

File No. 131069

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date November 18, 2013

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
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| ☐ | ☐ | Motion |
| ☒ | ☐ | Resolution |
| ☐ | ☐ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
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OTHER

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| ☒ | ☐ | Planning Dept. CEQA |
| ☒ | ☐ | Planning Dept. Determination |
| ☒ | ☐ | Recreation and Park Resolution |
| ☒ | ☐ | Arts Commission Resolution |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |

Completed by: Andrea Ausberry Date November 14, 2013

Completed by: _____ Date _____

1 [Construction Approval - West Garden Cafe Project - Academy of Sciences in Golden Gate
2 Park]

3 **Resolution approving the construction of a cafe in the West Garden of the Academy of**
4 **Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings**
5 **pursuant to the California Environmental Quality Act; and adopting findings of**
6 **consistency with the Golden Gate Park Master Plan, the General Plan, and the eight**
7 **priority policies of Planning Code, Section 101.1.**

8
9 WHEREAS, The California Academy of Sciences ("Academy") is located in Golden
10 Gate Park and includes a 400,000 square foot structure that houses an aquarium, a
11 planetarium, a natural history museum and a 4-story rainforest. Pursuant to Charter Section
12 16.105, the buildings and improvements erected by the Academy in Golden Gate Park are the
13 property of the City and County of San Francisco ("City"), however, the buildings and
14 improvements, and the activities and personnel therein, are managed and controlled
15 exclusively by the Academy; and

16 WHEREAS, The Academy currently leases a temporary tent that is erected in the West
17 Garden adjacent to the Academy to provide guests with additional seating protected from the
18 weather and a "grab-and-go" style café. The tent does not fit in with the Academy's overall
19 architecture and is located directly underneath, and obstructing the view of, the Maya Lin
20 sculpture, "Where the Land Meets the Sea," displayed outside the western face of the
21 Academy building; and

22 WHEREAS, The Academy proposes to construct a new cafe in the Academy's West
23 Garden to replace the temporary tent, supplement the Academy's existing food services, and
24 provide guests with additional dining options and capacity in the West Garden ("the Project").
25 The new glass and steel structure would be open to the West Garden when weather permits,

1 but could be fully enclosed to allow for year-round use. The Project does not involve any
2 demolition of existing structures; and

3 WHEREAS, The proposed cafe would be approximately 1,450 square feet in size and
4 one-story tall at approximately 13 feet high, detached from the main Academy building, and
5 within the Academy property footprint. The design incorporates an existing small, unused
6 building (an aviary) into the new structure, and the Project satisfies the Academy's LEED
7 Platinum certification standards; and

8 WHEREAS, The design, construction, and installation of the Project will be funded
9 entirely by the Academy's privately-sourced funds; and

10 WHEREAS, On July 24, 2013, the Planning Department determined that the Project is
11 exempt from environmental review under the California Environmental Quality Act (CEQA)
12 (California Public Resources Code Sections 21000 et seq.) as a Class 3 Exemption (CEQA
13 Guidelines Section 15303). Said determination is on file with the Clerk of the Board of
14 Supervisors in File No. 131069 and is incorporated herein by reference; and

15 WHEREAS, On October 25, 2013, the Planning Department determined that the
16 actions contemplated in this resolution are consistent, on balance, with the City's General
17 Plan and eight priority policies of Planning Code Section 101.1. The Board adopts this
18 determination as its own. A copy of said determination is on file with the Clerk of the Board of
19 Supervisors in File No. 131069, and is incorporated herein by reference; and

20 WHEREAS, Administrative Code Section 2A.160 requires that plans for all proposed
21 buildings and improvements of the Academy, including any additions, must be approved by
22 the Recreation and Park Commission and the Arts Commission; and

23 WHEREAS, At a public hearing on June 17, 2013, the Arts Commission, by Resolution
24 No. 0708-13-165, approved the conceptual design for the Project; and
25

1 WHEREAS, At a public hearing on August 15, 2013, the Recreation and Park
2 Commission, by Resolution No. 1308-008, copies of which are on file with the Clerk in File No.
3 131069, recommended that the Board of Supervisors approve construction of the Project; and

4 WHEREAS, The Board finds that the Project is consistent with the Golden Gate Park
5 Master Plan for the following reasons: (1) "Golden Gate Park Master Plan, Objectives and
6 Policies, Land Use and Activities, Policy I(G)" provides that the Academy of Sciences is an
7 important element that fits within the overall park landscape, contributes to the park's unique
8 character and history, contributes to the cultural focus of the Music Concourse, and has an
9 historic and ongoing role in Golden Gate Park that should continue; (2) consistent with
10 "Golden Gate Park Master Plan, Objectives and Policies, Buildings, Structures, and
11 Monuments, Policy IV(C)," the Project is compatible with the landscape character and historic
12 form of the park, meets the requirements of all applicable accessibility codes and regulations,
13 and satisfies the following criteria set forth in Policy IV(C): (a) the addition will serve the public
14 by providing much-needed space for the over-crowded café area and protecting visitors from
15 the elements, (b) for the intended purpose, alternative sites outside the park are not feasible,
16 (c) the Project will serve the needs of existing visitors and will not necessitate additional
17 surface parking, access roads or have a deleterious effect on the park landscape, (d) the
18 design reflects the very best architectural quality, and (e) design plans ensure minimize visual
19 impacts upon the park environment; and (3) consistent with "Golden Gate Park Master Plan,
20 Objectives and Policies, Park Management and Security, Policy VI(B)," the Project will
21 improve and maintain park amenities and ensure adequate visitor service; and

