



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Appropriateness Motion No. 0407

HEARING DATE: JANUARY 15, 2020

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Record No.:* 2019-022126COA  
*Project Address:* REC & PARK: Golden Gate Park Music Concourse 150<sup>th</sup>  
Anniversary Celebration  
*Landmark:* Landmark No. 249: Music Concourse  
*Zoning:* P PUBLIC Zoning District  
OS Height and Bulk District  
*Block/Lot:* 1700/001  
*Project Sponsor:* Stacy Bradley  
Recreation and Parks Department  
30 Van Ness Avenue, Suite 3000  
San Francisco, CA 94102  
*Staff Contact:* Michelle A. Taylor - 415-575-9197  
Michelle.Taylor@sfgov.org

ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR MAJOR ALTERATIONS DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10 OF THE SAN FRANCISCO PLANNING CODE, AND TO MEET THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 001 IN ASSESSOR'S BLOCK 1700 IN A P PUBLIC ZONING DISTRICT AND A OS HEIGHT AND BULK DISTRICT.

### PREAMBLE

On December 6, 2019, Stacy Bradley of the City of San Francisco Recreation and Parks Department (hereinafter "Project Sponsor") filed Application No. 2019-022126COA (hereinafter "Application") with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness for installation of an observation wheel at the Golden Gate Park - Music Concourse, which is Landmark Number 249 locally designated under Article 10 of the Planning Code and located on Lot 001 in Assessor's Block 1700.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and Class 3 categorical exemption. The Historic Preservation Commission (hereinafter "Commission") has reviewed and concurs with said determination.

On January 15, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Certificate of Appropriateness Application No. 2019-022126COA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2019-022126COA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

**MOVED**, that the Commission hereby **APPROVES WITH CONDITIONS** the Certificate of Appropriateness, as requested in Application No. 2019-022126COA in conformance with the architectural plans dated January 3, 2020 labeled Exhibit B based on the following findings:

## **FINDINGS**

Having reviewed all the materials identified in the recitals above and having heard oral testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and also constitute findings of the Commission.
2. **Project Description.** The City and County of San Francisco Recreation and Parks Department is proposing a one-year installation of an observation wheel on the lawn area at the northeastern side of the Music Concourse in celebration of the 150th Anniversary of Golden Gate Park. The proposed observation wheel is approximately one hundred thirty feet in diameter by approximately one hundred fifty feet in height. The wheel will be supported by sixteen below-grade steel piles under a base measuring seventy-two feet by fifty-seven feet. Support structures and elements will include perimeter fencing, ticket booth, generator (screened), and a retail photo booth.

Construction and installation of the observation wheel will begin March of 2020, with a scheduled opening date of April 4, 2020. The observation wheel will be in operation for ten months, offering rides daily from 10am to 10pm. LED lighting attached to the outer ring and spokes of the observation wheel will be lit every day from dusk until close. At the close of the one-year celebration, the wheel, support structures and the top eight feet of the foundation support piers will be removed. The site will be fully restored by end of March of 2021.

3. **Property Description.** The Golden Gate Park Music Concourse is located between John F. Kennedy Drive, Hagiwara Tea Garden Drive, Martin Luther King Jr. Drive, and Music Concourse Drive. Assessor's Block 1700, Lot 001. The Music Concourse is a classically designed landscaped with a series of paths, pedestrian tunnels, and streets that circle and cross the Music Concourse Bowl. The Music Bowl, located at the center of the Music Concourse, is a depressed oval landscape that features a music band shell (Spreckels Temple of Music), fixed benches arranged in rows, a grid of pollarded trees, fountains, paths, and several monuments and statues.

The proposed observation wheel will be located on the north-eastern lawn of the Music Concourse bowl landscape. The subject site is a previously altered and non-contributing portion of the landscape that historically served as the northern end of the Music Concourse Drive. However, in 2005, construction of an underground garage led to re-grading and modifications to the automotive

circulation pattern, shifting Music Concourse Drive north, to its current location. The subject site was then re-graded, sod with lawn, and incorporated into the Music Concourse formal landscape.

The Music Concourse, originally established as part of the California Midwinter Fair of 1894, is individually significant as an outdoors performance space important in San Francisco's cultural history under Criterion 1 (Events) of the National Register and under Criterion 3 (Architecture) as an urban park landscape devoted to public performances and as a setting for public art. The Music Concourse also contributes to the National-Register listed Golden Gate Park historic district, significant under Criterion 1 (Events) and Criterion 3 (Architecture) in the areas of landscape architecture and social history.

4. **Surrounding Properties and Neighborhood.** The Music Concourse is located within the boundaries of Golden Gate Park, a large urban park comprised of a series of landscapes, recreational sites, water features, roadways, pedestrian paths, and buildings.

Buildings immediately adjacent to the Music Concourse are the DeYoung Museum at the eastern boundary of the Music Concourse, and the California Academy of Sciences to the west. An underground garage, constructed 2005, is located beneath the Music Concourse Bowl.

