

May 23, 2014

Planning Commissioners
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403
Via: email to PlanningCommission@cityofsanmateo.org

Cc: Ron Munekawa
Tricia Schimpp

Re: Upcoming Planning Commission Study Session regarding PA14-019

Dear Planning Commission Members:

With pre-application PA14-019, the applicant, SPI Property Management Corporation (“SPI”), proposes to amend the Bridgepointe Master Plan to revise the description of uses on Lot 5 (i.e., the parcel within Bridgepointe Shopping Center that contains the current¹ ice rink use) to read “retail uses”. This is almost identical to the request that Sand Hill Properties made in 1997. After careful analysis and thorough deliberation the Planning Commission by a 5-0 vote recommended denial of the modification to permit retail uses on the site.² The city made plain its intent to vigorously defend and enforce the spirit of the Master Plan. With the city standing firm, Sand Hill managed to resolve open issues, obtained some flexibility from the city and withdrew their application.

We ask the Planning Commission (PC), and ultimately the City Council (CC) in due course, to once again stand firm and deny any changes to the Master Plan, insist that the rink be immediately reopened and stop depriving the community of this valuable resource in the same way the Planning Commission and City Council did in 1997 and 1998.

We believe this is the right conclusion not only because it’s what thousands of San Matean’s want³ but also because it’s the right thing to do for property owners and the City of San Mateo. In this note we explain this conclusion based on legal and regulatory history; economic considerations; and, because of the likely financial outcomes.

We also ask that the Planning Commission articulate for the community the principles and vision under which an application will be evaluated and ask that the city obtain the following information, in a manner that assures the community of a process that is independent from the developer’s interests and fully transparent.

- 1) Updated analysis of San Mateo’s recreational resources and the ice rinks place in that portfolio⁴
- 2) Economic impact study
- 3) Detailed financial analysis of the potential loss to the city.
- 4) A broader legal evaluation of the closure that goes beyond the conditions of approval.

¹ In the pre-application notice the city incorrectly identifies this as the sites “former” use. Unless and until action is taken by decision making bodies, it is still the current use and presently the only use authorized.

² PA97-072, Bridgepointe Ice Rink Modification, Administrative Report – February 25, 1998.

³ See petitions and change.org responses

⁴ Memorandum from Sheila Canzian, Director of Parks and Recreation, Re: Bridgepointe Ice Rink Mitigation, December 3, 1997

Background

To be clear, the ice rink was a central consideration in the original development of the Bridgepointe site and absolutely not an incidental consideration. It appeared repeatedly on plans proposed by Sand Hill Properties, the original developer. It was an Overriding Consideration⁵ that helped overcome the unmitigated environmental impacts of pile driver noise, traffic and regional air pollution from the project.

Then Planning Commissioner Steve Brothers⁶ wrote, "I am convinced that the ice rink was a pivotal feature of the Bridgepointe site plan. The entire site was in fact planned around this feature. The roads, utilities, land uses, all key elements of the plan hinged on and the ice rink is an integral part of the approved plan. Given this ice rinks importance as the fundamental basis of the project, I believe this decision warrants thoughtful and thorough consideration. Anything less would be dereliction of the Planning Commissions duties."

The December 2, 1997 memorandum from the Assistant City Attorney concluded that "a review of the EIR [Environmental Impact Report], the Administrative reports, the plans and other documents inescapably shows that an upgraded ice rink was anticipated..." In considering a potential development agreement the staff cited the retention of the rink as a public benefit and a major benefit of the project⁷. When in 1998 the original developer, Sand Hill Properties, asked the Planning Commission and City Council to change the ice rink designation to retail, as this developer is asking, they cited many objections at the time: they couldn't find a rink operator; the rink foundation repair was going to take more money than expected; the ice rink was not economically viable; that more capital would be required to bring the site up to needs to serve as an ice rink recreational amenity. Sheila Canzian, then Director of Parks and Recreation stated that San Mateo was already underserved by recreation.⁸ Councilman Yates reflecting the position of the city said, "I'm going to do everything I can to make sure that rink stays. I think it's a resource the city will not be able to replace. If we lose it now we'll never be able to get another ice rink."⁹ Then as now, the city received an outpouring of support for the rink.

The PC studied the question at multiple meetings and told the developer "NO". The objections were overcome and the community has enjoyed the rink for the past 16 years.

Decision making principles and the role of the Planning Commission

Going forward we ask the current Planning Commission explain to the community what vision, guidelines, plans, policies and principles will guide their recommendation with respect to an application.

Of interest will be how a recommendation ultimately comports with your vision for San Mateo and how your recommendation fits within San Mateo General Plan Goal 1e and Goal 5 as well as C/OS 12.1 and C/OS 14.6 (see appendix) as well as quality of life considerations for the residents of San Mateo. While serving the citizens of San Mateo, the ice rink has also helped to define San Mateo as a cultural and recreational center for the county and the region. Our petitions have been signed by people from over two dozen local communities as well as thousands of San Mateans.