22 WHEREAS, Charter Section 4.113.1 requires the Board of Supervisors approve by a
23 vote of two thirds the erection, enlargement or expansion of a building in Golden Gate Park,
24 except for nurseries, equipment storage facilities and comfort stations; now, therefore, be it
25

1 RESOLVED, That this Board of Supervisors finds that the Project is exempt from
2 further environmental review and adopts the Planning Department's determination of
3 exemption as its own; and, be it

4 FURTHER RESOLVED, That this Board of Supervisors determines that the Project is
5 in conformity with the Priority Policies of Section 101.1 of the Planning Code and the General
6 Plan for the reasons set forth in the Planning Department's determination, and the Golden
7 Gate Park Master Plan for the reasons set forth herein; and, be it

8 FURTHER RESOLVED, That this Board of Supervisors, by a two-thirds vote, hereby
9 approves construction of the Project in the West Garden of the Academy of Sciences
10 pursuant to Charter Section 4.113.

11 n:\vegana\as2013\1400122\00881623.doc



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.0925E
Project Title: California Academy of Sciences West Garden Cafe
Zoning: P (Public Use)
OS (Open Space) Height and Bulk District
Block/Lot: 1700/001
Project Site Area: 410,000 square feet
Project Sponsor: Kevin Manalili – 415 379-5470, California Academy of Sciences
Staff Contact: Joy Navarrete – 415 575-9040
joy.navarrete@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

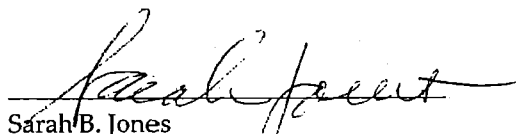
The project site is within Golden Gate Park along the easterly edge of the Music Concourse at 55 Music Concourse Drive. The proposed project includes construction of a new structure to the south of the California Academy of Sciences (Academy) building. The new building would incorporate the existing one-story, 320-square-foot aviary building, and include a café to supplement the Academy's existing food services. The new building would be approximately 1,450 square feet (sf) in size and one-story tall at approximately 13 feet high, detached from the main Academy building, within the Academy property footprint. The covered structure would be open to the West Garden when weather permits, but could be fully enclosed to allow for year-round use. No demolition of existing structures would be involved.

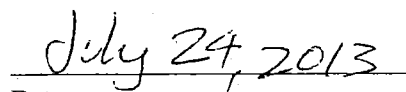
EXEMPT STATUS:

Categorical Exemption, Class 3 [State CEQA Guidelines Sections 15303(c)]

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


Sarah B. Jones
Acting Environmental Review Officer


Date

cc: Kevin Manalili, CA Academy of Sciences
Karen Mauney-Brodeck, Recreation and Parks Department
Eric Mar, Supervisor District 1

Virna Byrd, M.D.F.
Bulletin Board / M.D.F

REMARKS:

The new café building would be used only by paid Academy patrons as it would supplement the Academy's existing food services. No new person trips nor an increase in existing daily attendance to the Academy would be anticipated with the addition of this 1,450 sf café.

Exemption Status. CEQA State Guidelines Section 15303, or Class 3, provides an exemption from environmental review for the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Additionally, CEQA State Guidelines Section 15303(c) provides that in urbanized areas the exemption also applies to the construction of up to four such commercial buildings not exceeding 10,000 sf on sites zoned for such use. The proposed project would include the construction of a new 1,450-sf café building. Therefore, the proposed project meets the criteria for exemption under Class 3.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity would have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The project would be exempt the above-cited classification. For all of the above reasons, the proposed project is appropriately exempt from environmental review.



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

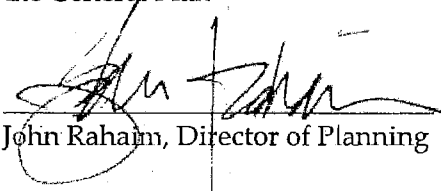
Date: October 25, 2013
Case No. Case No. 2013.0925R
California Academy of Sciences West Garden Café

Block/Lot No.: 1700/001
Project Sponsor: Karen Mauney-Brodek
San Francisco Recreation and Parks Department
McLaren Lodge in Golden Gate Park
501 Stanyan Street
San Francisco, CA 94117

Applicant: Kevin Manalili
55 Music Concourse Drive
San Francisco, CA 94118

Staff Contact: Alexis Smith – (415) 575-9131
alexis.smith@sfgov.org

Recommendation: Finding the project, on balance, is in conformity with
the General Plan

Recommended
By: 
John Raham, Director of Planning

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

We are in receipt of your request that the Planning Department consider a General Plan Referral application concerning the California Academy of Sciences West Garden Café. The General Plan Referral application was submitted to the Department, pursuant to Section 4.105 of the Charter, and Section 2A.53 of the Administrative Code.

The project site is within Golden Gate Park along the easterly edge of the Music Concourse at 55 Music Concourse Drive. The property is zoned P-Public and is in an OS - Open Space height and bulk district. The existing California Academy of Sciences (Academy) building, constructed in 2008, has a floor area of approximately 379,400 square feet and is approximately 37' in height.

PROJECT DESCRIPTION

The proposed project includes construction of a new structure to the south of the California Academy of Sciences building. The new building would incorporate the existing one-story, 320-square-foot aviary building, and include a café to supplement the Academy's existing food services. The new building would be approximately 1,450 square feet (sf) in size and one-story tall at approximately 13 feet high, detached from the main Academy building, within the Academy property footprint. The covered structure would be open to the West Garden when weather permits, but could be fully enclosed to allow for year-round use. No demolition of existing structures would be involved.

