

San Francisco Bay Conservation and Development Commission

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TO: All Design Review Board members

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Andrea Gaffney, Bay Design Analyst (415/352-3643; andrea.gaffney@bcdc.ca.gov)

SUBJECT: Approved Minutes of the October 7, 2019, BCDC Design Review Board Meeting

1. **Call to Order and Safety Announcement.** Design Review Board (Board) Chair Karen Alschuler called the meeting to order at the Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, First Floor, San Francisco, California, at approximately 5:30 p.m., and asked everyone to introduce themselves.

Other Board members in attendance included Board Members Cheryl Barton, Tom Leader, and Jacinta McCann. BCDC staff in attendance included Andrea Gaffney, Yuriko Jewett, Ethan Lavine, and Brad McCrea. The presenters were Richard Kennedy (James Corner Field Operations (JCFO)) and Veronica Rivera (JCFO). Also in attendance were Derrick Cooper (resident), Chris Dobbins (Save Oakland Sports), Guy Hollins (Hollins Consulting, Inc.), Mike Jacob (Pacific Merchant Shipping), Brook Mebrahtu (past resident), Bill Purcell (West Oakland Commerce Association; Save Oakland Sports), Keith Salminen (A's Fan Radio; Ballpark Supporters Network), and Sandra Threlfall (Waterfront Action).

Andrea Gaffney, BCDC Bay Development Design Analyst, stated Agenda Item 4, the San Francisco Bay Shoreline Adaptation Atlas Briefing, has been tabled to a future meeting. She reviewed the safety protocols, meeting protocols, and meeting agenda.

2. **Staff Update.** Ms. Gaffney provided the announcements as follows:

- a. The Office Development Project at 3000-3500 Marina Blvd, Brisbane, was passed by the Commission.
- b. The San Francisco Bay Plan Amendment to Address Bay Fill for Habitat Restoration Projects was passed by the Commission this past Thursday.
- c. The Environmental Justice and Social Equity Bay Plan Amendment is scheduled to be presented to the Commission for approval at the October meeting.
- d. The Pier 70 Waterfront Site, City and County of San Francisco, Project is scheduled to be presented to the Commission for approval at the November meeting.
- e. The Foster City Levee Protection Planning and Improvement Project is scheduled to be presented to the Commission for approval at the November meeting.



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f. The next Board meeting will be held on November 18, 2019. The Board will jointly review a revised design proposal for the China Basin Park at Mission Rock with the Port of San Francisco Design Advisory Committee.

Chair Alschuler asked for an update on available staff positions.

Ms. Gaffney stated a position remains open for a second Bay Design Analyst. Staff is currently accepting applications.

3. Approval of Draft Minutes for August 5, 2019, Design Review Board Meeting. Ms. Barton stated the Board is interested in following the Foster City Levee Protection Planning and Improvement Project. It is setting interesting standards and procedures that the Board would like to continue to track.

Ms. Alschuler agreed and asked to continue to get updates on the project.

Ms. Gaffney asked the Board if they would like a briefing after the permit conditions are finalized.

Ms. Alschuler stated it would be helpful as an informational item.

Ms. McCann stated the Board detailed thoughts about the importance of looking forward and monitoring the project at the August 5th meeting, but it is important not only for the project proponents to take action, but for BCDC to make the project a case study because it is setting the standard for much of what might happen around the Bay. It is important to keep track of it.

Mr. Lavine stated the staff report to the Commission includes a section with the findings of the Board.

MOTION: Ms. Barton moved approval of the Minutes for the August 5, 2019, San Francisco Bay Conservation and Development Commission Design Review Board meeting as presented, seconded by Ms. McCann.

VOTE: The motion carried with a vote of 4-0-0 with Board Chair Alschuler and Board Members Barton, Leader, and McCann voting approval with no abstentions.

4. San Francisco Bay Shoreline Adaptation Atla Briefing. This agenda item was tabled to a future Board meeting.

5. Oakland Athletics Ballpark and Mixed-Use Development at Howard Terminal (First Pre-Application Review). The Board held their first pre-application review of the proposal by the Oakland Athletics to redevelop the 55-acre site at the Port of Oakland Howard Terminal adjacent to Jack London Square, in the city of Oakland, Alameda County. The project would consist of a major league baseball stadium and a mix of land uses, including residential, hotel, commercial office, retail, parks, and plazas. Public access improvements would consist of approximately 6.4 to 10.5 acres of waterfront parks and open spaces including Bay Trail access and a waterfront promenade.

a. **Staff Presentation.** Yuriko Jewett, BCDC Shoreline Development Permit Analyst, introduced the project, showed a video of the Howard Terminal area taken from a scissor lift, and described points of interest as the video played.

Ms. Jewett asked that Board comments be structured separately for the following distinct components of the proposal: (1) Base Line Project Scenario; (2) Maritime Reservation Scenario; and (3) Baseball Park Development.

Ms. Jewett asked the Board to frame their discussion in three ways:

(1) Assembly Bill (AB) 1191 (State Lands Commission: exchange of trust lands) and the six conditions that must be met, which are listed on pages 2 and 3 of the Staff Report:

(a) The ballpark stadium has been designed using the Bay as a design asset to attract large numbers of people to enjoy the Bay, including a substantial quantity of high-quality open space and public access that serves the surrounding district and the region, and a view of the Bay from a rooftop park ringing the top of the stadium that will be publicly accessible on non-game and non-event days subject to reasonable limitations based on security.