It would also help to understand, as you go through this process, whose interests you seek to serve. In 1998, it was clear that the PCs actions weren't what the developer wanted and from a tax revenue perspective, perhaps not even what the City wanted. But, it was clear that this was what the community wanted, and it was also clear then that the Planning Commission was looking out for the good of the community.

⁵ Findings for Approval, FEIR.

⁶ Letter from Planning Commissioner Steve Brothers to City Council Members, November 18, 1997

⁷ Administrative report regarding potential Development Agreement

⁸ Memorandum, Sheila Canzian, Director of Parks and Recreation, December 3, 1997

⁹ San Francisco Chronicle, February 16, 1998.

Recreational Analysis

The December 3, 1997 memorandum from Sheila Canzian, noted that in general San Mateo suffered from a shortage of park and open space acreage and recreational facilities. The General Plan sets a goal of an overall acreage standard of 6 acres/1000 population while at the time, the ratio of existing park and recreational facilities to population was 2.64/1000, "significantly below our desired standards." The memo concluded, "we consider the ice rink a substantial recreational amenity in the San Mateo community and its potential loss as creating a major impact to the provision of recreational opportunities for our residents"

"The advantage of an indoor ice rink facility is that it provides greater opportunities for non-prime time uses, i.e. early morning skating lessons and practice or late evening adult hockey leagues than most traditional recreational amenities." It is also not weather dependent, since it is an indoor recreational facility.

An updated recreational study should address the following:

1. How does the ratio of existing park and recreational facilities per 1000 fare today?
2. The ice rink was unique in character. If the ice rink is replaced with improvements to an existing park, it will mean a net reduction in the amount of recreational options in San Mateo. What will the ice rinks loss mean in terms of fewer and less diverse recreational choices?
3. If an additional public facility is created, what will the ongoing operating costs be to the city, compared to providing a recreation benefit through a private, for profit operator?
4. If the money is put into an existing park facility with no new land dedication or designation, how will the net reduction in recreation be evaluated?
5. If the ice rink is retained, has consideration been given to having the owner lease it to Parks and Recreation and letting that department sublease it to an operator. This would bring it under the purview of the city and could be a source of funding for the department.

Benefits of skating

We recognize that decision makers may not be as familiar with the benefits of skating. When the ice rink was in use, it had over 100,000 unique user sessions per year. It served the whole community since, unlike other parts of the country, we can't just flood the fields in the winter and enjoy pond hockey. It was used by both young and old since it was a low impact form of exercise. Unlike most other rinks, Bridgepointe was able and did serve the handicapped, adaptive PE community. Local San Mateo workers enjoyed the rink with discount skating at lunch time.

Security at the Bridgepointe location allowed San Mateans to feel safe using the ice rink at all hours. Uniquely, it provided a place to get hockey lessons on Monday at 5AM and skate in the dark to the light of a disco ball at midnight on Saturday. The rink was in use from before sunrise to midnight.

Economic Impact and Revenue Analysis

Even a year after the rink has been closed, people both from within San Mateo and around the region are petitioning for its preservation and reopening. Through the years, the rink has clearly served as a regional draw for bringing people to San Mateo. The applicant has stated that the conversion to retail would provide \$300,000 in tax revenue as a result of \$30 million in retail sales.

The PC and CC need to conduct an independent financial analysis on what the closure of the ice rink and it's replacement to retail would mean for San Mateo in terms of tax revenue, merchant impact, and property values.

More specifically, before making a recommendation you ought to understand the following:

What has the closure of the rink meant for San Mateo merchant's, particularly others at the Bridgepointe shopping center. An informal survey suggests it's had a significant impact. What does an independent analysis show for the following:

- 1) The applicant has estimated that conversion to retail would provide \$300,000 in tax revenue based on \$30M in retail sales.
 - a) What is the basis and accuracy of that estimate?
 - b) At the neighborhood meeting, SPI stated its intent for Bridgepointe to compete with Hillsdale Mall [as well as Stanford]. How many of the sales dollars will be net new revenue vs. cannibalization of existing San Mateo merchants. What will any shifting of dollars within the City of San Mateo mean for the health of the Hillsdale Mall as another major retail center in the city?
- 2) To what degree does the ice rink serve as a regional draw bringing dollars into San Mateo that otherwise might not come into the city for another big box retailer?
- 3) Property values – Consider the longer term impact of fewer, less diverse and less interesting recreational choices in the City of San Mateo. Some residents have stated that in relocating to the bay area from New England and the Midwest, they chose the City of San Mateo in part because of the high quality ice center as a local recreational option.