ENVIRONMENTAL REVIEW

The Environmental Planning Division of the Planning Department determined that the project is Categorically Exempt from Environmental Review. The project is cleared under the Categorical Exemption issued for case no.2013.0925E, dated 07/24/13.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, **in-conformity** with the following Objectives and Policies of the General Plan:

Note: General Plan Objectives and Policies are in **bold font**; General Plan text is in regular font. Staff comments are in *italic font*.

RECREATION AND OPEN SPACE ELEMENT

Policy 2.2

Preserve existing public open space.

"Additions to cultural and recreation facilities should be limited to the existing footprint and to that which can be accommodated on the site without creating a negative impact on the surrounding area by reason of excessive height and bulk. A goal of planning should be to limit the size of any necessary additions. Additions should be limited primarily to publicly accessible recreational and cultural uses, or facilities which directly support them."

The proposed project will occur within the footprint of Academy property and will incorporate the aviary building that currently exists on the site. The project site, bounded by a loading dock and the Academy

building to the east, the Academy property fence to the south and west, and the West Garden to the north, is within a previously developed area.

The proposed project is a minor addition to the Academy facilities. The project's height and bulk are subordinate to that of the existing Academy building; its footprint represents less than an half percent expansion of the existing Academy facility's floor area. Given the project's limited scope, it will not create a negative impact on the surrounding area.

The facility will be publicly accessible and will directly support the Academy, a major cultural institution in the City.

Policy 2.10

Develop a master plan for Golden Gate Park.

"Acknowledge Golden Gate Park's contribution to the diversity of cultural and recreational activities available to residents of San Francisco and the Bay region; recognize the park's importance as an American cultural resource."

The Academy is a recreation and educational use that is acknowledged in the Golden Gate Master Plan, created in response to this General Plan Policy, to be an important contributor to the diversity of recreational, cultural and educational uses available in the Park. The proposed project will support the existing Academy facility.

URBAN DESIGN ELEMENT

Policy 2.2

Limit improvements in other open spaces having an established sense of nature to those that are necessary, and unlikely to detract from the primary values of the open space.

"Facilities placed in these areas should be of a public nature and should add to rather than decrease their recreation and open space values... Where new facilities are necessary in these parks and open spaces, they should be sited in areas that are already partially developed in preference to areas with a greater sense of nature."

The proposed project is incidental to the Academy, an important educational and cultural resource in the Park. The Academy's site in Golden Gate Park on the Music Concourse is identified in the Golden Gate Park Master Plan as an area dedicated to civic activities and cultural institutions, and in accord with this General Plan, is in a developed area. The project will incorporate an existing aviary building and will be within the existing Academy property footprint. It will not reduce or limit the recreation and open space within the park.

Policy 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

The Academy facility is an important public institution in the Concourse area of Golden Gate Park, a prominent public area. The project site at the south corner of the Academy building ensures that the proposed project will be appropriately subordinate to the existing Academy building when viewed from the Music Concourse. As proposed, the project is sensitively designed and will complement the distinctive architecture of the existing Academy facility.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The proposed project, the renovation and expansion of the California Academy of Sciences West Garden Café, is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The proposed project will not displace nor disrupt neighborhood-serving retail uses. It will not impact resident employment or ownership of such businesses.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The proposed project will have no impact on existing housing. The project will conserve and protect neighborhood character by supporting an important cultural resource that presently serves as both a neighborhood amenity and a citywide resource.

3. That the City's supply of affordable housing be preserved and enhanced.

The proposed project will have no impact on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposed project's Certificate of Exemption from Environmental Review states that no new person trips or increase in existing daily attendance to the Academy are anticipated with the

addition of the proposed project. Thus the proposed project would have no impact on MUNI transit service or on neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

The proposed project will have no impact in industrial and service sectors.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposed project will meet current building code requirements for seismic safety and will have no adverse effect on earthquake preparedness.

7. That landmarks and historic buildings be preserved.

The proposed project will be incidental to the existing Academy facility and will be within the developed Academy property footprint. The existing Academy facilities, including the aviary building that will be incorporated into the proposed project, were constructed in 2008 and are not historic.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposed project does not increase developmental impacts on Golden Gate Park and the open space that the Park provides. The proposed project is the minor expansion of an existing facility. The project will occur within the footprint of developed Academy property and will incorporate an aviary building that currently exists on the site. It will not interfere with access to sunlight within the park.

The project site at the south corner of the Academy building ensures that the proposed project will be appropriately subordinate to the existing Academy building when viewed from the Music Concourse. It will not block views or vistas.