(b) Buildings on BCDC jurisdictional Bay fill lands other than the ballpark stadium are designed using the Bay as a design asset, including providing water views from public spaces within and around those buildings.

(c) Buildings developed on BCDC jurisdictional Bay fill lands are designed to allow for significant and important views from the upper-level park within the ballpark stadium, such as views of the Bay, the estuary, the San Francisco skyline, and the port's working waterfront.

(d) Public trust uses on BCDC jurisdictional Bay fill lands are designed to promote activation of the adjacent public open spaces, significantly contribute to the public's use and enjoyment of the waterfront, and enhance rather than privatize the public realm.

(e) The Oakland Sports and Mixed-Use Project will provide a substantial quantity of high-quality open space and public access, and will provide the public with views from and along major thoroughfares that invite the public to the waterfront.

(f) The Oakland Sports and Mixed-Use Project will provide significant pedestrian and bicycle improvements both onsite and offsite in the vicinity of the project site to promote and encourage public access to, and public assembly at, the shoreline of the Bay.

(2) Sea Level Rise

(3) Public Access Design Guidelines, which are listed on page 10 of the Staff Report:

(a) Make public access PUBLIC.

(b) Make public access USABLE.

- (c) Provide, maintain, and enhance VISUAL ACCESS to the Bay and shoreline.
- (d) Maintain and enhance the VISUAL QUALITY of the Bay, shoreline, and adjacent developments.
- (e) Provide CONNECTIONS to and CONTINUITY along the shoreline.
- (f) Take advantage of the BAY SETTING.
- (g) Ensure that public access is COMPATIBLE WITH WILDLIFE [and, at this site, with adjacent Port uses] through siting, design, and management strategies.

b. **Project Presentation.** Richard Kennedy, Senior Principal, James Corner Field Operations (JCFO), the landscape architect for the project, introduced the project team. He provided an overview, with a slide presentation, of the background, context, existing site conditions, and a detailed description of the proposed project.

c. **Board Questions.** Following the presentation, the Board asked a series of questions:

Ms. Alschuler referred to Slide 10, Legislation AB 1191, on the staff presentation and asked how the term “BCDC jurisdictional Bay fill lands” relates to the three colors on the map.

Ethan Lavine, BCDC Coastal Program Manager, stated the area in blue on Slide 10 represents the shoreline band. The BCDC permitting jurisdiction extends to the upland boundary of the blue area. The areas in red and orange were either filled or had a pier replaced prior to the BCDC coming into existence. Those areas were filled for a port facility for water-oriented use. The areas in red and orange are dry land today but had been in open water and are, therefore, subject to the Commission’s Bay jurisdiction.

Mr. Lavine stated the legislation would allow the BCDC to find that this project could be approved as one of the allowable types of fill for which the Commission may issue a permit, which might not otherwise have been allowed, if the tests outlined in the staff presentation are passed.

Mr. Lavine stated the tests speak to design elements that, if the project meets them, the Commission can authorize something in that Bay jurisdiction, although it is dry land today, that it might not always be able to.

Ms. McCann referred to Slides 78 and 79 of the project proponents’ presentation and asked for verification that everything seen in the Base Line Scenario is not built in the first ten years.

Mr. Kennedy stated that is correct. He pointed to a line on the Base Line Scenario portion of a slide and stated it is the edge of the potential reservation. The alignment of Market Street follows the inside of the reservation zone.

Ms. McCann stated another version of the Base Line Scenario shows a ten-year Base Line Scenario, which is much less green.

Mr. Kennedy stated everything that is east of the Turning Basin will be built over the ten-year period of the first phase.

Ms. McCann asked Mr. Kennedy to point out on the slide the amount of the green area that would be put in place during the first ten years.

Mr. Kennedy pointed to an area on a slide that was the edge of Market Street, which is a shared street. He stated the alignment is at the edge of Market Street. Everything to the left of that location would not be developed for the first ten years.

Ms. Barton stated 25 percent of the project acreage will be held for the Turning Basin decision but it looks more equal on the presentation slides. She asked about the amount of green space that will be developed in the Maritime Reservation Scenario.

Mr. Kennedy stated the green space will be approximately 34 percent of the total area. The total green space on the left is approximately 17 acres, which is proportionately the same as the open space is on the full site.

Ms. Jewett added that the Base Line Scenario includes approximately 10.4 acres of open space, while the Maritime Reservation Scenario includes approximately 6.4 acres of open space. Together, those spaces total approximately 17 acres.

Ms. McCann asked how much of the acreage will be built within the first ten years.

Ms. Jewett stated Pier Park is 2.6 acres. The Overlook Park and Water Plaza, which is on the left side, is 1.1 acres. This totals approximately 3.7 acres. Adding Rooftop Park to this, which is 2.5 acres, and Athletics Way, which is 4.7 acres, totals to approximately 10 acres.

Ms. Alschuler referred to the same slide sequence comparing the Base Line Scenario and the Maritime Reservation Scenario and asked about 18-19 and 7-8 and whether 18-19 was listed as the 3,500-seat auditorium and presentation facility.

Mr. Kennedy stated that is correct. He stated one of the uses for 7-8 being considered is a 400-room hotel, which is part of the trust compliant use.

Ms. Barton asked how the topographic features end and how they return to protect the site from sea level rise.

Mr. Kennedy stated the site is at a high elevation since it was built in the 1980s. All of the buildings and pads are built to the 2100-year flood level and the building finish floor elevation merges toward the promenade level with the topographic features. A series of topographic features create the rooms within the pixel mosaic to thread them together but there are also a series of sloped walkways that take a different pitch. It creates a notched series of topographic elevations so the 2100-year flood elevation line is not a straight line but is more of a zigzag line.

