TO: All Design Review Board Members

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SUBJECT: Proposed Residential and Public Access Project at 2229, 2235, and 2241 Clement Street, in the City of Alameda, Alameda County; (Third Review, BCDC Permit Application No. 2016.004.00)
(For Board consideration on July 11, 2016)

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Project Summary

Project Proponent and Permit Applicant. Francis Collins, Boatworks LLC

Project Representative. Phil Banta, Banta Designs

Project Site. The proposed project is located at 2229, 2235, and 2241 Clement Street, on a 9.48-acre parcel located west of the Park Street Bridge, in the City of Alameda, Alameda County. The site is bounded by Clement Avenue to the south, Elm Drive to the west, Oak Street (a.k.a., Park Street Landing) to the east, and the Oakland Estuary at the north. Approximately 1.5-acres (65,864 square feet) of the site is located within the San Francisco Bay Conservation and Development Commission’s (“Commission” or “BCDC”) 100-foot shoreline band jurisdiction, and approximately 492 square feet in its Bay jurisdiction, below Mean High Water.

The site was previously used for industrial manufacturing. All structures associated with this use have been demolished and the concrete foundations removed. In 2013, contaminated debris and dilapidated docks were removed through a U.S. Environmental Protection Agency (“USEPA”) sponsored cleanup pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”). As a part of that activity, the shoreline at the site was straightened and stabilized using fill and rock riprap. Additionally, the shoreline retaining walls were restored and a pre-existing concrete pier reinforced. The project site has been fully remediated per a Department of Toxic Substances Control (“DTSC”) plan except for one section that is approaching completion.

Previous DRB Reviews. The Commission’s Design Review Board (“DRB” or “Board”) reviewed two earlier versions of the proposed project. In its first review on January 6, 2011, the Board expressed concern over how the project would separate public and private space, the usability of the large lawn area, and the spacing between buildings. The Board stated that it would like to see more uses and activities along the shoreline, and was interested in further definition and use, including in water access, of the pier.
In its second review on January 5, 2015, the Board again expressed concern about the spacing between buildings and views to the Bay throughout the proposed development. The Board expressed concerns about whether a large lawn could be used by the public given the lawn’s primary purpose as a bioretention area. The Board recommended widening the pathway on Oak Street. The Board expressed the importance of shoreline seating, and a desire for water access.

**Proposed Project (2016).** The proposed project currently includes the construction of 152, two-to-five-bedroom, three-story (up to 40 feet tall) townhomes and a 30-unit multi-family housing building, landscaping, paving, interior roads (including an extension of Blanding Drive) and pathways, land- and hard-scaping, and public access areas and improvements. Of the 182 total units, a 5,259-square-foot (total building envelope) area of 11 individual units is proposed within BCDC’s 100-foot shoreline band jurisdiction. The project includes approximately 2.16 acres (94,120 square feet) of access area dedicated for general public use of which 44,945 square feet would be located within BCDC’s jurisdiction and 49,175 square feet located outside of BCDC’s jurisdiction. The project would be constructed in four phases.

During Phase 1, 54 townhomes, including ten located partially in the 100-foot shoreline band, and the 30 unit multi-family housing would be built. Phase 1 also involves the development of the public shoreline access. The public shoreline area would measure approximately 1.03 acres (44,945 square feet), 668 feet long varying in width from 45 to 100 feet. Shoreline amenities include a trail varying in width from 12 to 22 feet wide, a picnic area, and seating. (Exhibit K) A proposed grass-terraced amphitheater—with barrier-free access at the top row—would be available to the public and for a site Homeowners Association’s special events. The pier in the Bay would be improved to facilitate public use by installing a railing system, seating, and an access ramp, which is compliant with Americans with Disabilities Act (“ADA”). No direct in-water access is proposed. The San Francisco Bay Trail is located south of the site at Buena Vista Avenue.

Phase I also includes the development of dedicated public parking spaces: five within the northwestern area of the project site at Waterfront West Drive, and sixteen spaces along Elm Drive. The parking area at Waterfront West Drive would be linked to the shoreline by an 8-foot-wide pathway. The tot lot, landscaping, and continuation of the shoreline trail would be constructed at the northwest corner of the shoreline area but not until Phase 2, which involves the future development of approximately 34 of the total 182 residential units.

Phase 1 involves the construction of a public “main paseo” starting at Clement Avenue and running through the proposed developed area towards the proposed Blanding Drive extension. (Exhibit H) As designed, the paseo has one 8-foot-wide center sidewalk with a landscaped border adjoined by a 7.5-foot-wide residential front yard. North of the main paseo, a public “Boatworks Green” is proposed with a 72-foot-wide bioretention lawn surrounded by a fence. The “Green” is and bordered at one side by an 8-foot-wide sidewalk adjacent to a 10-foot-wide private front yard and on the opposite side by a 12-foot-wide sidewalk adjacent to a 16.5-foot-wide private front yard. (Exhibit I) Further, the project involves the development of 12-foot-wide public sidewalks, which connect to the waterfront, at the intersection of Blanding Drive and Oak Street (a.k.a., Park Street Landing) and Blanding Drive and Elm Drive along the western property boundary. As shown on Exhibit J, these sidewalks are bordered by landscaping and private yards.
**Public Views.** From Clement Avenue looking north across the site, public views of the shoreline and water are not currently available and, thus, would not be affected by the proposed project. Bay views of the shoreline across the site from proposed interior streets would be somewhat limited by residential development. At the intersection of Oak Street and Blanding Drive, a sidewalk is proposed directing the public view towards the shoreline area.