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
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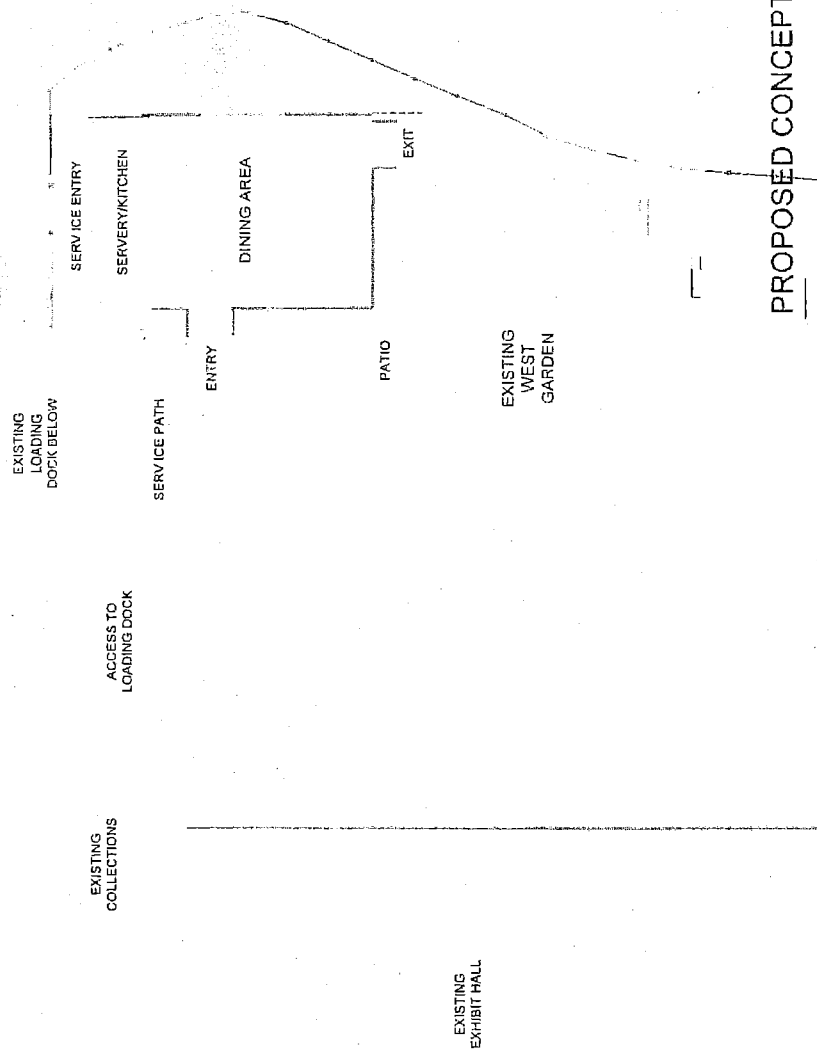
Attachments:

**GENERAL PLAN REFERRAL
CALIFORNIA ACADEMY OF SCIENCES
WEST GARDEN CAFÉ**

CASE NO. 2013.0925R

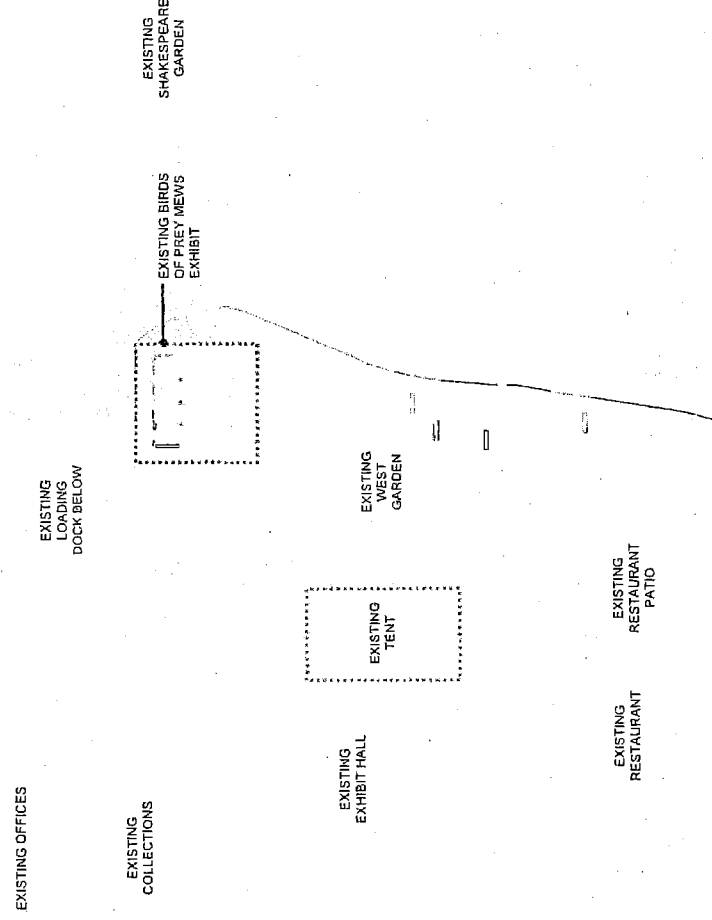
Existing site plan
Proposed site plan

I:\Citywide\General Plan\General Plan Referrals\2013\2013.0925R California Academy of Sciences Cafe.doc



PROPOSED CONCEPT - FLOOR PLAN

EXISTING SITE PLAN



RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution No. 1308-008

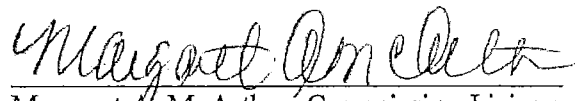
CALIFORNIA ACADEMY OF SCIENCES
CONSTRUCTION OF CAFE ADDITION

RESOLVED, That this Commission does recommend that the Board of Supervisors approve construction of an addition to the Bird Mews enclosure in the West Garden of the California Academy of Sciences to serve as a café/event space.

Adopted by the following vote:

Ayes	6
Noes	0
Absent	1

I hereby certify that the foregoing resolution was adopted at the Recreation and Park Commission meeting held on August 15, 2013.


Margaret A. McArthur, Commission Liaison

MEETING OF THE FULL ARTS COMMISSION

Monday, July 8, 2013

3:00 p.m.

