

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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February 28, 2014

TO: Design Review Board Members
FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; lgoldzband@bcdc.ca.gov)
Ellen Miramontes, Bay Design Analyst (415/352-3643; ellenm@bcdc.ca.gov)
SUBJECT: Draft Minutes of February 10, 2014 BCDC Design Review Board Meeting

1. **Call to Order and Attendance.** The Design Review Board's Chair, John Kriken, called the meeting to order at approximately 6:40 p.m. Other Design Review Board members in attendance included Vice Chair Steve Thompson, Karen Alschuler, Cheryl Barton, Ephraim Hirsch, Jacinta McCann, Stefan Pellegrini, Gary Strang and Michael Smiley. BCDC staff in attendance included Bob Batha, Adrienne Klein, Ellie Knecht, Brad McCrea and Ellen Miramontes.

2. **Approval of Draft Minutes for the January 6, 2014 Meeting.** The Board approved the minutes from this meeting with one revision. They stated that changes to the proposed Water Emergency Transit Authority (WETA) Central Bay ferry operations building in Alameda were only needed on the eastern end and not on the side facing Hornet Avenue.

3. **Scott's Seafood Restaurant, Jack London Square, Oakland, Alameda County (First Review).** The Board conducted a review of Scott's Jack London Seafood Inc. and the Port of Oakland's proposed design for a replacement enclosure of the public pavilion, authorized for private use 20% of the year (73 days), located on the east side of Scott's Seafood Restaurant at the foot of Franklin Street, Jack London Square in the City Oakland, Alameda County. The project is located entirely within the Commission's 100-foot shoreline band jurisdiction, all of which is required to be publicly accessible. The project does not include any new public access area or improvements. Proposed private improvements in the existing public access area include: (1) a permanent doorway entrance; (2) replacing entirely removable canvas tent walls with permanent, partially retractable wall panels, including two doors; (3) converting 255 square feet of public access to restaurant storage; and (4) placing moveable planters around the periphery of the pavilion to protect the wall panels from vehicular damage.

For a transcript of the meeting proceedings, including the project presentation, Board questions, public comments, Board discussion and the applicant's response, please see the attached transcript.

a. **Staff Presentation.** Adrienne Klein introduced the project and the issues identified in the staff report.

b. **Project Presentation.** Steve Fagalde of Scott's Restaurant presented the proposed project.



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c. **Board Questions.** The Board members asked many clarifying questions regarding the project.

d. **Public Comment.** Three members of the public, including Lee Huo, Keith Miller and Sandy Threlfall, made comments.

e. **Board Discussion.** The Board asked clarifying questions of the applicant and members of the public to make sure they understood the proposal and had a lengthy discussion about its potential impact on the existing required public access.

f. **Board Summary and Conclusions.** The Board made the following summary and conclusions:

(1) The Board discussed the proposed changes and stated that both physical and visual access have been compromised by these modifications and cause the pavilion to feel more private.

(2) The Board determined that the permanent door structure on the east side of the pavilion should be removed from the proposal, in part, because it makes the public space feel private and creates a physical and visual obstruction.

(3) One Board member recommended that alternate means of enclosing the pavilion (such as an accordion wall or roll-up approach) be investigated to reduce physical and visual obstructions from the enclosure while in both public and private use mode.

(4) The Board recommended that open views be maintained through the pavilion towards the Bay. A variety of opinions regarding ways to accomplish this were expressed. Some Board members stated that all permanent structures along the north wall should be removed. Others stated that the proposed wall and stacked panels on the north side of the pavilion should be shortened so that they do not extend beyond the corner of the California Canoe & Kayak building where it angles north. One Board member stated that a wall on the north side might provide some benefit by screening the service functions that occur north of it.

(5) The Board agreed that the storage area and wall extensions on the west side of the pavilion block public access in this required public access area and instead represent an extension of Scott's Restaurant.

(6) The Board agreed that greater efforts should be made with the placement of site furniture, signage and possibly food carts to attract people to use the pavilion when it is available for public use. Providing similar site furnishings both within and outside of the pavilion was recommended as an approach to be considered to decrease its private appearance and draw the public into it.

