

San Francisco Bay Conservation and Development Commission

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TO: Design Review Board Members

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
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SUBJECT: Approved Minutes of April 6 2015 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 5:40 p.m. Other Design Review Board (DRB or Board) members in attendance included Vice Chair Steve Thompson, Karen Alschuler, Ephraim Hirsch, and Jacinta McCann. BCDC staff in attendance included Bob Batha, Adrienne Klein, and Ellen Miramontes.

2. **Approval of Draft Minutes for the February 9, 2015 Meeting.** The Board approved these minutes with no revisions.

3. **Scott's Seafood Restaurant, Jack London Square, Oakland, Alameda County (Second Review).** The Board conducted a second 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 percent (or 73 days) of the year, 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 a required public access area in the Commission's 100-foot-shoreline band jurisdiction. Proposed improvements in the public access area include: (1) replacing removable canvas tent walls with permanent, partially retractable wall panels including three doors; (2) placing moveable planters around the periphery of the pavilion to protect the wall panels from vehicular damage, some of which will be permanently stored in the public access area when the pavilion is in public use; and (3) converting 255 square feet of public access to restaurant storage. Additionally, the applicants are proposing the following public access elements in the public pavilion and the Franklin Street Plaza: additional site furniture beyond what is presently required, paving enhancements, landscaping improvements, kinetic sculptures, lighting and sound features and an intermittent coffee cart.

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DRB MINUTES
April 6, 2015

a. **Staff Presentation.** Adrienne Klein introduced the project. She summarized the Board's prior comments made at their first review, then provided the applicants' responses and the project changes that had been made since the last review and finally raised the issues identified in the staff report for the Board to focus on at this meeting.

b. **Project Presentation.** Steve Hanson, a consultant for Scott's, made the applicants' presentation. He first explained his background and breadth of experience working in Oakland. Then, he laid out the background context for the Jack London Square development describing how the area had transitioned from industrial uses to the current mixed-use composition. He explained how the Scott's pavilion is a unique "one-of-a-kind-venue" in the East Bay that attracts over 30,000 people to the waterfront each year for the special events held there. He noted that the pavilion is authorized for special event use twenty percent of the year and that the proposed pavilion improvements are intended to shorten the turnaround time from private to public use.

Mr. Hanson then walked the Board through the pavilion design proposal and the two changes that had been made to it since the last review including the shortening of the north wall and removal of the permanent door frame on the east side. He shared photos of how the moveable wall panels function and pointed out that roof extensions had been made. He then shared the elevation drawings and described how entry doors would be inset within moveable panels to replace the permanent doorframe structure. At this point in the presentation, the Board asked that Mr. Hanson pause for questions.

c. **Board Questions.** The Board members asked several questions regarding this first portion of the project presentation.

Mr. Hirsch applauded the removal of the permanent doorframe. He wanted to know how the movable panels with doors would be locked into position. It was explained that 1-inch diameter holes would be drilled in the concrete and pins would lock the doors in place. Mr. Hirsch asked whether these holes would be covered when not in use and it was stated that they could be if needed.

Mr. Kriken asked about the frequency of pavilion closure for special events and when it is open for public use. Mr. Hanson explained that under the existing permit, the pavilion may be privately used twenty percent of the year, which is 73 days. He further explained that Scott's was in discussion with BCDC staff now as to whether the pavilion could be used for private events for additional days. He explained that in the past it took more than 4 hours to put the canvas walls in place and because of this they were often left in place longer than necessary. With the new walls, it only takes 20 minutes to move them in and out of position.

Ms. Alschuler wanted to better understand the shortening of the north wall from 40 to 30 feet. Mr. Hanson stated this work would occur following permit issuance.

Ms. McCann asked what material the red wall panel base was made from wondering whether this color or material could be changed. It was explained that this portion of the wall panels were made from powder-coated diamond steel plate. Mr. Hanson explained that the red base to the walls was meant to appear as a "footing" to the pavilion structure.

Ms. Alschuler asked which portions of the panels shown on Sheet A.3.1 were transparent and which were translucent. This was explained by reviewing the plans, which depict where the windows are located.