As a significant recreational amenity is lost, property values may not appreciate as rapidly over the next few years as they otherwise might. How does the vibrancy of recreational choices affect local property values? In 5 or 10 years, how does a change in the rate of property appreciation across San Mateo translate into tax revenues and how does that compare with the \$300,000 in sales taxes net of cannibalization.

- 4) Can an exaction be imposed for the willful deprivation of the recreational opportunity on a monthly basis during the period the developer has chosen to close it? We want to emphasize that this is different from the question of whether they are required to operate the rink under the conditions of approval and it is different from any amount the city may choose to accept or reject as part of a developers application.

Financial Analysis

In the plans submitted for Bridgepointe, the developer always had the ice rink at lot 5. We know that it was a central consideration in the design of the site. It helped achieve a mixed use objective. We also know that the developer stands to significantly profit from any potential land use change. As a result, the city should not accept any offer that results in a net loss to the city and a gain to the developer. The city would be approving a public loss to further a private gain. It's important to fully comprehend what the city has today:

- 1) Nearly 2 acres of land designated for an ice rink¹⁰ in a central location that is easily accessible by car or public transit from around San Mateo.
- 2) A facility that has had capital upgrades so that the architecture fits with surroundings, the foundation deficiencies have been addressed and a roof that spans an ice rink without the need for columns.

There is a deficit of land available for recreational use in San Mateo whether the land is public land, private land dedicated to public use or private land designated a recreational use for the public.

Some earlier city draft documents planned to propose that the developer compensate the city for the loss of the ice rink and maintain the status quo that exists prior to the removal of the ice rink by purchasing a

¹⁰ Of course other similar recreational uses could qualify at the site but they would still be subject to PC approval before the land could be used for anything other than an ice rink. The City Council allowed for similar recreational uses as a fall back in case a rink could not be operated. Ice Chalet had operated successfully and at a profit.

parcel of comparable size (approximately 1.8 acres) for the purposes of an ice rink. The developer may tell you that they have tried to secure alternative land and cannot find it. Don't accept that. If they have looked for alternative locations it would be instructive to know what parcels were considered and what offers were made at what price, if any.

The developer should not be let out of their obligation so easily and this should not be a problem for the city to solve. The public should not be asked to subsidize the benefit that the owner was supposed to provide. Part of any financial assessment should ensure that the city is at least in the same position after the transaction as before.

How much would someone have to pay a San Mateo land owner to pick up SPI's obligations. That is, how much would it cost to induce someone to designate two acres of land in an accessible part of San Mateo to a restricted recreational use, in perpetuity, unless changed by the City Council, as well as investing sufficient capital to build a replacement structure. This amount needs to be independently determined. Anything less will mean trading in what San Mateo has today for something less in order for a private developer to get something more. It would represent a private gain at public expense.

Property Rights

The developer would like to position this as a private property rights issue. But it's more than that. The original developer had ample opportunity to propose alternatives without the ice rink. They could have rejected any proposal that meant committing land through a designation to a limited use. They could have said that setting aside 1.8 acres for recreational use made the project uneconomical. But they did not. After many years of planning, with plenty of opportunities to object or put forward other proposal, they did none of those, and accepted the building permits and the benefits of the project along with the restrictive land use on lot 5. SPI, as successor to those agreements, must abide by those obligations as well.

Remember too that SPI purchased half of Bridgepointe. What about the interests of the property owners that purchased and own the other half of the properties there, namely: Target, Toys R Us and Home Depot. They purchased property and built stores under the same Master Plan with an expectation it would be preserved and upheld. Do they not have standing and interest in the outcome? They have every reason to expect that they purchased land in a mixed use facility that contained an ice rink, which would serve to draw traffic to their stores. We don't know how much SPI's decision to shut down the rink has cost those property owners.

If SPI is allowed to meet their recreational obligation at another location, the city will be favoring one property owner at the expense of others subject to the same Master Plan. Those stores had reason to expect predictability when they purchased property subject to a City approved plan. Has anyone consulted them as to how they feel about replacing a designating, non-competitive recreational attraction with unrestricted rights to bring in other competition solely subject to SPI's discretion? What should other property owners infer about predictability and favoritism within the City? What are the legal considerations in making a change that specifically benefits only one owner under the Plan at the expense of the others especially after they have all made their commercial commitments under the existing Plan?

In potentially changing the zoning, their property becomes less valuable. In changing the zoning, the city would be acting in a legislative and not quasi-judicial manner (i.e., this is rule making and not rule interpretation). Where is the equity when the City potentially decides on a completely discretionary basis to change the rules to make one person's property more valuable at the expense of another. What about any that had entered into long term leases? Has the city consulted the other interested parties and property owners that will be impacted by the proposed change?

