

WRITTEN SUMMARY -- 8/6 & 10/1 LTC MEETINGS for 46A COOK ST. "PINE" TREE

Prepared for Oct. 27, 2015 UFC Meeting

Rose Hillson

One Norfolk Island Pine (*Araucaria heterophylla*) was nominated by Mr. Richard Worn at 60 Cook St. A Landmark Tree Nomination Form for a tree at 46A Cook was submitted to the Planning Commission for intent to nominate and a resolution was passed. In addition, the Director of the Department of Public Works issued an Emergency Protection Order temporarily protecting the tree. Refer to LTC members' and staff's evaluation reports as they pertain to the requisite criteria -- RARITY, PHYSICAL, HISTORICAL, ENVIRONMENTAL, and/or CULTURAL – to determine tree as landmark by ordinance.

Refer to:

** ADOPTED 8/6/15 LTC minutes (separate document)

** "46A Cook St. LTC Summary Spreadsheets" (separate document)

Summary of AUG. 6, 2015 LTC Meeting

Written documents used at meeting:

- * Planning Department's July 2, 2015 Case Report on property information and tree w/ Resolution
- * All LTC member & staff reports
- * Property owner's arborist's report (James McNair)
- * Landmark Tree Nomination Form (by Richard Worn, 60 Cook St.)
- * Nominator's arborist's reports (Remy Hummer & Roy C. Leggitt, III)
- * Property owners' 2 arborists stated unequivocally tree is Norfolk Island Pine (*Araucaria heterophylla*).
- * Nominator's 2 arborists stated tree is Cook Pine (*Araucaria columnaris*).

LTC & Staff agreed on:

- * Good condition
- * Distinguished form
- * No erosion control
- * Not part of interdependent group of trees
- * Neighborhood appreciation
- * Prominent landscape feature

LTC & Staff responses that were more for 'yes' or 'no' vs. mixed:

- * Size: large (4); large for SF (2)
- * Historical association: Yes (4), Partially (1), None apparent (1)
- * Visible/accessible from public right-of-way: Yes (5), No (1)

Staff Member Hui referred to Planning Commission's packet of information. She stated the tree as a Cook pine, not common but not uncommon in SF. She also opined tree is large, of advanced age, of distinguished form, in good condition, some historical association with Mr. George Smith, director of Odd Fellows, house the tree is adjacent to is historic resource "Type A," provides environmental benefits, prominent as landscape feature, tallest tree around, visible from public right of way, may provide habitat source, no erosion control, possible wind/sound barrier, cultural appreciation with petitions from neighbors, contributes to neighborhood character, unknown for being in publication.

Ms. Bonaparte, attorney for 46 Cook property owner, opined on neighbors' petitions by neighbors, historic nature of property, whether tree planted by original owner, arborist McNair states the tree does not fit the criteria for landmark status and tree if definitively a Norfolk Island Pine. She read from the Here Today excerpt of 46 Cook description.

WRITTEN SUMMARY -- 8/6 & 10/1 LTC MEETINGS for 46A COOK ST. "PINE" TREE

Prepared for Oct. 27, 2015 UFC Meeting

Page 2 of 5

Mr. Leggitt, arborist for nominator, identified tree as Cook Pine based on physical characteristics.

Ms. Levitt, neighbor, spoke on George Smith as original owner and builder of structure around 1870 and found information on him as Director of Odd Fellows Cemetery and gave history on that, provided info on property history, referenced Here Today notes stating trees and shrubs planted by George Smith from the cemeteries.

Ms. Bacon stated the tree has deep connection by neighborhood people.

Mr. Birmingham grew up on Cook across the street and stated his connection with the tree.

Mr. Rex Worn lives 2 houses from the tree and since he was 5 he could tell where his house was from the tree from Lone Mountain and how he learned in school that trees help people breathe.

Ms. Rituolo stated the tree is a physical landmark, read letter from neighbor on Euclid, other comments from petitioners.

Mr. Richard Worn showed photos of trees before and after April (2015), carbon sequestration, peregrine falcons, wild parrots of SF, other wildlife, showed more pictures stating to say it is not prominent is interesting.

Mr. Levitt commented on the petitions and that the tree is already a landmark in the community.

Mr. Costello, arborist for property owner, reviewed the nomination report, Mr. McNair's report, stated he is confident it is "*heterophylla*" (Norfolk Island Pine), that the process is for identifying and protecting remarkable, unique, one-of-a-kind trees and this tree does not qualify and is not aware of any historical significance.