City Hall Room 416

1 Dr. Carlton B. Goodlett Place

Minutes

Commission President JD Beltran called the meeting to order at 3:02 p.m.

1. **Roll Call**

Commissioners Present

JD Beltran, President
Gregory Chew
Charles Collins
Simon Frankel
Dorka Keehn
Roberto Ordeñana
Abby Sadin Schnair
Marcus Shelby
Janine Shiota
Jessica Silverman
Barbara Sklar
Kimberlee Stryker

Commissioners Absent

Sherene Melania, Vice President
Leo Chow
Cass Calder Smith
Gwyneth Borden, ex officio

2. **Approval of Minutes**

This item was withdrawn.

3. **President's Report**

President Beltran reported that Mr. DeCaigny was in Zurich for the opening of the San Francisco-Zurich Sister City exhibition, meeting with his counterparts there.

She commended former Commissioners John Calloway and Amy Chuang, both ending their terms on the Commission, for their years of service to the City, including several performances Mr. Calloway had contributed at different times.

Mr. Calloway said that he had learned a lot during his tenure, and would miss his colleagues, and he thanked former Mayor (now Lieutenant Governor) Newsom and Mayor Lee for the opportunity. Ms. Chuang agreed that it had been a pleasure to work with fellow Commissioners and staff, and that she too had learned a lot. She was also grateful for the opportunity to serve.

President Beltran added that she was very impressed to witness both Mr. Calloway and Ms. Chuang grappling with difficult issues at Street Artists Committee meetings. She added that Ms. Chuang's Mandarin language fluency was a great asset to the Committee. She noted that Mr. DeCaigny regretted that he was not here to mark their departure, and hoped to plan a gathering soon to recognize their contributions.

President Beltran introduced the two new Commissioners recently appointed by Mayor Lee, Abby Sadin Schnair and Janine Shiota. She explained that Commissioner Schnair was a photographer with a particular interest in architecture and interiors, and had served on the boards of a number of local nonprofits. President Beltran said that Commissioner Shiota, a San Francisco native, is an event producer and writer. Both Commissioners thanked her and said they were looking forward to getting to work with the Commission.

Turning to strategic planning, President Beltran reported that a steering committee has been named, including herself, Commissioners Chow and Collins, and staff representatives: Public Art

Program Senior Project Manager Jennifer Lovvorn, Cultural Equity Grants Associate Weston Teruya, WritersCorps Program Manager Melissa Hung, Deputy Director Rebekah Krell and Mr. DeCaigny. She asked Commissioner Collins to report further. He reported that a half-day public meeting on Treasure Island was an excellent discussion on the Commission's core values, mission and vision. The consultants gathered the strands of that discussion and have begun crafting them into concise statements for further review. He added that there would be many opportunities for community engagement.

President Beltran reiterated that everyone was welcome to give their input, and there would be ongoing reports to Commissioners and staff, as well as community outreach. She added that if Commissioners had particular people in mind as key representatives of the community, they should forward those names to staff.

Finally, President Beltran said that she would appoint Commissioners Schnair and Shiota to the Committee posts vacated by the departing Commissioners Calloway and Chuang, and would revisit Committee appointments later in the year.

There was no public comment.

4. Director's Report

In the absence of Mr. DeCaigny, Deputy Director Rebekah Krell began the report with WritersCorps. She reported that they have seven teaching artists working with some 1,100 youth in a number of districts in the City, at sites including schools, community centers and Juvenile Hall, along with three new sites in Bayview. She pointed to copies of the anthologies on hand at this meeting, and discussed some of the year's events, including the temporary installation of *Steps to Poetry* at the Main Library.

She reported that several City department representatives and Millennium Partners are in discussions with leadership of the Mexican Museum to come to an agreement about their space in the project. She explained that the property had been under the jurisdiction of the City's Redevelopment Agency; with the statewide dissolution of Redevelopment, the parcel at Third and Mission was transferred to the successor agency. President Beltran explained that the development in question was across from the Yerba Buena Center for the Arts, next door to the Contemporary Jewish Museum; the development plans called for a tower with the lower level to house the Mexican Museum, and the museum's relationship with the Arts Commission was still to be determined.

Turning to the budget, Ms. Krell reported that the agency's budget presentation to the Board of Supervisors had gone well. She reviewed the presentation, as posted online with the agenda for this meeting.

Referring to the slide about conservation funding, President Beltran observed that the agency had rarely had sufficient funding to conserve the City's art collection, so the increased amount budgeted for this year was extremely welcome. She added that this supported the importance of ArtCare and the potential Friends of the Arts organization. She thanked Ms. Krell.

There was no public comment.

5. Consent Calendar

President Beltran severed item 7 of the Consent Calendar, regarding the grant to the African American Art and Culture Complex and subgrantee Queer Cultural Center, because of a potential conflict of interest for Commissioner Ordeñana, as he has previously explained.

There was no public comment, and the Commission voted unanimously to approve the entire Consent Calendar with the exception of item 7.

RESOLUTION NO. 0708-13-157:

Approval: RESOLVED, that this Commission does hereby adopt the following items on the Consent Calendar and their related Resolutions:

Approval of Committee Minutes

1. **RESOLUTION NO. 0708-13-158:** Motion to approve the Civic Design Review Committee Meeting Minutes of May 20, 2013.

2. **RESOLUTION NO. 0708-13-159:** Motion to approve the Community Arts, Education and Grants Committee Meeting Minutes of June 11, 2013.
3. **RESOLUTION NO. 0708-13-160:** Motion to approve the Visual Arts Committee Meeting Minutes of June 19, 2013.