Quality of life in San Mateo

Ask any long time resident of the area. Over the decades, many of the non-city owned recreational amenities have disappeared from our community. Often it was not because they lacked economic viability. Often it was for the same reason we lack affordable housing. Land prices have sky rocketed in the area. As a result, the City has taken on this challenge by insisting that many new projects contain affordable housing. Other recreational choices have gotten priced out because of high land values. Without thoughtful planning, the loss of recreational choices impacts the quality of life in our community. Yes, parks and fields are absolutely important. But are city owned facilities the only recreation we want in San Mateo in the long run, and where residents need to drive long distances for something more? This summer, parents of San Mateo teens will drive their children to San Jose, Fremont, Dublin and Vacaville for programs that previously were available at the ice rink here in San Mateo.

The 1997/1998 PC and CC were prescient in their desire to insist that the Bridgepointe project be a mixed use site that included land set aside for the ice rink as one of the major project benefits. Don't walk away from that commitment. With the closure of so many other nearby recreational options, we don't want to see San Mateo become the heart of a recreational desert of limited choices in the mid-peninsula. A balanced, vibrant and rich community life requires diverse recreational choices. Not more retail.

Operation of the Rink

Evaluating the comments, correspondence and behavior of the decision makers at the time, those closest to know what the intentions of the City were on approving this project, leads to the clear conclusion that they expected the rink to operate. We are confident that if asked as part of the permitting process whether a non-operational ice rink was acceptable, they would have rejected the application and that proposal. Among the specific economic, social, and other benefits of the project that outweighed the significant, unavoidable environmental impacts (pile driver noise, traffic and regional air pollution) was that the project will provide recreational opportunities for San Mateo residents through the retention of the ice rink facility. We doubt they would have made that finding for a closed rink.

When Sand Hill properties asked the city to change the land use citing difficulty locating a rink operator, questioning the economic viability of the ice rink and stating that it was going to cost an additional \$2.7 million in developer improvements and \$1.2 million in tenant improvements¹¹, the city did not concede and abandon the ice rink. City Officials pressed back. They retained a mediator, commissioned an economic analysis¹² and considered alternative operators.

Conclusion

We encourage you to read the letters from San Mateo residents from 1997 and now. They'll tell you how the San Mateo rink was a springboard to national and international figure skating competition for San Mateo High School students, how the rink was a place to make new friends and how the rink was used by young and old alike. A generation of skaters has grown up, made friends, learned to skate and play hockey and move on. What is striking though is the consistency of the voices of San Mateo residents. Even though they are completely two different groups, spanning almost two decades, the San Mateo residents were as passionate, vocal and strident about keeping this rink then as they are now.

The ice rink was central element in the conception of the Bridgepointe Shopping Center. It has served the residents of the City and supported the important principles that guide development in San Mateo. It was

¹¹ Letter from Michael Anderson, Director of Development, San Hill Property Company, to Stephen Scott, Associate Planner, October 9, 1997.

¹² Sedway Group report – December 2, 1997.

actively used and contributed to the quality of life in San Mateo. The recreational opportunities it provided are now missed by the residents of the City and if it's lost it's unlikely that the city will be able to obtain something of similar benefit and stature.

For the reasons stated in this letter, we respectfully request that the Planning Commission (PC), and ultimately the City Council (CC) act in the same manner as in 1997 and 1998, and again:

- Deny SPI's application for changes to the Master Plan, and keep the Lot 5 land use as currently designated for an ice rink, and,
- Insist that the ice rink be immediately reopened to stop depriving the community of this valuable recreational resource.

We look forward to your thoughtful deliberation and appreciate your consideration of the views expressed here.

Sincerely,

The Committee to Save Bridgepointe Ice Rink

Appendix A

General Plan Goal Citations

San Mateo General Plan – Land Use Element

Goal 1e: *Provide adequate transportation, utilities, cultural, educational, recreational, and public facilities, and ensure their availability to all members of the community. Establish San Mateo as the cultural center of San Mateo County.*

San Mateo General Plan – Conservation & Open Space Element

Goal 5: *Provide a comprehensive park and recreation system of programs and facilities based on the needs of the City's residents of all ages and interests by including active, passive, social, educational, and cultural opportunities.*

C/OS 12.1: *Facility Standards. Adopt and use the Park and Recreation Facility Standards to assess the adequacy of existing facilities, designing developing and redeveloping sites, and acquiring or accepting new sites.*

C/OS 14.6: *Area Studies and Specific Plans. Include direction in Area Studies and Specific Plans, prepared for new development or redevelopment of portions of the City, that adverse impacts on existing park site and recreation services will be avoided or mitigated.*

A project to replace the ice rink with retail stores is inconsistent with these goals and policies in that the loss of the ice rink, according to the 1997 memorandum from the Director of Park and Recreation, would create a “major impact to the provision of recreational opportunities for [City] residents.”