Ms. Wuerfel stated tree is already a landmark for neighborhood, the birds, anybody driving around the area, regardless of dispute of species, is a magnificent tree and brought up the Norfolk Island Pine on Sutter Street recommended for landmarking in 2009 and Mr. Hillan's and Ms. Hui's remarks on why it should be landmarked as well as Ms. Vargas' remarks about size and environmental benefits and read the resolution the Council adopted and how it equally applied to the Cook St. tree.

Ms. Myla stated the tree was magnificent and the people care for it and has an undeniable history.

Mr. Krobogh, stated the property is unique and has survived to today, and the tree is remarkable and big.

Ms. Brodick stated trees are scattered about for bird migration, loss of large old trees for biodiversity per SFSU Professor Ravinder.

Mr. Wright states the space is unique and the tree is important for that space and asked Committee to watch the video of the neighbors commenting on the tree.

Member Swae evaluated it as Norfolk Island Pine, consulted with Planning's HPC staff and house is not landmarked and he looked at notes from Here Today and was not able to determine trees were from Smith family. He disagreed with Mr. Costello and stated the tree is not that common in the area though not a rare species. He stated that the lack of proven historical and species rarity do not make for a landmarkable tree.

Member Short evaluated it as Norfolk Island Pine, and not convinced it is a Cook Pine though that would be less common. She stated trees of this size are rare in general in SF but not especially large for the species, finds neighbors' statement tree is over 120 years old plausible and that would be mature, good form and condition, uncertain about historical, tree is prominent landscape feature, interested if tree came from cemetery for historical significance, no traffic-calming effect, likely to provide habitat to many species, no erosion control, not wind/sound barrier, influenced by neighborhood appreciation from petitions; stated landmarking process is to recognize exceptional individual trees.

Member Kida evaluated the tree as a Cook Pine and stated he would not be shocked if it was a Norfolk Island Pine, that he thought on the street named Cook somebody thought about Captain Cook but not that that would sway him, stated if it were a Cook Pine, it would shift more in terms of rarity but not significantly, large tree, good looking, good condition, not sure historical association, best vantage point is from Euclid, no wind or sound barrier, commented on petition from neighbors on Cook St. and surrounding people.

WRITTEN SUMMARY -- 8/6 & 10/1 LTC MEETINGS for 46A COOK ST. "PINE" TREE

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Page 3 of 5

Member Hillan stated tree was not rare, common as many Norfolk Islands in SF, it was a fine tree, continue meeting to determine if Cook Pine, connection with name of street, and rarity of Cook Pine in SF, sees no documentation house being certified historic so tree being remarkable tied to historic structure and overall history of planting, recognized planting of palms surrounding the house in that relationship and if this tree is only remaining evidence of that, feels it more landmarkable.

Member Hillson evaluated as Norfolk Island Pine, rarity status on International Union for the Conservation of Nature's Red List, whether Cook or Norfolk there is some rarity, referred to 120 years count for age, large, majestic, not all trees unique landmarked, referred to George Smith and his history as painter and Director of Odd Fellows Cemetery, member of Independent Order of Odd Fellows (IOOF), history of area of "Big Four" cemeteries, the original 46 Cook 75-foot-wide lot, 1885 photo from Bancroft Library, history of dwellings west of Divisadero back in those days.

Staff Member Hui stated the Council has had trees with indeterminate species and is not an issue in terms of process.

After LTC discussion, with not enough information, meeting continued to Oct. 1 for further historical & species clarification.

Summary of OCT. 1, 2015 LTC Meeting

Written documents used at meeting (includes Aug. 6, 2015 LTC meeting documents):

- * Nominator's summary document of attributes for Cook vs. Norfolk Island Pine
- * Nominator's Evidential Timeline document
- * Property owner's arborist's addendum (dated 9/30/15)

Refer to:

- ** DRAFT 10/1/15 LTC minutes (separate document)
- ** "46A Cook St. LTC Summary Spreadsheets" (separate document)

No representative from the Sponsor of the Nomination, the Planning Commission, was present to comment, and with no time ceded to nominator from Sponsor of the Nomination, Coordinator Hui presented. She stated that although the species was still unclear, the tree was nice-looking, has some potential historic, environmental and cultural value.

Property owner representative commented on historical viewpoint of tree in relation to any figures on the property. Other property owner representatives brought up issues on tree comparing historical 1885 photo and 1946/51 photos, Here Today book description and the tree in photos is a hybrid per Dr. Ritter.