5. **Public Outreach and Comments.** The Department has received public correspondence from four individuals expressing opposition to the project. Specifically, the public correspondence states a concern regarding the potential impact that the Observation Wheel lighting may have on wildlife, particularly the potential to cause bird collisions and disruptions to bird migrations and nesting patterns. Individuals also stated opposition to the potential impacts that lighting and noise may have inside and outside of the park. One individual voiced concern that the observation wheel will be a permanent fixture in the park. The Department has received public correspondence from one individual expressing support of the project.
6. **Planning Code Compliance.** The Commission has determined that the proposed work is compatible with the exterior character-defining features of the subject property and meets the requirements of Article 10 of the Planning Code in the following manner:

- A. **Article 10 of the Planning Code.** Pursuant to Section 1006.6 of the Planning Code, the proposed alteration shall be consistent with and appropriate for the effectuation of the purposes of this Article 10.

*The proposed project is consistent with Article 10 of the Planning Code.*

- B. **Secretary of the Interior's Standards.** Pursuant to Section 1006.6(b) of the Planning Code, the proposed work shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties for significant and contributory buildings, as well as any applicable guidelines, local interpretations, bulletins, or other policies. Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):

- (1) **Standard 1:** A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

*The proposal will retain the historic use as a park and outdoor event space of the Music Concourse. The temporary (one year) installation of the proposed observation wheel will not change the landscapes distinctive materials, features, spaces, and spatial relationships.*

- (2) **Standard 2:** The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

*The proposal to temporarily install an observation wheel in a non-contributing portion of the landmark will not result in an alteration of the fabric of the historic landscape. The proposed project will not remove distinctive materials, nor irreversibly alter features that characterize the landmark. All work will follow the Recreation and Parks Department Standard Construction Measures to ensure protection of contributing elements within the Landmark.*

- (3) **Standard 3:** Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

*The proposed observation wheel is comprised of modern materials and is contemporary in design; it does not include any conjectural features or elements.*

- (4) **Standard 4:** Changes to a property that have acquired historic significance in their own right will be retained and preserved.

*The subject portion of the landmark is non-historic and non-contributing to the landmark site; therefore, Standard 4 is not applicable.*

- (5) **Standard 5:** Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved.

*The distinctive features, finishes, and other features that characterize the property will be retained, as all work is limited to a non-contributing portion of the landmark. All work will follow the Recreation and Parks Department Standard Construction Measures to ensure protection of contributing elements within the Landmark.*

- (6) **Standard 6:** Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will

match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

*Not Applicable.*

- (7) **Standard 7:** Chemical or physical treatments, if possible, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

*The project sponsor will follow the Recreation and Parks Department Standard Construction Measures and protect all contributing resources that characterize the property.*

- (8) **Standard 8:** Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

*Planning department staff archeologists conducted a preliminary archeological review of the proposed project on December 16, 2019 and determined that there is potential for the project to adversely affect archeological resources. The potential impact may be avoided by implementation of Recreation Park Department Standard Archeological Measure 2 (Archeological Monitoring) during construction.*

- (9) **Standard 9:** New additions, exterior alterations, or related new construction will not destroy historic materials and features that characterize the building. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

*The proposal to temporarily install an observation wheel will not result in a permanent alteration of the historic landscape, nor will it diminish the integrity of the property. Work is limited to a portion of the site that does not contribute to the landmark; therefore, it will not alter or destroy historic materials or features that characterize the landscape. Additionally, the observation wheel will be of design and materials that are of its own time and therefore will be differentiated from the historic character of the site. All areas will be fully restored using in kind materials following removal of the observation wheel.*

- (10) **Standard 10:** New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

*The observation wheel is a temporary installation and the site will be fully restored upon the removal of the wheel. The proposed work will not impair the essential form and integrity of the Music Course landscape.*

- C. **Landmark No. 249.** Article 10 of the Planning Code outlines specific findings for the Commission to consider when evaluating applications for alterations to Landmarks or within designated Historic Districts.

Landmarks

1. Pursuant to Section 1006.6(c) of the Planning Code, for applications pertaining to landmark sites, the proposed work shall preserve, enhance or restore, and shall not damage or destroy, the exterior architectural features of the landmark and, where specified in the designating ordinance pursuant to Section 1004(c), its major interior architectural features. The proposed work shall not adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting, nor of the historic district in applicable cases.