The ice rink is considered a substantial recreational amenity that helps meet General Plan's goals to provide adequate recreational facilities for San Mateo citizens, and its loss cannot be adequately mitigated. Reasonable mitigation fees will not provide a recreational facility that can serve as many people, or the breadth of population as served by an ice rink.¹³

¹³ From draft Findings for Denial; PA97-072 Bridgepointe Retail Modification, December 5, 1997. While these Findings were not voted on for adoption, we believe it's perspective and views are accurate.

Appendix B

Additional Support

"I'm going to do everything I can to make sure that rink stays"

— GARY YATES, SAN MATEO COUNCILMAN



BY TIM KAO/THE CHRONICLE

Closure of the Ice Chalet, now a mere skeleton at the demolished Fashion Island mall in San Mateo, distressed local skaters

Ice Skaters Frozen Out

Big push to reopen popular rink in former San Mateo mall

By Marshall Wilson
Chronicle Staff Writer

While millions of Americans hope to watch Michelle, Nicole and Tara glide to Olympic glory this week, young ice skaters on the Peninsula are fighting to hold onto one of the area's few remaining places to skate.

San Mateo's Ice Chalet, where Olympic gold medalist Kristi Yamaguchi often trained, is facing a meltdown. The rink, a popular feature at the Fashion Island shopping mall until it closed more than a year ago, may soon be demolished to make way for stores.

Skaters, hockey players and kids with

dreams of Olympic gold are now rallying to its support.

"Many special friendships were made because of the Fashion Island ice rink," Bonnie Moen, a Hillsdale High student and a competitive skater, wrote to city officials. "We don't have as many sports that are as physically rewarding as ice skating."

Ice is already scarce in the Bay

ICE: Page A22
Col. 1



BAY AREA FOCUS -- Ice Skaters Frozen Out / Big push to reopen popular rink in former San Mateo mall

Marshall Wilson

Published 4:00 am, Monday, February 16, 1998

1998-02-16 04:00:00 PDT SAN MATEO -- While millions of Americans hope to watch Michelle, Nicole and Tara glide to Olympic glory this week, young ice skaters on the Peninsula are fighting to hold onto one of the area's few remaining places to skate.

San Mateo's Ice Chalet, where Olympic gold medalist Kristi Yamaguchi often trained, is facing a meltdown. The rink, a popular feature at the Fashion Island shopping mall until it closed more than a year ago, may soon be demolished to make way for stores.

Skaters, hockey players and kids with dreams of Olympic gold are now rallying to its support.

"Many special friendships were made because of the Fashion Island ice rink," Bonnie Moen, a Hillsdale High student and a competitive skater, wrote to city officials. "We don't have as many sports that are as physically rewarding as ice skating."

Ice is already scarce in the Bay Area, which has about 10 rinks.

"There's nothing north of Belmont," said Alex McGowan, a Hillsborough coach who trained former Olympian Debi Thomas for many years. "Having a rink in any community is a real benefit because of the popularity of figure skating."

Since the Ice Chalet opened in 1981, Bay Area Olympians Thomas, Yamaguchi and Brian Boitano have all skated there. Thousands of hopefuls also rode sharp blades over the glistening surface. In 1996, 40,000 people paid to skate, a total that doesn't include leagues, lessons and private parties.

But the shopping center around the rink failed miserably and was torn down.

A renovated rink was to become the centerpiece of Bridgepointe, a shiny new shopping center taking shape where Fashion Island flopped.

RENOVATION COSTS HIGH

But the rink's operator, Los Angeles-based Recreation World of Los Angeles, has since balked at spending more than \$1 million to improve the aging rink, install new lockers and add other amenities.

So Bridgepointe's developer, **NCC-Sand Hill II**, asked the city for permission to replace the rink with three stores, a request that rankled skaters throughout the Bay Area.

Planning commissioners turned down the request on a 5- to-0 vote in December. The City Council is expected to take up the issue March 2.

Numerous skating groups have petitioned the city to do all it can to assure the rink reopens.

"This is an area that is very strong in ice skating," said Marvin Lee of Palo Alto, a member of the Bay Area Ice Dancers. "Lots of skaters have come out of the area."

Developer Peter Pau said he's been unable to find a viable operator to take over the lease, now held by Recreation World. He said he understands the community's support, but his company is not in the business of running or subsidizing ice rinks.

"We don't have the ability to open the rink. The tenant decided not to reopen," Pau said. "Everybody expects the developer to have deep pockets."

CITY COUNTED ON RINK

Some San Mateo officials said they considered the rink a key benefit when they approved Bridgepointe's master plan for retail stores, office buildings and housing, all located off Highway 92 near Foster City.

"I'm going to do everything I can to make sure that rink stays," San Mateo Councilman Gary Yates said. "I think it's a resource the city will not be able to replace. If we lose it now, we'll never" get another ice rink.