Mr. Kriken asked about the character of the architecture in the area and inquired whether there was a nautical feeling to it. Mr. Hanson explained that the area does have a nautical feel as the railings are all white with wooden teak tops and the light fixtures are also white.

d. Project Presentation Continued. Once the Board members' questions regarding the pavilion structure and management had been answered, Mr. Hanson presented two proposals to improve public access within the pavilion itself and also in the Franklin Street Plaza. He explained that the proposed public access enhancements had been prepared by Adrienne Wong, a landscape architect who had worked on other improvements in Jack London Square, including paving upgrades.

Mr. Hanson explained that the goal was to create a distinctive type of "neighborhood" within the Jack London Square area. Proposed public access enhancements to the pavilion itself include LED color lighting that could wash the building in color during the day or night, a sound system that could provide ambient background music during public use periods and a coffee cart if this were found to be financially feasible. He also explained that the moveable walls were a public access enhancement since they can be moved in and out of place so quickly and are more attractive than the previous canvas walls.

Mr. Hanson then presented Public Access Option A, which includes paving enhancements, two kinetic sculptures, three new trees, two stackable loveseats, a green screen at Kincaid's and rearranged benches and planters and Public Access Option B, which includes paving enhancements, two kinetic sculptures, eight new trees set within decomposed granite paving, two stackable loveseats, a green screen at Kincaid's and rearranged benches and planters.

e. Board Questions Continued. The Board had a few additional questions regarding this second portion of the project presentation.

Mr. Kriken asked about the kinetic sculptures and it was explained that these function in relation to the wind; one was proposed for placement in the plaza and one near the water's edge. Ms. Alschuler asked for clarification on the location of the site bulkhead and where planting would be possible in relation to this.

f. Public Comment. Several members of the public made comments.

Ms. Klein first relayed a comment that she had received by phone shortly before the meeting from Chris McKay, from Oakland Marina's, who stated that he likes the design of the pavilion and believes it encourages people to the waterfront.

Lee Huo, a planner with the San Francisco Bay Trail, stated that the main question is how to draw people to the waterfront. He believes the best way to do this is to "let the natural beauty of the Bay speak for itself" by taking away all structures that block views to the Bay. He stated that when the pavilion is closed, it takes away the view and so the design must somehow

replace the intuitive draw towards the water. He further stated that even when the pavilion is in public mode, many members of the public may view it as private since it is a covered structure. He also explained that although the sign on top states "Public Pavilion," there should be signage at eye-level that makes its public nature clear.

Sandy Threlfall, a member of Waterfront Action, commented that the Board had made good suggestions when they had reviewed the project a year ago. She stated that the view corridor shown on Sheet A.2.2 should remain open and not be blocked by trees as shown in the public access proposal. She noted that she likes the neon sign on top of the pavilion and recommended that neon signs at a lower level may be helpful. She believes the planters proposed for placement around the pavilion should not be used as they create barriers to public movement. She questioned that if the planters are there to protect the pavilion from being hit by trucks, then why would there be a need to have planters on the west side of the pavilion as shown in the drawings.

Keith Miller, owner of neighboring business California Canoe and Kayak since 1993, described himself as the "fellow that blew the whistle" on the pavilion construction activities. He explained that in 1996, he had been asked by Scott's to speak in favor of the pavilion to the Commission and he had done so. Now he wonders who owns the pavilion, "Is it the public or is it Scott's?" He explained that previously when the canvas walls were removed following special events, the pavilion "stood by itself." He is still in favor of Scott's using the pavilion for their business, but wants them "to run it exactly as they agreed to run it." He noted that overuse of the pavilion for special events has been well-documented and that the "illegal extensions" on the pavilion had been added without approval. He no longer trusts the applicants. He stated that the original intention by Scott's had been to install the new white planters permanently and, as a result, access would have been blocked and people would have had to walk around them. He noted that the argument to have these planters serve as wall protection "was nonsense" because the trucks are not supposed to be in that area. He believes that "clearing the clutter put there by Scott's" would help improve the area for public use. He noted that many people eat lunch under the pavilion during the Farmer's Markets. He concluded by stating that the unauthorized permanent door frame should be removed now to show good faith on the applicants' part.

g. Board Discussion. The Board members discussed the following:

The Board members asked to better understand the allowances under the current permit for private events in the pavilion. Ms. Klein explained that the permit allows for private use 73 days per year. She further explained that there are specific conditions on the private usage that pertain to the particular seasons and also use on weekdays versus weekends. She explained that the permit requires quarterly reporting on the private use and that the reporting has been inconsistent. As a result, the Port of Oakland began collecting its own data and this has revealed overuse of the pavilion for private events. And this is part of the reason (in addition to the unauthorized construction) why BCDC is undertaking enforcement action. She explained that Scott's had submitted an amendment request to increase the number of days that would be allowed for private use of the pavilion.