**Community Arts, Education and Grants Committee Recommendations
(June 11, 2013)**

4. **RESOLUTION NO. 0708-13-161:** Motion to approve the proposed 2013-2014 Management and Program Plan ("MPP") and budget for SOMArts Cultural Center for a grant not to exceed \$596,044.
5. **RESOLUTION NO. 0708-13-162:** Motion to approve the proposed FY2013-2014 Management and Program Plan ("MPP") and budget for Mission Cultural Center for Latino Arts for a grant not to exceed \$533,381, contingent upon revisions.
6. **RESOLUTION NO. 0708-13-163:** Motion to approve the proposed FY2013-2014 Management and Program Plan ("MPP") and budget for Bayview Opera House for a grant not to exceed \$317,891, contingent upon revisions.
7. **RESOLUTION NO. 0708-13-165:** Motion to approve Phase 1 of the California Academy of Sciences West Garden Café Addition.
8. **RESOLUTION NO. 0708-13-166:** Motion to approve Phase 2 of the Washington Square Restroom Project, with the condition that the recess in the screen above the utility door be eliminated.
9. **RESOLUTION NO. 0708-13-167:** Motion to approve Phase 3 of the San Francisco International Airport Air Traffic Control Tower Project, with the condition that the lighter-colored material presented will be used for the louvers.
10. **RESOLUTION NO. 0708-13-168:** Motion to approve Phase 1 of the the Airport Terminal 3 East Improvements Project.

Visual Arts Committee Recommendations (June 19, 2013)

11. **RESOLUTION NO. 0708-13-169:** Motion to approve Eric Powell's final design for the Cayuga Playground main entrance gate.
12. **RESOLUTION NO. 0708-13-170:** Motion to approve the following arts professionals as potential panelists for the Vermont Street Stairs artist selection panel: Kevin Chen, Program Director, Intersection for the Arts; Courtney Fink, Executive Director, Southern Exposure; Lex Leifheit, Executive Director, SOMArts Cultural Center; Ellen Oh, Program Administrator, Institute for Diversity in the Arts, Stanford University; Renny Pritikin, California College of the Arts faculty; Rebeka Rodriguez, Program Director: Education & Community Engagement, Intersection for the Arts; Maysoun Wazwaz, Program Manager, Mills College Art Museum.
13. **RESOLUTION NO. 0708-13-171:** Motion to approve the following temporary nature-based art projects for implementation at the Kezar Triangle as proposed by the Kezar Triangle Arts Coalition: *Groundworks*, by Daniel McCormick and Mary O'Brien; *Growth Rings*, by Cameron Hockenson; *Untitled* (fence beading project) by Streetcolor and as conceived by the Kezar Triangle Arts Coalition: *Quigley House Project*; and *The Plot to Grow Art*.
14. **RESOLUTION NO. 0708-13-172:** Motion to approve the design and installation of the temporary art project, *Green the Excelsior Through Art*, which consists of five art panels by artists Katherine Kodama, Matt Christenson, Nico Berry, Zoe Ani and Michael Hall, to be installed for a period of five years on the front of the Excelsior Branch Library at 4400 Mission Street. The project is sponsored by the Excelsior Action Group.

15. **RESOLUTION NO. 0708-13-173:** Motion to approve the following finalists for the 2014-15 Art on Market Street Kiosk Posters Series as recommended by the Art on Market Street Selection Panel: Sergio De La Torre; Lauren DiCioccio; Anthony Discenza; Robert Minervini; Ranu Mukherjee; and Zachary Royer Scholz.
16. **RESOLUTION NO. 0708-13-174:** Motion to approve the final installation of the nine bronze chairs that comprise the artwork *Domestic Seating*, 2012, by Primitivo Suarez-Wolfe as installed on Duboce Avenue near Church Street.
17. **RESOLUTION NO. 0708-13-175:** Motion to approve the project outline for Van Ness Avenue BRT calling for the selection of an artist to work with the Van Ness BRT design team to develop opportunities for the integration of art into the transit system platforms.

Commissioner Ordeñana left the room, and the Commission voted unanimously, with his recusal, to approve the following item.

18. **RESOLUTION NO. 0708-13-164:** Motion to approve the proposed FY2013-2014 Management and Program Plan ("MPP") and budget for African American Art and Culture Complex for a grant not to exceed \$582,294 (including \$483,690 to African American Art and Culture Complex and \$98,603 to sub-grantee Queer Cultural Center), pending receipt of a memorandum of understanding ("MOU") between the grantee and sub-grantee, and contingent upon revisions.

Commissioner Ordeñana returned to the meeting room following the vote.

6. Committee Reports and Committee Matters

1. Civic Design Review Committee—Cass Calder Smith, Chair

1. In the absence of Commissioner Smith, Commissioner Keehn reported that Civic Design received some recent good press, in two articles by John King of the San Francisco Chronicle. She reported that the United States Postal Service proposed a "GoPost" pilot project which would place large kiosk structures in the middle of the sidewalks in several Market Street sites. She noted that Mr. King agreed with the Committee that they were more like buildings and that the pedestrian walkway was an inappropriate location. She added that the Committee thought the idea of making parcel shipping and delivery more accessible was a good one, and hoped the Postal Service would choose more appropriate placement.

She reported that the Committee approved an exciting project by Mark Cavagnero at the California Academy of Sciences which will allow them to remove a big plastic tent currently blocking the view of Maya Lin's sculpture; the Committee thought this a great addition to the Renzo Piano-designed building.