The rink's supporters say San Mateo offers few recreational activities for children and teenagers. The claims are backed up by a study that shows the city needs more park space, ball diamonds, indoor and outdoor courts, pools, soccer fields and tennis courts to meet recreation needs.

One alternative under consideration is charging Pau's company a "mitigation fee" of \$450,000 for the loss of the recreation facility, money that could be used to build a skateboard or in-line skate park, for instance. But skaters want ice.

The rink "provides a place for children to enjoy skating and also invites parents to participate by doing or viewing," Cathy Ennon, principal of San Mateo's Laurel Elementary School, wrote the city.

FEW RINKS IN BAY AREA

Despite the popularity of ice skating and hockey, ice rinks are rare in the Bay Area. Belmont, Redwood City, Palo Alto, Berkeley, San Jose and Santa Rosa are among the cities with rinks. San Francisco has no year-round rink.

Sensing the demand, several groups and companies want to take over the operation.

Michael Benesh, chief executive of the Pacific Hockey Association, said his group has offered to run the rink. Prime ice time for groups sells for about \$225 an hour, enough to make operating a rink profitable -- depending on the lease, he said.

"From the day we open the door, we'll be sold out," said Benesh, whose group runs adult and youth hockey leagues but would open the ice to recreational skaters.

Pau said he's not yet seen a viable proposal from any of the 20 or so prospective operators his company has talked with. He stressed that the company is not trying to kill the rink to make way for profitable retail stores, a charge he said he's heard time and again. He said an attractive rink would enhance the rest of his 70-plus acre development.

"We have offered a below-market lease," he said. "We're willing to continue the use."

Only the shell of the rink was left when Fashion Island was torn down. Pau said his company was ready to renovate the rink building when Recreation World backed out.

Recreation World Chief Executive Officer Betty Hurn did not return a telephone call seeking comment.

CITY SUBSIDY SUGGESTED

With city officials arguing that the rink benefits the public, some have suggested the city subsidize the rink or hire city workers to staff it.

Yates said such a scheme would open the door for other private recreation facilities to ask for city help and leave taxpayers with a long-term financial commitment.

While negotiations among the developer, city officials and other parties continue, winds blow through the rink's steel skeleton, ruffling the aging drapes that once decorated the bright skating palace. Olympic hopefuls can only do just that -- hope.

Oct. 27, 1997

Subj: Fashion Island (Bridgepointe) Ice Rink,

My name is Bonnie Moen, I am here today to represent the skaters of San Mateo to request that the ice rink be reopened. I am 14 years old and started going to the Fashion Island ice rink to see my oldest sister skate when I was only three months old, and I have been skating there myself since I was three years old.

Fashion Island was very profitable when it was opened and remained that way until Peter Pau closed it. During the mall's busy days, the Fashion Island rink was the second most profitable rink in the Ice Chalet association. Other cities with less affluent resources are able to build and support rinks so why can't our city do the same? Oakland and San Jose, two of the poorest areas in the Bay area are able to afford building complexes with double rinks so certainly the city of San Mateo should be able to afford just one ice rink, which we had up until last November.

We were promised a new rink by October 31, 1997, but as you well know we have not gotten one. We were manipulated into thinking that we were going to get our ice rink back, but then Peter Pau changed his mind and the people and residents of San Mateo lost our rink.

This rink was not just for the people of this city but for the people of the Bay area who enjoyed coming to our rink, early in the morning, throughout the day, as well as in the evening. People of all ages used this facility for pleasure and as a serious sport.

Kristi Yamaguchi came to the rink from when she started her early training until she became national champion, and then she went on to win her Olympic gold medal. Other skaters have been San Mateo High School student Debi Thomas, who went on to win a Olympic bronze medal, Aragon High School student Lisa Talbot, who skated nationally against Kristi Yamaguchi, and myself, a national competitor from Hillsdale High School. As you can see, Fashion Island has brought up very famous skaters and with the rink's closing we will no longer have any more famous skaters from Fashion Island. Now do you really want to take this away from the community?

It is a place where the San Mateo Recreation Department would hold their classes. Several schools would allow their classes to come during school time. A lot of the schools would use the rink to treat the students. Birthday parties would be celebrated at the rink and twice a year the rink would have shows, once during the summer and once at Christmas time. These were free shows put on by the rinks students and enjoyed by all ages. Even the older people who could not get to big ice shows could enjoy them, and they looked forward to these shows.

Twice a year they had competitions in the spring as well as the fall and people enjoyed watching those too. I used to skate a solo program in the shows as well as my many skating friends, but now we can't because you have taken that away from us. Groups of young people would come especially on Friday and Saturday nights to skate instead of getting into trouble. What are we going to do now? Are we supposed to hang around on the streets or in restaurants? Kids, teens and adults would be more useful and happy if they were participating in some kind of recreational activity, like Ice skating.