(7) The Board stated that the pavilion walls should be more transparent to allow for greater visibility into the pavilion when it is in private use mode.

(8) The Board questioned the practicality of moving the steel planters in and out of place and recommended against using them. Some Board members stated that the planters would create an unwanted barrier in this area. One Board member questioned whether it is appropriate to include planters within the context of this wharf setting.

(9) One Board member asked for more information regarding the exiting requirements for the restaurant and how this is being handled. The Board member specifically asked whether one of the required exits for the restaurant is the door that opens into the pavilion and, if so, how this is addressed under code requirements when the pavilion is in private use mode.

(10) The Board requested a second review, following revisions based on their recommendations.

g. **Project Proponent Response.** Steve Fagalde thanked the Board for their comments and stated that he would take all of them into consideration.

4. **Bottoms Property Residential Development by Shea Homes, Richmond, Contra Costa County (First Review)** The Board conducted a review of Shea Homes' proposed design for a 60-unit residential development and public access improvements at the Bottoms Property between Seacliff Drive and Canal Boulevard in the City of Richmond, Contra Costa County. The buildings would be constructed outside of the Commission's jurisdiction, while some private patios, landscaping, walkways, an entry road, and public access improvements would be located within the 100-foot shoreline band jurisdiction. The project would result in new public access amenities and provide connections to the Bay Trail recently installed by the City of Richmond on the property. Proposed improvements include: (1) widening the existing sidewalk near the project entrance on Seacliff Drive for safer pedestrian and bicycle access to the trail; (2) installing traffic signs and a crosswalk where a new vehicle entrance is proposed along Canal Boulevard at the northwest corner of the site; (3) providing approximately 12 public access parking spaces at the adjacent Port of Richmond property; and (4) installing landscaping, two benches, an interpretive panel, and two trash cans along the shoreline.

a. **Staff Presentation.** Ellie Knecht introduced the project and the issues identified in the staff report.

b. **Project Presentation.** Rob Wainwright of Wainwright Consulting presented the proposed project.

c. **Board Questions.** The Board members asked the following questions:

(1) Ms. Barton asked whether the site is still contaminated in some areas. The project representatives indicated that clean-up work has been completed.

(2) Ms. Alschuler asked about the public parking and whether there would be any public parking provided on the project site as indicated on Exhibit E. Mr. Hofer, with Shea Homes, explained that this notation was not accurate as they are not currently proposing any public parking within the project site.

(3) Mr. Smiley asked whether the proposed development would be gated and whether there would be anything restricting traffic into the site. Mr. Wainwright explained that while the streets would be private, there would be nothing to prevent one from biking or driving through the development.

d. **Public Comment.** The following public comments were made:

(1) Jenny Balisle, a resident of Seacliff, expressed her concern that the proposed development does not include adequate parking. She believes the project will create traffic problems, block views of the Bay and new residents will use parking in the Seacliff development for overflow needs. She further stated that the project ignores the City's 35-foot-height limit and that the project will negatively impact the Bay Trail.

(2) Chris Holmes, Seacliff Homeowners' Association President, stated that he has concerns regarding parking, safety, water access and views. He believes that public parking should be provided on the project site. He stated that Canal Boulevard currently has very fast traffic. He believes that speed bumps and stop signs will be needed within the proposed development and that more should be done to increase bicycle and pedestrian safety at Seacliff Drive. He would very much like to see access to the water included as a part of the project. He further noted that two existing interpretive panels located in a park within his neighborhood would no longer be relevant due to lost views toward the Bay.

(3) Katherine Dienst explained that she is a local resident, sits on the City of Richmond's Land Use Committee and is an urban planner. She stated that the 270-degree views in this area are quite significant. She described the industrial history of the area, explained that the Miller-Knox lands were privately purchased and then contributed to the East Bay Regional Parks District, and described how Brooks Island formerly served as a hunting area. She further stated that water access at this site will be very important as water access will likely be lost at the Terminal One site due to proposed development there. Her husband currently teaches kids to sail in the area directly in front of this proposed development. She further noted that the hillside park receives many visitors and these views would be impacted.