She reported that they approved the San Francisco Airport Control Tower, a really cutting-edge design. She commented that the recent terrible accident at the Airport underscored the importance of the Control Tower.

Commissioner Keehn reported that staff is requesting clarification from the City Attorney's office on the authority of the Planning Department Historic Preservation Commission and the Arts Commission on projects where there is some shared jurisdiction. She reported that the Committee reviewed some projects where there have been conflicting recommendations to the architects from the two bodies.

President Beltran reported that staff is working closely with other City departments to ensure that they understand the requirement for Civic

Design Review for any construction on City-owned land. The hope is that they will come to the Committee early, before Phase 1, to have the benefit of the review when it can be most helpful. Commissioner Keehn added that the relationship with the Bureau of Architecture is much improved from past years.

2. Community Arts, Education and Grants Committee—Sherene Melania, Chair

1. President Beltran explained that Vice President Melania was unable to attend because of a family illness, and Commissioner Collins gave the report in her absence. He reported that the Committee discussed one of its major areas of responsibility, the Cultural Centers; this was the time for them to submit Management and Programming Plans ("MPP"). He briefly reviewed the structure of the independent nonprofit organizations as tenants of the City-owned Cultural Center facilities, and added that the relationship between the nonprofits, Arts Commission staff and the Commission was growing stronger. He reiterated that the Arts Commission is the landlord to the organizations. He reported that the Committee reviewed the reports and status of the Cultural Centers, and heard from their leadership. He said that the Committee was heartened to learn of the ongoing funding for the events at Bayview initiated by Supervisor Cohen. He reported that there was also a thorough discussion of grants.

Commissioner Stryker pointed out, for the benefit of new Commissioners, that in addition to SOMArts, the Mission Cultural Center for Latino Arts, Bayview Opera House and the African American Art and Culture Complex, there are also "virtual" Cultural Centers without their own facilities: the Queer Cultural Center and the Asian Pacific Islander Cultural Center. President Beltran noted that while the orientation for new Commissioners covered the Cultural Centers, this was a helpful reminder.

Commissioner Collins presented the following motion; Commissioner Ordeñana recused himself because of a potential conflict which he has previously explained; he left the meeting room.

At the request of President Beltran, Community Arts and Education Program Director Judy Nemzoff explained that the MPPs had been presented at the preceding meeting of the Committee, and because of the timing of their budgets in relation to the final approval of the City's budget, the motion requested an advance for the Centers. She explained that the Arts Commission was the largest funder for the Centers as well as their landlord, and this advance was required to provide cash flow for the Centers' summer programming.

President Beltran pointed out that this motion addressed only timing, and that the overall budgets of the Centers had been thoroughly vetted by the Committee, and approved by the full Commission in today's Consent Calendar.

There was no public comment.

The motion was unanimously approved, with the recusal of Commissioner Ordeñana.

2. **RESOLUTION NO. 0708-13-176:** Motion to approve grant advances totaling \$507,403 to the following Cultural Centers for the 2013-2014 fiscal year:
 - Bayview Opera House, \$79,473
 - Mission Cultural Center for Latino Arts, \$133,345
 - SOMArts Cultural Center, \$149,011
 - African American Art & Culture Complex, \$145,574 (including \$120,923 to African American Art and Culture Complex and \$24,651

to Queer Cultural Center as subgrantee of African American Art and Culture Complex)

Commissioner Ordeñana returned to the meeting room after the vote.

3. **Street Artists Committee—Gregory Chew, Chair**

1. Commissioner Chew welcomed the new Commissioners, and thanked Commissioners Calloway and Chuang for their excellent service on the Committee.

He announced that the Committee would hold its next meeting on the coming Wednesday. He noted that the program has now been operating for 41 years, providing licenses for artists to sell their work at locations around San Francisco; there are currently around 400 artists in some 35 different categories, contributing about \$4 million to the city's economic vitality.

Public Comment:

Paula Datesh said that her permit was revoked illegally last year, at a meeting held illegally while she was in the hospital. She said that about a week before that she found a civil filing from Street Artists Program Director Howard Lazar which remained open for three months for lack of service. She said it was closed on May 29. She said that she went to McAllister Street but didn't need to because there was no service. She said that he had used a videotape, and claimed he didn't appear. She said this was a clever move on his part to lock her out of the Street Artists Program. She said that the only way she knew was because she had gone to see Ms. Krell about Mr. Tunui and she overheard a phone conversation. She said that she was suing the Arts Commission, that it has been fifteen years, and has really affected her.

There was no further public comment.

4. **Visual Arts Committee—Barbara Sklar, Chair**

1. Commissioner Sklar said that it was interesting to the Committee to see the trends, and that there was a lot more temporary art now; two temporary projects had been approved in today's Consent Calendar. She reported that the Committee had reviewed interesting projects at Kezar and in the Excelsior. She noted that accessibility problems with placement of the bronze chairs in Primitivo Suarez-Wolfe's *Domestic Seating* have been resolved and the piece is beautiful. She reported that the Committee discussed a big project, the Van Ness Bus Rapid Transit ("BRT") project, with an eye toward integrating public art into this major redesign of Van Ness Avenue.

