WILL NOT HAVE AN ADVERSE IMPACT ON THE USE OF UNION SQUARE, AS REQUIRED BY PLANNING CODE SECTION 295 (THE SUNLIGHT ORDINANCE), AND (B) A PORTION OF THE SHADOW BUDGET FOR UNION SQUARE BE ALLOCATED TO THE PROPOSED PROJECT AT 181 FREMONT STREET; AND 2) ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND 3) ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM.

PREAMBLE

Under Planning Code Section 295 (also referred to as Proposition K from 1984), a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be adverse on the use of property under Recreation and Park Commission jurisdiction. The subject project, 181 Fremont Street, is subject to the requirements of Planning Code Section 295 and it would cast net new shadow on Union Square.

On February 7, 1989, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits (“ACL”) for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595), as set forth in a February 3, 1989 memorandum (the “1989 Memo”). The ACL for each park is expressed as a percentage of the Theoretically Available Annual Sunlight (“TAAS”) on the Park (with no adjacent structures present).

On March 7, 2012, Fremont Development Funding Corp (“Project Sponsor”), filed an application with the Planning Department for a Downtown Project Authorization pursuant to Planning Code Section 309 and on July 12, 2012, Project Sponsor filed an amendment thereto, in connection with a project to demolish two low rise office buildings and construct a 52-story, 700-foot tall building containing approximately 135,000 square feet of residential space, approximately 404,000 square feet of office space, approximately 59,000 square feet of subterranean parking, loading, and ramps, and approximately 2,000 square feet of retail (the “Project”) (Case No. 2007.0456X). The Project Sponsor requested specific exceptions from Planning Code requirements regarding “Setbacks”, “Streetwall Base”, “Separation of Towers”, “Rear Yard”, “Reduction of Ground-Level Wind Currents in C-3 Districts”, “Residential Accessory Parking”, “General Standards for Off-Street Parking and Loading” to create a curb cut on Fremont Street, and “Unoccupied Building Height”.
On March 7, 2012, the Project Sponsor filed an application with the Planning Department for an allocation of approximately 364,000 square feet of office space to the Project pursuant to Planning Code Sections 320-325 (Annual Office Development Limitation Program) (Case No. 2007.0456B).

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Transit Center District Plan Environmental Impact Report (hereinafter “EIR”). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 24, 2012, by Motion No. 18628, the Planning Commission certified it as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., and the CEQA Guidelines (14 CCR Sections 15000 et seq.) (hereinafter “CEQA”). The Planning Commission has reviewed the Final EIR, which also has been available for public review.

The Transit Center District Plan EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Transit Center District Plan, the Commission adopted CEQA Findings in its Motion No. 18629 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On November 9, 2012 the Planning Department, in a Community Plan Exemption certificate, determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Transit Center District Plan and was encompassed within the analysis contained in the Transit Center District Plan Final EIR. Since the Transit Center District Plan Final EIR was finalized, there have been no substantial changes to the Transit Center District Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new
information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Transit Center District Plan Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California and at the Recreation and Park Department, 501 Stanyan Street, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Transit Center District Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Resolution as Exhibit C.

On October 11, 2012, the Planning Commission and the Recreation and Park Commission held a duly noticed joint public hearing and adopted Planning Commission Resolution No. 18717 and Recreation and Park Commission Resolution No. 1210-001 amending the 1989 Memo and raising the absolute cumulative shadow limits (“ACLs”) for seven open spaces under the jurisdiction of the Recreation and Park Department, including Union Square, that could be shadowed by likely cumulative development sites in the Plan area, including the Project. For Union Square, the Commissions raised the ACL to 0.19%.

In revising these ACLs, the Commissions also adopted qualitative criteria for each park related to the characteristics of shading within these ACLs that would not be considered adverse, including the duration, time of day, time of year, and location of shadows on the particular parks. Under these amendments to the 1989 Memo, any consideration of allocation of “shadow” within these newly increased ACLs for projects must be consistent with these characteristics. The Commissions also found that the “public benefit” of any proposed project in the Plan Area should be considered in the context of the public benefits of the Transit Center District Plan as a whole.

On October 18, 2012, the Planning Commission held a duly noticed joint public hearing and adopted Planning Commission Motion No. 18725, finding that the shadow cast by the proposed project at 101 First Street (Transbay Tower, Case No. 2008.0789K) on eight open spaces under the jurisdiction of the Recreation and Park Department (including Union Square) would not be adverse to the use of those spaces, and allocating to the that project a portion of the ACL for six open spaces, including Union Square in the amount of 0.011%.

The Commission has reviewed and considered the reports, studies, plans and other documents pertaining to the Project.

The Commission has heard and considered the testimony presented at the public hearing and has further considered the written materials and oral testimony presented on behalf of the Project Sponsor, Planning Department staff, and other interested parties.

The Recreation and Park Commission, Margaret McArthur, is the custodian of records for this action, and such records are located at 501 Stanyan Street, San Francisco, California.

**FINDINGS**

Having reviewed the materials identified in the recitals above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:
1. The foregoing recitals are accurate, and also constitute findings of this Commission.

2. The additional shadow cast by the Project on Union Square will not have an adverse impact on the use of the park, for the following reasons and based on the specific shadow and usage analysis below: (1) the new shadow would be within the absolute cumulative shadow limits adopted for Union Square, as amended on October 11, 2012; (2) the new shadow would occur in the morning hours during periods of low park usage; (3) the new shadow would generally occur for approximately five minutes a day beginning about 7:25 a.m. and lasting until about 7:30 a.m.; and (4) the new shadow would occur during approximately two weeks of the year, the week including April 26th and the week including August 16th.

   - Existing Shadow Load: 38.3%
   - Available ACL: 0.179%*
   - Net New Shadow from Project: 0.001% (2,131 shadow-foot hours)
   - Dates of Net New Project Shadow: the week including April 26th and the week including August 16th
   - Time of Day of Net New Project Shadow: approximately 7:25-7:30 am
   - Usage Analysis: Based on observations made on May 4 and August 15, 2012, Union Square is generally not heavily used at 7:25 a.m., when the proposed project would cast new shadow. Pedestrians sporadically traverse the park as a shortcut through the block, but recreational users are limited at this time. The heaviest observed use at this hour was by the park maintenance crew, who perform cleaning and repairs. Cafe staff were present in cafe, which is located on the east side of the park, though outdoor seating and tables had not yet been made ready for customers.

*This percentage accounts for the reduction of the available shadow budget that was allocated to the Transbay Tower (3720/001) at 101 First Street as recommended by the Recreation and Park Commission on October 18th, 2012.

**RESOLVED**, Based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, the Recreation and Park Commission hereby: 1) recommends that the Planning Commission (a) find that the net new shadow cast by the Project on Union Square will not be adverse for the reasons set forth in Finding 3, and (b) allocate a portion of the shadow budget for Union Square to the Project; and 2) adopts the CEQA Findings set forth above, including the Mitigation Monitoring and Reporting Program attached hereto as Exhibit 1.

Adopted by the following vote:
Ayes 7
Noes 0
Absent 0
I hereby certify that the foregoing resolution was adopted at the Special Meeting of the Recreation and Park Commission held on November 15, 2012.

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Margaret A. McArthur, Commission Liaison

Attachments: Exhibit 1 (MMRP)  
Exhibit 2 (Community Plan Exemption)  
Attachments Exhibit 1 (MMRP) and Exhibit 2 (community Plan Exemption) are located at: http://216.121.125.82/documents/item8181FremontStreet111512.pdf