Nominator spoke about tree shown in 1946/51 photo and today's tree and a letter from herbal medicine instructor regarding species and Hortus Third book.

Nominator supporters referenced SF Heritage letter and for committee to look at criteria for landmarking and to the historical timeline for evidence.

Nominator supporters state their arborists say tree is a Cook Pine and referenced the "Flora" (Tropical Garden Flora) document and environmental benefit of large tree and contribution to biodiversity.

Member Short stated she consulted with Dr. Ritter and is convinced he knows better though he indicated to her that while it is not uncommon, he was not aware of a huge quantity of them in San Francisco.

Chair Hillson stated LTC decided in prior meeting tree was in good condition, had distinguished form, does not provide erosion control, not part of interdependent group of trees but had neighborhood appreciation; not all LM

WRITTEN SUMMARY -- 8/6 & 10/1 LTC MEETINGS for 46A COOK ST. "PINE" TREE

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Page 4 of 5

trees hit every criteria and have been landmarked; and she questioned the 1885 photo and relation to age of "sister tree" to this pine for historical.

Member Swae consulted with Planning's Historical Preservation staff who told him about rules about a tree being considered landmarkable even with the building in Here Today being determined to be historically significant.

→ Vote 2-1 to move to UFC with NO RECOMMENDATION.

CRITERIA TO DETERMINE LANDMARKING: Per Nomination Form & CODE Sec 810 below

* RARITY:

- Uncommon, Common, Other; in SF or other geographic area

* PHYSICAL ATTRIBUTES:

- Size: Large, Medium, Small; Notable size compared to other trees of the same species in SF
- Age: Significantly advanced for the species
- Distinguished Form: good form, majestic, or otherwise unique structure
- Tree Condition: Good, Poor, Hazard

* HISTORICAL:

- Historical Association: related to historic or cultural building, site, street person, event, etc.
- Profiled in publication or Other Media: print, internet, video media, etc.

* ENVIRONMENTAL:

- Prominent landscape feature: striking and outstanding natural feature
- Low Tree Density: in neighborhood w/ very few trees
- Interdependent Group of Trees: tree is integral member of group and removal may have adverse impact on adjacent trees
- Visible or Accessible from Public-right-of-way: high visibility and/or accessibility from public property
- High Traffic Area: in area w/ high volume of vehicle, pedestrian or bike traffic and has a potential traffic calming effect
- Important wildlife habitat: relationship w/ particular local wildlife species or provides food, shelter or nesting to specific known wildlife individuals
- Erosion Control: prevents soil erosion
- Wind or Sound Barrier: reduces wind speed or mitigates undesirable noise

* CULTURAL:

- Neighborhood Appreciation: letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.
- Cultural Appreciation: particular value to certain cultural or ethnic groups in the city
- Planting Contributes to Neighborhood Character: contributes significantly to, or represents, neighborhood aesthetic
- Profiled in a publication or Other Media: tree has received coverage in print, internet, video media, etc.
- Prominent landscape feature: a striking & outstanding natural feature

SEC. 810. LANDMARK TREES.

(a) **Designation Criteria.** The Board of Supervisors in Resolution No. 440-06, Clerk of the Board of Supervisors File No. 060487, adopted uniform criteria for the designation of landmark trees, which included consideration of the age, size, shape, species, location, historical association, visual quality, and other contribution to the City's character, as set forth Section [810\(f\)\(4\)\(A\)-\(E\)](#) below.

(f)

(4) **Required Findings.** As part of any determination that authorizes removal of any landmark tree, the City entity making such determination shall, in addition to the adopted removal criteria, consider and make written findings on each of the following factors related to the tree:

(A) Size, age, and species;

(B) Visual characteristics, including the tree's form and whether it is a prominent landscape feature;

(C) Cultural or historic characteristics, including whether the tree has significant ethnic appreciation or historical association or whether the tree was part of a historic planting program that defines neighborhood character;

(D) Ecological characteristics, including whether the tree provides important wildlife habitat, is part of a group of interdependent trees, provides erosion control, or acts as a wind or sound barrier;

(E) Locational characteristics, including whether the tree is in a high traffic area or low tree density area, provides shade or other benefits to multiple properties, and is visually accessible from the public right-of-way; and

(F) One or more criteria that qualify the tree as a hazard tree pursuant to Section [802\(o\)](#).

"46A Cook St. LTC Summary Spreadsheets" (see separate 2-page doc)