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CDP Approved:	5/9/2013
Staff:	K. Kahn - SC
Staff Report:	3/28/2014
Hearing Date:	4/9/2014

REVISED FINDINGS

Application Number: A-2-SNF-12-020

Applicant: San Francisco Recreation and Park Department

Project Location: Beach Chalet athletic fields facility located in the western end of Golden Gate Park just inland from the Great Highway and Ocean Beach off of John F. Kennedy Drive in San Francisco.

Project Description: Renovation of an existing 9.4-acre athletic field complex with artificial turf, field lighting, spectator seating, expanded parking lot, concrete pathways, renovated bathroom facilities, ~~and~~ expanded public plaza, and field lighting monitoring program.

Staff Recommendation: Adopt Revised Findings

STAFF NOTE

On May 9, 2013, the Commission found that the City and County of San Francisco's approval of the coastal development permit (CDP) for the proposed project raised a substantial LCP conformance issue and took jurisdiction over the CDP application for the proposed project. Following a public hearing, the Commission then approved a CDP for the proposed project by a vote of 11-0. Because the staff recommendation had been for approval with special conditions (which the Commission chose not to adopt), and because the City as Applicant amended its project proposal at the hearing, this report contains revised findings reflecting the Commission's action and the changes to the project. For the same reason, the findings have been modified throughout from the previous version of the staff report. Deletions to the previous report text are shown in strike-through text format, and additions are shown in underlined text format. Commissioners who are eligible to vote on the revised findings are those from the prevailing side

who were present at the May 9, 2013 hearing (i.e. Commissioners Bochco, Garcia, Groom, McClure, Mitchell, Shallenberger, Vargas, Vice-Chair Zimmer, and Chair Kinsey).

The purpose of the hearing on revised findings is to consider whether the revised findings accurately reflect the Commission's previous action, and not to reconsider the merits of the already approved project. Public testimony will be limited accordingly.

STAFF RECOMMENDATION ON REVISED FINDINGS

Staff recommends that the Commission adopt the following revised findings in support of its approval of a CDP for the proposed project on May 9, 2014. To implement this recommendation, staff recommends a YES vote on the following motion. Pursuant to Section 30315.1 of the Coastal Act, adoption of findings requires a majority vote of the members of the prevailing side present at the May 9, 2013, hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote. Passage of this motion will result in approval of the revised findings and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission adopt the revised findings in support of the Commission's action on May 9, 2013 approving the development proposed under CDP Application Number A-2-SNF-12-020 pursuant to the staff recommendation, and I recommend a yes vote.*

Resolution to Adopt Revised Findings: *The Commission hereby adopts the findings set forth below for approval of a coastal development permit for the development proposed under CDP Application Number A-2-SNF-12-020 on the grounds that the findings support the Commission's decision on May 9, 2013 and accurately reflect reasons for it.*

SUMMARY OF ~~STAFF RECOMMENDATION~~ COMMISSION ACTION

The City and County of San Francisco (City of San Francisco) approved a coastal development permit (CDP) to allow the renovation of the Beach Chalet athletic fields facility, an existing 9.4-acre athletic field facility located in the western edge of Golden Gate Park, roughly 1,000 feet inland from Ocean Beach, in San Francisco. The renovation includes: replacing the existing grass fields with artificial turf, installing ten 60-foot tall sets of field lights, installing spectator seating (for approximately 1,000 spectators), replacing the existing 8-foot perimeter metal chain-link fence with a 3.5-foot vinyl chain-link fence (with eight 16-foot tall sections behind soccer goal post end lines), expanding the existing parking lot with 20 additional spaces, renovating the existing bathroom facilities, installing concrete paths around and through the facility, and creating a public plaza with play structures, barbecue pits, and tables. The Appellants contended

that the City's decision ~~is~~ was inconsistent with the City of San Francisco Local Coastal Program (LCP) because the approved project: 1) does not protect the naturalistic quality of the western end of Golden Gate Park, including in terms of its historic status; 2) is contrary to the mandate for reforestation by removing over 55 trees; 3) does not preserve the natural characteristics of the Cliff House/Sutro Baths area; and 4) does not protect the Richmond and Sunset residential areas from traffic and visitor impacts.

Staff recommends that the Commission find ~~that the appeals raised~~ substantial LCP conformance issues and that the Commission took ~~jurisdiction over the CDP application in order to further evaluate those issue in a de novo setting.~~ Staff further recommends that Following de novo analysis, the Commission then approved a CDP for a modified renovation project as proposed by the Applicant, determining that it adequately addressed LCP requirements for the site.

The LCP requires that development “emphasize the naturalistic landscape qualities of the western end of the park for visitor use” and “strengthen the visual and physical connection between the park and the beach.” ~~LCP certification documents indicate that the intent and goal of the LCP was to ensure protection of the unique pastoral landscape character of the Park. The City approved project will modify the existing Beach Chalet fields area in a way that will alter its naturalistic character, including through the introduction of project elements that would significantly change its spatial organization and setting (e.g., artificial turf, field lights, seating areas, fencing, concrete paths, etc.). The City found that the project would cause significant and unavoidable adverse impacts to the fields area in this respect, including in light of Golden Gate Park's significant historic status (i.e., it is on the National and California Registers of Historic Places as a historic district), but approved the project via a statement of overriding considerations. The Commission determined that because the project renovates existing recreational fields, and includes significant reforestation and planting adjacent to them to frame this area, the proposed project's elements adequately maintain the visual and physical connection between the park and the beach and emphasize the naturalistic landscape qualities of the western end of the park for visitor use, including by allowing increased recreational utility in an area that is designated for such use. Therefore, the Commission determined that the project as proposed was consistent with the certified LCP and approved a CDP for the project as submitted by the City and County of San Francisco.~~

~~There are likely many different alternative project variations that could address the LCP policy to emphasize naturalistic landscape qualities, but it is clear that any proposal that seeks to renovate the Beach Chalet athletic fields facility consistent with the LCP must emphasize the naturalistic pastoral landscape, including by keeping hardscape and engineered elements to a minimum and making sure they are subordinate to the pastoral landscape character. Within this context, there are a range of potential project elements that may be appropriate to meet City objectives of increasing the field's recreational usage while also meeting LCP requirements that protect the naturalistic landscape. It is within this context (i.e., whether a proposed element increases recreational access and whether it emphasizes the field's pastoral, non-structured landscape qualities) that project alternatives must be analyzed. Fundamentally, project elements that break up the overall grassy area are problematic in this respect (such as the proposed 30-foot wide linear concrete area with seating that would bisect the fields entirely), as are significant project elements that significantly frame the field areas in a linear and/or regular fashion (e.g., perimeter~~

fencing). Other project elements that introduce significant hardscape and ‘engineered’ elements also take away from the naturalistic character of the area. For other project elements, however, there is some judgment involved as to what tips the scales to not appropriately emphasizing the naturalistic landscape qualities of the site. For example, some field lighting that doesn’t break up the overall grassy area and some linear form seating areas that are integrated into landscape areas could be consistent with that LCP policy.

To bring the project into conformance with the LCP, staff recommends that the Commission approve a revised project that addresses the naturalistic setting and character of the Park and that would include:

- Redoing the natural turf fields with natural grass (including with enhanced foundation and drainage) and maximizing revegetation efforts with an eye towards emphasizing naturalistic spatial organization for the fields area (e.g., curvilinear as opposed to linear)
- Eliminating and/or reducing field lighting (and limiting lighting otherwise to that necessary for public safety)
- Modifying fencing (including because existing fencing which has altered the character of the site is currently unpermitted)
- Modifying seating to be informal bench seating (e.g., intermittent benches) and/or more limited linear seating forms integrated with perimeter paths and landscaping
- Modifying paths to be decomposed granite or equivalent as opposed to concrete
- Providing enhanced signage and path connections between the fields and Ocean Beach, as well as interpretive signing

Such a project would be a significant improvement to the Beach Chalet fields area that would both enhance its pastoral naturalistic character and its utility for recreation consistent with the LCP.¹ The motions to implement staff’s recommendation are found on page 5 below.

¹ In addition, although not part of the CDP, additional recreational utility, including nighttime play via lights, may be accomplished at nearby West Sunset Playground (outside of the coastal zone, about a mile and a half away from the Beach Chalet site) where the City has already allotted funding towards field improvements. Such improvements to West Sunset Playground (as opposed to at Beach Chalet) were identified by the City’s certified CEQA document as the environmentally superior alternative to meet project objectives. This hybrid would address LCP requirements and the need for increased recreation.

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APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit 1 – Project Location Map

Exhibit 2 – Existing Site Photos

Exhibit 3 – Approved Project Design and Renderings

Exhibit 4 – City’s Final Local Action Notice

Exhibit 5 – Appeals of City and County of San Francisco’s CDP Decision

Exhibit 6 – Applicant’s Response to Appeals

Exhibit 7 – Correspondence Received

Exhibit 8 – City’s Commitment to Prioritize Restoration of the Former Wastewater Treatment Plant Site

Exhibit 9 – City’s Light Monitoring Program

Exhibit 10 – City’s Response to Original Staff Report

Click the links to the left to see the exhibits.

Note: for Exhibits 5, 6, and 7, see April 2014 public meeting at www.coastal.ca.gov

I. MOTIONS AND RESOLUTIONS

A. Substantial Issue Determination

Staff recommends that the Commission determine that a **substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of substantial issue would bring the CDP application for the proposed project under the jurisdiction of the Commission for de novo hearing and action. To implement this recommendation, staff recommends a **NO** vote on the following motion. Failure of this motion will result in a de novo hearing on the CDP application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission determine that Appeal Number A-2-SNF-12-020 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act, and I recommend a no vote.*

***Resolution to Find Substantial Issue:** The Commission hereby finds that Appeal Number A-3-SNF-12-020 presents a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.*

B. CDP Determination

Staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in approval of the CDP as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission approve Coastal Development Permit Number A-2-SNF-12-020 pursuant to the staff recommendation as approved by the City and County of San Francisco, and I recommend a yes vote.*

***Resolution to Approve CDP:** The Commission hereby approves Coastal Development Permit Number A-2-SNF-12-020 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with City and County of San Francisco Local Coastal Program policies. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

~~This permit is granted subject to the following special conditions:~~

1. ~~**Revised Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two full size sets of Revised Project Plans to the Executive Director for review and approval. The Revised Project Plans shall be substantially in conformance with the proposed project plans (see Exhibit 3) except that they shall be revised and supplemented to comply with the following requirements:~~
 - a. ~~**Synthetic Turf Replaced With Natural Turf.** All synthetic turf shall be eliminated from the project and in its place natural grass turf shall be used. The natural grass turf area shall include replacement of the existing turf with new turf, and installation of an underlying turf foundation system designed to provide enhanced stability, including in terms of enhanced drainage, to the maximum extent feasible (e.g., regrading, placement of drainage materials and systems, gopher wire, etc.).~~
 - b. ~~**Field Lighting Modified.** All field lighting shall be eliminated from the project or shall be allowed only along the perimeter of the project site and integrated with the perimeter vegetation.~~
 - c. ~~**Fencing Modified.** All fencing surrounding the fields, including existing fencing present without benefit of a CDP (i.e., all fencing currently present at the site), shall be~~

eliminated from the project and removed. The only fencing allowed shall be low fencing (no higher than 3 feet) near the restroom, plaza, play, and picnic areas where required (including where it is shown that topographic changes, vegetation, and/or site design cannot achieve the same purpose) to adequately protect users of those areas from wayward balls. Allowed fencing shall be: minimized as much as possible; as see-through as possible while still achieving its purpose; integrated into the site and the site design as seamlessly as possible, including in terms of the use of natural materials; made up of other than chain link (e.g., through use of wood stiles, brass pipe stiles, cable rails, hog wire, etc.) as much as possible.

- d. Pedestrian Pathways Modified.** Pedestrian pathways shall only be allowed along the periphery of the field area, with allowed connections emanating from the periphery of the field area to existing paths to the north, west, and south, and to the parking lot to the east. All pedestrian pathways shall be made up of decomposed granite or similar product that appears as decomposed granite (e.g., decomposed granite mixed with binding agents, such as GraniteCreek product); shall be sited and designed to connect to offsite trails, and to seamlessly integrate with the natural environment as well as the parking lot, restroom, plaza, play, and picnic areas; shall be curvilinear as opposed to straight line segments as much as possible; and shall include bump outs for interpretive signage, benches, and ADA seating areas.
- e. Spectator Seating Modified.** All spectator seating within the middle of the field area shall be eliminated from the project. Spectator seating along the northern and southern edges of the field area shall only be allowed where the seating is broken up into shorter sections and integrated with perimeter paths and landscaping in such a way as to emphasize the naturalistic edge of the fields. Bench seating shall be allowed along the periphery of the field area if the benches are sited and designed and limited in size (e.g., up to 4-person benches) and number to that that can be installed along the periphery of the field area and incorporated within the pedestrian pathway system in a way that does not detract from the naturalistic landscape qualities of the site (e.g., a limited number of benches spaced out along the pathway system, natural bench materials, etc.).
- f. Lighting.** Lighting shall be limited to the minimum lighting necessary for pedestrian and vehicular safety purposes associated with use of the athletic field facility, including through the use of low (i.e., bollard-mounted) fixtures where fixtures are needed if possible. All allowed lighting shall be downward directed and designed so that it limits the amount of light or glares visible from both on and off site to the maximum extent feasible. Lighting plans shall be submitted with documentation associated with chosen lighting features demonstrating compliance with this condition.
- g. Parking Lot.** The parking lot area shall be screened from view as seen from the field, restroom, plaza, play, and picnic areas as much as possible through planting new vegetation, with access from the parking lot to these areas limited to a pedestrian pathway access at the south end of the parking lot through the vegetation, and a main access (located along the existing accessway location) into these areas where the main access is subject to the same surfacing requirements as apply to the plaza area (see below).

- h. Restroom, Plaza, and Surrounding Areas.** The pavement surrounding the restroom that exists without benefit of a CDP shall be eliminated from the project and removed. The restroom and plaza area shall be separated from the parking lot area through a vegetated screen. The plaza area shall be reconfigured so that it appears as a curvilinear and naturalistic form, and not as a straight line or circular form; shall be limited in size to what will not detract from the spatial relationship between the fields and restroom building; and shall be sited and designed to conform to site topography as much as possible, except where some minor elevation nearest the fields would help avoid the need for fencing (see also fencing condition). The plaza area shall be surfaced with decomposed granite or similar product that appears as decomposed granite (e.g., decomposed granite mixed with binding agents, such as GraniteCreek product) if feasible, but may be surfaced with wood (e.g., wood decking) or a harder surface (such as colored concrete) if required to accommodate the level of use associated with the restroom and plaza, and if the wood/harder surface materials blend with the natural setting.
- i. Play and Picnic Areas.** The play and picnic areas shall be reconfigured so that they appear as a curvilinear and naturalistic forms integrated into and with the surrounding vegetation, and not as a straight line or circular form; and shall be sited and designed to conform to site topography as much as possible, except where some minor elevation nearest the fields would help avoid the need for fencing (see also fencing condition). The play and picnic areas shall be surfaced with decomposed granite or similar product that appears as decomposed granite (e.g., decomposed granite mixed with binding agents, such as GraniteCreek product). All play and picnic area amenities shall be sited and designed in such a way as to emphasize the naturalistic landscape qualities of the site (including through use of natural materials, muted colors, amorphous (as opposed to in pattern) locations, etc.).
- j. Landscaping.**

 - a. Proposed and Augmented.** Proposed landscaping shall be sited and designed to emphasize the naturalistic landscape qualities of the site, and shall be supplemented as necessary to address the requirements of this Revised Project Plans condition. In particular, landscaping shall be augmented along the northern, western, and southern edges of the field area in such a way as to result in a curvilinear as opposed to a straight line form, and to help provide a natural barrier to catch wayward balls. Landscaping shall also be augmented along the eastern side of the field area to provide visual separation between the parking lot and the rest of the site, and between the field area and the restroom/plaza and play/picnic areas, all sited and designed in such a way as to result in a curvilinear as opposed to a straight line form, and to help provide a natural barrier to catch wayward balls.
 - b. Plan Requirements.** Plans shall include landscape and irrigation parameters that shall identify all plant materials (size, species, quantity), all irrigation systems, and all proposed maintenance measures for the site. All plant materials shall be native and non-invasive species selected to be complimentary with the mix of native habitats in the project vicinity, prevent the spread of exotic invasive plant species, and avoid

~~contamination of the local native plant community gene pool. All landscaped areas on the project site shall be maintained in a litter free, weed free, and healthy growing condition. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be so identified from time to time by the State of California, and no plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be planted or allowed to naturalize or persist on the site.~~

k. Signs. ~~Signs shall be provided that strengthen the visual and physical connection between the fields area and Ocean Beach. Signs shall be installed at appropriate locations in the parking lot and along the pathway system near the fields, as well as at Ocean Beach, that provide information to direct users from the beach to the parking lot and fields area, and vice versa. The signs shall be designed so as to provide clear information without impacting public views and site character, and shall be consistent with Golden Gate Park and Golden Gate National Recreation Area signs. Interpretive signs shall be provided at appropriate points in the fields area (e.g., near the restroom/plaza area, etc.) that describe the history of the site and Golden Gate Park.~~

l. Utilities Underground. ~~All utilities and utility connections shall be located underground.~~

~~All requirements above and all requirements of the approved Revised Project Plans shall be enforceable components of this coastal development permit. The Permittee shall undertake development in accordance with the approved Revised Project Plans.~~

2. Construction Plan. ~~PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two full size sets of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:~~

a. Construction Areas. ~~The plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas within which construction activities and/or staging are to take place shall be minimized to the maximum extent feasible in order to have the least impact on public access and public views.~~

b. Construction Methods and Timing. ~~The plan shall specify the construction methods and timing to be applied to limit coastal resource impacts to the maximum extent feasible. Construction shall be limited daylight hours, and construction lighting, past that required for safety purposes, is prohibited.~~

d. BMPs. ~~The plan shall clearly identify all best management practices (BMPs) to be implemented during construction and their location. Such plans shall contain provisions for specifically identifying and protecting all natural drainage swales (with sand bag barriers, filter fabric fences, straw bale filters, etc.) to prevent construction-related runoff and sediment from entering into these natural drainage areas which ultimately deposit runoff into the Pacific Ocean. Silt fences, straw wattles, or equivalent measures shall be installed at the perimeter of all construction areas. At a minimum, such plans shall also~~

~~include provisions for stockpiling and covering of graded materials, temporary stormwater detention facilities, revegetation as necessary, and restricting grading and earthmoving during the rainy weather. The plan shall indicate that: (a) dry cleanup methods are preferred whenever possible and that if water cleanup is necessary, all runoff shall be collected to settle out sediments prior to discharge from the site; all de-watering operations shall include filtration mechanisms; (b) off-site equipment wash areas are preferred whenever possible; if equipment must be washed on-site, the use of soaps, solvents, degreasers, or steam cleaning equipment shall not be allowed; in any event, such wash water shall not be allowed to enter any natural drainage; (c) concrete rinsates shall be collected and they shall not be allowed to enter any natural drainage areas; (d) good construction housekeeping shall be required (e.g., clean up all leaks, drips, and other spills immediately; refuel vehicles and heavy equipment off-site and/or in one designated location; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); all wastes shall be disposed of properly, trash receptacles shall be placed on-site for that purpose, and open trash receptacles shall be covered during wet weather); and (e) all erosion and sediment controls shall be in place prior to the commencement of grading and/or construction as well as at the end of each day.~~

~~**e. Construction Site Documents.** The plan shall provide that copies of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.~~

~~**f. Construction Coordinator.** The plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.~~

~~**g. Notification.** The Permittees shall notify planning staff of the Coastal Commission's North Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.~~

~~Minor adjustments to the above construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this coastal development~~

~~permit. The Permittee shall undertake construction in accordance with the approved Construction Plan.~~

- ~~3. **Violation.** WITHIN 60 DAYS OF COMMISSION ACTION ON THIS CDP APPLICATION, or within such additional time as the Executive Director may grant for good cause, the Permittee shall satisfy all requirements specified in the conditions hereto that the Permittee is required to satisfy prior to issuance of this permit. Failure to comply with this requirement or any other aspect of this CDP and its conditions may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.~~
- ~~4. **Liability for Costs and Attorney Fees.** The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorney fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this permit. The Permittee shall reimburse the Coastal Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.~~

IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. PROJECT LOCATION AND DESCRIPTION

The Applicant, the City of San Francisco Recreation and Park Department, proposes to renovate the Beach Chalet Athletic Fields facility in the western edge of Golden Gate Park, roughly 1,000 feet inland of Ocean Beach and immediately east of the Great Highway (the first public road paralleling the sea) in San Francisco (see Exhibit 1 for the project location map, Exhibit 2 for existing site photos, and Exhibit 3 for approved project plans). To the north of the proposed development site are the Beach Chalet and Park Chalet restaurants and the Dutch Windmill/Queen Wilhelmina Tulip Garden, to the east is the Golden Gate Park Golf Course, and to the south is the former Richmond-Sunset Sewage Treatment Plant (now partially removed).

The Beach Chalet Athletic Fields facility was originally constructed in 1933 and continues to serve as one of three primary ground sports athletic facilities within the city. The City indicates that the existing field area is in poor condition and unusable for much of the year (due to uneven playing surfaces, gophers, soggy conditions, etc.), and that a primary objective of the project is to increase the utility of the fields for recreational athletic use. The existing site contains an irrigated grass field of sufficient size to accommodate four soccer fields (6.8 acres), a 50-space parking lot (0.58 acres), an 8-foot tall metal chain-link fence surrounding the perimeter of the

fields, and restrooms, for a total of 9.4 acres (see Exhibit 2 for existing site photos).² The Applicant proposes the following improvements: expand the fields by 0.4 acres to accommodate modern field dimensions (to a total of 7.2 acres), replace the existing grass with synthetic turf, expand the parking lot by 20 spaces for a total of 70 (to a total of 0.78 acres), install ten 60-foot tall sets of field lights, install concrete paths around and through the facility, install 47 pedestrian pathway lights, install 13 parking lot lights, install over 1,000 spectator seats, replace the 8-foot perimeter metal chain-link fence with a 3.5-foot vinyl chain-link fence (with eight 16-foot tall sections behind soccer goal post end lines), renovate the bathrooms, install a new plaza area with play equipment, barbeque areas and picnic tables, remove 16 trees and 44 shrubs, ~~and~~ replant 200 trees and 1,000 plants, and implement a light monitoring program (see Exhibit 3, approved project design and renderings and Exhibit 9, the City's light monitoring program). The renovations would expand the Beach Chalet facility by some 1.8 acres to a total of 11.2 acres.

B. CITY OF SAN FRANCISCO CDP APPROVAL

On May 24, 2012, the San Francisco Planning Commission approved local CDP 2010.0016P authorizing the proposed project. The Planning Commission's approval was appealed to the San Francisco Board of Appeals which, on August 1, 2012 and September 12, 2012, upheld the Planning Commission's approval. The City's notice of final local action was received in the Coastal Commission's North Central Coast District office on October 4, 2012 (Exhibit 4). The Coastal Commission's ten-working day appeal period for this action began on October 5, 2012 and concluded at 5pm on October 18, 2012. Ten appeals of the City's CDP decision were received during the appeal period (see below and see Exhibit 5).

C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable because it is a major public works project being funded by the San Francisco Recreation and Park Department.