Ms. Alschuler stated that changing the calculation as to how many days would be allowed could have a very negative impact on public use of the pavilion.

Mr. Kriken commented that the perspective sketch of the proposed plaza improvements revealed that “visually everything was competing for attention.” He noted that the proposed trees block the sky and do not draw attention to the water but rather block views to it. The space would be more powerful if left open to the sky. He further noted that the proposed sculptures appear “antithetical” to the maritime environment and distract from the view towards the water. He suggested placing a “beautiful boat” in this plaza area instead. The current proposal reminds him of a shopping center and it would be better to have a design that clearly reminds one of where they are adjacent to the shoreline. He noted that currently, “the only thing that reminds you of where you are, are the kayaks.”

Mr. Hirsch repeated his agreement with the proposed removal of the permanent doors from the east side of the pavilion. He also mentioned that the LED lights are not maritime in nature.

Ms. McCann commented that the enhanced paving may not accomplish very much and, if paving enhancements were made, she would prefer the wave pattern as opposed to the diamond shapes. She agreed with Mr. Kriken that the maritime character of the area should be emphasized and any proposed changes should be measured by their maritime qualities. She stated that something that the public is really strongly attracted to should be placed in the open plaza area. There could be an exhibition space with artifacts from a maritime museum rotating periodically for display. She further recommended that the plaza be cleared of “clutter” and new seating should be very simple such as a linear seatwall aligning with the eastern shoreline.

Ms. Alschuler commented that there should be a sort of “procession” with the placement of new elements that draw the public to the water.

Mr. Thompson stated that all new elements, such as paving, seating, a display boat or other exhibits, should work to draw the eye towards the water. He further noted that the proposed planters would block movement towards the water, do not provide any enhancement, and do not appear to be needed.

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

(1) **Removal of Permanent East Door and Shortening of North Wall Are Great Improvements.** The Board repeatedly expressed their satisfaction regarding these project changes.

(2) **Plaza and Shoreline Edge Should Be Open and Simple in Design.** The view corridor to the Bay should be emphasized by minimizing vertical elements and only using vertical elements if they can help “frame” the view corridor and create a “procession” towards the water. The proposed trees and sculptures block the view to the water. Many Board

members discouraged using any trees since they would block views to the water. There should be simplicity in all design choices. For example, simple concrete seatwalls could be used rather than benches. Paving enhancements may not help unless they are tied to an overall framework. The proposed planters are obstructive and should not be included.

(3) **All Enhancements Should Be Measured Against Maritime Character.** The maritime character of the setting should be emphasized in all design treatments. A single element, such as a boat or sail, could enhance and not distract from the view and even strongly attract people to the Franklin Street Plaza.

(4) **Make the Most of the Covered Public Access Area.** The public access area covered by the pavilion should be programmed with public events that can benefit from being covered. For example, the covered area together with the sound system could be used for public dance events, although ambient background music was discouraged.

(5) **Return for Board Review if Staff Determines Necessary.** The Board left it to staff to determine whether staff thought it would be helpful to have additional Board review upon project revisions following this meeting.

g. **Project Proponent Response.** Mr. Hanson thanked the Board for their comments and made a few clarifications. The kinetic sculptures were proposed as an attempt to draw people to the shoreline. The previous wave pattern paving is not perceptible at the ground level and so alternative paving design enhancements were envisioned for this area around the pavilion. It is possible to use palm trees in the Franklin Street plaza area, as had been previously proposed in this area under prior designs by others and as are currently installed at the foot of Broadway, if these were desired and would better preserve views to the Bay.

5. **Adjournment.** Mr. Kriken adjourned the meeting at approximately 8:30 p.m.

Respectfully submitted,



ELLEN MIRAMONTES
Bay Design Analyst

Approved, with no corrections at the
Design Review Board Meeting of May 11, 2015.