Ms. Alschuler stated the anticipated water on the site suggests that the effect might be from flooding off of the surrounding sites. She asked about protections that will be put in place to protect the streets and public areas against that.

Mr. Kennedy stated the whole site will be lifted up a few feet in the middle of the site to remediate a saddle area where the asphalt sloped towards the wharf. The wharf is the pier deck, which is a 75-foot band along the edge that will be kept at the existing level. It floods north of that line, which is where the fill, topography, and site build-up will occur. It will effectively be dammed off on either side.

Mr. Leader referred to the same presentation slide used to describe the 7-8 and 18-19 areas, and asked for verification that those are public trust compatible uses and may include underground or partially underground retail in the activity zone.

Mr. Kennedy agreed.

Mr. Leader stated the 100-foot shoreline band is outside the public trust band where it seems to go into a different mode. He asked about the interpretation of the 100-foot shoreline band.

Ms. Alschuler also asked if there is a map that shows the 100-foot shoreline band on the plan.

Mr. Kennedy stated the band was not overlaid over the project but the band is faintly dashed in on some of the presentation slides. He pointed out that it comes in the middle of the ballpark and then zigzags through the location.

Ms. Alschuler pointed out the faint dashed line on Slide 25.

Mr. Kennedy showed another slide that was zoomed in so the dashed line could be seen better. He followed the line through and stated it is the upland edge of the shoreline band.

Mr. Lavine stated a good way to think about the different BCDC jurisdictions is in terms of allowable uses within those respective jurisdictions. Within the shoreline band, outside of areas that carry a priority-use designation, the Commission can approve any number of uses within those areas.

Mr. Lavine stated, on the Bay, traditionally, the BCDC could not allow a development such as this because it would not be for water or other use and it would not be minor fill for public access. What the legislation will do if it is enacted is to allow the BCDC to approve a project like this, provided it meets the criteria that are established in legislation.

Mr. Lavine stated, if the port priority use area is lifted from the site, the area can be looked at effectively as in other shoreline band jurisdiction projects. It is a matter of assessing if the public access is at maximum feasibility consistent with the project, is well-designed, and fits with the policies in place respective to amenities that should be provided. It is important to show these because none of those pieces are settled yet. If all of the pieces do fall into place, the BCDC will be looking at this as if it were effectively shoreline space that was dry land.

Ms. Alschuler stated the northern edge of the 100-foot shoreline band all the way south becomes the area the Board would normally treat as the band. If it can be assumed that a ballpark is an acceptable use in that band, then there are only a few places of intervention, streets, and access ways.

Mr. Leader stated the Board has recommended other types of uses, their height, and their bulk in other shoreline bands. The Board will be judging this project based on that and not about whether it is mixed use or public-oriented.

Ms. Alschuler stated the Board will look at the types of uses within the band to ensure it is not left empty and that things are brought into the band that will make it active and useful and will bring individuals to the site. She stated the Board needs to understand all those pieces.

Ms. Alschuler asked about the implications for the port. She asked if the functions that are being removed from Howard Terminal are still being used on the site.

Mr. Kennedy stated the crane is not in operation. The site is currently passively used as storage for containers. Beyond storage, there is no other port function.

Ms. Alschuler asked if there were fuel tanks on both sides.

Mr. Kennedy stated fuel tanks were historically in the vicinity of the PG&E facilities on the northern edge of the site. There is one oil tank that still remains.

Mr. Kennedy pointed out a small fire station on a presentation slide and noted the Vistra building, which is a privately-operated pump-up station used as backup in case of power grid failure. Jet fuel is used on an as-needed basis. This is currently being modified to be a cleaner energy source by using batteries.

Ms. Alschuler asked if the project will take over the Vistra building.

Mr. Kennedy stated Vistra is a private enterprise and will be a stakeholder and neighbor. He pointed out the building to be used by Vistra in the future on a presentation slide. He noted the current Vistra building, which had industrial use in the past, and stated it has an interesting character and is planned as a point of arrival for pedestrians and cyclists as Athletics Way intersects that point. Ideally, the Vistra building will have some type of function such as food, beverage, or retail that can activate the Arrival Plaza. Project proponents are in discussion with Vistra on how their operation will play out.

Ms. Alschuler asked for verification that the potential programming will be the same for the two alternative plans. She asked if the 4 million square feet of development will be squeezed into fewer parcels or if the project proponents will have an agreement for what will happen in ten years.

Mr. Kennedy stated the project is still in the California Environmental Quality Act (CEQA) process and looking at maximum developable area as part of the CEQA.

Ms. Alschuler asked if the idea is that some amount of development that will support this project will be delivered in more height and density or if it will be decided at the ten-year period.

Mr. Kennedy stated it will be decided at the ten-year period.

Ms. Alschuler asked for verification that there are 96 days that the public will be unable to use the Rooftop Park.

Mr. Kennedy stated the Rooftop Park will be unavailable to the public for portions of the 81 game days and 15 events.

Ms. McCann commended the project proponents on the social equity map. She asked if the considerations that were read out were taken into consideration with the housing color.

Mr. Kennedy stated the development will likely be a mosaic of those conditions in the same way that the open space is envisioned as being not one thing but many. The housing will be a mixed collection of offerings.