President Beltran invited Public Art Program Director Susan Pontious to discuss the awards given at the recent Public Art Network ("PAN") conference. Ms. Pontious explained that every year, PAN, the only national organization for public art, a subsidiary of Americans for the Arts, selects fifty projects as the year's best. She reported that the San Francisco Arts Commission commissioned two of the fifty projects, Ned Kahn's *Firefly* and Primitivo Suarez-Wolfe's *Domestic Seating*. She added that San Francisco usually wins one award each year, and this year won two, from a pool of over 350 entries. President Beltran added that PAN is really the arbiter of the best public art in the country. She noted that past honorees included Commissioner Keehn's collaboration with Brian Goggin on *Language of the Birds*, which was honored in 2009, as was her own collaboration with Scott Minneman, *Dark Mirror* in San José.

Public Comment:

Ms. Datesh made a comment on Pittsburgh.

7. Public Comment

Ms. Datesh read the following e-mail:

"On June 19th, 2013 the Board of Permits and Appeals found no factual evidence for a street artist permit denial of March 13, 2013. Howard Lazar did not file a response and was reprimanded by the Board for not following the rules. He wanted to postpone the meeting but could not supply medical evidence. He could not supply facts and evidence to support his 6 violations. He ranted for 7 minutes over dismissed cases of 15 years ago.

"John Tenuli, slandered me with gossip and hearsay. I did not spend 2 years in prison in NY. There were over 20 SFPD cops in the room and 3 lawyers who questioned his credibility. He ran out. I suggest that Tenuli stop harassing me and making annoying 911 calls. I am diabetic and went to the emergency room twice because of him.

"Ray Hertz. San Francisco Open a government was present at the March 13, 2013 street artist meeting. He explained procedural issues and lack of evidence. He said there was overwhelming hostility towards me and believed it was not a fair hearing.

"At rebuttal, I explained that I was AGAIN ganged up on and slandered for no real reason. I went to the full commission when these events were going on yet nothing was done.

"Lazar was again reprimanded. He had 41 years to get it right and can not seem to do so.

"No idea why the street artist program of San Francisco is so nutty but someone needs to be supervising Howard Lazar. It is clear that I am not the only one who seems puzzled.

"Lazar seems to enjoy wasting the city's time and resources on meritless filings. He needs to be supervised and held accountable for his actions."

Barbara Ockel, Bayview Opera House Executive Director, thanked the Commission for its incredible support to the Opera House, particularly over the past year during the renovations. She appreciated the efforts of Ms. Nemzoff and the Community Arts and Education staff, and the architects on the project, as well as the replacement of funding lost through the winding down of the Redevelopment Agency. Commissioner Collins reported that Supervisor Cohen was extremely laudatory of the work Ms. Ockel and her staff have been doing at the Opera House over this challenging period. President Beltran also praised Ms. Ockel for her work. There was no further public comment.

8. New Business and Announcements

Commissioner Stryker encouraged everyone to see the Mark di Suvero sculptures at Crissy Field. President Beltran explained that while the San Francisco Museum of Modern Art was closed for construction, it was mounting offsite exhibitions around the city in partnership with other organizations. She called the Crissy Field show a once-in-a-lifetime opportunity, transforming the field into a giant forest of steel sculptures.

Commissioner Chew recommended the Galleries' show of Joe Blum's Bay Bridge construction photographs on the ground floor of City Hall. Commissioner Keehn added that despite the bridge's issues, the show is a celebration of the workers by one of their own. Communications Director Kate Patterson added that the reception would be held on July 11. President Beltran explained that Mr. Blum got unprecedented access to photograph the bridge.

Ms. Patterson announced a panel discussion on how social activism has shaped the arts in San Francisco at the de Young Museum on Friday, July 12. The panel will include Susan Wels, author of *San Francisco: Arts for the City—Civic Art and Urban Change, 1932-2012*.

Ms. Pontious announced that a piece from the Civic Art Collection is on loan to the de Young for their current retrospective on Richard Diebenkorn. President Beltran added that another piece was traveling with an important show of work by Jay DeFeo. Ms. Pontious added that a third was on loan to the de Young for the recent Stephen De Staebler retrospective.

President Beltran added that SOMArts was opening a group show by Pacific Rim artists addressing global electronic communication.

There was no public comment.

9. **Adjournment**

There being no further business, the meeting was adjourned at 4:17 p.m

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: John Rahaim, Director, Planning Department
Tom Hui, Director, Department of Building Inspection
Tom DeCaigny, Director, Arts Commission
Phil Ginsburg, General Manager, Recreation and Parks

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: November 8, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Supervisor Mar on October 29, 2013:

File No. 131069

Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

If you would like to submit reports or comments prior to the hearing, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email: alisa.miller@sfgov.org and andrea.ausberry@sfgov.org.

c: AnMarie Rodgers, Legislative Affairs, Planning Department
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Sharon Pagie Ritchie, Commission Secretary, Arts Commission
Margaret McArthur, Commission Secretary, Recreation and Parks
Howard Lazar, Arts Commission

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November 8, 2013

File No. 131069

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

Dear Ms. Jones:

On October 29, 2013, Supervisor Mar introduced the following legislation:

File No. 131069

Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

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

Attachment

c: Monica Pereira, Environmental Planning
Nannie Turrell, Environmental Planning

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☒ 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- ☐ 2. Request for next printed agenda without reference to Committee.
- ☐ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning "Supervisor [] inquires"
- ☐ 5. City Attorney request.
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget Analyst request (attach written motion).
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Request for Closed Session (attach written motion).
- ☐ 10. Board to Sit as A Committee of the Whole.
- ☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Mar, Tang

Subject:

California Academy of Sciences – West Garden Cafe Addition

The text is listed below or attached:

Please see attached

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

131069