The grounds for appeal under Section 30603 are limited to allegations that the development does

² The chain-link fence was installed without benefit of a CDP, as was the asphalt apron around the restroom building connecting to the parking lot area (including removal of the trees and vegetation that previously existing on the north, east, and south sides of the restroom building). See also Violation finding below.

not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct the de novo portion of the hearing on an appealed project unless a majority of the Commission finds that “no substantial issue” is raised by such allegations³. Under Section 30604(b), if the Commission considers the CDP de novo and ultimately approves a CDP for a project, the Commission must find that the proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is not located between the nearest public road and the sea, and thus this additional finding does not need to be made if the Commission approves the project following a de novo hearing.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicants (or their representatives), persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo CDP determination stage of an appeal.

D. SUMMARY OF APPEAL CONTENTIONS

Ten nearly identical appeals of the City’s action were filed with the Commission, with Appellants as follows:

- Golden Gate Audubon Society (by Mark Welther)
- Golden Gate Park Preservation Alliance (by Katherine Howard)
- SF Ocean Edge (by Katherine Howard; agents Lozeau Drury LLP and Mark Massara)
- Sierra Club, San Francisco Group, San Francisco Bay Chapter
- Viking Soccer Parents for Grass Fields in Golden Gate Park (by Kathleen McCowin)
- Jean Barish
- Shawna McGrew
- Gregory P. Miller et al⁴
- George Shepard Wooding et al⁵
- Nancy Wuerfel et al⁶

³ The term “substantial issue” is not defined in the Coastal Act or in its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance.

⁴ Mr. Miller’s appeal references 134 co-appellants (see Exhibit 5 for complete list).

⁵ Mr. Wooding’s appeal references 6 co-appellants (see Exhibit 5 for complete list).

⁶ Ms. Wuerfel’s appeal references 59 co-appellants (see Exhibit 5 for complete list).

The Appellants contend that the approved project is inconsistent with the City of San Francisco LCP, also known as the Western Shoreline Plan, because the project: 1) does not emphasize the naturalistic landscape qualities of the western end of Golden Park for visitor use, including in terms of its historic status; 2) does not continue to implement a long-term reforestation program at the western portion of the park; 3) does not preserve the natural characteristics of the Cliff House/Sutro Bath area; and 4) does not protect the Richmond and Sunset residential areas from traffic and visitor impacts from adjacent recreation and open space areas. Please see Exhibit 5 for the full appeal documents.

E. SUBSTANTIAL ISSUE DETERMINATION

The CDP Determination findings below are included herein in their entirety by reference.

1. Cited and/or Applicable Policies

The LCP establishes policies by location and subject area, with specific policies for Transportation, the Great Highway, Golden Gate Park, the Zoo, Lake Merced, Ocean Beach, Sutro Heights Park, Cliff House-Sutro Baths, Fort Funston, Olympic Country Club, and the Richmond and Sunset Residential Neighborhoods. Each geographic area has separate and specific policies to guide development and protect coastal resources. The Appellants cite the following policies:

Golden Gate Park LCP Objective 3, Policy 1: Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

Golden Gate Park LCP Objective 3, Policy 2: Continue to implement a long-term reforestation program at the western portion of the park.

Cliff House/Sutro Bath LCP Objective 8, Policy 1: Develop the Cliff House/Sutro Bath area as a nature-oriented shoreline park. Permit limited commercial-recreation uses if public ownership is retained and if development is carefully controlled to preserve the natural characteristics of the site.

Richmond and Sunset Residential Neighborhoods LCP Objective 11, Policy 6: Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

2. Naturalistic Landscape Qualities

The Appellants contend that the project fails to protect the naturalistic qualities of this part of Golden Gate Park, including in terms of its historic status, by replacing the existing grass fields with artificial turf, by installing ten 60-foot tall sets of field lights, by expanding the parking lot with 20 additional spaces, and by adding spectator seating and other visitor facilities. The Appellants contend that the introduction of these structured elements: is not appropriate in a meadow-like, natural setting; will inappropriately harm and alter the natural and historic character of the area; and will inappropriately harm the natural beauty of the area and its function as an important habitat for wildlife. Key issues of concern identified include the impact on site

character (including in terms of the way in which the historic status of the Park informs that character), the impacts from night lighting, particularly in foggy conditions, and the impacts from artificial turf on water quality.

Character Impacts

The Beach Chalet athletic fields facility is located in Golden Gate Park, which helps define the setting and character for understanding the proposed project. The Park consists of an expansive forest interspersed with open meadows and linked by a system of curvilinear paths and roads. Numerous gardens, lakes, and recreational features are located throughout the park, as well as naturalistic forest areas. It is designed as a picturesque park landscape that was influenced by the work of Frederick Law Olmsted, Sr., perhaps the preeminent American landscape architect, and designer of both Central Park in New York as well as Prospect Park in Brooklyn. Golden Gate Park was listed on the National and California Registers of Historic Places as a historic district in 2004, and the Beach Chalet Athletic Fields and the associated restroom building are both listed as contributing resources of the Park and its character in that regard.

The essential character of the Beach Chalet fields area derives from how it fits within the design of this part of the Park as a woodland predominantly surrounding an open space landscape. A series of more recent improvements in the fields area have altered this character somewhat (including the installation of a perimeter 8-foot tall chain-link fence around most of the field area in 1998, and an asphalt apron (including associated tree and vegetation removal to make way for asphalt) around the restroom building in the 1980s). The 1998 chain-link fence formalized the edges of the playing fields area and changed the spatial organization of the site in ways that diminished its naturalistic and pastoral character. Similarly, the removal of vegetation and replacement with asphalt around the restroom building changed the way in which the building relates to both the fields and the parking lot, including visually opening up the connection to the parking lot area. In taking its action, the City found that notwithstanding these improvements “the historic integrity of the Beach Chalet Athletic Fields appears to be substantially intact”, and that these past improvements “do not reduce the historic integrity of the landscape or building to the degree that their character-defining features are no longer present.”⁷ Particularly critical in an LCP context, none of these improvements were constructed by benefit of a CDP, and thus are considered unpermitted, with the baseline for this CDP review being an analysis as if the fence weren’t there and the vegetation were there, and as if the site context was as it existed prior to such unpermitted development (see also Violation finding below).

Thus, the baseline for this LCP analysis is the site as it existed prior to the fencing and the vegetation removal and asphalt installation around the restroom building. In this sense, the fields area is a grassy area framed by trees and vegetation that is perceived as a pastoral open space used for recreational pursuits with a small restroom. It is this spatial organization and the natural landscape that most clearly reflects the character of the site.

The City’s historic resource findings help to elaborate on these points. As the City found in approving the project, “Golden Gate Park is a cultural landscape historically significant...in the areas of landscape architecture and social history as one of the pioneering examples of the large

⁷ Per City of San Francisco’s Historic Resource Evaluation Response dated July 27, 2011 (HRER), p.3.

urban park in the United States” and as “the first naturalistic landscape park in the west.”⁸ The project’s Historic Resources Evaluation states as follows:

*The Beach Chalet Athletic Fields site is a cultural landscape. Cultural landscapes are defined as geographic areas that have been shaped by human activity. They can result from a conscious design or plan, or they can evolve as a byproduct or result of people’s activities. They may be associated with a historic event, activity, or person, or may exhibit other cultural or aesthetic values (NPS, 1996:4). The character-defining features of the Beach Chalet Athletic Fields cultural landscape includes its spatial organization and topography, vegetation, circulation, buildings, structures, site furnishings, and views.*⁹

Although related to the character of the site, the LCP emphasizes the naturalistic landscape qualities of the site as opposed to its historical character. The LCP requires that development “emphasize the naturalistic landscape qualities of the western end of the park for visitor use.”¹⁰ The term “naturalistic landscape qualities” is not defined by the LCP, but it is clear that a primary contributing factor to the character of Golden Gate Park, including the Beach Chalet fields area, is the way in which the natural environment (including flora and fauna) intersects and interacts with use areas (including recreational use areas) in a way that emphasizes the natural qualities of the park setting. LCP certification documents indicate that the intent and goal of the LCP in this respect is to ensure protection of the “pastoral” landscape character of Golden Gate Park. In fact, LCP issue identification documents from 1980 described the overarching policies for Golden Gate Park as:

Objective D.2, Policy A: ensure that the essential design elements that give the Park its unique landscape character are retained and protected.

Objective D.2, Policy D calls for the establishment of designated naturalistic parkland areas to protect the pastoral character of the Park and ensure the retention of the Park’s open space.

Objective D.3, Policy B calls for the preservation of notable Park landmarks of historic, architectural and aesthetic value; the encouragement of restoration or reconstruction of other buildings and features that provide continuity with the past.

⁸ HRER, pp. 2-3 (and citing Nelson, Douglas. NPS Form 10-900, Golden Gate Park. July 2003, revised June 2004. On file for review at the SF Planning Department, National Register Historic District Files, 1650 Mission Street, Suite 400, San Francisco, CA 94103.).

⁹ Beach Chalet Athletic Fields Renovation City and County of San Francisco Final Historic Resources Evaluation p.1 (ESA July 2011).

¹⁰ Golden Gate Park LCP Objective 3, Policy 1.

Objective D.5, Policy A ensures that the Park's recreational activities are compatible with the Park's environment. The policy addresses the issue of the preservation of wild life habitats....¹¹

These objectives formed the basis for the LCP's current Golden Gate Park policies, with the issue identification documents concluding that: "a level of common purpose exists between [the Coastal Act and Golden Gate Park policies] and that local land use policies and zoning are consistent with Coastal Act policies for Golden Gate Park [i.e., the LCP]." In other words, the legislative LCP intent for the LCP policies requiring that 'naturalistic landscape qualities be emphasized' is based on ensuring protection of the pastoral landscape character of the Park for visitors.

The City-approved project would alter the spatial organization and setting of the Beach Chalet fields area in a way that would significantly change its character-defining features (e.g., replacing grass field with artificial turf) and add features that would significantly change the character of the fields area (e.g., field lighting, significant linear seating areas, concrete bisecting fields, etc.). The City found that the project would cause significant and unavoidable adverse impacts to the fields area in this respect, including in light of Golden Gate Park's significant historic status,¹² but approved the project via a statement of overriding considerations.

It is clear that the City's action would significantly change the character of the Beach Chalet fields area for visitor use, including as acknowledged by the City. It is equally clear that that character is also a defining element of the naturalistic landscape qualities and setting that are protected by the LCP. The City-approved project will modify the existing Beach Chalet fields area in a way that will adversely alter its natural character, including through the introduction of project elements that appear incompatible with its protected spatial organization and setting (e.g., artificial turf, field lights, seating areas, concrete paths, etc.). The City's action raises a substantial LCP conformance issue on these points.

Night Lighting - Public View Impacts

Part of the naturalistic quality of the Beach Chalet fields area is that it is not lit at night, and thus does not contribute to light and glare being visible from either within or outside of Golden Gate Park. In that way, the field area does not currently interfere or otherwise impact public views through light pollution, including from the Cliff House/Sutro Baths area referenced in the LCP. The proposed project includes ten Musco-brand 60-foot tall field light structures that would be operated until 10 pm year-round. These lights are designed specifically for sports fields with the goal of lighting the field evenly while minimizing the spread of light upward. The fixtures are shielded in an effort to prevent the upward spill of light and instead focus light downward onto the playing surface.

¹¹ From San Francisco Local Coastal Program Public Lands Issue No. 1A: Golden Gate Park. San Francisco Department of City Planning, February 1980.

¹² Including because the project would not meet Secretary of the Interior standards for development associated with designated historic resources.

The City-approved lights would extend above the tops of the tallest trees surrounding the athletic fields to a height of 60 feet,¹³ and thus would be visible from the fields area as well as from points outside the site, including from Ocean Beach and the Cliff House/Sutro Bath area, which is protected as a “nature-oriented shoreline park” under the LCP (see renderings in Exhibit 3). The City’s lighting analysis shows that light illumination from the field lights is not expected to reach beyond 270 feet from the fields. The analysis showed that current light measurements taken from the Great Highway immediately adjacent to Ocean Beach and west of the project site range from less than 1 foot candle (FC) to more than 4 FCs, a result of street lamps along the Great Highway and ambient glare from the surrounding city. The lighting for the fields is expected to produce, 150 feet away on a flat plain and without obstructions, approximately 0.25 to 0.95 FCs. Thus, the street lamps currently produce up to four times the amount of light illumination at the Great Highway compared to what the new field lights would produce from 150 feet away. At 270 feet away, the City’s analysis indicates that light illumination measurements from the field lights drop to 0 FCs.¹⁴

The eastern edge of Ocean Beach and the promenade along the O’Shaughnessy seawall is roughly 400 feet away from the project area. As such, and since the athletic fields are surrounded by trees, light from the fields is not expected to illuminate Ocean Beach. However, since the lighting structures extend above the tree canopy, the lights themselves would be still be visible from offsite, even if they are not expected to illuminate these areas. The lights would change the view that includes the fields area because the lights would be visible from off-site. Golden Gate Park and the fields area appears a darkened area in these views, and provides a noticeable visual respite in the view from the lights in surrounding built environment. The change from a darkened natural area to one with banks of visible lights would detract from these views.

Finally, calculations were performed for upward light spillover to determine whether light would interfere with the dark sky, a particular concern raised during the local process, including because the Ocean Beach and Sutro Heights areas are popular with amateur astronomers. The analysis found that during clear conditions at 150 feet away from the lights and at a height of 60’ above ground, light measurements dropped to 0 FCs. This analysis confirms that upward spillover would be minimal. However, the City’s lighting analysis did not take into consideration potential impacts from fog and inclement weather conditions. It is possible that during such conditions there would be a glow over the field area that would be visible from on as well as offsite, including at neighboring Ocean Beach and at the Cliff House/Sutro Baths area.

In both cases, views would be impacted, but the impacts are tempered by the fact that the fields area is in the middle of the City environment with lighting around the park and along the Great Highway. In other words, the views in question already include a series of light sources, and the

¹³ The City evaluated options for reducing the height of the lights below the heights of the surrounding trees and vegetation, but concluded that the 60-foot height was as low as the lights could be sited and still function for athletic field lighting, including because moving the lights any lower would begin to impact the vision of players on the fields.

¹⁴ The City confirmed the accuracy of their lighting calculations by comparing light measurements from the South Sunset Playground and Crocker Amazon Playground, which both have similar field lighting as that approved at Beach Chalet. At both sites, the actual lighting measurements are consistent with the measurements projected during their project permitting stage.

introduction of lights into them in the fields area would not significantly alter their value. The City's action does not raise a substantial LCP conformance issue on these points.

Night Lighting - Bird Impacts

Another component that could be considered part of the naturalistic landscaping quality of the Beach Chalet fields area is the natural flora and fauna. In approving the project, the City found that Golden Gate Park is an important migratory stopover for birds along the Pacific Flyway. The EIR indicates that one of the major flyway routes through this part of the coast is along the shoreline, and the EIR concluded that raptors, songbirds, shorebirds, and waterfowl all stop in Golden Gate Park and Lake Merced during their fall and spring migrations.

Because light spillover during clear conditions is expected to be minimal and because the City determined that light is not expected to illuminate Ocean Beach, as described above, the City found the project's lighting impacts on migrating birds to be minimal. Additionally, because most raptors migrate during the day, the City found that impacts from night lighting to migrating raptor species would not be expected to be significant. Lastly, the City's lighting impact analysis concludes that the project would have minimal impact on resident species, such as owls and bats, because lighting is already present in the project's vicinity, including street lights along the Great Highway, lighting at the adjacent Beach Chalet and Park Chalet restaurants, and lighting from the adjacent urban neighborhoods.

In terms of resident species, the combination of lighting and artificial turf (see also below) could reduce foraging potential for certain species, such as raptors and owls, during twilight and a portion of the night. Surveys performed in winter and spring of 2011 identified one special-status bird species that was observed or is commonly seen in Golden Gate Park in the Beach Chalet fields vicinity, the bank swallow (listed as threatened by the State of California). Other species commonly seen at the Beach Chalet fields include: American kestrel, Cooper's hawk, Red-tailed hawk, Red-shouldered hawk, Great horned owl, and Barn owl. However, no nests were observed during a winter 2011 survey in any of the trees and shrubs within 150 feet of the fields. During a second survey during breeding season in May 2011, three inactive nests were found. Thus, the City concluded, based on the results of these surveys, that the trees and shrubs surrounding the athletic fields are not commonly used for nesting by raptors or owls, although the City also concluded that raptors, owls, and bats could use the onsite trees for nesting during the breeding season and perching during the non-breeding season.

In terms of migrating species, the City's analysis was based only on clear weather conditions, and did not evaluate impacts during foggy or cloudy weather conditions, which have the potential to scatter and reflect light and create a more luminous dome. Numerous studies have shown the potential for birds to become negatively impacted by stadium lights, especially during foggy and cloudy conditions when the ambient glow of urban development can confuse birds that use the moon and stars for navigation.¹⁵ As stated earlier, the western end of Golden Gate Park and Ocean Beach are important stopover sites for migratory birds along the Pacific Flyway. It is important to note that "Pacific Flyway" is a descriptor for a phenomenon that encompasses

¹⁵ For example, Reed, J.R., J.L. Sincock, and J.P. Hailman. 1985. Light attraction in endangered procellariiform birds: reduction by shielding upward radiation. *Auk* 102:377-383.

the entire state of California and beyond and that not all areas of the state are as important as others. However, depending on the types of migrating birds, certain pathways (e.g. bordering the ocean, along valleys, etc.) will be more frequented, and certain habitats (woodlands, riparian areas, large meadows) will be more important stopovers than others.

According to Commission staff ecologists, Dr. John Dixon and Dr. Jonna Engel, the primary concern with night lighting at the Beach Chalet Athletic Fields is the potential for night migrating birds to become confused and attracted to the lights during inclement/foggy weather. In addition, most migratory movement occurs early in the evening so any impacts to migrating birds due to the Beach Chalet lighting are likely to occur during the first two to three hours after sunset when the lights will be in use. Birds that migrate at night use the moon and stars for navigation. During clear weather they appear to be able to distinguish artificial lighting from light emanating from planets and stars.¹⁶ However, during inclement weather, birds can become confused and drawn to artificial lights. This phenomenon has been observed on numerous occasions at lighted buildings, oil platforms, and athletic fields. Once drawn into an artificial light source a number of negative outcomes, including mortality, can occur; birds may crash into something, circle the light source becoming exhausted, or become confused and drawn off course.

Dr. Dixon and Dr. Engel have determined that given the location relative to the Pacific Flyway in Golden Gate Park and only 1,000 feet from the Ocean Beach shoreline, a significant stopover site for migratory birds, the City-approved lights have the potential to adversely impact migratory birds. As such, there are unknown potential impacts to migratory birds, which use Ocean Beach and Golden Gate Park as important stopover sites on their migration paths. In fact, the project's biological analysis concluded as such, saying that "it is unclear how construction and subsequent use of the improved soccer field complex will affect common wildlife species. In particular, use of artificial lighting (proposed for use at night until no later than 10 pm) could disrupt natural movement, breeding, or foraging behavior."¹⁷ Thus, there may be an impact to migratory birds during inclement/foggy weather.

In terms of the question of night lighting impacting birds, though, the connection between the LCP requirement to emphasize the naturalistic landscaping qualities of the site for visitor use less clearly extends to the way in which such emphasis extends more generally to protection of resident and migratory birds. Clearly, the policy is a landscape character policy. Granted, birds are a part of that context, but less obviously so, including as referenced in LCP certification documents. The fact that there may be an impact to migrating birds in inclement/foggy weather is an issue, but it is not of itself in this context enough to raise a substantial LCP conformance issue. The City's action does not raise a substantial LCP conformance issue on these points.

¹⁶ Memorandum from Coastal Commission ecologist Dr. Jonna D. Engel: City of Malibu LCP Amendment No.1-11-A regarding Malibu High School Athletic Field Night Lighting, September 22, 2011.

¹⁷ Biological Resource Assessment Report, City and County of San Francisco's Beach Chalet Soccer Field Improvement Project. May & Associates, Inc., February 2010.

Artificial Turf Impacts

The naturalistic landscape qualities of the western end of Golden Gate Park include the fact that it is vegetated, partly with grass, but also with trees and shrubs, and the way in which management and use of the area affects the natural environment. On the former, the City-approved project would replace the natural turf with artificial turf.¹⁸ Artificial turf can appear naturalistic inasmuch as it is generally green in color, like natural grass, and structured to appear as fresh cut grass. The fact that artificial turf is so uniform, both in color and in structure, reduces the effect of the illusion somewhat, but it can still convey a naturalistic (as opposed to natural) landscape quality.

In this case, the existing field is a single turfed area surrounded by a rectangular, albeit not completely linear, tree/shrub line.¹⁹ The proposed artificial turf would be confined within very structured rectangles, would be edged by linear seating areas, fencing, and a central concrete walkway, and each field would be covered with permanent field lines of varying colors that are used to mark out playing fields and related components of them. The naturalistic illusion that one might have related to a green carpet of artificial turf (to replace the existing natural turf in the same general area) is thus impaired by the way in which the fields would be broken up, fenced, and striped. Taken together, and particularly given the baseline of a grassy field area essentially surrounded by woodland,²⁰ the artificial turf clashes with the naturalistic landscape qualities of the Beach Chalet fields. The City's action raises a substantial LCP conformance issue on this point.

In addition, replacing over seven acres of grass with artificial turf raises concerns about the way in which it will affect wildlife. When not in use for sporting events, the fields are commonly used for foraging habitat by raptors, owls, and other birds. The fields contain gophers and other rodents that are prey for raptors and other birds that inhabit the park. Replacing some seven acres of grass with artificial turf may negatively impact bird foraging here. However, the degree to which this is the case, and the relative magnitude of the potential impact, is uncertain. Given the more tenuous connection between bird impacts and the LCP's 'naturalistic' policy, as discussed above, the fact that there might be an impact to foraging birds is an issue, but it is not of itself in this context enough to raise a substantial LCP conformance issue. The City's action does not raise a substantial LCP conformance issue on this point.

In terms of the way in which management and use of the area affects the natural environment, the Appellants claim that the replacement of the grass fields with artificial turf will introduce toxic materials into the environment. Given the Pacific Ocean is less than 1,000 feet away to the west, water quality is an even greater concern. As stated earlier, because of the poor condition of

¹⁸ The artificial turf would consist of four components: fiber, infill, backing, and underlayment. The fiber will consist of polyethylene (plastic), which would have a grass-like texture and appearance. The infill, used for stability, is comprised of 70% styrene butadiene rubber (SBR) and 30% sand. The SBR is composed of recovered scrap tires.

¹⁹ Granted, the existing natural turf area is mostly enclosed by the existing 8-foot tall perimeter chain link fence that gives it a structured appearance, but given the fence is unpermitted, the analytic baseline for CDP review is as if the fence weren't there. See also Violation finding.

²⁰ *Id* (existing fencing unpermitted).

the existing grass fields and their inoperability for much of the year, the project seeks to replace seven acres of grass with artificial turf. The turf will allow for increased play hours (the fields will be allowed to remain year-round, even if it is raining), and decreased maintenance. The City estimates that the artificial turf fields would save 5.7 million gallons of irrigation water annually and would not require any herbicides or pesticides. An underdrain system would be installed beneath the turf to collect all stormwater from the fields, plaza, and parking lot. The stormwater would infiltrate from the fields into the underdrain system and then be conveyed to the City's combined sewer/stormwater system for treatment at the Oceanside Water Pollution Control Plant. Consistent with the water quality testing program at other artificial turf fields within the city, City Recreation and Park and Public Utilities Commission staff would sample and test the stormwater to ensure it meets applicable standards. If water quality standards are met, the stormwater could be allowed to infiltrate into the groundwater system at a later date.