Ms. McCann stated it is a clear way of communicating current conditions and how the Master Plan might impact them. She suggested that any offsite enhancements become part of the Master Plan as they develop, such as Market Street so individuals can walk, cycle, and make the most of that connection. She stated it would be helpful to see how the connectivity back to adjoining neighborhoods and how the social mapping will start to take place.

Ms. Barton asked about compatibility with wildlife.

Mr. Kennedy stated all wildlife is welcome. Project proponents had a series of all-day meetings with the Audubon Society and the American Bird Conservatory to discuss bird-friendly design. As part of that conversation, there was talk about wildlife at large. What was concluded was that ideally the planned communities that will be developed will support birds, pollinators, and other wildlife. He noted that diverse types of plants that attract birds and insects while serving a social function will be included in the plan.

Mr. Kennedy stated the intent is that the waterfront parks will be sufficiently green and have a sensibility about the combination between active, programmable spaces and wilder, botanical, horticultural spaces that can be supported by a diverse set of spaces.

Ms. Barton asked if there will be a difference in the Maritime Reservation scenario option.

Mr. Kennedy stated the scale will be diminished in the Maritime Reservation Scenario.

Ms. McCann asked where the fan base comes from for the ball games.

Mr. Kennedy stated it is a regional team. Individuals come from all East Bay counties.

Ms. Alschuler stated there is a part of the Rooftop Park that is not Americans with Disabilities Act (ADA) accessible. She asked where it is and why.

Mr. Kennedy referred to a presentation slide and stated the portion from the 6:00 position to approximately 3:30 and from the 12:00 position to approximately 2:30 are sloped-piece portions ranging from 20 to 40 percent in pitch with stairs. During non-game days, users can use the staircase to ascend to the fully-accessible and programmed park. He stated the sloped portion is more of a traditional roof garden; it is a sloped landscape that is not accessible or programmed.

Mr. Kennedy stated all concourses are accessible and all levels are accessible through lifts. The portals are accessible on game days but inaccessible on non-game days. There will be a fence within the portal to limit access.

Mr. Kennedy referred to a presentation slide and stated another nuance point is, during game days, the portals will have accessible seats so wheelchair users can come to the portal during game time, sit along the rail, and view the game from the edge.

Mr. Kennedy stated, on non-game days, when the portals are closed off, wheelchair users would access the two lifts on the north and south sides that come up to the roof and create access to a fully-accessible and more-or-less uniform-level park.

Ms. Alschuler asked if the park will be open at night; it is touted as a place to do stargazing.

Mr. Kennedy stated the intent is that the parks will be open for traditional park hours.

Mr. Leader stated the reason that the public does not have access during games and events is because they are ticketed areas. He stated there are a number of areas where ball games are not visible and could still function as public parks on game days, such as at Salesforce Park, but it seems too cumbersome.

Mr. Kennedy agreed and stated it becomes logistically challenging to coordinate security and identification and to keep the ticketed and non-ticket public spaces separate. All operations must be approved by the Major League Baseball (MLB) organization, including access. The way it is being discussed today is creating that public viewing window at the lower level, which is still a ticketing issue but, being in a discrete area, can be managed by staff.

Ms. McCann asked about Pier Park, which is the closest location to Jack London Square. She asked how easy that connection will be to the existing waterfront trail.

Mr. Kennedy pointed out the ferry building, pier, and green on a presentation slide and stated it is a fairly large area. He noted that approximately 30,000 individuals gathered there during the Oakland A's FanFest event earlier this year.

Mr. Kennedy pointed to Water and Clay Streets on a presentation slide and noted that that is the center line. He stated the idea is to take a floor and bring it all the way throughout. He stated it is quite wide in this location. The spacing of trees is generous at approximately 50 feet. He stated it is difficult to judge the scale because the Baseball Park has such a large footprint.

Mr. Kennedy stated there is a main promenade that is tree-lined that creates the center-line view of Center Field. There is a boardwalk along the edge that is also continuous and is touching the existing boardwalk. There are multiple routes. The tree line becomes an edge to the fan experience during game times so individuals can feel they are connected and yet have a buffering edge.

Mr. Kennedy stated the tree line wraps around the Baseball Park and the Bay Trail is on the south and east side of that tree line, which creates that physical, psychic separation between what is fully public all days and the ticketed zone.

d. **Public Hearing.** Eight members of the public provided the following comments:

(1) Mike Jacob, Vice President and General Counsel, Pacific Merchant Shipping Association (PMSA), representing ocean carriers, marine terminal operators, and port tenants at the Port of Oakland, spoke in opposition to the proposed project and AB 1191. He stated the PMSA is in the process of designing Seaport Compatibility Measures with the Port of Oakland.

Mr. Jacob stated he had not planned on speaking today but there were several points of the project proponent presentation that need a response. He stated he especially wanted to respond to the Board's question that directly asked about the current use of the site. He stated the project site is not passively used for storage - there are approximately 325,000 trucks moving in and out of that facility annually.

Mr. Jacob stated the facility is open beyond the times of normal gates at the marine terminal to stage and move a lot of equipment. There is a fair amount of diversion of trucks and cargo out of the neighborhood of West Oakland, which is designed for community benefit and air quality improvements.

Mr. Jacob stated concern about the overall circulation of the proposed project with respect to access to the site. He stated the presentation mentioned merging with the Bay Trail with an at-grade rail crossing, which is a serious concern. He stated the site should be completely vehicular-grade separated in addition to pedestrians and bicycles.

Mr. Jacob stated there should not be 3,000 residences and 1.5 million square feet of office space and hotel, much less a Baseball Park, where that many individuals will be asked to cross the railroad tracks daily, especially when encouraging active transportation. It is fundamentally unsafe and the Port of Oakland needs to have unfettered train access to and from the intermodal yards at the Port.