In - line skating is a fun sport, I will admit that, but that is another sport to add to the list for boys. They have football, basketball, hockey, baseball, and many more. We don't have as many sports that are as physically rewarding as ice skating. Boys can ice skate also, but not a lot of girls will want to in - line skate.

As you have heard now, the Fashion Island skating rink was not only used for sport purposes but also as a place where it didn't matter your age, sex, or race, you could enjoy yourself. Many special friendships were made because of the Fashion Island ice rink. Not all rinks have the friendliness that Fashion Island had. This was a place where parents could leave their children and not have to worry about them. Now with new stores coming in parents could go to them and come back and pick up their kids. We have several nice restaurants in that area and we don't need another one. Let us have our rink back as we were promised.

Thank you for your attention.

Bonnie Moen

COMMUNITY DEVELOPMENT

NOV 7 1997

RECEIVED

Oct. 25, 1997

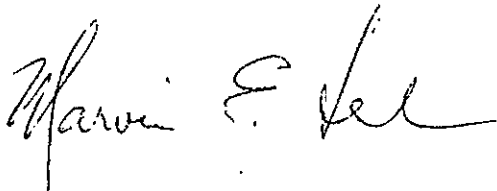
My name is Marvin E. Lee, and I live at 1241 Harker Ave., Palo Alto, CA 94301-3423. I am Professor Emeritus at San Jose State University where I taught Economics for thirty years, including for many years a University Extension course for teachers and others in San Mateo's County Office of Education.

I am here representing hundreds of people who have used the Fashion Island ice skating rink over the past fifteen years as members of the Bay Area Ice Dancers, members of United Skates Figure Skating Association clubs and as a voice for the thousands of people of all ages who have used the Fashion Island rink for recreational skating, speed skating, broom ball, ice hockey, training for exhibitions and competitions in figure skating, ice dance, pair skating, precision skating and skating just for fun and exercise or just to sit and watch.

On October 17, 1978 Ernest W. Hahn, Chairman and President of Ernest W. Hahn, Inc., the developer of Fashion Island, spoke to my class in San Mateo about the then proposed building of Fashion Island, the necessary filling of bay lands and their intended creation of a community oriented center which would have at its center piece a pleasant, friendly, multipurpose ice skating rink which would provide San Mateo, and the entire midpeninsula area with a warm, safe, and secure recreational area for all of our people. Mr. Hahn, representing the interests of Mobil Oil, Montgomery Ward, and other owners of the land, and under close questioning from the students, told us that without their committment to provide such a community based recreational center it would be impossible to obtain San Mateo's permission to develop bay lands which environmentalists were beginning to demand be placed in protective land reserves, as is presently the case throughout the whole bay area.

There was never any question in Mr. Hahn's mind as the developer of Fashion Island or of the community which permitted it to be built that this land, if developed, must include community uses without regard to expectations of profit from them. Any developer given the opportunity by a community to develop 50/75/100 acres of land for residential or commercial purposes knows that they are expected to provide community based, aesthetically satisfying, recreational, educational, or cultural benefits to the community which can, in part, justify their being accorded the right to build. Furthermore, the developer must not expect any returns greater than they might expect from a parking lot or open fields and vistas. It is the right and obligation of a community to demand such a commitment from developers in return for using public open space.

The NCC-Sandhill II partnership and Mr. Peter Pau, their CEO, knew that was what was expected of them when they bought the property from the Hahn Corporation. Their cries of financial burden do not ring true. They are simply seeking to avoid their responsibilities. It is your obligation to this community and to the communities of the mid-peninsula not to permit them to fail to fulfill their obligations. If you do, Mr. Hahn's and the previous City Council's pledge to the community will have been betrayed, and this community and the entire bay area will never forgive you.



RECEIVED

OCT 20 8 57 AM '97

OFFICE OF CITY CLERK
CITY HALL
SAN MATEO, CALIF.

COMMUNITY DEVELOPMENT

OCT 21 1997

RECEIVED

October 16, 1997

The Honorable Gary Yates
Mayor of the City of San Mateo
San Mateo City Hall
330 W. 20th Avenue
San Mateo, California 94403

Dear Mayor Yates:

This letter is written on behalf of the children of San Mateo County and surrounding counties who use the facilities of the skating rink at Fashion Island. It is my personal opinion that the rink should remain open and accessible to the children and adults who enjoy ice skating as a leisure time activity or who use this facility for serious practice.

In view of the fact that our young people have a limited number of recreational facilities that encourage family participation, the skating rink at Fashion Island is one that provides a place for children to enjoy skating and also invites parents to participate by doing or viewing. My own children who are grown enjoyed using this facility when they were younger and had an interest in ice skating.

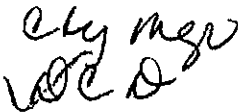
I was asked to write this letter by one of my former students and I concur with her desire to have the skating rink remain open and a part of the new developments currently in progress at Fashion Island.