The Appellants cite numerous studies, including those of the United States Environmental Protection Agency, that show some artificial turf fields containing toxic materials and heavy metals, including lead, arsenic, and mercury. Because of these concerns, the City established a Synthetic Playfields Task Force in 2008 to identify the primary environmental concerns of artificial turf and make recommendations as to best practices for the use of turf within the City's parks, playgrounds, and athletic fields. The recommendations developed by the Task Force include: prevent leachate/stormwater from infiltrating the groundwater system and instead direct it to the City's combined sewer/stormwater system for treatment, conduct tests of stormwater runoff to determine levels of zinc and other contaminants, and develop synthetic turf standards that identify the maximum levels of metals allowed in artificial turf materials used in the City.²¹ Finally, all vendors must submit a product analysis of the turf's fiber, infill, backing, and underlayment to quantify all metals and semivolatile organic compounds (SVOCs). All of these measures and requirements were recommended by the Task Force and subsequently implemented by the City to ensure that only non-toxic, high-quality materials are being used in the city's parks.

Ongoing water quality testing, as recommended by the Task Force, has been performed at fields installed with artificial turf. Samples taken at the South Sunset Playground and Garfield Square Park in 2010 and 2011 showed that volatile organic compounds (VOCs) and SVOCs were not detected in any sample. Dissolved metal concentrations²² were all below the applicable drinking water Maximum Contaminant Levels (MCLs) and applicable freshwater surface water ESL. Thus, City testing has shown that the artificial turf fields installed at other City parks has not contributed to water quality impairment. Similar treatment and testing is required for the Beach Chalet Athletic Fields turf as well. Therefore, because of the City's stringent artificial turf

²¹ The synthetic turf standards identify a maximum level of soluble chromium, lead, and zinc in SBR material. The levels are 0.05 milligrams/liter (mg/l) for chromium, 0.0025 mg/l for lead, and 250 mg/l for zinc. Both chromium and lead levels are equal to or below the applicable Environmental Screening Levels (ESL) and California Drinking Water Standards for groundwater. While the allowable zinc concentration is higher than the allowable standards, the Task Force determined that the actual amount of zinc that would be dissolvable within groundwater would meet the applicable ESL and Drinking Water Standard since zinc is more difficult to dissolve.

²² Metals analyzed include: antimony, arsenic, barium, beryllium, cadmium, cobalt, chromium, copper, iron, manganese, mercury, molybdenum, nickel, lead, selenium, silver, thallium, vanadium, and zinc.

material composition requirements, the positive water quality testing results performed at other similar fields, and the project's design to capture and treat all stormwater runoff, the City's action does not raise a substantial LCP conformance issue in terms of the impacts of the artificial turf fields on water quality.

3. Reforestation Program Implementation

The Appellants contend that the City-approved project is inconsistent with the LCP's requirement to implement a long-term reforestation program at the western end of Golden Gate Park because it includes the removal of 55 trees. The Applicant claims that they are only removing 16 trees (ten Monterey cypress and six Monterey pine) and 44 invasive shrubs (*Myoporum laetum*). Of the 16 trees, the City indicates that five are in poor health or are already dead. Consistent with the City's Golden Gate Park Forest Management Plan, the project area would be replanted with over 200 trees and 1,000 plants. The Forest Management Plan seeks to identify and replace the park's aging trees, many of which were original plantings with the park's development well over 100 years ago. All replantings would be overseen by the City's Park Forestry Supervisor and Natural Areas Program Director.

Thus, in this case, the City-approved project includes some tree and shrub removal and some tree and shrub planting. Clearly, however, the replanting component would result in significantly more trees and vegetation at the site after the project than before. The location of the trees and shrubs raise concerns related to the character of the site and the need for emphasizing naturalistic landscape qualities as required by the LCP (see above), but the fact that it results in more forest than is currently the case supports the argument that it is part of implementation of a reforestation program, and the City's action does not raise a substantial LCP conformance issue on this point alone.

4. Richmond and Sunset Traffic Impacts

The Appellants contend that the City-approved project will not protect the Richmond and Sunset residential areas from traffic impacts because the project will result in a significant increase in traffic and visitors. Indeed, a stated goal of the project is to increase the usability of the fields and allow for more play. The City projects that the renovation project would increase annual play hours from 4,738 hours to 14,320 hours. An increase in visitors and users is appropriate for a complex as large as the Beach Chalet with its four fields, and consistent with its use as one of the City's three primary sports athletic fields. A traffic analysis was performed as part of the EIR for the project. The analysis found that the project would generate 52 net-new peak-hour (4:30-5:30pm) vehicle trips during weekdays and 72 net-new peak-hour vehicle trips on weekends.²³ Based off these numbers, the EIR found that none of the ten intersections in the vicinity would experience any significant impacts in level-of-service (LOS) delay. The project would also generate demand for 51 additional parking spaces on weekday peak periods (for a total of 208 spaces) and 72 additional spaces on weekends (288 spaces). With the 70 spaces available in the expanded parking lot and 258 on-street spaces within the park within a five minute walk along John F. Kennedy Drive, 47th Avenue, and South Fork Drive, there are a total of 328 parking

²³ These numbers were based on City field observations showing that generally there are about 40-54 players/referees/spectators per field on weekdays, and about 72 people per field on weekends. The analysis also assumed that all additional person trips would be made by car and that there would be two people per vehicle.

spaces available for Beach Chalet Athletic Field users. Thus, parking supply in Golden Gate Park within a five minute walk of the fields is adequate to serve the facility even on peak weekday and weekend events. Thus, the project is not expected to significantly impact traffic in the Richmond and Sunset neighborhoods, and the City's action does not raise a substantial LCP conformance issue on this point.

5. Substantial Issue Determination Conclusion

The LCP requires that development "emphasize the naturalistic landscape qualities of the western end of the park for visitor use". LCP certification documents indicate that the intent and goal of the LCP in this respect is to ensure protection of the unique pastoral landscape character of the Park. The City-approved project will modify the existing Beach Chalet fields area in a way that will significantly alter its natural character, including through the introduction of project elements that would significantly alter its spatial organization and setting (e.g., artificial turf, field lights, seating areas, fencing, concrete paths, etc.). The City found that the project would cause significant and unavoidable adverse impacts to the fields area in this respect, including in light of Golden Gate Park's significant historic status, but approved the project via a statement of overriding considerations.

In short, the City approved project raises substantial LCP conformance issues on these points, and therefore the Commission finds that a substantial issue exists with respect to the City-approved project's conformance with the certified City of San Francisco LCP, and takes jurisdiction over the CDP application for the proposed project.

F. COASTAL DEVELOPMENT PERMIT DETERMINATION

The Substantial Issue Determination findings above are included herein in their entirety by reference. The City's May 2, 2013 letter responding to the original staff recommendation and utilized by the Commission in support of this action approving this application without special conditions is also included herein in its entirety (see Exhibit 10). The standard of review for this CDP determination is the City of San Francisco certified LCP.

The LCP establishes policies by location and subject area, with specific policies for Golden Gate Park as follows:

Golden Gate Park LCP Objective 3, Policy 1: Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

Golden Gate Park LCP Objective 3, Policy 2: Continue to implement a long-term reforestation program at the western portion of the park.

Golden Gate Park LCP Objective 3, Policy 3: Develop and periodically revise a Master Plan for Golden Gate Park to include specific policies for the maintenance and improvement of recreational access in the western portion of the Park.

1. Approvable Project

As described in the preceding findings, the proposed project would alter the Beach Chalet fields facility in ways that would ~~not emphasize~~ alter its naturalistic landscape qualities as required by the LCP. ~~It is clear from LCP certification documents that the intent and goal of the LCP in this respect is to ensure protection of the unique pastoral landscape character of this part of Golden Gate Park.~~ However, the LCP only requires that development *emphasize* the naturalistic landscape; it does not limit or restrict the manner in which this is accomplished. In this case, the Beach Chalet Athletic Fields have been defined by their use as an athletic playing field that has acted in such capacity for over 80 years. As such, this area is not a pristine natural environment, and the LCP does not require it to be. Rather, it is a naturalistic recreation area for which the LCP simply requires its naturalistic qualities to be emphasized. As stated by the City in Planning Commission Motion No. 18640 approving the proposed project:

The rehabilitation of the Beach Chalet Athletic Fields does not introduce a new use into Golden Gate Park; rather the project is a renovation of the existing facilities to allow continuation of existing park amenities and uses. As such, the naturalistic landscape qualities around the athletic field and around the perimeter of the Park would remain intact. The project does propose removal of 16 trees; however each tree removed would be replaced at a ratio of one-to-one or greater. The proposed tree replacement is consistent with emphasizing the natural landscape qualities of the Park and also the need for continued reforestation of the Park's aging tree population.

Although not a certified component of the LCP, the Golden Gate Park Master Plan does provide some relevant context in this respect. For example, the fields are classified within the Golden Gate Park Master Plan as a “Major Recreation Area” designed and maintained for structured recreational uses, including soccer, baseball, football, golf, lawn bowling, and other public events, with visitor centers, restrooms, and support services allowed.²⁴ In addition, the Master Plan draws a distinction between recreational areas like Beach Chalet and other fields and meadows in the park. The Master Plan identifies “Major Meadows and Lawns” (such as Speedway Meadow) as areas appropriate for only unstructured recreation, and “Naturalistic Parkland” (including all of the forests *surrounding* but not including the Beach Chalet Athletic Fields) as areas appropriate for only those recreation uses that are consistent with the pastoral character of these scenic and forested parts of the park.²⁵ These Master Plan provisions are informative and support the premise that this area is first and foremost a recreational area. The project will alter this area to be sure, but the end result will be a recreational area surrounded by trees and shrubs, including the substantial additional tree and shrub plantings as envisioned by Golden Gate Park LCP Objective 3, Policy 2 regarding reforestation. There are many ways of considering whether such project ‘emphasizes the naturalistic landscape qualities’ of this portion of the park, but the Commission here finds that the City’s project adequately does so, including because of the way in which it continues to surround the athletic field area with trees and shrubs. As part of this determination, the Commission is also swayed by the City’s commitment to pursue restoration of the former Richmond-Sunset Sewage Treatment Plant site adjacent to the

²⁴ See page 3-4 of the “Objectives and Policies” section of the Golden Gate Park Master Plan.

²⁵ Golden Gate Park Master Plan, Objectives and Policies pp.3-4 through 3-7.

site back to natural vegetation (see Exhibit 8). Such a project, which the City indicates as part of this application to be Recreation and Parks staff's number one priority for natural areas restoration funding allocated to Golden Gate Park from the 2012 Clean and Safe Neighborhood Parks Bond, helps bolster the argument that the project emphasizes the naturalistic landscape qualities of the area, including inasmuch as such a restoration project along the southern boundary of the Beach Chalet athletic fields will help to reduce a decidedly unnatural element (namely the remnants of the treatment plant) and enclose this area more completely with trees and shrubs, further consistent with emphasizing the area's naturalistic qualities, and consistent with Golden Gate Park LCP Objective 3, Policy 1.

In terms of the effect of night lighting on birds, the City has indicated, and the project's EIR states, that the lighting is unlikely to adversely impact birds:²⁶

Given the typical altitude at which migrating birds fly, the fact that the proposed athletic field lights would be shielded, and studies suggest that night-flying birds are attracted to point-sources of light, rather than larger illuminated areas, it is unlikely that the lighting associated with the proposed project would interfere with a migratory corridor or provide a hazard for migratory birds through the phenomenon of light "entrapment."

Additionally, for this particular facility, the glow from the athletic fields is not expected to appear as a distinct and isolated light source due to the proximity of other lighted areas. Nighttime photo simulations from the Ocean Beach promenade illustrate the developed and illuminated environment already existing within San Francisco along the Great Highway and Ocean Beach. Further, the lights will be controlled by an on-line automatic control system that would allow staff to turn off all lights at 10:00pm, limiting the length of time night lighting would occur.

However, as stated earlier, it is possible that the lights could adversely impact birds, primarily migratory birds along the Pacific Flyway. To address any such potential impacts, the City's proposed project includes a light monitoring program modeled after similar monitoring required by the Commission in the Malibu High School case (see Exhibit 9)²⁷. The City's monitoring program entails comparing pre-project avian point count surveys (to document existing baseline bird mortality) against post-project avian point count surveys to document any bird impacts, including entrapment, injury, and/or death. The monitoring results will be submitted to the Commission for review, and, if any bird impacts are identified, the City will identify any necessary operational changes to address any such impacts. Any project changes required to address impacts (e.g., changes to lighting regime) would require an amendment to this CDP. Therefore, the City addresses potential impacts to migratory birds along the Pacific Flyway through its monitoring program.

In conclusion, the proposed project adequately emphasizes the naturalistic landscape qualities of the western end of the park for visitor use, as is required by the LCP. The proposed tree

²⁶ See, for example, Beach Chalet Athletic Fields Renovation Final Environmental Impact Report, Pages IV.F-28 and -31.

²⁷ City of Malibu LCP Amendment No.1-11-A regarding Malibu High School Athletic Field Night Lighting.

replacement is consistent with emphasizing the natural landscape qualities of the Park and also the need for continued reforestation of the Park's aging tree population consistent with the LCP. The proposed project includes enhanced trails and access toward the beach, thus strengthening the visual and physical connection between the Park and the beach as required by the LCP. Additionally, as previously discussed, because of the City's stringent artificial turf material composition requirements and the project's design to capture and treat the field's stormwater runoff at the Oceanside Water Pollution Control Plant (and monitor for any potential impacts to water quality from potential leaching of metals and other pollutants), water quality will be protected, consistent with the LCP. Thus, as proposed, the Commission finds the proposed project consistent with the certified LCP and approves the CDP subject to only standard conditions. The proposed project would introduce an intensely structured facility in an area where the LCP directs the opposite. It is clear that an approvable project would need to be modified to better fit within the site setting and character.

There are likely many different alternative project variations that could address the character issues, but it is clear that any proposal that seeks to renovate the Beach Chalet athletic fields facility must emphasize the natural, pastoral landscape by keeping hardscape and engineered elements to a minimum, and making sure they are subservient to the pastoral landscape character. The foundation for an approvable project lies in the character defining features of Golden Gate Park itself. As indicated previously, the Park consists of an expansive forest interspersed with open meadows and linked by a system of curvilinear paths and roads. Numerous gardens, lakes, and recreational features are located throughout the park, as well as naturalistic forest areas. The significance of the design of the Beach Chalet fields area derives from how it fits within the design of this part of the park to form an integral part of the woodland and open space landscape. Framed by trees and vegetation, the fields are meant to be perceived as a pastoral open space used for recreation. It is this spatial organization and the natural landscape that most clearly drives an approvable project that respects the naturalistic setting and character as required by the LCP.

Within this context, there are a range of potential project elements that may be appropriate to meet City objectives of increasing the field's recreational usage while also meeting LCP requirements that protect the naturalistic landscape. Fundamentally, project elements that break up the overall grassy area are problematic in this respect (such as the proposed 30-foot wide linear concrete area with seating that would bisect the fields entirely), as are significant project elements that significantly frame the field areas in a linear and/or regular fashion (e.g., perimeter fencing). Other project elements that introduce significant hardscape and 'engineered' elements also take away from the naturalistic character of the area. For other project elements, however, there is some judgment involved as to what tips the scales to not appropriately emphasizing the naturalistic landscape qualities of the site. For example, some field lighting that doesn't break up the overall grassy area and some linear form seating areas that are integrated into landscape areas could be consistent with that LCP policy.

Such an approvable project could include: redoing the natural turf fields with natural grass (including with enhanced foundation and drainage elements); eliminating and/or reducing field lighting (and limiting lighting otherwise to that necessary for public safety); modifying fencing (including because existing fencing which has altered the character of the site is currently

unpermitted); modifying seating to be informal bench seating (e.g., intermittent benches) and/or more limited linear seating forms integrated with perimeter paths and landscaping; modifying paths to be decomposed granite or equivalent as opposed to concrete; providing enhanced signage and path connections between the fields and Ocean Beach, as well as interpretive signing; updating the restroom building and surrounding area in relation to the parking lot area in a way that separates the two (including in light of unpermitted past vegetation removal and hardseaping that inappropriately connected the two visually) with an emphasis on natural materials and landscaping; siting and designing the picnic and play areas to blend into the environment; and maximizing revegetation efforts with an eye towards emphasizing naturalistic spatial organization for the fields area (e.g., curvilinear as opposed to linear) and using vegetation as backstop for wayward balls. Such a project would be a significant improvement to the Beach Chalet fields area that would both enhance its pastoral character and its utility for recreation consistent with the LCP. See special conditions.

It should be noted that a revised project will still greatly increase recreational use and utility at the Beach Chalet fields site over what is available now. In addition, although not part of this CDP, additional recreational utility, including nighttime play via lights, may be accomplished at nearby West Sunset Playground (outside of the coastal zone, about a mile and a half away from the Beach Chalet site). The project EIR identified the West Sunset Playground Off-Site Alternative as the Environmentally Superior Alternative (after the No Project Alternative) under CEQA. This alternative proposes similar project renovations, including night lighting, artificial turf, and seating, but at the West Sunset Playground instead of at Beach Chalet. The West Sunset Playground is approximately 18 acres in size and is located near Sunset Boulevard and Ortega Street in the Sunset District of San Francisco. The West Sunset Playground facility includes a large soccer field, three baseball diamonds, two tennis courts (with lights), a full basketball court (with lights), a playground, restrooms, and small recreation center. The Playground is part of a complex that includes Sunset Elementary School, Ortega Branch Library, A.P. Giannini Middle School, and Saint Ignatius College Preparatory.

The EIR acknowledged that the West Sunset Playground alternative would avoid impacts to historic resources (since West Sunset Playground is not a listed historic resource) and would also allow for greater athletic field access and use. Such an alternative appears appropriate for the West Sunset Playground, which is surrounded by urban development, including three schools and a library. The EIR found that this alternative would fail to meet the objective of increased recreational usage at the Beach Chalet site, but this conclusion was based off the assumption that no improvements or renovations would take place at Beach Chalet. With the approvable project, the objective of increased recreational usage at the Beach Chalet site will be realized. When combined with improvements at West Sunset Playground, including artificial turf and night lighting, significant recreational enhancements can be realized in this part of the City. Clearly, further refinement of the West Sunset Playground alternative would be needed, but it appears that such an alternative would be able to meet all project goals, especially considering that the West Sunset Playground is already proposed for renovation and budgeted \$13.2 million from San Francisco's 2012 Clean and Safe Neighborhood Parks Bond.

In conclusion, an approvable project exists that would accomplish the City's project goal of increasing recreational opportunities while also respecting the naturalistic character and

~~landscape of the western end of Golden Gate Park and Ocean Beach as required by the LCP. The City's objectives could also be furthered through combining such improvements with the CEQA environmentally superior project at the West Sunset Playground. This hybrid, where the Beach Chalet fields are improved consistent with the LCP and the West Sunset Park fields are improved including potentially for lighted field play, is a win-win on many levels, including enhancing the Beach Chalet site consistent with its naturalistic pedigree and greatly increasing the utility and availability of recreational fields in this area of the City.~~

~~The Commission's approval of a more naturalistic landscape project at the Beach Chalet fields facility is in recognition of the naturalistic setting and character that are protected by the LCP, and the constraints to developing such an intensely structured facility as the proposed project at the site. Commission staff is prepared to work with the Applicant, other City departments, and interested parties to help foster a better overall project that can meet LCP requirements, enhance and protect coastal resources, and meet the community's recreational needs over the longer term with a sustainable and beneficial public infrastructure project.~~

2. Violation

Development including, but not limited to: 1) the installation of an 8-foot tall chain-link fence enclosing the majority of the Beach Chalet fields area; 2) removal of trees and vegetation around the Beach Chalet restroom; and 3) installation of pavement around the Beach Chalet restroom, has taken place without benefit of a CDP. Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the policies of the City and County of San Francisco LCP. Commission review and action on this permit does not constitute a waiver of any legal action with regard to the alleged violations, nor does it constitute an implied statement of the Commission's position regarding the legality of any development undertaken on the subject site without a CDP, or that all aspects of the violation have been fully resolved.

3. Indemnification

~~Coastal Act Section 30620(c)(1) authorizes the Commission to require applicants to reimburse the Commission for expenses incurred in processing CDP applications.²⁸ Thus, the Commission is authorized to require reimbursement for expenses incurred in defending its action on the pending CDP application in the event that the Commission's action is challenged by a party other than the Applicant. Therefore, consistent with Section 30620(c), the Commission imposes Special Condition 4 requiring reimbursement for any costs and attorney fees that the Commission incurs in connection with the defense of any action brought by a party other than the Applicant challenging the approval or issuance of this permit.~~

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or

²⁸ See also California Code of Regulations Title 14 Section 13055(g).

feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City, acting as the lead CEQA agency, certified an EIR for the project pursuant to CEQA. That EIR evaluated project impacts, identified mitigations to reduce certain impacts, but found some to be significant and unavoidable, in particular related to the cultural resource and historic landscape of Golden Gate Park generally, and the Beach Chalet fields area specifically. For this reason, the City adopted a statement of overriding considerations acknowledging such impacts. At the same time, the EIR found that the proposed project was not the least environmentally damaging feasible alternative, instead finding the West Sunset Playground alternative environmentally superior to the proposed project. The City's EIR ~~has been~~ was challenged in court, and the City prevailed.²⁹

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The Commission has reviewed the relevant coastal resource issues with the proposed project, and did not identify the need for any ~~has identified appropriate and necessary~~ modifications to address adverse impacts to such coastal resources. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

The Commission finds, as required by CEQA Section 21080.5(d)(2)(A), that there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment ~~that only as conditioned by this permit will the proposed project avoid significant adverse effects on the environment within the meaning of CEQA. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects that approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. If so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).~~

²⁹ SF Coalition for Children's Outdoor Play, Education and the Environment v. City and County of San Francisco in San Francisco Superior Court. The litigation challenged inadequate acknowledgement of toxics in SBR crumb rubber infill, failure to consider alternatives to SBR rubber infill, and inadequate project alternatives analysis in the City's EIR. The City prevailed on all counts, and the court upheld the City's certification of the EIR.

APPENDIX A: SUBSTANTIVE FILE DOCUMENTS

Biological Resource Assessment Report, City and County of San Francisco's Beach Chalet Soccer Field Improvement Project prepared by May & Associates, Inc., February 2010.