Mr. Jacob stated the site is fundamentally a part of the Port of Oakland's supply chain - it helps the Port operate and grow, reduces emissions, and reduces interactions with trucks and the public in the community. This is something the PMSA encourages and the community of West Oakland wants and is the reason they recently adopted the Bay Area Air Quality Management District West Oakland Community Action Plan. They contemplate moving industrial areas out of the core of West Oakland to the south and west sides of Highway 880 industrial areas. He stated truck usage will be concentrated around this facility and on Howard Terminal, not eliminated.

(2) Sandra Threlfall, Executive Director, Waterfront Action, stated Waterfront Action is an Oakland-based nonprofit that attempts to let the individuals who live in the Bay Area know that there is a waterfront. For many years, the waterfront was difficult to find, but it has been opening up since the 1990s.

Ms. Threlfall stated there were things that were not mentioned in the presentation. She stated there used to be a very popular 4th of July parade down the estuary approximately ten years ago with decorated boats tied together. At that time, there were fewer freight trains, but as the Port increases its cargo, the number of freight trains per hour will increase. It takes approximately 20 minutes for the freight trains to move through an intersection. She asked how individuals and emergency vehicles will get through.

Ms. Threlfall stated the Port is important and the train is part of its necessary operations. It keeps things clear and moving out to the places of destination. The Port of Oakland is one of the few ports that has as much cargo shipping out and coming in, which is something to be proud of, but whether it is shipping out or coming in, it is done by train. She asked how that can be made safe.

Ms. Threlfall stated Waterfront Action tried to negotiate with the Southern Pacific Transportation Company (SP) about additional at-grade crossings and their response was that there are already two. SP did not understand the need for additional crossings.

Ms. Threlfall stated the SETA (phonetic) will stop this project for the simple reason that individuals cannot access the project site safely.

(3) Brook Mebrahtu addressed the proposed project from three perspectives: (a) As someone who lived in Oakland for over 25 years, this project will bring much-needed housing; (b) As someone who built projects in San Francisco at the San Francisco Public Works, he has seen the economic impact it can bring to the neighborhoods from the increased employment opportunities; (c) As someone who sits on a board of a park advocacy nonprofit in San Francisco, these open spaces are critical. They are beautiful and it is a proven scientific fact that they increase the health benefits of the citizens of Oakland.

Mr. Mebrahtu stated he strongly supports the proposed project.

(4) Guy Hollins, Chief Executive Officer, Hollins Consulting, Inc., spoke in support of the proposed project. He stated he has watched the project evolve over the last few years. He pointed out two items that struck him during the presentation. The first item was the shifting of the ballpark 100 feet further away from the shoreline to soften the edge and to increase the public open space along the edge.

Mr. Hollins stated a lot of thought has gone into how the project will connect to the rest of the neighborhood. This is part of the evolution of the design. It is important that it is evolving in the elements of the design. These access questions, which are important, are being addressed and will continue to be addressed. He commended the Board for their time and efforts to get the project to this point.

Mr. Hollins stated the second item that struck him during the presentation was that the relative size of the open space is impactful, particularly the five-acre Rooftop Park that the Salesforce Training Center has. Mr. Hollins stated Rooftop Park is a small element in size, but it has the relative benefit of opening up the water's edge for multiple generations and is a great opportunity.

(5) Bill Purcell, Board of Directors, West Oakland Commerce Association (WOCA), and Save Oakland Sports, spoke in support of the proposed project. It is a tremendous economic stimulus for Oakland and West Oakland. He stated the only concern is the traffic and how that will be managed.

(6) Chris Dobbins, President and Co-Founder, Save Oakland Sports, spoke in support of the proposed project. The coliseum presently creates approximately 700 jobs. He stated, with the Oakland Raiders and the Golden State Warriors leaving, it is important to keep professional sports in Oakland. The proposed project is a win-win for the community. He stated the transportation issues brought up by the representative of the Port of Oakland can be worked out.

(7) Derrick Cooper, resident, spoke in support of the proposed project. He stated the importance of creating memories for future generations to come.

(8) Keith Salminen, Producer and Co-host, A's Fan Radio, and Member, Ballpark Supporters Network, spoke in support of the proposed project. He praised the A's and everyone involved in this project, which is bigger than baseball.

Mr. Salminen stated, in its current form, the project site is hurting West Oakland. The project proponents will clean up the site and the project will add open space, add the Rooftop Park, connect with the Bay Trail, bring much-needed housing to the area, and, hopefully, jump-start Jack London Square. This project will be a win-win for the city of Oakland and the East Bay.

e. **Board Discussion.** The Board framed its discussion around the seven public access objectives found in the Commission's Public Access Design Guidelines, as listed on page 10 of the Staff Report, and discussed these seven objectives for three components of the proposal: Baseball Park Development, Base Line Project Scenario, and Maritime Reservation Scenario, as follows:

f. **Baseball Park Development**

(1) **Make public access PUBLIC.** Suggestions to this question are incorporated in the suggestions to Question 2.

(2) **Make public access USABLE.** Mr. Leader stated the design meets the Commission's Public Access Design Guidelines 1 through 6.

Ms. McCann stated this is a very exciting proposal on the Master Plan level. There is something unique that is being developed in the Master Plan. The key aspect of that ties to these public and usable criteria - the points set out that the Board should be talking about. She stated she loved the fact that the servicing of the park is cleverly handled through the gentle slope up and servicing under. This enhances public access, safety, and appeal.