Sincerely,



Cathy A. Ennon, Principal
Laurel Elementary School
San Mateo, CA 94403

cc: Bonnie Moen



Laurel Elementary School
"Children First"



Cathy A. Ennon
Principal

(415) 312-7555
(415) 312-7636 Fax

316 36th Avenue
San Mateo, CA 94403

1050 Black Mountain Rd.
Hillsborough, CA 94010
(415) 579-1812
July 21, 1997

OFFICE OF CITY CLERK
CITY HALL
SAN MATEO, CALIF.
Jul 21 3 51 PM '97

RECEIVED

The Honorable Mayor Gary Yates
City Hall
330 W-20th Ave.
San Mateo, CA 94401

Dear Mayor Yates:

Thank you very much for returning my call on Friday. I'm glad you were able to speak to my husband, Alex, who is more knowledgeable on the subject of ice rinks than I.

I am an ice dancer who skates with the "Bay Area Ice Dancers," who rented the ice at Fashion Island twice weekly. I also enjoyed taking my three-year-old skating on the public sessions.

I just wanted add a few points in the hopes that there is still a chance in saving the ice rink. Before moving west, I skated at the Mt. Vernon Recreation Center--an ice rink run by the Alexandria, Virginia Recreation Department. It continues to be a successful and prosperous facility which offers the community a wealth of benefits including a Special Olympics program, competitive figure skating sessions, ice dancing, hockey (very important for the success of a rink) and, of course, public sessions with lessons.

I understand that the Valco, Cupertino rink was faced with a similar problem. The City Council, responding to the best interests of the community, were able to halt the change of plans (from rink to movie cinema) by the mall developer, based on the originally approved plans, forcing him to retain the ice rink.

Our local ice skating community, which extends beyond San Mateo limits, has been very excited about the re-opening of the rink and was shocked and saddened by the recent San Mateo Times article. Ice skating is a wonderful, healthy, clean sport and in recent years as been enjoying unsurpassed popularity. It would be a terrible waste and loss if we lose the rink even if it does mean hundreds of dollars in renovations. Other cities and towns spend millions to build a rink from scratch.

Lastly, it should be emphasized that any benefit for the children of our community will benefit the community as a whole. If you ever visited the rink on a weekend you would see sessions filled with children learning new skills during the day, and in the evening, teens socializing--off the streets and out of the bars. To add to the glut of restaurants with yet another, would only shrink our wallets and expand our waistlines.

cc: DCS
City Manager

COMMUNITY DEVELOPMENT

JUL 22 1997

RECEIVED

Oct 3, 1999, 9:00pm PDT

Office project squeezes through Berkeley loophole

Laura Impellizzeri
Business Times Staff Writer

Berkeley's zoning board has approved a 140,000-square-foot office project in the West Berkeley area, fanning the flames of a debate whether the neighborhood's restrictive zoning plan is stymying economic development.

SPI Holdings of San Francisco, led by developer Dennis Wong, has quietly won permission to demolish a 69,000-square-foot portion of a paint factory on Fourth Street just north of the city's hottest retail strip. He'll renovate another 113,000-square-foot portion of the factory, which went out of business three years ago, plus an 8,000-square-foot structure, and he'll build a 15,000-square-foot addition.

SUBSCRIBER CONTENT: Jan 7, 2011, 3:00am PST

Strada inks two deals in two weeks

Startup seeking buried treasure

J.K. Dineen

Strada Investment Group Principal [Michael Cohen](#) describes his startup firm as "truffle-hunters" — and it turns out that there are plenty of truffles out there if you know where to look.

In the second transaction in a span of two weeks, the high-profile San Francisco real estate group has paid \$14 million for the distressed 120,000-square-foot Berkeley Crossing. The deal represents a 50 percent discount from the \$28 million note that lender New York Life had on the property, located at 1608 Fourth St. in Berkeley. Strada bought the note and then worked with both the lender and the previous owner, SPI Holdings LLC, to take ownership of the property in a friendly deed-in-lieu-of-foreclosure transaction.

SUBSCRIBER CONTENT: May 18, 2012, 3:00am PDT

UC Berkeley swallows yet more office space



Blanca Torres
Reporter- *San Francisco Business Times*
[Email](#) | [Twitter](#) | [Google+](#) | [LinkedIn](#)

The **University of California, Berkeley** is taking a 93,000-square-foot chunk of Berkeley Class A office space.

The university recently signed a 10-year lease for the remaining space in Berkeley Crossing, a 120,000-square-foot building at 1608 4th St., that is owned by Strada Investment Group.

Strada picked up the property in late 2010 for \$14 million in a deed-in-lieu-of-foreclosure transaction with lender New York Life. The lender had taken the building back from SPI Holdings LLC after a default on a \$28 million loan.