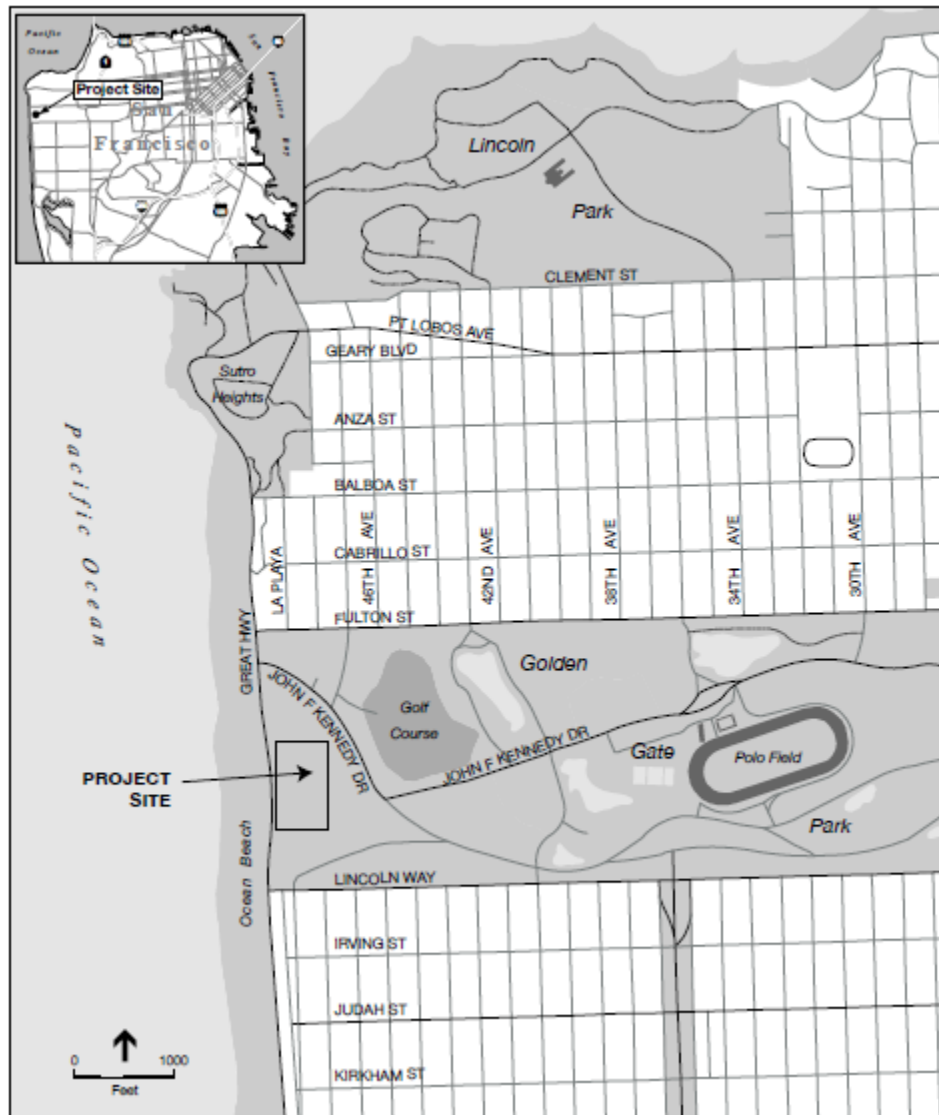
City of Malibu LCP Amendment No-1-11-A regarding Malibu High School Athletic Field Night Lighting. Memorandum from Dr. Jonna D. Engel, Ph.D., Ecologist. September 2011.

Draft and Final Environmental Impact Report (State Clearinghouse No. 2011022005) prepared for San Francisco Planning Department, October 2011.

Final Historic Resources Evaluation, Beach Chalet Athletic Fields Renovation. Prepared by Environmental Science Associates for San Francisco Planning Department, July 2011.

Historic Resource Evaluation Response prepared by San Francisco Planning Department, July 2011.

San Francisco Local Coastal Program Public Lands Issue No. 1A: Golden Gate Park. Prepared by San Francisco Department of City Planning, February 1980.



Project Vicinity Map





Existing conditions photo looking north



Existing conditions photo looking northwest



Existing conditions photo looking north towards the restroom and parking lot

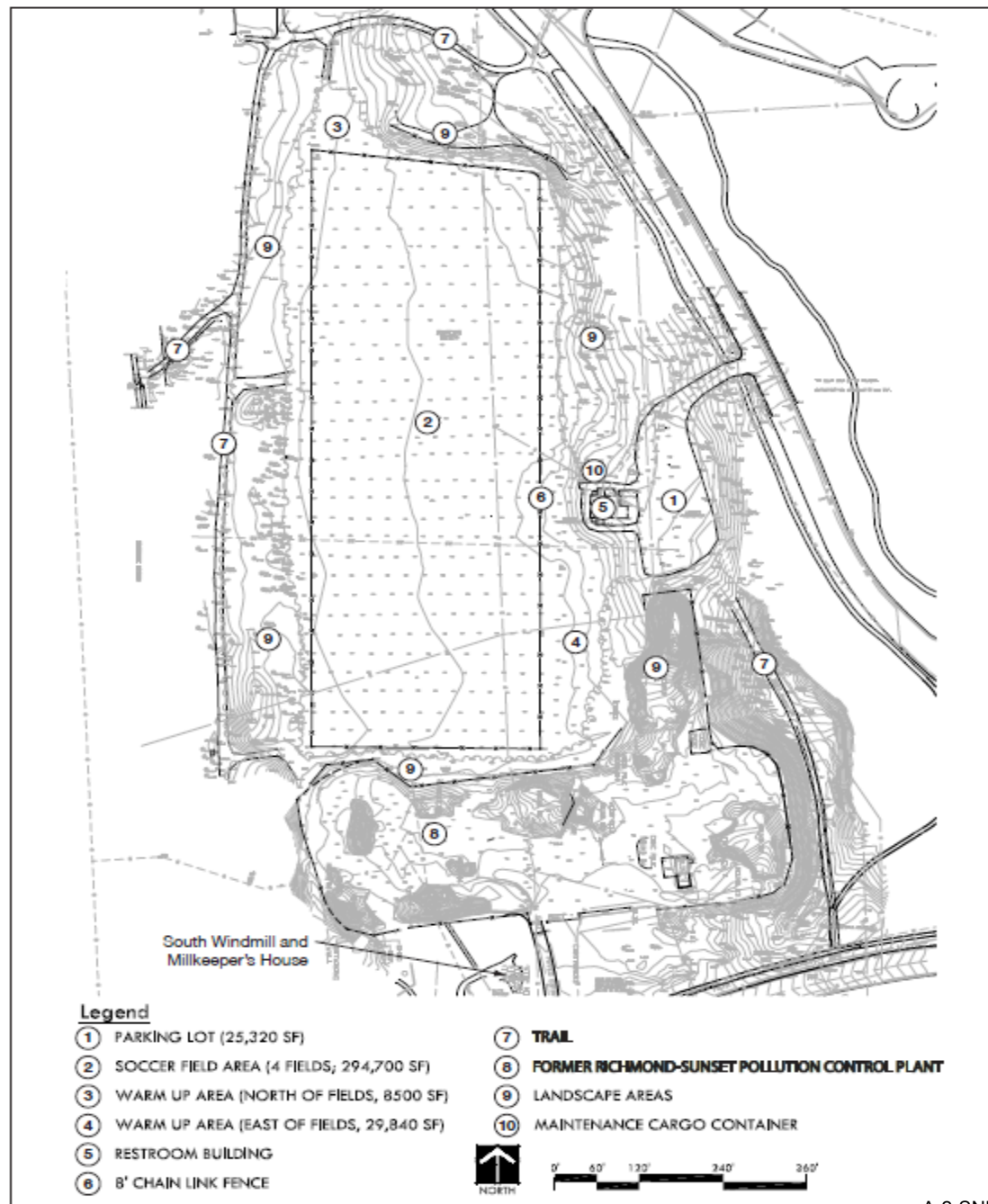


Existing conditions photo looking west from the restroom

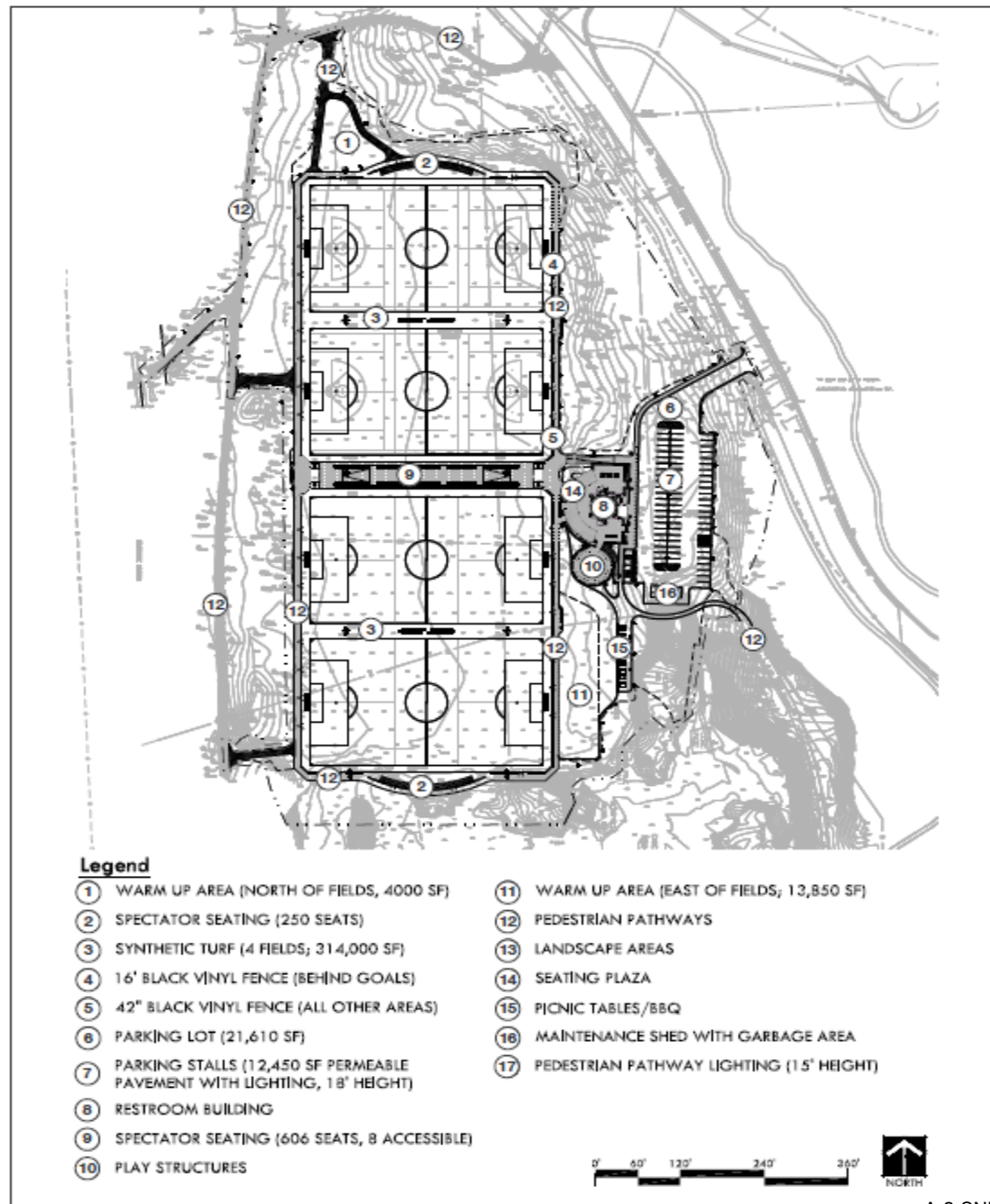


Existing conditions photo looking south

Existing fields site plan



Proposed site plan



Project rendering





Project rendering

Project rendering



Project rendering





Renderings of proposed field lights



Rendering of proposed field lights from Ocean Beach promenade

Exhibit 3

A-2-SNF-12-020 (Beach Chalet)

Page 8 of 9



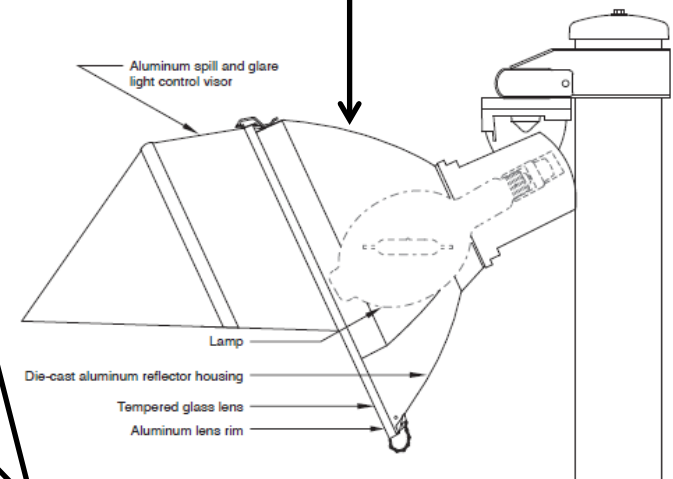
Existing View



Proposed field light fixtures



Proposed View



Rendering of existing and proposed field lights from Ocean Beach promenade at night in clear conditions

Exhibit 3

A-2-SNF-12-020 (Beach Chalet)

Page 9 of 9



SAN FRANCISCO PLANNING DEPARTMENT

2-SNF-12-011
Appealable

NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

Date of Notice: October 2, 2012

Notice Sent to (via US Certified Mail):

Mr. Nicholas Dreher
California Coastal Commission
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RECEIVED

OCT 04 2012

CALIFORNIA
COASTAL COMMISSION

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Please note the following **Final City and County of San Francisco Action** on a coastal permit application.
All local appeals have been exhausted for this matter.

Project Information

Application #: 2010.0016P, Planning Commission Motion No. 18640
Project Applicant: San Francisco Recreation & Parks Department
Applicant's Rep: Dan Mauer, SF Recreation & Park Dept, 30 Van Ness Ave, 5th Fl, SF 94102
Project Location: Assessor's Block 1700, Lot 001 – Beach Chalet Athletic Fields, Golden Gate Park
Project Description: The Renovation of the Beach Chalet Athletic Fields

Final Action Information

Final Local Action: **Approval**
Final Action Body: ☐ Zoning Administrator
☐ Planning Commission
☐ Board of Supervisors
☒ Board of Appeals

**FINAL LOCAL
ACTION NOTICE**

REFERENCE # 2-SNF-12-011
APPEAL PERIOD 10/5/12 - 10/18/12

Coastal Commission Appeal Information

This Final Action is:

☐ **NOT appealable** to the California Coastal Commission. The Final [your city or county] Action is now effective.

☒ **Appealable** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission North Central Coast District Office in San Francisco; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the California Coastal Commission North Central Coast District Office at 45 Fremont Street, Suite 2000, San Francisco CA 94105, [telephone 415.904.5200].

Copies of this notice have also been sent via first-class mail to the applicant and interested parties.



AFFIDAVIT OF SERVICE

SF Ocean Edge et al., Appellants
 c/o Richard Drury, Attorney for Appellants
 410 - 12th Street #250
 Oakland, CA 94607

I, Victor F. Pacheco, Legal Assistant for the Board of Appeals, hereby certify that on this 13th day of September, 2012, I served the attached Notice(s) of Decision & Order for Appeal No(s): 12-074/075, SF Ocean Edge et al. & G.G.P.P.A. vs. PC, subject property at Beach Chalet Athletic Fields @ Golden Gate Park, on the appellant(s) by mailing a copy via U.S. mail, first class, to the address above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in San Francisco, California.

9/13/2012
 Date

[Signature]
 Victor F. Pacheco

OTHER PARTIES OR CONCERNED CITIZENS:

Golden Gate Park Preservation Alliance, Appellant
 c/o Katherine Howard, Agent for Appellant
 1243 - 42nd Avenue
 S.F., CA 94122

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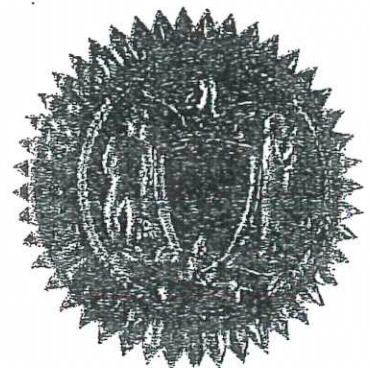
OCT 04 2012

CALIFORNIA
 COASTAL COMMISSION
 NORTH CENTRAL COAST

cc: DBI BID (if applicable), DBI CPB (if applicable), Planning Dept. (if applicable), and Redevelopment Agency (if applicable)

OTHER PARTIES OR CONCERNED CITIZENS:

Recreation & Park Department, Permit Holder
 c/o Dan Mauer, Agent for Permit Holder
 30 Van Ness Avenue, 5th Floor
 S.F., CA 94102



BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
GOLDEN GATE PARK PRESERVATION ALLIANCE,)
Appellant(s))
vs.)
PLANNING COMMISSION,)
Respondent)

Appeal No. 12-075

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on June 07, 2012 the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the approval on May 24, 2012 of Coastal Zone Permit granted to Recreation and Park Department at Block/Lot 1700/001 - Beach Chalet Athletic Fields at Golden Gate Park.

APPLICATION NO. 2010.0016P
MOTION NO. 18640

FOR HEARING ON Aug. 01, 2012

Address & Tel. of Appellant(s):

Golden Gate Park Preservation Alliance, Appellant
c/o Katherine Howard, Agent for Appellant
1243 - 42nd Avenue
S.F., CA 94122

Address & Tel. of Other Parties:

Recreation & Park Department, Permit Holder
c/o Dan Mauer, Agent for Permit Holder
30 Van Ness Avenue, 5th Floor
S.F., CA 94102


NOTICE OF DECISION & ORDER

The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on August 01, 2012.

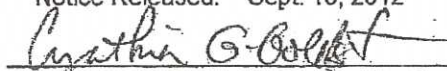
PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, § 14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **DENIES THE APPEAL AND ORDERS** that the approval of the subject Coastal Zone Permit by the Planning Commission is **UPHELD** with adoption of factual findings and CEQA findings.

SAID FINDINGS WERE ADOPTED BY THE BOARD ON AUGUST 01, 2012 AND ARE ATTACHED.

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO


Chris Hwang, President

Last Day to Request Rehearing: Aug. 13, 2012
Request for Rehearing: Sept. 12, 2012 (denied)
Rehearing: None
Notice Released: Sept. 13, 2012


Cynthia G. Goldstein, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure § 1094.6.

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
SF OCEAN EDGE, GOLDEN GATE AUDUBON SOCIETY,
SIERRA CLUB S.F. GROUP, AND GREGORY MILLER,

Appeal No. 12-074

)
Appellant(s)

vs.

PLANNING COMMISSION,

)
Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on June 07, 2012 the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the approval on May 24, 2012 of Coastal Zone Permit granted to Recreation and Park Department at Block/Lot 1700/001 - Beach Chalet Athletic Fields at Golden Gate Park.

APPLICATION NO. 2010.0016P
MOTION NO. 18640

FOR HEARING ON Aug. 01, 2012

Address & Tel. of Appellant(s):

SF Ocean Edge et al., Appellants
c/o Richard Drury, Attorney for Appellants
410 - 12th Street #250
Oakland, CA 94607

Address & Tel. of Other Parties:

Recreation & Park Department, Permit Holder
c/o Dan Mauer, Agent for Permit Holder
30 Van Ness Avenue, 5th Floor
S.F., CA 94102

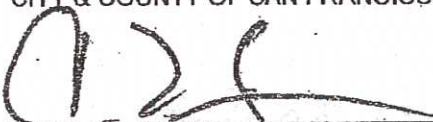
NOTICE OF DECISION & ORDER

The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on August 01, 2012.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, § 14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **DENIES THE APPEAL AND ORDERS** that the approval of the subject Coastal Zone Permit by the Planning Commission is **UPHELD** with adoption of factual findings and CEQA findings.

SAID FINDINGS WERE ADOPTED BY THE BOARD ON AUGUST 01, 2012 AND ARE ATTACHED.

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO

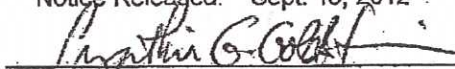

Chris Hwang, President

Last Day to Request Rehearing: Aug. 13, 2012

Request for Rehearing: None

Rehearing: None

Notice Released: Sept. 13, 2012


Cynthia G. Goldstein, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure § 1094.6.

**BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO**

Appeal No. 12-074

SF OCEAN EDGE, GOLDEN GATE AUDUBON SOCIETY,
SIERRA CLUB S.F. GROUP, AND GREGORY MILLER,)
Appellant(s))
vs.)
)
PLANNING COMMISSION,)
Respondent

Appeal No. 12-075

GOLDEN GATE PARK PRESERVATION ALLIANCE,)
Appellant(s))
vs.)
)
PLANNING COMMISSION,)
Respondent

FINDINGS

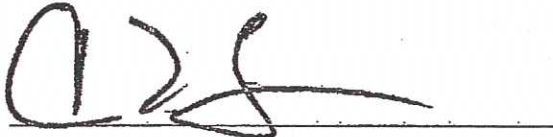
1. The Board has had available for its review and consideration the Environmental Impact Report and all correspondence and other documents related to the environmental review for the renovation of the Beach Chalet Athletic Facility (the "project"). This information is available for public inspection at the Board of Appeals' office at 1650 Mission Street and is made part of the record before the Board by this reference herein.

2. The Board, based on substantial evidence in light of the whole record, including information presented at this hearing, finds that there have been no project changes or changes in project circumstances and no new information of substantial importance that would change the conclusions of the Planning Department's California Environmental Quality Act determination, which are incorporated herein by reference.

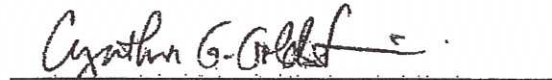
3. This Board finds that the Project is consistent with the requirements and objectives of the San Francisco Local Coastal Program for the reasons stated in Planning Commission Motion No. 18640 (Case No. 2010.0016P), Section A of the Planning Department brief filed in this matter and dated July 26, 2012, and Section C of the Recreation and Park Department brief filed in this matter and dated July 26, 2012, which reasons are adopted and incorporated herein.

4. This Board finds that the Project is consistent with the Priority Policies established by Section 101.1(b) of the Planning Code for the reasons stated in Planning Commission Motion No. 18640 (Case No. 2010.0016P), which reasons are adopted and incorporated herein.

The undersigned hereby certify that the Board of Appeals adopted the findings above at its regular meeting on August 01, 2012.

A handwritten signature in black ink, appearing to read 'CHWANG', written over a horizontal line.

Chris Hwang, President

A handwritten signature in black ink, appearing to read 'Cynthia G. Goldstein', written over a horizontal line.

Cynthia G. Goldstein, Executive Director



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
☐ Jobs Housing Linkage Program (Sec. 413)
☐ Downtown Park Fee (Sec. 412)

- ☐ First Source Hiring (Admin. Code)
☐ Child Care Requirement (Sec. 414)
☐ Other

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Planning Commission Motion No. 18640 LOCAL COASTAL ZONE PERMIT

Hearing Date: May 24, 2012
Case No.: 2010.0016P
Project Name: Beach Chalet Athletic Fields, Golden Gate Park
Zoning: P (Public) Zoning District
OS (Open Space) Height and Bulk District
Block/Lot: 1700/001
Project Sponsor: San Francisco Recreation and Parks Department
c/o Dan Mauer
30 Van Ness Avenue, 5th floor
San Francisco, CA 94102
Staff Contact: Glenn Cabreros – (415) 558-6169
glenn.cabreros@sfgov.org

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CALIFORNIA
COASTAL COMMISSION
NORTH CENTRAL COAST

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A COASTAL ZONE PERMIT APPLICATION PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW RENOVATION OF THE BEACH CHALET ATHLETIC FIELDS FACILITY INCLUDING REPLACING THE EXISTING GRASS TURF FIELDS WITH SYNTHETIC TURF, INSTALLING FIELD LIGHTING, RENOVATING THE EXISTING RESTROOM BUILDING, INSTALLING PLAYER BENCHES AND SEATING, AND COMPLETING OTHER MODIFICATIONS FOR PARKING, CIRCULATION, AND SPECTATOR AMENITIES TO IMPROVE THE OVERALL CONDITIONS OF THE FACILITY AND INCREASE THE AMOUNT OF ATHLETIC PLAY TIME, WITHIN THE P (PUBLIC) ZONING DISTRICT AND THE OPEN SPACE HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 4, 2012, Dan Mauer of the San Francisco Recreation and Park Department (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Coastal Zone Permit under Planning Code Section 330 to allow renovation of the Beach Chalet Athletic Fields facility including replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time ("Project").