*The project is in conformance with Article 10, and as outlined in Appendix A, as the work shall not adversely affect the Landmark site.*

2. Pursuant to Ordinance No. 278-05 designating the Music Concourse, Golden Gate Park, a Certificate of Appropriateness for the Music Concourse is required for "(n)ew excavation, including trenching other than for repair to existing pipes and conduits with the Concourse Bowl." The project is in conformance with Article 10, and the work is compatible with the specific review standards for the Music Concourse under Attachment G of the Landmark Designation as follows:

*Work performed in the installation of sixteen below ground support piers lines will conform with the Recreation and Parks Departments Standard Construction Measures. Additionally, the proposed work is located on a non-contributing portion of the landscape and is not adjacent to the grid of pollarded trees or other spaces that characterize the property. Furthermore, all areas will be fully restored using in kind materials following removal of the wheel.*

7. **General Plan Compliance.** The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:

**RECREATION AND OPEN SPACE ELEMENT**

THE GOAL OF THE RECREATION AND OPEN SPACE ELEMENT IS TO CONTINUE THE CITY'S LEGACY OF FINE PARKS AND RECREATIONAL OPPORTUNITIES, AND GUIDE THE CITY'S FUTURE DECISIONS SO THEY IMPROVE THAT OPEN SPACE SYSTEM FOR THE BENEFIT OF EVERYONE.

**OBJECTIVE 1:**

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM

**Policy 1.4**

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

**Policy 1.6**

Support the continued improvement of Golden Gate Park while preserving the beauty of its landscape.

**Policy 1.12**

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

**Policy 1.13**

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

**OBJECTIVE 4:**

PROTECT AND ENHANCE THE BIODIVERSITY, HABITAT VALUE, AND ECOLOGICAL INTEGRITY OF OPEN SPACES AND ENCOURAGE SUSTAINABLE PRACTICES IN THE DESIGN AND MANAGEMENT OF OUR OPEN SPACE SYSTEM

**Policy 4.4**

Include environmentally sustainable practices in construction, renovation, management and maintenance of open space and recreation facilities.

*The goal of a Certificate of Appropriateness is to provide additional oversight for buildings, landscapes, and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.*

*The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the subject property for the future enjoyment and education of San Francisco residents and visitors.*

8. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The proposed project will not have an impact on neighborhood serving retail uses.*

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*The proposed project is located in a park and therefore will not impact existing housing or neighborhood character. The proposed project is in conformance with the Secretary of the Interior's Standards and therefore will preserve the character defining features of both the subject landmark and Golden Gate*

*Park.*

- C) The City's supply of affordable housing will be preserved and enhanced:

*The project will not affect the City's affordable housing supply.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The proposed project will not affect industrial and service sectors.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*All construction will be executed in compliance with all applicable construction and safety measures.*

- G) That landmark and historic buildings will be preserved:

*The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the Interior's Standards.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The proposed project will maintain character defining features of the Music Concourse and Golden Gate Park. The project will not impact the access to sunlight or vistas for the parks and open space.*

9. For these reasons, the proposal overall, appears to meet the *Secretary of the Interior's Standards* and the provisions of Article 10 of the Planning Code regarding Major Alterations.



**DECISION**

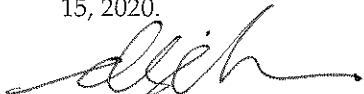
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES WITH CONDITIONS** a **Certificate of Appropriateness** for the subject property located at Lot 001 in Assessor's Block 1700 for proposed work in conformance with the architectural submittal dated January 3, 2020 and labeled Exhibit B on file in the docket for Record No. 2019-022126COA.

**APPEAL AND EFFECTIVE DATE OF MOTION:** The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days after the date of this Motion No. 0407. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals in person at 1650 Mission Street, (Room 304) or call (415) 575-6880.

**Duration of this Certificate of Appropriateness:** This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

**THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.**

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on January 15, 2020.



C. SIWA ON BEHALF OF  
Jonas P. Ionin  
Commission Secretary

AYES: Black, Johns, Matsuda, So  
NAYS: Pearlman  
ABSENT: Foley, Hyland  
ADOPTED: January 15, 2020

## EXHIBIT A

### AUTHORIZATION UPDATE

This authorization is for a Certificate of Appropriateness to allow Alterations located at 55 Hagiwara Tea Garden Drive, Block 1700, and Lot 001 pursuant to Planning Code Section(s) 1006 within the P District and an OS Height and Bulk District; in general conformance with plans, dated January 3, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2019-022126COA and subject to conditions of approval reviewed and approved by the Historic Preservation Commission on January 15, 2020 under Motion No. 0407. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Historic Preservation Commission Motion No. 0407 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Certificate of Appropriateness and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Historic Preservation Commission approval of a new Certificate of Appropriateness. In instances when Planning Commission also reviews additional authorizations for the project, Planning Commission may make modifications to the Certificate of Appropriateness based on majority vote and not required to return to Historic Preservation Commission.

### CONDITIONS OF APPROVAL

1. That the project sponsor will follow the Recreation and Parks Department Standard Construction Measures to ensure protection of elements that characterize Landmark No. 249.
2. That the observation wheel is temporary. The wheel will be in operation for ten months starting April 4, 2020 and all above ground elements will be removed by March 2021.
3. That the project site will be fully restored to its pre-project condition, using in kind materials, by end of March 2021.

4. That the City of San Francisco Recreation and Parks Department will conduct community outreach regarding the effect of lighting and implement measures to mitigate its impact in coordination with Planning Department staff.