**Sea Level Rise and Flooding.** The project is designed using the City of Alameda tidal datum. As such, the pier is currently located at an elevation of 3.1 feet. The on-shore area located adjacent to the Bay ranges in elevation from 6.9 feet to 11.9 feet. According to the project proponent, during a 100-year flood, the pier would be flooded. Under flooding conditions associated with a mid-century sea level rise of 24 inches, shoreline public access area would not be impacted, but the pier would be entirely submerged. It is not fully understood at this time the manner in which the proposed pier access ramp would be affected under future flood conditions. At this time, the project proponent has not provided a formal proposal to ensure that the pier remains publicly accessible and adaptable over time.

**Commission Policies and Public Access Design Guidelines.** The proposed project is relevant to San Francisco Bay Plan (Bay Plan) policies and Commission guidelines on public access and public views, which are provided, in part, below:

**Applicable Public Access Policies (Bay Plan, p. 67-69)**

- A proposed fill project should increase public access to the Bay to the maximum extent feasible...
- ...maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing....
- Public access should be sited, designed, managed and maintained to avoid significant adverse impacts from sea level rise and shoreline flooding.
- ...public access...should be permanently guaranteed....[and, further,...]be required to remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project should be provided nearby.
- ...The improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should permit barrier free access for persons with disabilities to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs.
- Access to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available....
- The Public Access Design Guidelines [a.k.a., Shoreline Spaces] should be used as a guide to siting and designing public access consistent with a proposed project.
Applicable Appearance, Design, and Scenic Views Policies (Bay Plan, p. 70-71)

- All bayfront development should be designed to enhance the pleasure of the user or viewer of the Bay.
- Shoreline developments should be built in clusters, leaving open area around them to permit more frequent views of the Bay.

Applicable Public Access Design Guidelines (Shoreline Spaces, p. 9-10)

- Public access areas must be designed in a manner that “feels public.”
- Shoreline access areas are most enjoyed when they are designed and built to encourage diverse, Bay-related activities along the shoreline.

Design Review Board (DRB) Issues. In consideration of the Commission’s policies and guidelines that are relevant to the proposed project, the DRB’s advice is sought on the following issues:

1. **Maximum Feasible Access.** The proposed project involves the development of a 182-residential unit complex with parking, patios, and walkways. The project also proposes public access improvements, including an approximately 688-foot-long shoreline trail of varying widths, a terraced-amphitheater, landscaped areas and walkways leading to the shoreline, an improved pier with an ADA-compliant access ramp and no direct water access, and sidewalks leading to the shoreline from the nearby public roads.

   *The Board’s advice is sought on whether the proposed project provides maximum feasible access consistent with the proposed project and, further, whether the project allows for access to and along the waterfront and through the proposed residential developed areas.*

2. **Public Amenities and Activities.** At the shoreline, an approximately 668-foot-long trail of varying widths between 12 and 22 feet is proposed. The trail would intersect with a proposed amphitheater. Within the public shoreline area, some seating elements and tables are proposed. An existing pier would be improved with railing and seating, and an ADA-compliant ramp. The proposal does not include direct water access. The project does not presently include signage, lighting, trash receptacles, multiple seating areas, or bike racks. A total of 21 public access parking spots are proposed.

   *The Board’s advice is sought on whether the proposed project provides an adequate type and number of public access amenities to encourage diverse activities and encourage movement and use along the shoreline and, if feasible, how these public amenities could be enhanced or augmented to better serve users of this area.*

3. **Compatibility of Public and Private Uses.** As proposed, sections of public areas along the main paseo, the Boatworks Green, and the sidewalks would be located adjacent or near to residential front yards. Additionally, the Boatworks Green is designed with a perimeter fence. Further, the proposed amphitheater located within a dedicated public area is planned for special event use by site residents.
The Board’s advice is sought on whether the proposed project would provide public access that is clearly differentiated from the private residential areas. Does the proximity of private and public spaces, such as the private yards next to public spaces, provide enough separation between the two types of uses? How could amenities located within designated public areas be used for private events in a manner that does not diminish the public nature of the space?

4. **Public Views.** At the proposed development site, public views of the Bay and shoreline would be available mainly along the dedicated public shoreline area and along sidewalks leading towards the water. The proposed project does not include dedicated view corridors.

The Board’s advice is sought on whether the proposed project would provide adequate public views to the Bay and shoreline. Is the development layout arranged in a way to maximize visual access?

5. **Sea Level Rise.** As proposed, the shoreline public access area would not be impacted by current or future flooding or sea level rise conditions. However, by mid-century, the improved public pier would be entirely submerged. It is not fully understood at this time the manner in which the proposed pier access ramp would be affected under future flood conditions. At this time, the project proponent is not proposing a strategy to ensure that the pier remains publicly accessible over time.

The Board’s advice is sought on whether the proposed public access is designed and sited and will be managed adequately to avoid significant adverse impacts from sea level rise and flooding. Further, the Board should consider whether the project would provide adequate public access to and along the shoreline at a time when the pier is no longer accessible.