On April 17, 2012, the Department mailed a letter to the California Coastal Commission (CCC) to inform the CCC that an application for a Local Coastal Zone Permit had been filed. The letter disclosed to the CCC that the Project site is not within the area appealable to the CCC.

On May 24, 2012, the Planning Commission (hereinafter "Commission") conducted a public hearing on the Final Environmental Impact Report (EIR) for the Project. The Commission reviewed and considered the EIR and found the contents of said report and the procedures through which the EIR was prepared, publicized and reviewed complied with the California Quality Environmental Quality Act (Public Resources Code section 21000 *et seq.*) ("CEQA"), the CEQA Guidelines (14 Cal. Code Reg. section 15000 *et seq.*), and Chapter 31 of the San Francisco Administrative Code.

On May 24, 2012, the Commission certified the Final EIR by Motion No. 18637. Additionally, the Commission adopted approval findings, including findings rejecting alternatives, amending a mitigation measure, and making a statement of overriding considerations, and adopted a mitigation monitoring and reporting program ("MMRP") pursuant to CEQA by Motion No. 18638, which findings and MMRP are incorporated by this reference as though fully set forth herein.

On May 24, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Coastal Zone Permit, Case No. 2010.0016P. The Commission heard and considered public testimony presented at the hearing and has further considered written and oral testimony provided by Department staff and other interested parties.

On May 24, 2012, the Commission approved the Coastal Zone Permit requested in the application under Case No. 2010.0016P based to the findings below.

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is located at the west end of Golden Gate Park, Assessor's Block 1700, Lot 001 within the P (Public) Zoning District and the Open Space Height and Bulk District. The area of the project site is bound by Great Highway to the west, John F. Kennedy Drive to the north and east and by Martin Luther King Drive to the south. The site contains existing athletic playing fields of natural turf and various park amenities associated with the fields' use, including parking, restrooms, fencing and pedestrian paths.
3. **Surrounding Properties and Neighborhood.** The neighborhoods closest to the project site are primarily residential in character and include the Outer Richmond neighborhood directly north and across Fulton Street from Golden Gate Park and the Outer Sunset neighborhood directly south and across Lincoln Way from Golden Gate Park. Directly west of the project site and across Great Highway are the Ocean Beach parking lot and Ocean Beach. The site is located southeast of the Beach Chalet, City Landmark No. 179, which includes a visitors center and restaurant

facilities. As the project site is located within Golden Gate Park, the athletic fields are not visible from the adjacent residential neighborhoods due to dense vegetation and tree canopy.

4. **Project Description.** The applicant proposes to renovate the Beach Chalet Athletic Fields facility including replacement of the existing grass turf fields with synthetic turf, installation of field lighting, renovation of the existing restroom building, installation of benches and seating, and other modifications related to parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time.
5. **Coastal Zone.** Pursuant to Planning Code Section 330, review of a Coastal Zone Permit Application is required as the project site is within the Local Coastal Zone Boundary per City Zoning Map Sheet CZ05. The Local Coastal Zone boundary within Golden Gate Park starts at Fulton Street and 40th Avenue, curves eastwardly from the Chain of Lakes Drive and ends at Lincoln Way and 41st Avenue. The boundary for the Coastal Zone area that is appealable to the CCC is an area 300 feet wide as measured from the inland extent of Ocean Beach. The project site is not located within the Coastal Zone area that is appealable to the CCC.
6. **Public Comment.** The Department has received no comments to date regarding the Coastal Zone Permit application.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Coastal Zone Permit Findings.** Planning Code Section 330.5.2 states that the Planning Commission in reviewing a Coastal Zone Permit application shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program and that a Coastal Zone Permit shall be approved only upon findings of fact establishing that the Project conforms to the requirements and objectives of the San Francisco Local Coastal Program.

The requirements and objectives of the San Francisco Local Coastal Program are established in the Western Shoreline Plan of the General Plan with specific objectives and policies related to Golden Gate Park and the Richmond and Sunset Residential Neighborhoods. See "General Plan Compliance" findings below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan and specifically as identified in the Western Shoreline Area Plan:

WESTERN SHORELINE AREA PLAN – GOLDEN GATE PARK

Objectives and Policies

OBJECTIVE 3:

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE

Policy 3.1:

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

Policy 3.2:

Continue to implement a long-term reforestation program at the western portion of the park.

The rehabilitation of the Beach Chalet Athletic Fields does not introduce a new use into Golden Gate Park; rather the project is a renovation of the existing facilities to allow continuation of existing park amenities and uses. As such, the naturalistic landscape qualities around the athletic fields and around the perimeter of the Park would remain intact. The project does propose removal of 16 trees; however each tree removed would be replaced at a ratio of one-to-one or greater. The proposed tree replacement is consistent with emphasizing the natural landscape qualities of the Park and also the need for continued reforestation of the Park's aging tree population.

WESTERN SHORELINE AREA PLAN – RICHMOND & SUNSET RESIDENTIAL NEIGHBORHOODS

Objectives and Policies

OBJECTIVE 11:

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

Policy 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

The "Transportation and Circulation" section of the EIR analyzed for the project found that impacts to traffic, public transit and pedestrian circulation would be less than significant. Although field lighting is proposed as part of the project, the hours of operation for the recreation area will be the same as the existing park hours which are 6 AM to 10 PM daily.

9. **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 does comply with said policies in that:

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

The proposal does not affect neighborhood-serving retail uses as the project is a public recreational facility within Golden Gate Park.

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

The existing neighborhood character surrounding Golden Gate Park would be conserved and protected as the project would continue to be screened from the outlying residential areas by dense vegetation.

- C. That the City's supply of affordable housing be preserved and enhanced,

No housing is removed by this project.

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

The project proposes improvements to the existing 50-space parking lot. The new parking lot would contain 20 additional parking spaces. The amount of parking spaces is not considered excessive for the use, and the EIR for the project found the parking, vehicular and public transit impacts associated with the project to be less than significant.

- E. 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 resident employment and ownership in these sectors be enhanced.

The project will not displace any service or industrial establishment.

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

The project, particularly the building structures will be designed and constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

As identified in the project EIR, the project would cause a substantial adverse change in the significance of Golden Gate Park, an historical resource. While the project would have a significant unavoidable impact from the perspective of historic preservation, the project is a rehabilitation of an existing park amenity.

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

The project will have no negative impact on existing parks and open spaces and their access to sunlight and vistas. Per Section 295 of the Planning Code, pertaining to shadow studies, no building structures are proposed over 40 feet in height and therefore a shadow study is not required for the project.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

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 **ADOPTS** the CEQA approval findings set forth in Planning Commission Motion No. 18638 including the statement of overriding considerations, **ADOPTS** the Mitigation Monitoring and Reporting Program, attached to Motion No. 18638 as Exhibit A, and **APPROVES Coastal Zone Permit Application No. 2010.0016P** in general conformance with plans on file, dated April 4, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL: Pursuant to Planning Code Sections 308.2 and 330.9, any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this motion. For further information, please contact the Board of Appeals in person at 1650 Mission Street, 3rd Floor (Room 304) or call 575-6880.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 24, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Fong, Wu, Antonini and Borden

NAYS: Commissioner Moore

ABSENT: Commissioners Miguel and Sugaya

ADOPTED: May 24, 2012



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: MAY 24, 2012

Date: May 17, 2012
Case Nos.: 2010.0016E – CEQA Findings
2010.0016P – Coastal Zone Permit
Project Location: **BEACH CHALET ATHLETIC FIELDS, GOLDEN GATE PARK**
Zoning: P (Public) Zoning District
OS (Open Space) Height and Bulk District
Block/Lot: 1700/001
Project Sponsor: San Francisco Recreation and Parks Department
c/o Dan Mauer
30 Van Ness Avenue, 5th Floor
San Francisco, CA 94102
Staff Contact: Glenn Cabreros – (415) 558-6169
glenn.cabreros@sfgov.org
Recommendations: **Adopt California Environmental Quality Act (CEQA) Findings**
Approve Coastal Zone Permit

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PROPOSED PROJECT

The project proposes renovation of the Beach Chalet Athletic Fields facility, located at the west end of Golden Gate Park, which includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time.

REQUIRED COMMISSION ACTION*

In order for the project to proceed, the Commission must approve the following:

- Certification the Final Environmental Impact Report (EIR) – Case No. 2010.0016E
- Adoption of CEQA Findings – Case No. 2010.0016E
- General Plan Referral – Case No. 2010.0016R
- Coastal Zone Permit – Case No. 2010.0016P

RECOMMENDATIONS:	Adopt CEQA Findings Approve Coastal Zone Permit
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Attachments:

Draft CEQA Findings Motion
Draft Coastal Zone Motion
Coastal Zone, Parcel and Sanborn Maps
Recreation and Park Department Plan Submittal

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*Final EIR and General Plan Referral draft motions to be provided under separate cover.



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

HEARING DATE: MAY 24, 2012

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Date: May 17, 2012
Case No.: 2010.0016E
Project Name: Beach Chalet Athletic Fields, Golden Gate Park
Zoning: P (Public) Zoning District
OS (Open Space) District
Block/Lot: 1700/001
Project Sponsor: San Francisco Recreation and Park Department
c/o Dan Mauer
30 Van Ness Avenue, 5th floor
San Francisco, CA 94102
Staff Contact: Glenn Cabreros – (415) 558-6169
glenn.cabreros@sfgov.org

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS REJECTING ALTERNATIVES AS INFEASIBLE, AMENDING A MITIGATION MEASURE, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION, MONITORING, AND REPORTING PROGRAM, RELATING TO THE RENOVATION OF THE BEACH CHALET ATHLETIC FIELDS FACILITY LOCATED IN GOLDEN GATE PARK AND INCLUDING REPLACING THE EXISTING GRASS TURF FIELDS WITH SYNTHETIC TURF, INSTALLING FIELD LIGHTING, RENOVATING THE EXISTING RESTROOM BUILDING, INSTALLING PLAYER BENCHES AND SEATING, AND COMPLETING OTHER MODIFICATIONS FOR PARKING, CIRCULATION, AND SPECTATOR AMENITIES TO IMPROVE THE OVERALL CONDITIONS OF THE FACILITY AND INCREASE THE AMOUNT OF ATHLETIC PLAY TIME WITHIN THE P (PUBLIC) ZONING DISTRICT AND THE OPEN SPACE HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 15, 2010, the San Francisco Recreation and Parks Department ("Project Sponsor") submitted an Environmental Evaluation Application to the Planning Department ("Department"), Case No. 2010.0016E, in connection with a project to renovate of the Beach Chalet Athletic Fields facility, located at 1500 John F. Kennedy Drive in Golden Gate Park, which includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time ("Project").

On February 2, 2011, the Department issued a Notice of Preparation of an Environmental Impact Report (NOP) for the Project.

On October 26, 2011, the Department published the Draft Environmental Impact Report ("DEIR" or "Draft EIR") for the Project and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment. The DEIR was available for public comment until December 12, 2011.

The San Francisco Planning Commission held a public hearing on the DEIR on December 1, 2011 at a regularly scheduled meeting to solicit public comment regarding the DEIR.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 9, 2012, distributed to the Planning Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report ("FEIR" or "Final EIR") was prepared by the Department, consisting of the Draft EIR and the Comments and Responses document.

Project Environmental Impact Report files have been made available for review by this Commission and the public. These files are available for public review at the Planning Department at 1650 Mission Street, and are part of the record before this Commission.

On May 24, 2012, the Planning Commission reviewed and considered the Final EIR and found that the contents of the report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code section 21000 *et seq.*) ("CEQA"), 14 California Code of Regulations sections 15000 *et seq.* ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2010.0016E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") for the Project and these materials were made available to the public and this Commission for this Commission's review, consideration and action.

On May 24, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case Nos. 2010.0016E. 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, the Planning Department staff, and other interested parties.

MOVED, that the Commission hereby adopts findings under the California Environmental Quality Act, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, and adopts the MMRP attached as Exhibit A based on the following findings:

FINDINGS

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

In determining to approve the Project, the Commission makes and adopts the following findings of fact and decisions regarding mitigation measures and alternatives, and adopts the statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to CEQA, the CEQA Guidelines, and Chapter 31.

This document is organized as follows:

Section I provides a description of the proposed Project, the environmental review process for the Project, the approval actions to be taken, and the location of records;

Section II identifies the Project's potentially significant impacts that are avoided or reduced to less-than-significant levels and makes findings regarding Mitigation Measures;

Section III identifies significant, unavoidable impacts that cannot be avoided or reduced to less-than-significant levels through Mitigation Measures;

Section IV identifies the Project alternatives that were analyzed in the EIR and discusses the reasons for the rejection of these alternatives; and

Section V makes a Statement of Overriding Considerations setting forth the specific economic, legal, social, technological, or other benefits of the Project that outweigh the significant and unavoidable adverse environmental effects and support the rejection of the project alternatives;

The Mitigation Monitoring and Reporting Program ("MMRP"), for the mitigation measures that have been proposed for adoption is attached with these findings as Exhibit A. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP provides a table setting forth each mitigation measure listed in the Final EIR that is required to reduce or avoid a significant adverse impact, with the exception of Mitigation Measure M-CP-1, which is hereby amended by these findings because it may not be feasible to implement as described in the FEIR, as described in more detail below. The MMRP also specifies the agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

I. PROJECT DESCRIPTION

a. Project Description

The Project Sponsor, the San Francisco Recreation and Parks Department ("SFRPD"), is proposing to renovate the Beach Chalet Athletic Fields facility, an approximately 9.4-acre public sports field facility located at 1500 John F. Kennedy Drive, along the western edge of Golden Gate Park ("Project Site"). The Project Site currently includes four grass turf athletic fields surrounded by an 8-foot-tall metal chain link fence, an approximately 25,320-square-foot, 50-space asphalt parking lot (including one disabled-accessible space), a restroom building, and a cargo container being used as a maintenance shed. The Project includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and spectator seating, expansion of the parking lot and various other modifications intended to improve the overall conditions of the facility and increase the amount of play time available on the athletic fields.

b. Project Objectives

The objectives of the Project include the following:

- Increase the amount of athletic play time on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas.
- Improve public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks.
- Increase ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco.
- Provide a safe, optimal recreation facility and amenities for athletes, spectators, and park users by renovating the existing Beach Chalet Athletic Fields and the existing restroom building, adding bleachers, and installing a new plaza area with visitor amenities.
- Reduce ongoing maintenance and resource needs.
- Comply with current Americans with Disabilities Act (ADA) requirements.
- Improve safety and increase nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area.
- Remain consistent with the *Golden Gate Park Master Plan*.

c. Environmental Review

On February 2, 2011, the Planning Department issued a Notice of Preparation of an Environmental Impact Report (NOP) for the Project.

On February 2, 2011, the Department published an Initial Study for the Project, scoping out several impact areas from further review because the Project would either have no effect or a less-than-significant effect without mitigation related to those impact areas.

On October 26, 2011, the Planning Department published the DEIR and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Planning Department's list of persons requesting such notice.

Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Planning Department staff on or about October 26, 2011. On October 26, 2011, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on October 26, 2011.

The Commission held a duly advertised public hearing on the DEIR on December 1, 2011 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on December 12, 2011.

The Planning Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 9, 2012, distributed to the Planning Commission and all parties who commented on the DEIR, and made available to others upon request at the Planning Department.

A Final Environmental Impact Report has been prepared by the Planning Department, consisting of the Draft Environmental Impact Report and the Comments and Responses document. Since publication of the DEIR, no new information of significance has become available that would require recirculation of the EIR under CEQA Guidelines Section 15088.5.

On May 24, 2012, the Planning Commission reviewed and considered the Final Environmental Impact Report, certified said Report as complete, and found that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines, and Chapter 31.

d. Project Approval Actions

Planning Commission

- Certification of the Final EIR
- Determination of consistency with the *San Francisco General Plan*
- Issuance of Coastal Development Permit

Recreation and Park Commission

- Approval of the Beach Chalet Athletic Fields Renovation Project

Board of Supervisors

- Consideration of any appeals of the Planning Commission's certification of the Final EIR

San Francisco Public Utilities Commission

- Certification of compliance with the San Francisco Stormwater Design Guidelines and the San Francisco Stormwater Management Ordinance
- Confirmation of compliance with the San Francisco Water Efficient Irrigation Ordinance requirements.

e. Location of Records

The records upon which all findings and determinations related to the adoption of the Project are based include the following:

- The Final EIR, and all documents referenced in or relied upon by the Final EIR;
- All information (including written evidence and testimony) provided by City staff to the Commission relating to the Final EIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the Final EIR;
- All information (including written evidence and testimony) presented to the Commission by the environmental consultant and sub consultants who prepared the Final EIR, or incorporated into reports presented to the Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the Final EIR;
- All applications, letters, testimony, and presentations presented to the City by the Project Sponsor and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the Final EIR;
- The Mitigation Monitoring and Reporting Program (MMRP); and
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Planning Commission Secretary is the custodian of these documents and materials. The Recreation and Park Commission Secretary is the custodian of Project documents and materials on file at the Recreation and Park Department Headquarters in Golden Gate Park.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

II. LESS-THAN-SIGNIFICANT IMPACTS AND FINDINGS REGARDING MITIGATION MEASURES

The following Sections II and III set forth the Commission's findings about the Final EIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and

adopted by the Commission and other City decision makers as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not repeat the analysis and conclusions in the Final EIR, but instead incorporates them by reference herein and relies upon them as substantial evidence supporting these findings.

In making these findings, the Commission has considered the opinions of City staff and experts, other agencies and members of the public. The Commission finds that the determination of significance thresholds is a judgment decision within the discretion of the City and County of San Francisco; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

As set forth below, the Commission adopts and incorporates all of the mitigation measures set forth in the Final EIR and the attached MMRP to substantially lessen or avoid the potentially significant and significant impacts of the Project, with the exception of Mitigation Measure M-CP-1, which is modified by these findings as set forth below due a finding that implementation of the measure as described in the Final EIR may be infeasible. The Commission and other City decision makers intend to adopt each of the mitigation measures proposed in the Final EIR, except as specifically modified by these findings. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final EIR.

Implementation of the Project would result in less-than-significant impacts in the following environmental topic areas and, as such, no mitigation is required to address these impacts:

- Land Use and Land Use Planning
- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Geology and Soils
- Greenhouse Gas Emissions
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Transportation and Circulation
- Recreation and Public Space
- Utilities and Service Systems

- Hydrology and Water Quality.

Implementation of the Project with required mitigation measures would result in less than significant impacts for the following environmental topic areas:

- Biological Resources
- Hazards and Hazardous Materials

With the required mitigation measures, all potential project impacts, with the exception of impacts of the related to Cultural Resources as described in Section III below, would be avoided or reduced to a less-than-significant level.

As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Commission finds that, with one exception, all of the changes or alterations to the Project listed herein have been or will be required in, or incorporated into, the Project to mitigate or avoid the significant or potentially significant environmental impacts listed herein, as identified in the Final EIR, that these mitigation measures will be effective to reduce or avoid the potentially significant impacts as described in the EIR, and these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce. As set forth in more detail below, Mitigation Measure M-CP-1 is amended by these findings, as set forth in the attached MMRP, due to the potential infeasibility of fully complying with the mitigation measure as described in the Final EIR while also complying with accessibility requirements.

a. Biological Resources

Impact BI-1: The Project could potentially adversely impact species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Specifically, sixteen trees and forty-four shrubs would be removed as part of the implementation of the Project, and this removal could result in impacts to special status species bat species due to impacts to their nesting, roosting or foraging habitat.

As described in **Mitigation Measure M-BI-1**, approval for building and grading permits issued for demolition and construction within the project area shall include a requirement for pre-construction special-status bat surveys when large trees are to be removed. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer of 100 feet shall be created around active bat roosts being used for maternity or hibernation purposes. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.

Impact BI-3: The Project could potentially conflict with applicable local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Specifically, sixteen trees would be removed as part of the implementation of the Project, and this removal could conflict with policies set forth in the Golden Gate Park Master Plan.

As described in **Mitigation Measure M-BI-3**, SFRPD shall replace the trees removed within SFRPD-managed lands with trees of equivalent ecological value (i.e., similar species providing the same general microhabitat characteristics for wildlife species) to the trees removed. If trees of equivalent ecological value are not feasible or available, removed trees shall be replaced at a ratio of 1 inch for 1 inch of the diameter at breast height of the removed tree. SFRPD shall monitor tree replacement plantings annually for a minimum of three years after completion of construction to ensure establishment of the plantings and, if necessary, shall replant to ensure the success of the replacement plantings.

The Commission finds that the foregoing mitigation measures are feasible and will mitigate the potential impacts of project construction on biological resources to a less-than-significant level by ensuring that special status bats and the ecological value of Golden Gate Park are not adversely affected by proposed tree removal. These measures are adopted as a condition of project approval and are set forth in the MMRP, attached as Exhibit A.

b. Hazards and Hazardous Materials and Air Quality

Impact HZ-2: The Project could create a significant hazard to the public or the environment as a result of a release of hazardous building materials in structures that would be demolished. Specifically, the FEIR identifies potential hazardous building materials that could be in the restroom building and, if disturbed, could pose health threats if not properly disposed.

As described in **Mitigation Measure M-HZ-2**, the project sponsor shall ensure that, before renovation, the restroom building is surveyed for hazardous building materials, including PCB-containing electrical equipment, fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of before commencement of demolition or renovation. Old light ballasts that will be removed during renovation shall be evaluated for the presence of PCBs, and in the case where the presence of PCBs in the light ballast could not be verified, they will be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations.

The Commission finds that the foregoing mitigation measures are feasible and will mitigate the potential impacts of project construction related to hazardous materials to a less-than-significant level. This measure is adopted as a condition of project approval and is set forth in the MMRP, attached as Exhibit A.

III. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL AND AMENDMENT OF MITIGATION MEASURE M-CP-1

Based on substantial evidence in the whole record of these proceedings, the Commission finds that there are significant project-specific or cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in Exhibit 1. The Final EIR identifies a significant and unavoidable adverse effect to cultural (historic architectural) resources related to the addition of field lights circulation paths, and spectator seating, and the removal of grass turf and installation of synthetic turf. The combined result of these improvements is a significant impact to historic resources because the alterations would alter many of the character defining features that convey the Athletic Fields' historic significance and justifying its inclusion in the Golden Gate Park National Register Historic District. As

the installation of spectator seating, synthetic turf, and field lights are crucial to the implementation of the proposed project, there are no mitigation measures for these elements that would reduce the level of impact to the less-than-significant level while continuing to meet the objectives of the project.

The Commission determines that the following significant impact on the environment, as reflected in the Final EIR, is unavoidable, but under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Commission determines that the impact is acceptable due to the overriding considerations described in Section V below. This finding is supported by substantial evidence in the record of this proceeding.