Ms. McCann stated the blurring of the stadium with public access up over the roof and different levels of access during game and non-game days is intriguing. At a Master Plan level, it is very unique and appealing.

Ms. McCann stated the proposed project aims to meet AB 1191 Condition 1, which is listed on page 2 of the Staff Report.

Ms. McCann stated the way in which the Bay Trail is designated makes it very public and usable.

Ms. McCann stated the renderings look great but she still has questions about security when in non-game mode. It tends to be a darker structure that is not lit up when not in game mode. The sense of security and being able to walk through the spaces adjacent to the large structure should feel open, welcoming, and safe.

Ms. McCann stated the need to ensure that the cranes' structural integrity is sufficient for public safety.

Ms. McCann suggested including plenty of places for individuals to sit and do the activities that the community has stated they would like to do.

Ms. McCann stated the need to ensure that the 100-foot shoreline band in this type of scaled space with a large structure next to it will accommodate everything. She asked to see how that will split out - where the emergency access is and where pedestrians will mainly be. She stated 100 feet does not seem that wide.

Mr. Leader stated the project can be divided into three areas: The Crane Park on the right, the Baseball Park, which is amazing and exciting, and the area to the left down to the end. He stated he is still unclear about the identity of that third area. He asked about the driver and the story behind that area. He suggested that it have its own purpose and identity that tells the story about itself because it is such a large piece of open space. It could help give character and inspiration to the built uses.

Mr. Leader stated it is great to keep the cranes as a recollection of the past. They are a thrilling sight for motorists coming over the bridge. Some of the port will be removed but the cranes will stay. There is a sadness that they will no longer operate. He asked what the story is about the location and what it means for the cranes to stay there for a time.

Mr. Leader stated the need to determine how many of the cranes should be kept and how to ensure that they will remain safe. He suggested that perhaps two of the cranes could maintain their mechanical operations. He asked if an artist could interact with the cranes on a large scale and work with the sadness of the moment and the stories being told there. He stated it would be great to engage the mechanics of the cranes to help keep them alive.

Ms. Alschuler stated it will be important to see the Baseball Park as the big destination at this location, to better understand how individuals can get there and how it connects, to better understand what the walk, connection, and experience is like, to better understand the social settings map and how individuals from different walks of life get there, and to better understand how the project relates to all the plans that Oakland has been doing for the downtown area, West Oakland, and surrounding areas. She stated it would be good to ensure that the proposed project is consistent with Oakland's other projects.

Ms. McCann asked for more clarity on the hotel parcel. She asked for additional information on the edges, where there might be a distinction between fully public space and transitional public space that is associated with the hotel, and how access to the hotel would work. It is good that the hotel is in that location to activate the waterfront, but it seems that access to the hotel dead-ends.

Ms. Alschuler asked about the plan for emergency vehicle access to the site.

Ms. Alschuler stated the 400-room hotel will come with meeting facilities and walls. This will be a critical design. Characteristics will be important about a big hotel and its entrance. She stated the entrance would have to be on Main Street because the streets between the blocks are ticketed areas and will be closed to the public on game days.

Ms. Barton stated the need for alternatives on non-game days, when the population drops down. It must be programmed right to draw people there.

Ms. McCann stated the need to think more about the program on the Rooftop Park. She stated the need to ensure that the programming of the Rooftop Park does not eliminate programs that would be neighborhood-appealing down at ground level.

Ms. Alschuler asked if there is an active area that can be included. None of this is sports-related anywhere on the site. The parks are broken up into small components with pavement around them.

Ms. McCann stated the next plan includes the open space on the western side that may present opportunities for more sports-related activities.

(3) Provide, maintain, and enhance VISUAL ACCESS to the Bay and shoreline. Ms. Alschuler stated the location where Martin Luther King Jr Way (MLK) comes in may become an important location after the transportation and various access points are dealt with. The presenters talked about a building. She stated it may perhaps become a landmark. She asked to see photographs of the building and location.

Ms. Alschuler stated MLK is the street that goes north and back to the downtown area. She stated, when individuals finally get to the site via MLK, they see the Baseball Park but not the Bay, as the other main streets do. She asked what is special in that location other than the Baseball Park to draw the public in. She stated the need to include something to give individuals a sense of arrival at that important point. All of the routes go under a big, dark, terrible highway. She asked how to solve that problem.

(4) Maintain and enhance the VISUAL QUALITY of the Bay, shoreline, and adjacent developments. Suggestions to this question are incorporated in the suggestions to other questions.

(5) Provide CONNECTIONS to and CONTINUITY along the shoreline. Ms. McCann suggested including a drawing to help the Board better understand how the plan engages and connects back to Jack London Square and the adjoining neighborhoods.

Mr. Leader asked to see an urban plan of the whole area over to Highway 880 - where individuals are living, how they connect, the initiatives in the neighborhoods, and the life this project connects to. This is part of presenting the project proponents as a member of the family and a good way to tell the story.

Mr. Leader suggested a pedestrian bridge at 23 feet over the trains to give pedestrians safe access to the site from surrounding neighborhoods.

(6) Take advantage of the BAY SETTING. Suggestions to this question are incorporated in the suggestions to other questions.

(7) Ensure that public access is COMPATIBLE WITH WILDLIFE [and, at this site, with adjacent Port uses] through siting, design, and management strategies. Mr. Leader stated he hopes to see collaboration with the Port of Oakland.

g. Base Line Project Scenario

(1) Make public access PUBLIC. Suggestions to this question are incorporated in the suggestions to Question 2.