(4) Lee Huo, a planner with the Bay Trail, drew the Board's attention to Exhibits M and O. He explained changes the Bay Trail has advocated for at both Seacliff Drive and Canal Boulevard to address safety concerns regarding the interface between pedestrians and bicyclists and vehicles. While acknowledging that many efforts have been made in these areas, he would like to see curb cuts revised to adequately accommodate pedestrians, persons with disabilities and bicyclists. At the intersection of Canal Boulevard and the proposed B Street, he would like to see bulb-outs in order to shorten the crossing distance and also slow down traffic by means of a tighter turning radius. He also requested that crosswalks contain a bike symbol and suggested some changes to the signage at the intersection of Canal Boulevard and the proposed B Street.

e. Board Discussion

(1) Mr. Hirsch noted that some of the public comments related to issues that are not under the Board's purview.

(2) Mr. Smiley shared his appreciation for the thorough presentation. He further noted that there should be public access parking provided on the site at the west end adjacent to the trail.

(3) Mr. Strang agreed that public access parking should be provided on the site but this should be accomplished without converting open space into parking.

(4) Mr. Kriken noted that the current proposal for this site is better than earlier proposals that the Board had reviewed in the past for the same site. He also noted that he grew up in the Richmond Annex and is excited to see the tremendous change in this area. He further stated a desire for water access to be included on the project site.

(5) Ms. Alschuler asked staff about a letter the Board had received from Nancy Strauch expressing concerns regarding potential water access and the impacts it may have on a fish nursery and eelgrass in this area. Bob Batha stated that he did not believe that non-motorized boats would negatively impact the eelgrass or fish nursery.

(6) Mr. Smiley observed that the "grid-like connections" to the interior of the site should be strengthened and should "read as strong connectors."

(7) Ms. Barton noted that she would like to see a stronger water feature and also that the more natural landscape approach should be extended from the shoreline into the interior of the site. She further noted that the mounds proposed along the shoreline appeared like a golf course and this grading should rather be accomplished in a more natural manner.

(8) Ms. McCann suggested that the corridors through the site should be made "more powerful" as connections and that views through these corridors should be highlighted. She further noted that there should be a less distinctive transition from the shoreline landscape to the interior landscape.

(9) Mr. Strang noted that the planting plans include an appropriate selection of shoreline plants.

(10) Mr. Thompson stated that the internal circulation system should connect more strongly to the shoreline. He further stated that public access parking should be provided at the west end of the site and water access should also be included.

f. **Project Proponent Response.** Don Hofer with Shea Homes thanked the Board for their input. He stated that the existing interpretive displays in the hillside park could either be relocated or duplicated. He noted that the proposed site plan intentionally sought to discourage public trail connections through the site. He further noted that Canal Boulevard is not widely used by the public. Rob Wainwright stated that the concept with the central corridor was to keep foot traffic out of this area and rather highlight it as a natural corridor. Mr. Hofer further explained that originally the development included 74 homes but was revised to 60 homes due to a large area of Bay mud along Canal Boulevard that was discovered to be unsuitable for development. He explained that the increase in open space within the development has led to increased Homeowners' Associations fees that are estimated to be \$300 per month.

g. **Board Summary and Conclusions.** The Board made the following conclusions:

(1) The Board stated their agreement with Bay Trail recommendations to improve pedestrian and bicycle connections at both Seacliff Drive and Canal Boulevard.

(2) The Board agreed that public access parking should be provided at the west end of the project site near Seacliff Drive and adjacent to the trail.

(3) The Board agreed that there should be access to the water's edge by means of a ramp leading down from the existing trail.

(4) The Board agreed that the more natural shoreline landscape should connect more strongly into the interior of the site through the four corridors located between buildings. Some members stated that the walkways should not appear as private and should rather provide a greater connection into the site, and even potentially through the site, from the shoreline to Canal Boulevard via the natural corridor that has a water feature.

(6) The Board concluded that they do not need to review the project further.

5. **Adjournment.** Mr. Kriken adjourned the meeting at approximately 10:30 p.m.

Respectfully submitted,

ELLEN MIRAMONTES
Bay Design Analyst