Cultural Resources (Historic Architectural Resources)

Impact CP-1: The Project would cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines Section 15064.5. The Beach Chalet Athletic Fields Renovation Project would materially impair in an adverse manner many of the character defining features of the Beach Chalet Athletic Fields, a contributor to the Golden Gate Park National Historic District. Alterations to the Athletic Fields, including the addition of spectator seating, synthetic turf, and field lights would collectively result in a significant impact under the CEQA definition of material impairment because they would alter an adverse manner many of the character defining features that convey the Athletic Fields' historical significance and justify its inclusion in the National Register (and therefore the California Register) as a contributor to the Golden Gate Park National Register Historic District.

Mitigation Measure M-CP-1, as described in the FEIR, requires that the circulation paths be designed with a more naturalistic and compatible surface material such as decomposed granite, NaturePave (a decomposed granite product with a resin binding agent), or compacted earth in place of the proposed concrete surface materials. As set forth in the FEIR, Mitigation Measure M-CP-1 further requires that the paths also be redesigned to create a more informal path edge treatment such as a 'soft' planted edge.

Although technologically feasible to use, decomposed granite and other similar soft ground materials do not provide an accessible surface for walkways because they are not always stable, firm and slip-resistant. Because of this, it may not be feasible to use such materials and meet the accessibility requirements for the proposed project. Compliance with accessibility requirements for public facilities is, in addition to being legally required, a stated objective of the Project. Additionally, implementation of Mitigation Measure M-CP-1 alone would not reduce the overall impact to the cultural landscape to a less-than-significant level.

The Commission, based on information set forth in the administrative record and these findings, hereby amends Mitigation Measure M-CP_1 as follows (changes from the language used in the FEIR are shown in ~~strike through~~ for deletions and underline for additions):

Mitigation Measure M-CP-1: The circulation paths shall be redesigned to include a more naturalistic and compatible surface material such as decomposed granite, NaturePave (a decomposed granite product with a resin binding agent), or compacted earth in place of the proposed concrete surface materials if such redesign can be accomplished while still meeting all applicable accessibility requirements. The paths shall

also be redesigned to consider a more informal path edge treatment such as a 'soft' planted edge if such redesign can be accomplished while still meeting all applicable accessibility requirements. The SFRPD shall determine the feasibility of using these alternate materials and edge treatments in consultation with the Mayor's Office on Disability.

Although the Commission hereby adopts this Mitigation Measure, as amended, and as set forth in the attached MMRP, the Commission finds that this measure will not mitigate significant and unavoidable impact related to the addition of field lights, spectator seating, and synthetic turf to the athletic fields facility, considered an historic resource for purposes of environmental review, to less-than-significant levels. The Commission further finds that this impact would remain significant and unavoidable with the implementation of Mitigation Measure M-CP-1 either in the form described in the FEIR or as hereby amended and set forth in the MMRP, the Commission determines that this significant impact on the environment, as reflected in the Final EIR, is unavoidable, but under Public Resources Code section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(b), and 15093, the Commission determines that the impact is acceptable due to the overriding considerations described in Section V below. This finding is supported by substantial evidence in the record of this proceeding.

IV. EVALUATION OF PROJECT ALTERNATIVES

This section describes the Project alternatives and the reasons for approving the project and for rejecting the alternatives. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that generally reduce or avoid potentially significant impacts of the Project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet the Project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The FEIR analyzed four project alternatives: a "No Project Alternative", an "Off-Site Alternative", a "Grass Turf with Reduced Lights Alternative", and a "Synthetic Turf without Lights Alternative." The FEIR determined that these alternatives were potentially feasible, but did not necessarily meet the project sponsors' objectives. A brief description of each alternative is provided below, followed by findings related to the rationale for the City's rejection of each alternative.

The Commission rejects the Alternatives set forth in the Final EIR and listed below because it finds, in addition to the reasons described below, elsewhere in these Findings, and in the administrative record, that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations under CEQA Guidelines 15091(a)(3), that make infeasible such alternatives. In making these determinations, the Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors."

The Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the Final EIR and in the record. The Final EIR reflects the Commission's and the City's independent judgment as to the alternatives. The Commission finds that the Project provides the best balance between satisfaction of the project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the EIR and adopts a statement of overriding considerations as set forth in Section IV below.

The Commission adopts the EIR's analysis and conclusions regarding alternatives eliminated from further consideration, both during the scoping process and in response to comments.

a. No Project Alternative

Under the No Project Alternative, the existing fields would remain in use and no renovations to the field or other facilities would occur. The No Project Alternative includes those activities that would reasonably be expected to occur in the foreseeable future if the proposed project were not approved.

The No Project Alternative would eliminate the need for construction activities in the project area, thereby avoiding all construction impacts identified for the proposed project, including the significant and unavoidable impact on historic resources, and the significant impacts associated with biological resources, and hazards and hazardous materials. In addition, although not considered a significant impact, impacts on views of the project area and nighttime lighting would be avoided under the No Project Alternative. Other less than significant impacts associated with construction noise, traffic, and air quality would also be avoided under the No Project Alternative. Other proposed future projects in the site vicinity may still be implemented, including the San Francisco Groundwater Supply Project, and so cumulative construction impacts could still occur, but there would be no contribution to these impacts from the proposed project.

The Commission rejects the No Project Alternative because it would fail to meet most of the Project objectives. While the No Project Alternative would remain consistent with the Golden Gate Master Plan, the No Project Alternative would not meet any other objectives which include increasing the amount of athletic play on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas; improving public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks; increasing ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco; reducing ongoing maintenance and resource needs; complying with current ADA requirements, and; improving safety and increasing nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area. All of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

b. Off-Site Alternative

Under the Off-Site Alternative, the San Francisco Recreation and Parks Department (SFRPD) would construct similar renovations to the West Sunset Playground, located on Ortega Street in the Outer Sunset neighborhood.

The Off-Site Alternative would have construction-related impacts similar to or greater than the proposed project because the fields are more proximate to sensitive receptors such as schools and residences than the project site. It is assumed that this alternative would be compatible with existing zoning and land use designations because the site is already used for recreational purposes. Because the Off-Site Alternative would entail similar construction activities as the proposed project, impacts related to biological resources, hydrology and water quality, and hazards and hazardous material would be comparable to those under the Project. However, under the Off-Site Alternative, visual resources impacts associated with nighttime lighting effects would likely be greater than that of the proposed project. Historic resources impacts would be less than significant.

Under this alternative, impacts to recreational resources are anticipated to be greater than those identified for the proposed project because the Beach Chalet Athletic Fields would continue to be used and would continue to degrade. It is also assumed that effects associated with increased traffic, transit, parking, and pedestrian access would be similar to or greater than the proposed project.

The Commission rejects the Off-Site Alternative because it would fail to meet most of the Project objectives and would not increase the amount of athletic play time on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas, although it would partially meet this objective by providing some increase play time for SFRPD overall, the alternative would fail to meet the objective of improving safety and increasing nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area. This alternative would also fail to meet the objectives of improving public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks, and increasing ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco.

The Off-Site Alternative would only partially achieve some of the Project objectives while all of the same mitigation measures would be required.

All of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

c. Grass Turf with Reduced Lights Alternative

Under the Grass Turf with Reduced Lights Alternative, the SFRPD would construct most of the improvements that are included under the Project with the exception that a new grass turf field would be installed instead of a synthetic turf field. This alternative also includes modifications to some of the proposed improvements. It is assumed that the new grass turf field would be similar in size to the turf field under the proposed project. The intent of this alternative would be to reduce impacts to historic resources. All of the same mitigation measures as the proposed project would be required under this alternative.

The Grass Turf with Reduced Lights Alternative would have similar construction-related impacts as the proposed project, with the exception of construction activities associated with synthetic turf installation. This alternative will have similar restroom renovations to the proposed project, therefore hazards and hazardous material impacts are anticipated to be comparable to the proposed project. Construction-related impacts to special-status bats, vegetation, and tree removal would be similar under this alternative. Implementation of pre-construction surveys for special-status bats would be required under this alternative.

Under this alternative, impacts to historic resources would be less in comparison to the Project. The replacement of grass turf; reduced number of field lights; small-scale, removable seating instead of spectator seating; and linear circulation paths composed of decomposed granite material and a 'soft' planted edge instead of concrete would collectively reduce impacts to historic resources. Installation of such components under this alternative would allow the site to remain a contributing resource to the Golden Gate Park National Historic District. Although technologically feasible to use, decomposed granite and other similar soft ground materials do not provide an accessible surface for walkways

because they are not always stable, firm and slip-resistant. Because of this, it may not be feasible to use such materials and meet the accessibility requirements for the Project. The installation of the reduced number of lights would result in less visual impacts on surrounding residences as the Project (though it is noted that impacts related to aesthetics are less than significant under the Project).

While this alternative would remain consistent with the Golden Gate Master Plan and improve access to the fields with new pathways and increased parking for cars and bikes, it would fail to meet the objective of reducing ongoing maintenance and resource needs; instead, it would require a greater level of maintenance work to preserve field conditions. A greater level of maintenance would be needed because the new grass fields would be larger than the existing fields under this alternative and would be used at a greater level with the inclusion of nighttime play hours. Decomposed granite may not be considered acceptable under applicable disability access requirements and therefore might not be a feasible alternative material. While there would be some increase in play time at the facility, it would be substantially less than under the Project due to: (1) a 50% reduction in the number of lit fields; (2) maintenance and rest and re-growth closures; and (3) rain closures.

The Grass Turf with Reduced Lights Alternative would only partially achieve the objective to provide for a safe, optimal recreation facility and amenities for athletes, spectators and park users by renovating the existing Beach Chalet Athletic Fields and the existing restroom building, adding bleachers, and installing a new plaza area with visitor amenities. While installation of new lighting would accommodate additional evening playtime, some of the deficiencies at the existing facility, such as wet periods and maintenance periods, would likely persist, reoccur or worsen unless public access was restricted during existing permitted play times.

The Commission rejects the Grass Turf with Reduced Lights Alternative because it would fail to meet some of the project objectives and would require additional staff maintenance levels beyond what is currently available. While the Grass Turf with Reduced Lights Alternative would remain consistent with the Golden Gate Master Plan and improve access to the facilities, it would not meet many of the other objectives, which include increasing the amount of athletic play on the Beach Chalet Athletic Fields and increasing ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco. In particular, this alternative fails to reduce ongoing maintenance and resource needs, rather it increases the maintenance resource needs with an increased field size and play time. The alternative may not be consistent with current ADA requirements because of the inconsistent Grass Turf surface. For the foregoing reasons, the Commission rejects this alternative. In addition, all of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

d. Synthetic Turf without Lights Alternative

Under the Synthetic Turf without Lights Alternative, the SFRPD would construct most of the improvements that are included under the Project except for the installation of field lighting. This alternative also includes modifications to some of the proposed improvements, installation of small-scale, removable seating such as benches or low-profile bleachers and installation of linear circulation paths using decomposed granite with a 'soft' planted edge. As stated above, although technologically feasible to use, decomposed granite and other similar soft ground materials do not provide an accessible surface for walkways because they are not always stable, firm and slip-resistant. Because of this, it may not be

feasible to use such materials and meet the accessibility requirements for the Project. The intent of this alternative would be to reduce impacts to historic resources.

The Synthetic Turf without Lights Alternative would have similar but slightly reduced construction-related impacts in comparison to the proposed project, with the exception of construction activities associated with field lighting installation. Therefore, hazards and hazardous material impacts and hydrology and water quality impacts are anticipated to be the same as those determined under the Project.

Under this alternative, impacts to aesthetics would be less than those of the Project as this alternative would not introduce any new lighting and would not result in any changes to nighttime views, or adversely affect views from outside the boundaries of the project site (though it is noted that impacts related to aesthetics resources are less than significant under the Project).

Impacts to historic resources would also be less in comparison to the Project due to the elimination of field lighting, the installation of small-scale, removable seating (i.e., benches or low-profile bleachers), a pathway system comprised of decomposed granite, and a "soft" planted edge that would allow the site to remain a contributing resource to the Golden Gate Park National Historic District. However, as discussed elsewhere, use of decomposed granite or a similar material and a "soft" planted edge for the pathway system may not be feasible due to accessibility requirements.

In terms of traffic generated by this alternative, it is anticipated that traffic levels would be less than that of the Project since use of the Athletic Fields would be restricted to daytime hours and use levels would be lower than the Project.

Under this alternative, the installation of synthetic turf would still result in vegetation and tree removal. Thus, construction-related impacts on trees and special-status bats would be the same as the Project and mitigation would be available to lessen this impact. However, unlike the Project, less than significant adverse nighttime lighting effects on migratory birds would be eliminated.

The Synthetic Turf without Lights Alternative would achieve most of the Project objectives, but would fail to meet two of the Project objectives. As most of the components under this alternative are the same as the Project, this alternative would meet the objectives related to improved public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks, increased ground-sports opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco, reduction of ongoing maintenance and resource needs, and increasing the amount of athletic play time at the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas.

The Commission rejects the Synthetic Turf without Lights Alternative, because it would fail to meet the objective pertaining to improved safety and increased nighttime use of the west end of Golden Gate Park. The Synthetic Turf without Lights Alternative would only partially achieve the objective to provide a safe, optimal recreation facility and amenities for athletes, spectators, and park users. The absence of field lighting would restrict use of the fields to daytime hours only and therefore the increase in play hours would be less than with the proposed project. Although impacts to historic resources would be reduced, this alternative would not meet current accessibility requirements because it cannot be stated with

certainty that decomposed granite would meet all applicable accessible requirements, and therefore, may not be feasible for use in the project.

For the foregoing reasons, the Commission rejects this alternative. Further, all of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The Commission finds that, notwithstanding the imposition of all feasible mitigation measures, significant impacts related to Historic Resources will remain significant and unavoidable and in accordance with CEQA Guidelines Section 15092(b)(2)(B), such remaining impacts are acceptable to the overriding considerations described below. In accordance with CEQA guidelines Section 15093, CEQA Section 21081(b), and Chapter 31 of the San Francisco Administrative Code, the Commission hereby finds that each of the specific economic, legal, social, technological, and other considerations, and the benefits of the Project separately and independently outweigh the remaining significant, adverse impact. The remaining significant adverse impact identified is acceptable in light of each of these overriding considerations. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the Record of Proceedings, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Commission specially finds that there are significant benefits of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approval, all significant effects on the environment from implementation of the Project have been eliminated or lessened where feasible. All mitigation measures proposed in the Final EIR for the proposed Project and determined to be feasible by these findings are adopted as part of this approval action.

The Project would result in the following benefits:

- Increase the amount of athletic play time on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas.
- Improve public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks.
- Increase ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco.
- Provide a safe, optimal recreation facility and amenities for athletes, spectators, and park users by renovating the existing Beach Chalet Athletic Fields and the existing restroom building, adding bleachers, and installing a new plaza area with visitor amenities.
- Reduce ongoing maintenance and resource needs.
- Comply with current Americans with Disabilities Act (ADA) requirements.
- Improve safety and increase nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area.

- Remain consistent with the *Golden Gate Park Master Plan*.

Having considered the information included above as well as information in these Findings and elsewhere in the administrative record, the Commission finds, determines, and concludes that benefits of the Project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects therefore are acceptable.

DECISION

That based upon the Record, the submissions of the Project Sponsor, the staff of the Department, the SFRPD, 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 **ADOPTS** findings under the California Environmental Quality Act, including rejecting alternatives as infeasible, amending a mitigation measure as infeasible, adopting a Statement of Overriding Considerations, and **ADOPTS** a Mitigation Monitoring and Reporting Program (MMRP) , attached as Exhibit A.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 24, 2012.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 24, 2012

MITIGATION MONITORING AND REPORTING PROGRAM (Including the Text of the Adopted Mitigation Measures)

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
BIOLOGICAL RESOURCES					
<i>Mitigation Measure M-BI-1: Pre-Construction Bat Surveys</i>					
Conditions of approval for building and grading permits issued for demolition and construction within the project site shall include a requirement for pre-construction special-status bat surveys when large trees are to be removed. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer of 100 feet shall be created around active bat roosts being used for maternity or hibernation purposes. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.	SFRPD	Prior to tree removal. The period between surveys and tree removal of potential habitat trees should occur only: (i.) 24 hours after night emergence surveys establish that no bats are present, or; (ii.) during months when bats are active which is approximately between March 1 st , or when heavy rains cease and/or night temperatures are above 45F, and April 15 th , when females begin giving birth to pups and between August 15 th , after pups are self-sufficiently volant, and October 15 th , or when heavy rains begin and night temperatures are below 45F.	Pre-construction special-status bat survey; establishment and implementation of buffers	Sponsor to provide Environmental Review Officer (ERO) with bat survey results prior to tree removal	Considered complete upon receipt of bat survey report and establishment of buffers

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Mitigation Measure M-BI-3: Plant Replacement Trees</p> <p>The San Francisco Recreation and Park Department (SFRPD) shall replace the trees removed within SFRPD-managed lands with trees of equivalent ecological value (i.e., similar species providing the same general microhabitat characteristics for wildlife species) to the trees removed. If trees of equivalent ecological value are not feasible or available, removed trees shall be replaced at a ratio of 1 inch for 1 inch of the diameter at breast height of the removed tree. SFRPD shall monitor tree replacement plantings annually for a minimum of three years after completion of construction to ensure establishment of the plantings and, if necessary, shall replant to ensure the success of the replacement plantings.</p>	SFRPD	During construction activities and for a minimum of three years after replacement trees have been planted	Plant replacement trees and monitor tree replacement plantings annually for a minimum of three years	Sponsor to provide Environmental Review Officer (ERO) with tree replacement plan	Considered complete three years after completion of construction
<p>CULTURAL RESOURCES</p> <p>Mitigation Measure M-CP-1: Circulation Paths</p> <p>The circulation paths shall be redesigned to include a more naturalistic and compatible surface material such as decomposed granite, NaturePave (a decomposed granite product with a resin binding agent), or compacted earth in place of the proposed concrete surface materials if such redesign can be accomplished while still meeting all applicable accessibility requirements. The paths shall also be redesigned to consider a more informal path edge treatment such as a "soft" planted edge if such redesign can be accomplished while still meeting all applicable accessibility requirements. The SFRPD shall determine the feasibility of using these alternate materials and edge treatments in consultation with the Mayor's Office on Disability.</p>	SFRPD	During construction activities if determined feasible by Commission and Mayor's Office of Disabilities (MOD)	Design circulation paths with more naturalistic material if feasible	SFRPD and MOD	Considered complete upon issuance of building permit
<p>HAZARDS AND HAZARDOUS MATERIALS</p> <p>Mitigation Measure M-HZ-2: Hazardous Building Materials</p> <p>The project sponsor shall ensure that, before renovation, the restroom building is surveyed for hazardous building materials, including PCB-containing electrical equipment, fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of before commencement of demolition or renovation. Old light ballasts that will be removed during renovation shall be evaluated for the presence of PCBs, and in the case where the presence of PCBs in the light ballast could not be verified, they will be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations.</p>	SFRPD	Prior to any demolition activities	Properly remove and dispose of hazardous building materials	Project sponsor/contractor shall submit a Monitoring Report, detailing survey results and compliance with the specified measure, to SFDPH for approval after construction. Copies the report shall be sent to the SFRPD and the Planning Department	Considered complete upon agency receipt of SFDPH-approved Monitoring Report

MMRP-2



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)

- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☐ Other

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Planning Commission Draft Motion LOCAL COASTAL ZONE PERMIT

HEARING DATE: MAY 24, 2012

Date: May 17, 2012
Case No.: **2010.0016P**
Project Name: **Beach Chalet Athletic Fields, Golden Gate Park**
Zoning: P (Public) Zoning District
OS (Open Space) Height and Bulk District
Block/Lot: 1700/001
Project Sponsor: San Francisco Recreation and Parks Department
c/o Dan Mauer
30 Van Ness Avenue, 5th floor
San Francisco, CA 94102
Staff Contact: Glenn Cabreros – (415) 558-6169
glenn.cabreros@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A COASTAL ZONE PERMIT APPLICATION PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW RENOVATION OF THE BEACH CHALET ATHLETIC FIELDS FACILITY INCLUDING REPLACING THE EXISTING GRASS TURF FIELDS WITH SYNTHETIC TURF, INSTALLING FIELD LIGHTING, RENOVATING THE EXISTING RESTROOM BUILDING, INSTALLING PLAYER BENCHES AND SEATING, AND COMPLETING OTHER MODIFICATIONS FOR PARKING, CIRCULATION, AND SPECTATOR AMENITIES TO IMPROVE THE OVERALL CONDITIONS OF THE FACILITY AND INCREASE THE AMOUNT OF ATHLETIC PLAY TIME, WITHIN THE P (PUBLIC) ZONING DISTRICT AND THE OPEN SPACE HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 4, 2012, Dan Mauer of the San Francisco Recreation and Park Department (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Coastal Zone Permit under Planning Code Section 330 to allow renovation of the Beach Chalet Athletic Fields facility including replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other

modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time ("Project").

On April 17, 2012, the Department mailed a letter to the California Coastal Commission (CCC) to inform the CCC that an application for a Local Coastal Zone Permit had been filed. The letter disclosed to the CCC that the Project site is not within the area appealable to the CCC.

On May 24, 2012, the Planning Commission (hereinafter "Commission") conducted a public hearing on the Final Environmental Impact Report (EIR) for the Project. The Commission reviewed and considered the EIR and found the contents of said report and the procedures through which the EIR was prepared, publicized and reviewed complied with the California Quality Environmental Quality Act (Public Resources Code section 21000 *et seq.*) ("CEQA"), the CEQA Guidelines (14 Cal. Code Reg. section 15000 *et seq.*), and Chapter 31 of the San Francisco Administrative Code.

On May 24, 2012, the Commission certified the Final EIR by Motion No. _____. Additionally, the Commission adopted approval findings, including findings rejecting alternatives, amending a mitigation measure, and making a statement of overriding considerations, and adopted a mitigation monitoring and reporting program ("MMRP") pursuant to CEQA by Motion No. _____, which findings and MMRP are incorporated by this reference as though fully set forth herein.

On May 24, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Coastal Zone Permit, Case No. 2010.0016P. The Commission heard and considered public testimony presented at the hearing and has further considered written and oral testimony provided by Department staff and other interested parties.

On May 24, 2012, the Commission approved the Coastal Zone Permit requested in the application under Case No. 2010.0016P based to the findings below.

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is located at the west end of Golden Gate Park, Assessor's Block 1700, Lot 001 within the P (Public) Zoning District and the Open Space Height and Bulk District. The area of the project site is bound by Great Highway to the west, John F. Kennedy Drive to the north and east and by Martin Luther King Drive to the south. The site contains existing athletic playing fields of natural turf and various park amenities associated with the fields' use, including parking, restrooms, fencing and pedestrian paths.
3. **Surrounding Properties and Neighborhood.** The neighborhoods closest to the project site are primarily residential in character and include the Outer Richmond neighborhood directly north and across Fulton Street from Golden Gate Park and the Outer Sunset neighborhood directly

south and across Lincoln Way from Golden Gate Park. Directly west of the project site and across Great Highway are the Ocean Beach parking lot and Ocean Beach. The site is located southeast of the Beach Chalet, City Landmark No. 179, which includes a visitors center and restaurant facilities. As the project site is located within Golden Gate Park, the athletic fields are not visible from the adjacent residential neighborhoods due to dense vegetation and tree canopy.