(2) Make public access USABLE. Ms. Alschuler stated there are two buildings within the open space and more usable space in the Base Line Project Scenario without the corner being removed.

Ms. McCann stated, with the Base Line Scenario, the park space and the rationale of access and use is less clear. The renderings look interesting but the way the plan reads, moving to the west on the drawing, the people who are walking, cycling, and using the Bay Trail will have more park, which is terrific, but there is a question about what the park is being used for and if it should have more active recreation. The East Park is associated with baseball and sports, but the West Park starts to change. She stated she is unclear about what it is doing.

Ms. Alschuler stated, in creating this isolated area on the other side of the building, it might not feel comfortable being over there next to the steel.

Mr. Leader stated the park on the left requires more evolution.

Ms. McCann agreed and stated it is not being solved the same way the east end has been.

Ms. Alschuler stated the need to define how it will be used, how individuals will get there, and who will feel the most comfortable and invited to come to that space.

Ms. Alschuler stated the blocks are large, particularly Block 20. She asked why Block 20 is a 500-foot-long block.

(3) Provide, maintain, and enhance VISUAL ACCESS to the Bay and shoreline. Ms. Alschuler stated, if the corner is removed, the Bay will be seen from all the entry streets and it will be slightly closer, but there will be less usable space.

Ms. McCann stated the view corridor changes to focus on a major building on MLK Way, not the Bay.

Ms. McCann stated the curve of Market Street limits the view, which would be an important view.

Ms. Alschuler agreed and stated the Board would like to understand more about why Market Street is curved and to think about uses that would bring families to the site on non-game days.

(4) Maintain and enhance the VISUAL QUALITY of the Bay, shoreline, and adjacent developments. Suggestions to this question are incorporated in the suggestions to other questions.

(5) Provide CONNECTIONS to and CONTINUITY along the shoreline. Ms. Alschuler stated the connections are similar to the Maritime Reservation Scenario.

(6) Take advantage of the BAY SETTING. Ms. Alschuler stated there does not seem to be a plan to get the public into the water.

Ms. Alschuler stated the conditions to be met for AB 1191, which are listed on page 2 of the Staff Report, do not represent the criteria that the Board usually use. She gave the example from Condition 1, if “the ballpark stadium has been designed using the Bay as a design asset,” that that makes it okay. She stated it is an honor and a privilege to develop 55 acres on this piece of the San Francisco Bay. It is an economic and natural resource potentially threatened in the years ahead. It is a changing, powerful body of water. It is all kinds of things that should affect land formation and the use of lands that are on the Bay and the access and equity to get to it.

Ms. Alschuler stated the Board is happy to add those required conditions, but she stated the hope that the Board can still hold onto the things it believes in about the Bay and the ways in which projects must respond to them.

Mr. Lavine stated the conditions are added in. The guidelines that are part of the staff questions are still relevant. The questions the legislation adds on are about meeting those tests for the BCDC to consider this use in this location.

Mr. Leader referred to page 3 of the Staff Report that states “several sections of the BCDC’s Bay Plan policies that address placement of fill would not be applied to the project on the filled Baylands,” and asked what was meant by that.

Mr. Lavine stated it is back to that same point. The Commission can allow fill in the Bay for certain uses only, mostly for water-oriented uses. This is effectively saying the development program seen here is allowed on this already-filled area. The BCDC is allowed to change the use of something other than what was intended when the fill was originally authorized.

Mr. Leader asked if it would be considered a new fill from a regulatory standpoint.

Mr. Lavine stated it might have been. The legislation would answer that question. It would say that this fill can be authorized under certain circumstances if it meets those tests.

(7) Ensure that public access is COMPATIBLE WITH WILDLIFE [and, at this site, with adjacent Port uses] through siting, design, and management strategies. Suggestions to this question are incorporated in the suggestions to other questions.

h. Maritime Reservation Scenario

(1) Make public access PUBLIC.. Suggestions to this question are incorporated in the suggestions to Questions 2.

(2) Make public access USABLE. Ms. McCann stated the Maritime Reservation Scenario has a lot less park space but may be easier to solve. There is a smaller neighborhood and it is scaled back so the spaces can be finessed.

Ms. Alschuler asked how the new edge condition will be finished.

Ms. Barton stated the scale relationship of the development will be changed with this new edge.

Ms. Alschuler agreed that the scale of the buildings versus the edge and what makes it welcoming is very important to learn about

Ms. McCann stated the Maritime Reservation Scenario is a more open edge. The question of how the western edge of the site will be anchored becomes important. It is a more urban solution and more about a promenade along the water's edge, the Bay Trail, a series of buildings with full courts and plazas, and parks. The design approach would be very different.

Ms. Alschuler stated it could be a major draw for individuals to come to the site when a big ship is turning. It may be true on the other edge as well for individuals to watch the ships go by.

Ms. McCann stated the question about how the edge will be developed is important.

Ms. Barton stated it would be great to have the Port of Oakland available at the next meeting.

Ms. McCann stated there is so much less open space for this section of the Bay Trail, walkway, and promenade associated with the development that every part of it needs to be carefully developed so the design of the edge walkway might have more variety in it, or there might be another level of detail that would go into it to provide different opportunities for seating or to orchestrate that experience. Every part of those has to be compelling for individuals to come here.

Mr. Leader suggested breaking down the scale for more crenulations instead of the blocks along the edge.