4. **Project Description.** The applicant proposes to renovate the Beach Chalet Athletic Fields facility including replacement of the existing grass turf fields with synthetic turf, installation of field lighting, renovation of the existing restroom building, installation of benches and seating, and other modifications related to parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time.
5. **Coastal Zone.** Pursuant to Planning Code Section 330, review of a Coastal Zone Permit Application is required as the project site is within the Local Coastal Zone Boundary per City Zoning Map Sheet CZ05. The Local Coastal Zone boundary within Golden Gate Park starts at Fulton Street and 40th Avenue, curves eastwardly from the Chain of Lakes Drive and ends at Lincoln Way and 41st Avenue. The boundary for the Coastal Zone area that is appealable to the CCC is an area 300 feet wide as measured from the inland extent of Ocean Beach. The project site is not located within the Coastal Zone area that is appealable to the CCC.
6. **Public Comment.** The Department has received no comments to date regarding the Coastal Zone Permit application.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Coastal Zone Permit Findings.** Planning Code Section 330.5.2 states that the Planning Commission in reviewing a Coastal Zone Permit application shall adopt factual findings that the project is consistent or not consistent with the Local Coastal Program and that a Coastal Zone Permit shall be approved only upon findings of fact establishing that the Project conforms to the requirements and objectives of the San Francisco Local Coastal Program.

The requirements and objectives of the San Francisco Local Coastal Program are established in the Western Shoreline Plan of the General Plan with specific objectives and policies related to Golden Gate Park and the Richmond and Sunset Residential Neighborhoods. See "General Plan Compliance" findings below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan and specifically as identified in the Western Shoreline Area Plan:

WESTERN SHORELINE AREA PLAN – GOLDEN GATE PARK

Objectives and Policies

OBJECTIVE 3:

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND
THE BEACH FRONTAGE

Policy 3.1:

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

Policy 3.2:

Continue to implement a long-term reforestation program at the western portion of the park.

The rehabilitation of the Beach Chalet Athletic Fields does not introduce a new use into Golden Gate Park; rather the project is a renovation of the existing facilities to allow continuation of existing park amenities and uses. As such, the naturalistic landscape qualities around the athletic fields and around the perimeter of the Park would remain intact. The project does propose removal of 16 trees; however each tree removed would be replaced at a ratio of one-to-one or greater. The proposed tree replacement is consistent with emphasizing the natural landscape qualities of the Park and also the need for continued reforestation of the Park's aging tree population.

WESTERN SHORELINE AREA PLAN – RICHMOND & SUNSET RESIDENTIAL NEIGHBORHOODS

Objectives and Policies

OBJECTIVE 11:

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG
THE COASTAL ZONE AREA.

Policy 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

The "Transportation and Circulation" section of the EIR analyzed for the project found that impacts to traffic, public transit and pedestrian circulation would be less than significant. Although field lighting is proposed as part of the project, the hours of operation for the recreation area will be the same as the existing park hours which are 6 AM to 10 PM daily.

9. **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 does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal does not affect neighborhood-serving retail uses as the project is a public recreational facility within Golden Gate Park.

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

The existing neighborhood character surrounding Golden Gate Park would be conserved and protected as the project would continue to be screened from the outlying residential areas by dense vegetation.

- C. That the City's supply of affordable housing be preserved and enhanced,

No housing is removed by this project.

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

The project proposes improvements to the existing 50-space parking lot. The new parking lot would contain 20 additional parking spaces. The amount of parking spaces is not considered excessive for the use, and the EIR for the project found the parking, vehicular and public transit impacts associated with the project to be less than significant.

- E. 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 resident employment and ownership in these sectors be enhanced.

The project will not displace any service or industrial establishment.

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

The project, particularly the building structures will be designed and constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

As identified in the project EIR, the project would cause a substantial adverse change in the significance of Golden Gate Park, an historical resource. While the project would have a significant unavoidable impact from the perspective of historic preservation, the project is a rehabilitation of an existing park amenity.

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

The project will have no negative impact on existing parks and open spaces and their access to sunlight and vistas. Per Section 295 of the Planning Code, pertaining to shadow studies, no building structures are proposed over 40 feet in height and therefore a shadow study is not required for the project.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Coastal Zone Permit would promote the health, safety and welfare of the City.

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 **ADOPTS** the CEQA approval findings set forth in Planning Commission Motion No. _____, including the statement of overriding considerations, **ADOPTS** the Mitigation Monitoring and Reporting Program, attached to Motion No. _____ as Exhibit A, and **APPROVES Coastal Zone Permit Application No. 2010.0016P** in general conformance with plans on file, dated April 4, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL: Pursuant to Planning Code Sections 308.2 and 330.9, any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within ten (10) days after the date of this motion. For further information, please contact the Board of Appeals in person at 1650 Mission Street, 3rd Floor (Room 304) or call 575-6880.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 24, 2012.

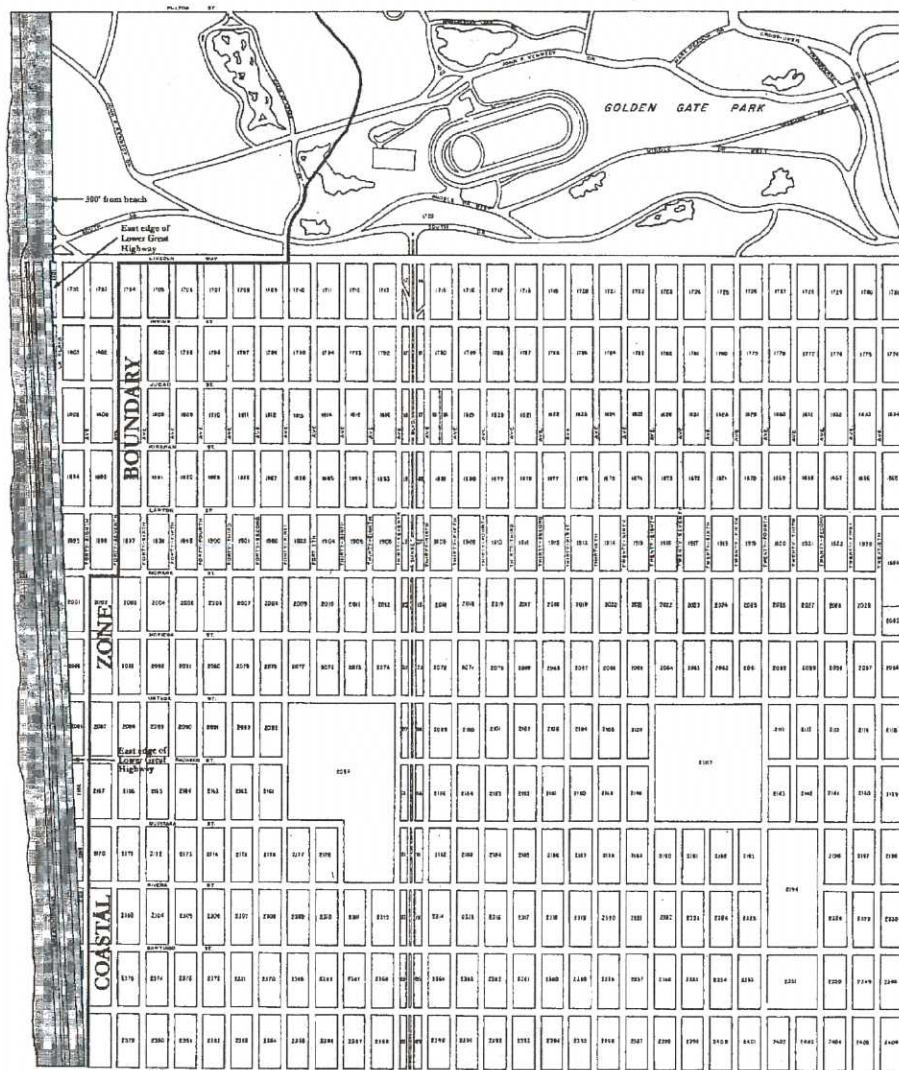
Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 24, 2012

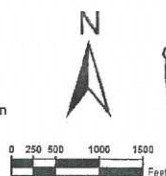


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COASTAL ZONE AREA

- Local Coastal Zone Permit Area
- Area Appealable to the California Coastal Commission*
- Jurisdiction Retained by the California Coastal Commission

* If a parcel is bisected by the appeal area boundary, only that portion within the appeal area is subject to the California Coastal Commission.

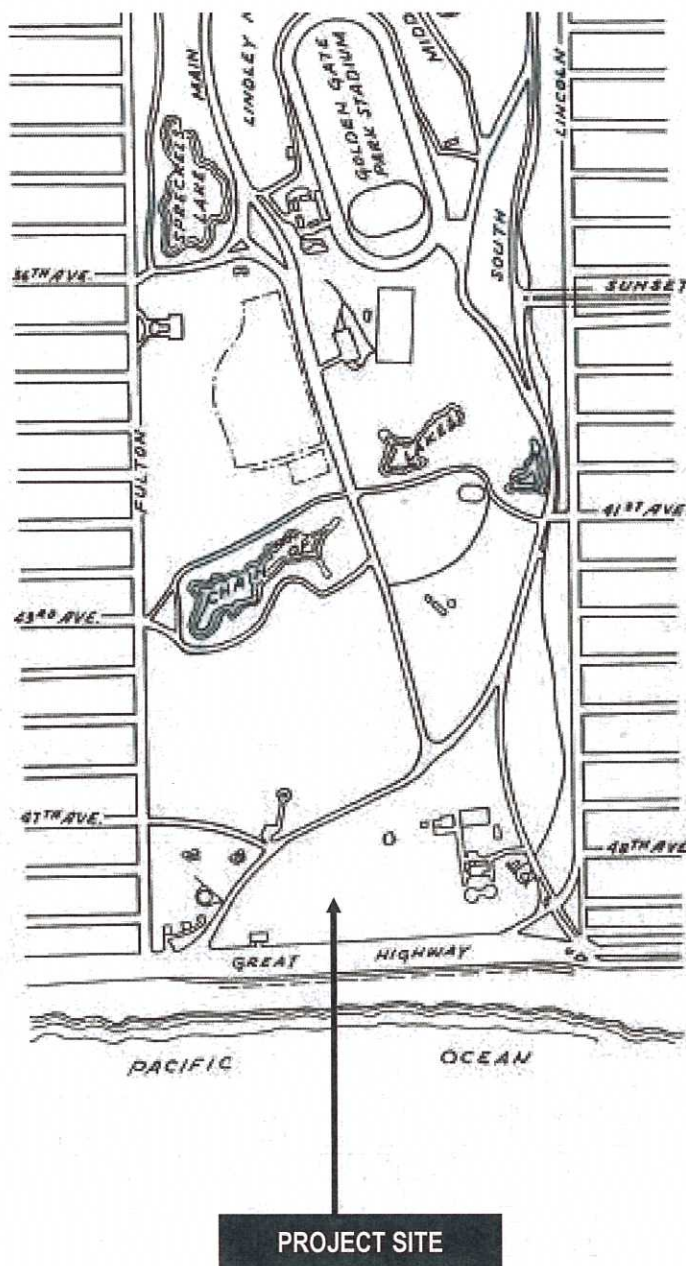


THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO IS ESTABLISHED BY SECTIONS 105 AND 106 OF THE PLANNING CODE. A PART OF THE SAN FRANCISCO MUNICIPAL CODE. COASTAL ZONE AREAS ARE ESTABLISHED IN SECTION 330 AND FOLLOWING OF THE PLANNING CODE. MAP INCORPORATES BOARD OF SUPERVISORS ORDINANCES ENACTED THROUGH MAY 2006.

CZ05
SHEET

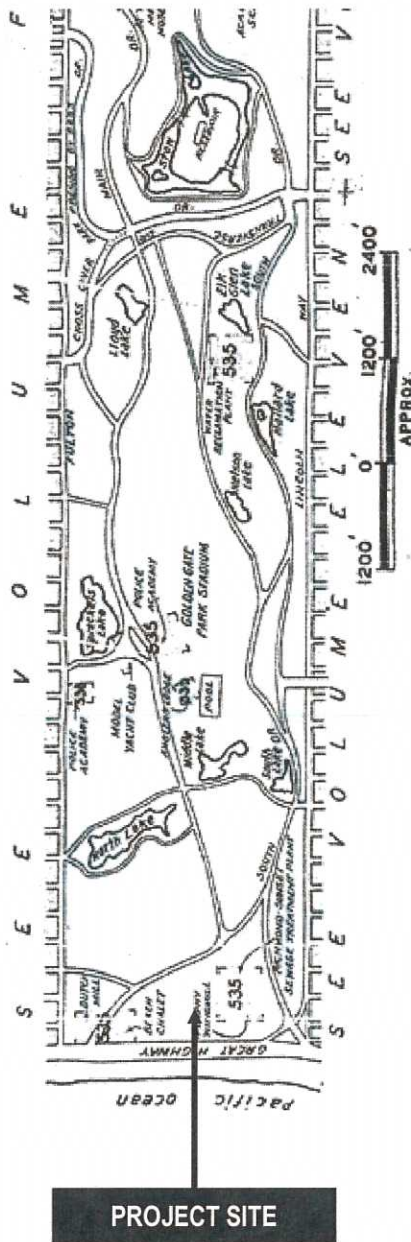
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Parcel Map



Beach Chalet Athletic Fields
 Golden Gate Park
 Case Number 2010.0016P
 Hearing Date: May 24, 2012

Sanborn Map*



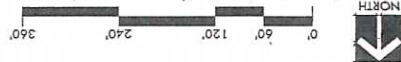
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



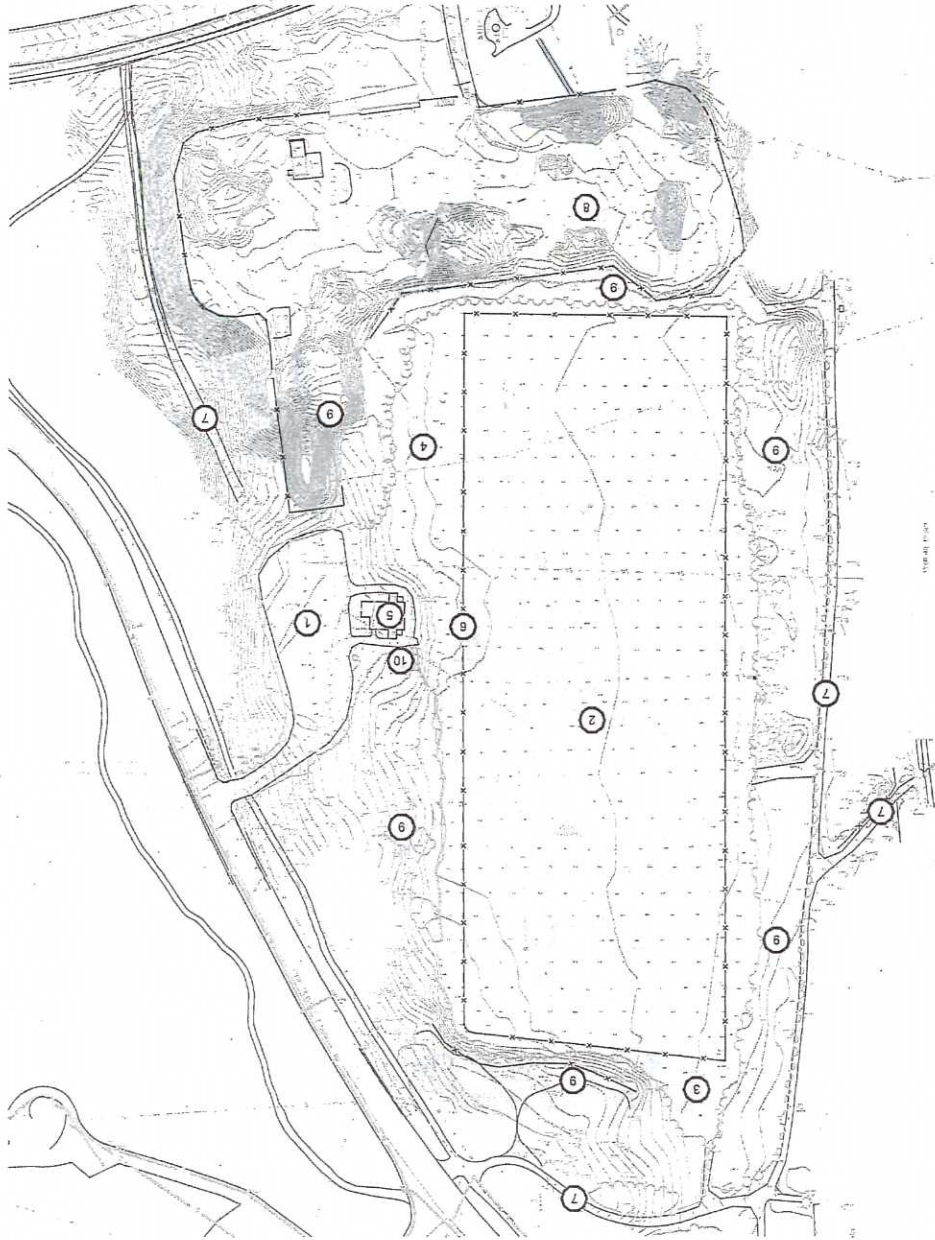
Existing Conditions Site Plan Beach Chalet



CITY OF SAN JOSE
 FOUNDATION



- Legend**
- ① PARKING LOT (25,320 SF)
 - ② SOCCER FIELD AREA (4 FIELDS, 294,700 SF)
 - ③ WARM UP AREA (NORTH OF FIELDS, 8,500 SF)
 - ④ WARM UP AREA (EAST OF FIELDS, 29,840 SF)
 - ⑤ RESTROOM BUILDING
 - ⑥ 8' CHAIN LINK FENCE
 - ⑦ PEDESTRIAN PATHWAY
 - ⑧ REFUSE AREA
 - ⑨ LANDSCAPE AREAS
 - ⑩ MAINTENANCE CARGO CONTAINER

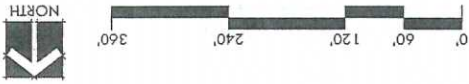




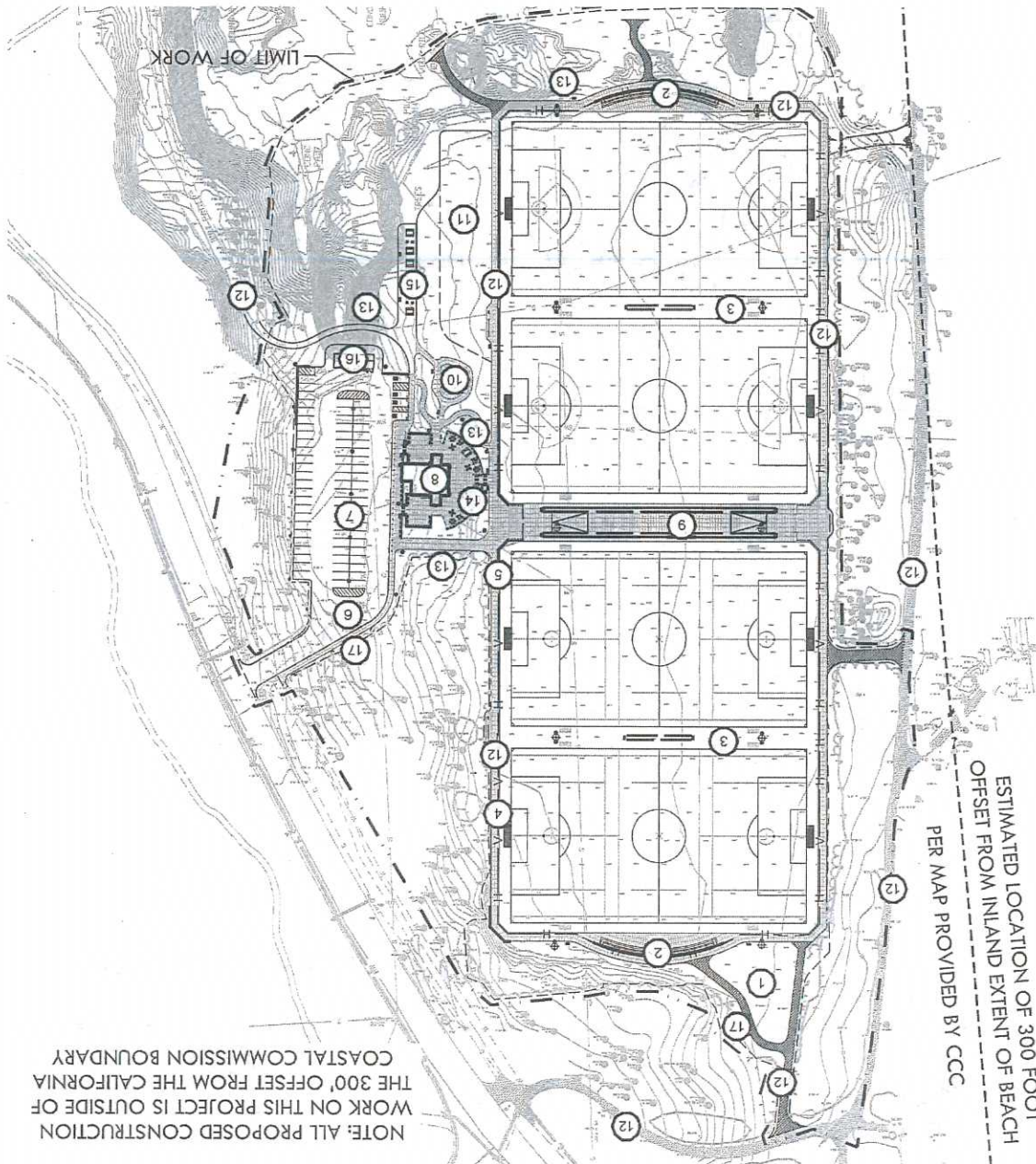
Proposed Project Site Plan Beach Chalet



CITY OF SAN FRANCISCO
 DEPARTMENT OF PUBLIC WORKS
 OFFICE OF THE CITY ENGINEER

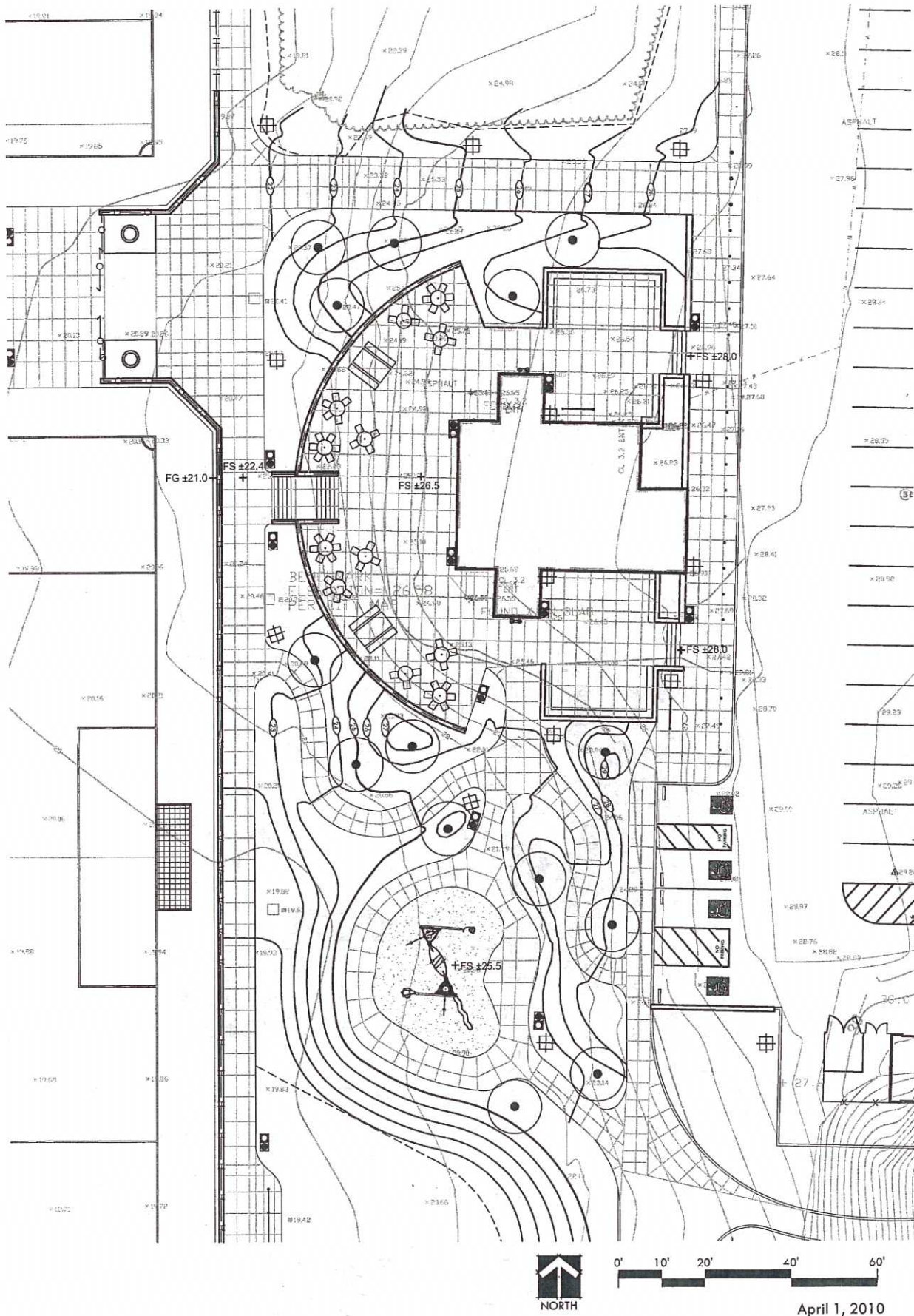


- Legend**
- 1 WARM UP AREA (NORTH OF FIELDS, 4000 SF)
 - 2 SPECTATOR SEATING (250 SEATS)
 - 3 SYNTHETIC TURF (4 FIELDS, 314,000 SF)
 - 4 16" BLACK VINYL FENCE (BEHIND GOALS)
 - 5 42" BLACK VINYL FENCE (ALL OTHER AREAS)
 - 6 PARKING LOT (21,610 SF)
 - 7 PARKING STALLS (12,450 SF PERMEABLE PAVEMENT WITH LIGHTING, 18' HEIGHT)
 - 8 RESTROOM BUILDING
 - 9 SPECTATOR SEATING (606 SEATS, 8 ACCESSIBLE)
 - 10 PLAY STRUCTURES
 - 11 WARM UP AREA (EAST OF FIELDS, 13,850 SF)
 - 12 PEDESTRIAN PATHWAYS
 - 13 LANDSCAPE AREAS
 - 14 SEATING PLAZA
 - 15 PICNIC TABLES/BBQ
 - 16 MAINTENANCE SHED WITH GARBAGE AREA
 - 17 PEDESTRIAN PATHWAY LIGHTING (15' HEIGHT)