Brad McCrea, BCDC Regulatory Program Director, stated one of the reasons that staff asked to revisit this is that the Commission will have to grapple with whether and how both and each of the alternatives provides what is required by law, which is maximum feasible public access consistent with each of these proposals. It is the Commission's job to determine what is maximum feasible public access.

Mr. McCrea stated it is the Board's job to determine if the public access is adequate. Adequacy relates to the number of individuals who will be at the site, the anticipated level of use, and individuals who are enjoying themselves along the edge of the shoreline, mixed with residential use when individuals are home and the configuration of the open spaces. He stated adequacy is also the amount, both physical and visual, and the quality of public access.

Mr. McCrea stated it is staff's job to make a recommendation to the Commission about what staff believes is maximum feasible public access consistent with the project. In this case, there are two scenarios.

Ms. Alschuler stated it would be nice next time to see how either one of the scenarios becomes a great neighborhood. It is special because it is near the water and it has what it needs for the 3,000 units that will be developed. She stated the need to ensure that there are also active parks and places for individuals to bring their families.

Ms. McCann stated there is more of a question in the Maritime Reservation Scenario about how individuals will live there with the greater density and more confined space and how the smaller road network supports the number of units planned.

Ms. McCann stated, in the Baseball Park to the east, there are many options for arrival including the ferry and by foot, but the road network must solve for adequate servicing and access of the units and there must be enough public space to deal with the local individuals who live there to recreate.

Ms. Barton stated retail serving everyone plus the neighborhood is a tight squeeze in this scenario.

Mr. Leader asked if there would be a change to the development pattern if this scenario was chosen and if things would get taller and denser. He asked how that would affect alleys, roof gardens, and spaces created.

Ms. Alschuler agreed and stated the Board has only seen views in two dimensions so far.

Ms. McCann asked about creating a pocket of space within the grid of residential blocks, as well.

Ms. Alschuler agreed and stated 3,000 units is similar to South Challenge Bay (phonetic), where the Bayside Park and the Triangle Park for families has improved the neighborhood.

Ms. Barton stated the decision needs to be made within ten years. This amazing plan may change.

Ms. McCann stated the use of the open space in this plan starts to change. It is more urban and denser.

Ms. Barton added that there are more materials with a less biodiverse area.

Ms. McCann stated understanding that and how the water's edge works would help convince the Board that this smaller amount of open space can actually serve everyone in the neighborhoods and tall buildings.

Ms. Alschuler stated it is an important question. The Board would have to be convinced that the Port needs to invite the Baseball Park to be built here. She stated questions need to be asked, such as if it is about barely fitting or if it is the type of place where individuals can come, sit, and feel comfortable for many reasons that could enliven as well as make it more useful for other types of events during the year.

Mr. Leader asked, related to the circle, if there is a different move that spins off of that that would give more strength to it such as how the road is shaped.

Ms. Barton agreed that that form creates a different scenario.

Ms. McCann asked what the water's edge in this scenario becomes.

Ms. Gaffney stated the original one was 1,950 feet long. With the shoulder, it will now be approximately 1,600 feet long.

Ms. McCann stated, with the cut-back, it will be longer.

(3) Provide, maintain, and enhance VISUAL ACCESS to the Bay and shoreline. Suggestions to this question are incorporated in the suggestions to other questions.

(4) Maintain and enhance the VISUAL QUALITY of the Bay, shoreline, and adjacent developments. Suggestions to this question are incorporated in the suggestions to other questions.

(5) Provide CONNECTIONS to and CONTINUITY along the shoreline. Ms. Alschuler stated the hotel narrows down the connection along the water and is part of Phase 1. The design of that block would have to anticipate that.

Mr. Leader stated the hope that the hotel will become more shaped and responsive to scale.

Ms. Alschuler stated the Board has looked at hotels along the water but they have been much smaller. The Board has worked to ensure the hotels were contributing to individuals enjoying the Bay and individuals enjoying the hotels and not overpowering the discussion.

Ms. Barton stated the hotel as is designed is a very tight fit at the end of the promenade.

Ms. Alschuler stated scale needs to be considered for the hotel.

Mr. Leader stated the hotel will carry a bigger burden than just a hotel. It combines several community-related things within it that organize the experience of the site.

Ms. Alschuler stated the importance to understand for both scenarios how individuals will access the site by water.

(6) Take advantage of the BAY SETTING. Suggestions to this question are incorporated in the suggestions to other questions.

(7) Ensure that public access is COMPATIBLE WITH WILDLIFE [and, at this site, with adjacent Port uses] through siting, design, and management strategies. Suggestions to this question are incorporated in the suggestions to other questions.

f. **Applicant Response.** The applicant did not provide a closing statement.

g. **Board Summary and Conclusions.** The Board did not summarize their conclusions. (Please refer to the Board Questions and Discussion.)

Ms. Alschuler stated the Board would like to review this project again.

6. **Adjournment.** Ms. Alschuler asked for a motion to adjourn the meeting.

MOTION: Mr. Leader moved to adjourn the October 7, 2019, San Francisco Bay Conservation and Development Commission Design Review Board meeting, seconded by Ms. McCann.

VOTE: The motion carried with a vote of 4-0-0 with Board Chair Alschuler and Board Members Barton, Leader, and McCann voting approval.

There being no further business, Ms. Alschuler adjourned the meeting at approximately 8:30 p.m .

Respectfully submitted,

ANDREA GAFFNEY
Bay Design Analyst

Approved, with corrections at the
Design Review Board Meeting of November 18, 2019.