NOTE: ALL PROPOSED CONSTRUCTION WORK ON THIS PROJECT IS OUTSIDE OF THE 300' OFFSET FROM THE CALIFORNIA COASTAL COMMISSION BOUNDARY

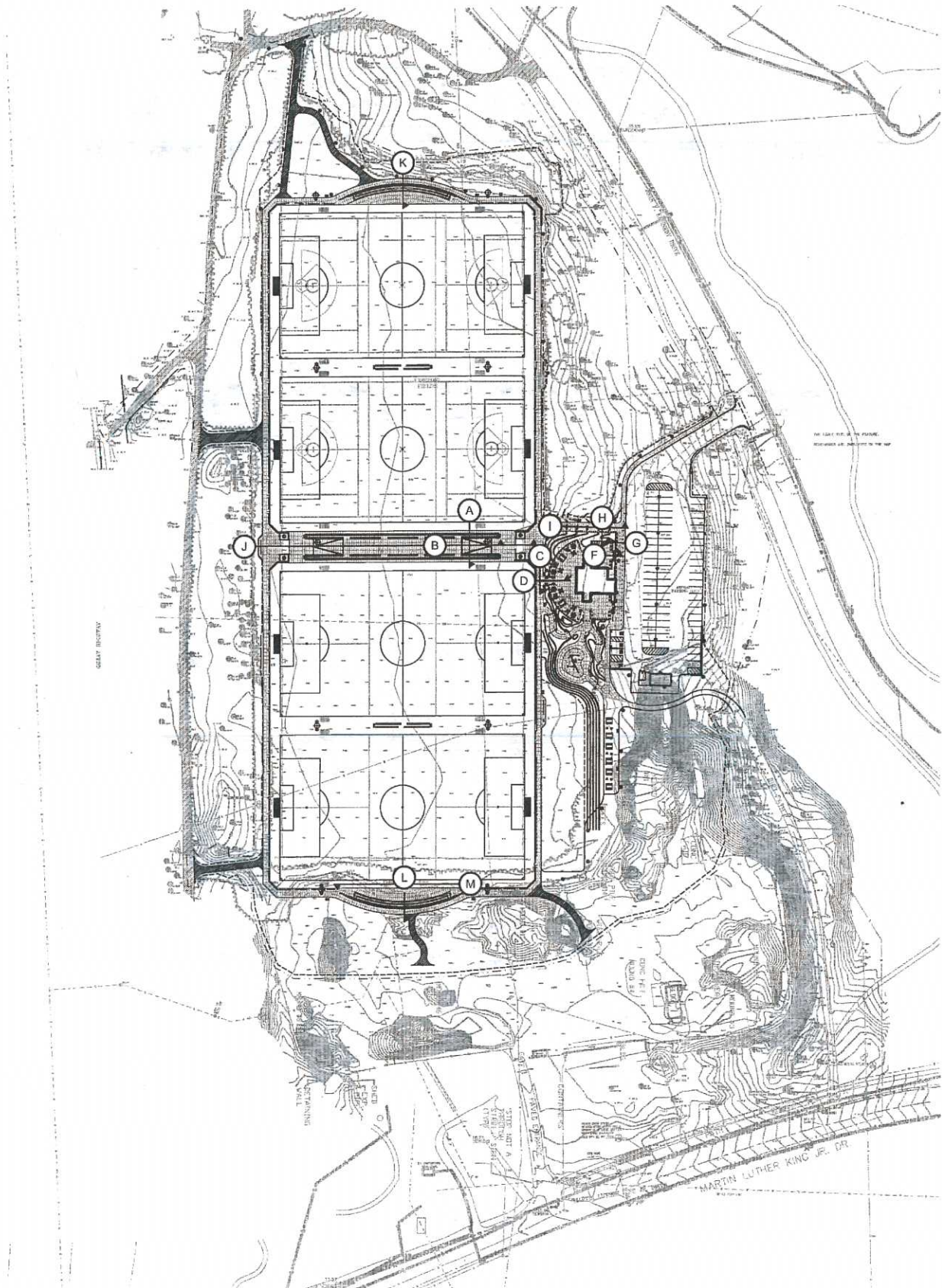
ESTIMATED LOCATION OF 300 FOOT OFFSET FROM INLAND EXTENT OF BEACH PER MAP PROVIDED BY CCC



Revised Plaza Site Plan Beach Chalet



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
2455 The Alameda, Ste. 200
Santa Clara, CA 95050
tel: 408.985.7200
fax: 408.985.7260
www.verdedesigninc.com



Project Site Plan - For Sections Beach Chalet



LANDSCAPE ARCHITECTURE
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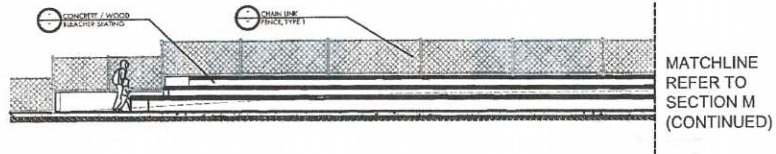
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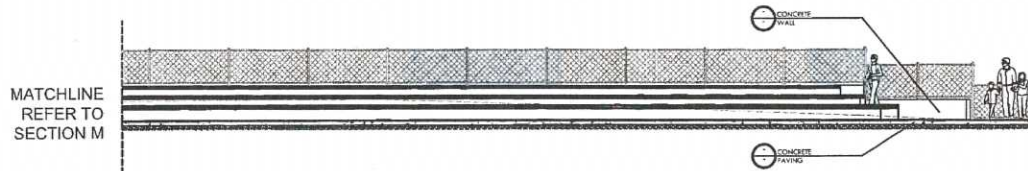
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SECTION M

NOT TO SCALE



SECTION M (CONTINUED)

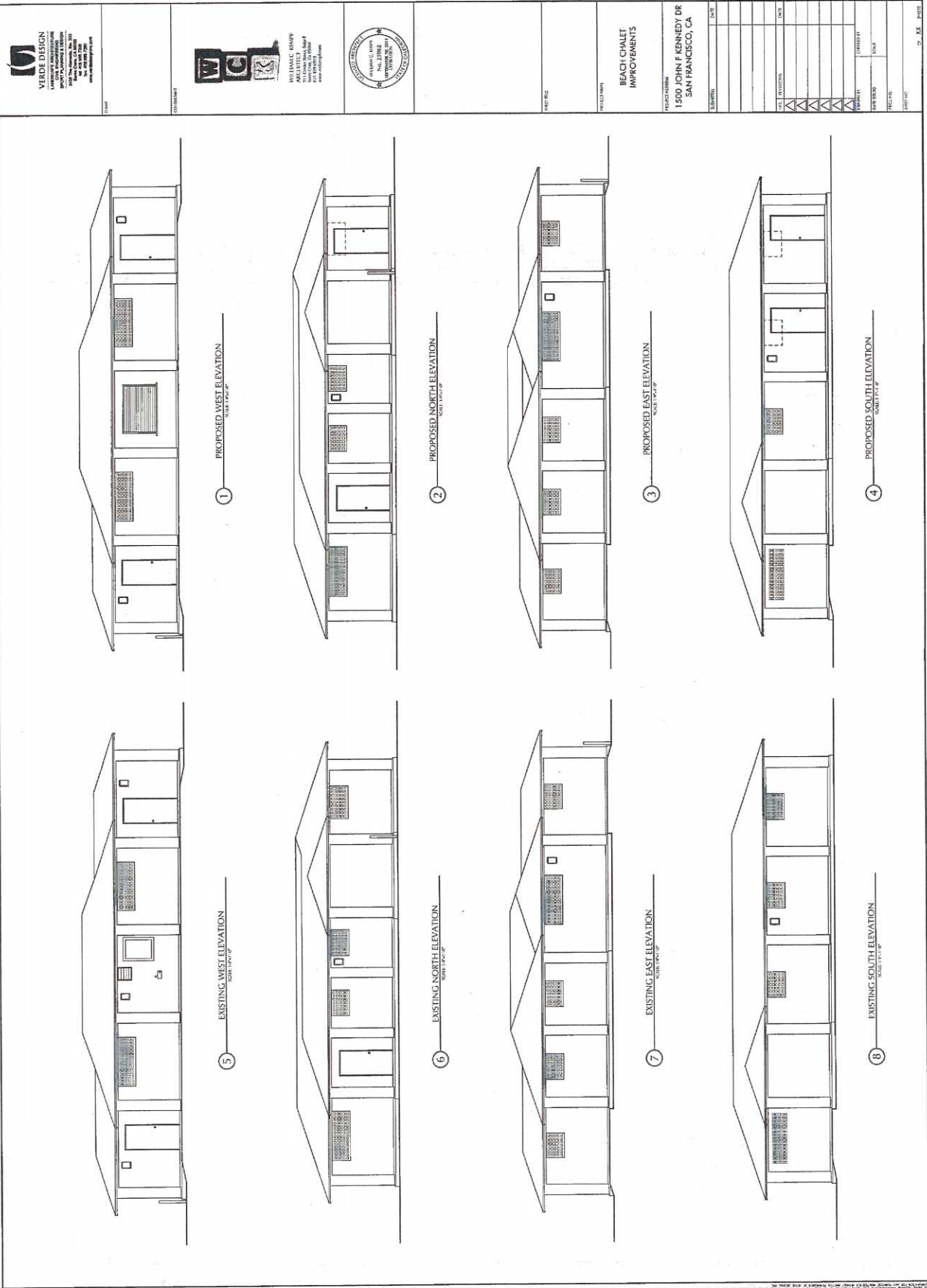
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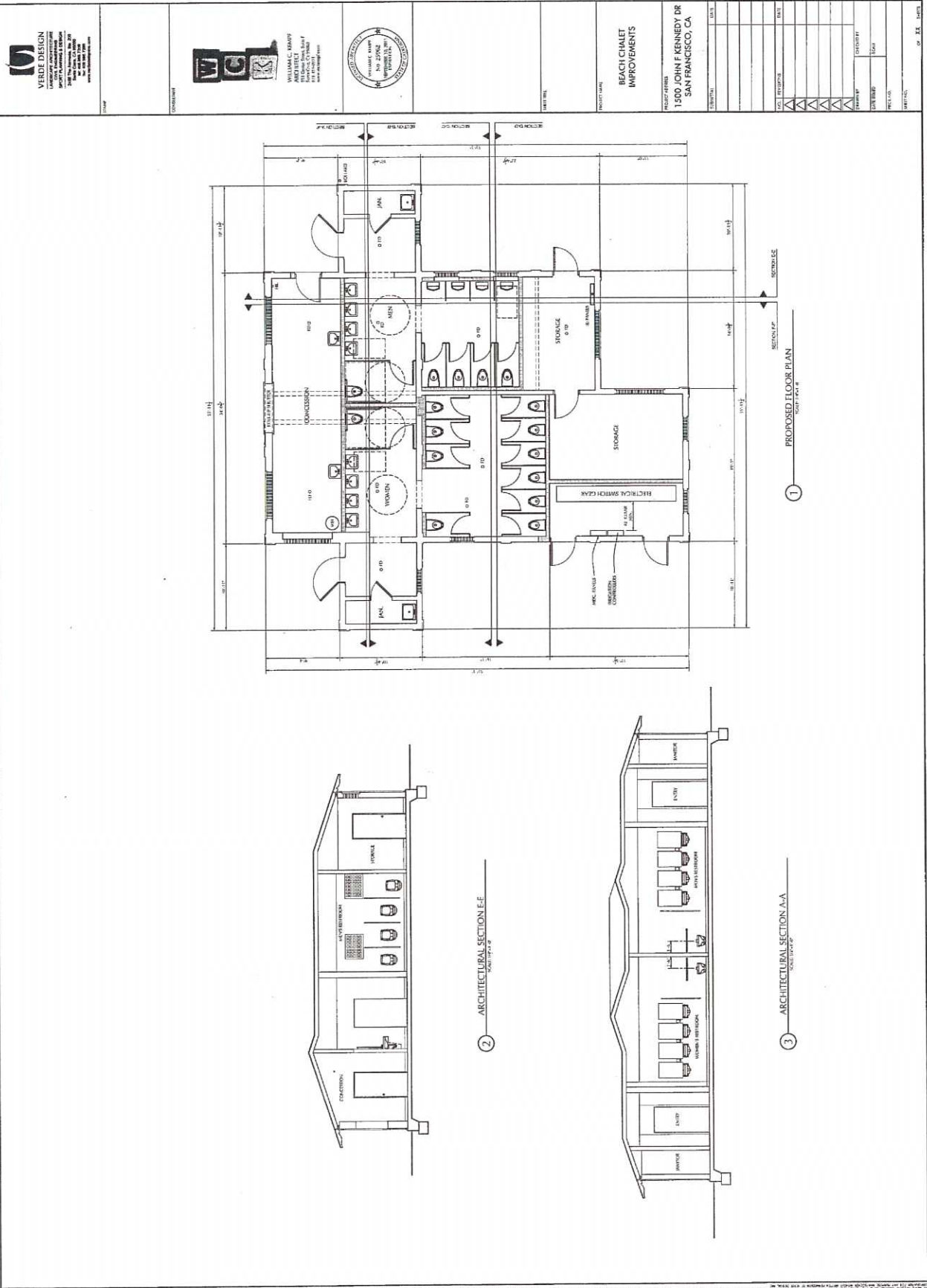


Section M Beach Chalet

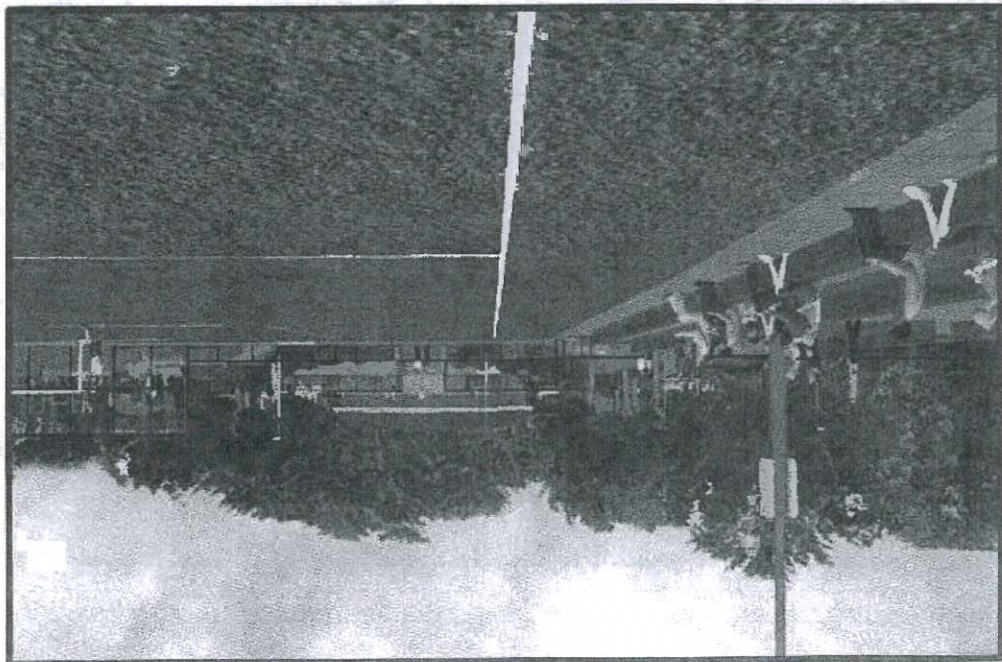
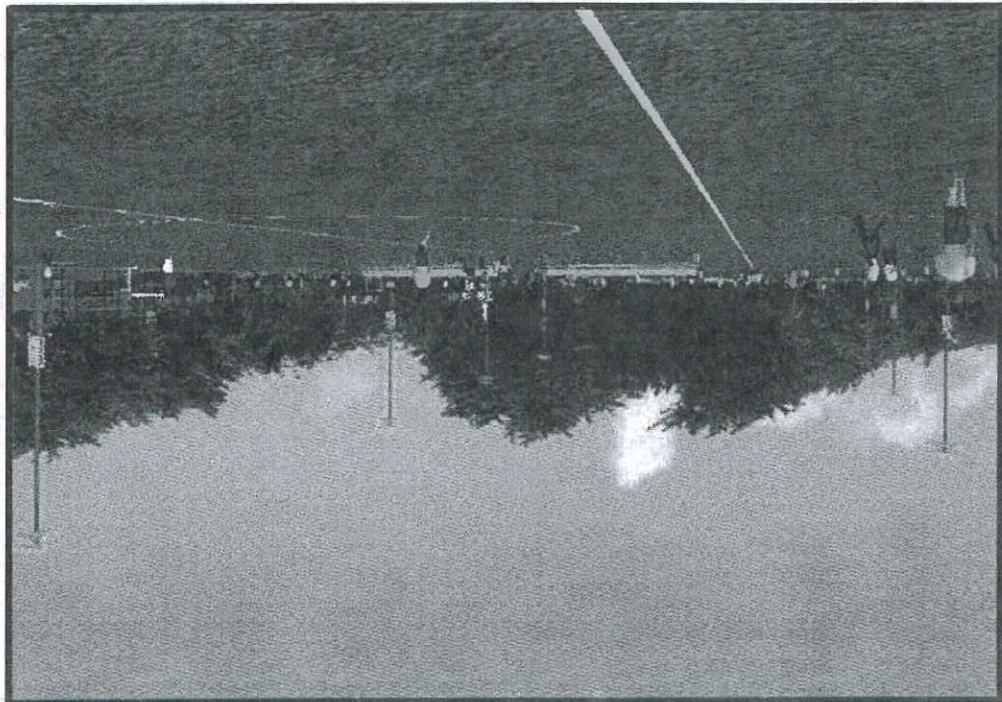


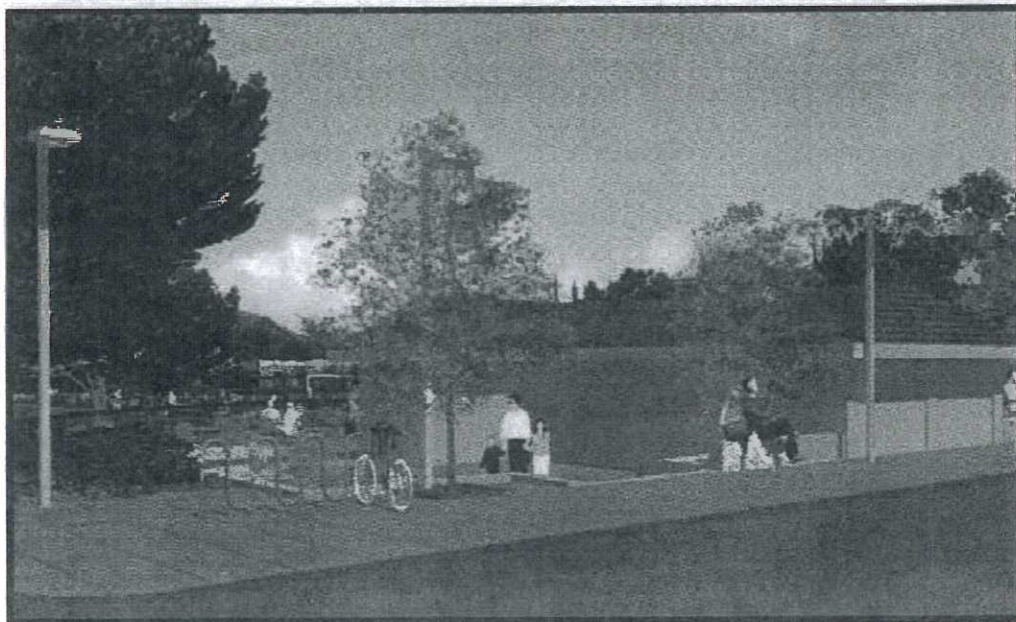
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**To View the Following Exhibits go to www.coastal.ca.gov
(Click on “Public Meetings”)**

Exhibit 5: Appeals of City and County of San Francisco’s CDP Decision

Exhibit 6: Applicant’s Response to Appeals

Exhibit 7: Correspondence Received

These exhibits are available for review in the Commission’s North Central Coast District Office.

Exhibits 5, 6, and 7

A-2-SNF-12-020