January 23, 2015

Application Summary
(For Commission consideration on February 5, 2015)

Number: Amendment No. Four to BCDC Permit No. 2012.002.04
Date Filed: December 29, 2014
90th Day: March 29, 2015
Staff Assigned: Ming Yeung (415/352-3616; ming.yeung@bcdc.ca.gov)

Summary

Applicant: The Port of San Francisco (“Port”)

Location: The James R. Hermann Cruise Terminal at Piers 27-29, along the San Francisco waterfront in the Port of San Francisco, near the intersection of Lombard Street and the Embarcadero, in the City and County of San Francisco (Exhibit A).
Project: The proposed project involves a material amendment to BCDC Permit No. 2012.002 to allow commercial parking within the Piers 27-29 James R. Hermann Cruise Terminal Ground Transportation Area (or “GTA”) when the GTA is not being used for cruise terminal or special event purposes (approximately 180-200 days per year) and to clarify areas available for public access along the Pier 27 apron to address safety and security concerns. The proposed project would also involve the construction of permanent restrooms within the historic Beltline Building located along the Embarcadero by December 31, 2015.

Issues Raised: The staff believes that the application raises two primary issues: (1) whether the project is consistent with the San Francisco Waterfront Special Area Plan; and (2) whether the project is consistent with the Commission’s public access and scenic views policies.

Background

On March 15, 2012, the Commission unanimously approved BCDC Permit No. 2012.002 to authorize the Port of San Francisco to construct the new James R. Herman International Cruise Terminal, the Northeast Wharf Plaza, and other related facilities at Piers 27-29. The site was temporarily used in 2013 as the “America’s Cup Village”, one of the primary viewing and event sites for the 34th America’s Cup. The approved project involved the construction of an approximately 91,200-square-foot, 40-foot-tall, two-story cruise terminal building in place of the former Pier 27, an approximately 2.7-acre Ground Transportation Area between Piers 27-29 for cruise ship terminal vehicle and transportation needs and special event uses, and a 2.73-acre Northeast Wharf Plaza along the Embarcadero, as well as other public access throughout the site (Exhibits B and C). On September 25, 2014, the cruise terminal building and the Northeast Wharf Plaza were officially opened for use by the public. Other elements of the project, such as off-site public access and the Bayside History Walk through Pier 29, are required to be completed in phases.
Since the issuance of the original permit in 2012, several project elements have changed. On February 5, 2015, the Port of San Francisco will provide an update on the project to the Commission. The majority of the changes proposed have been authorized through a non-material amendment to the permit (Amendment No. Three). These changes included: constructing a facilities and operations building near Pier 27 to relocate forklift operations out of the Pier 29 shed, installing temporary fencing for security purposes, authorizing public access closure times for night-time security purposes, installing bollards for safety, and extending the time by which a program for the Piers 27-29 open space tip is required to be developed to provide more time for the leasing of Pier 29.

The staff determined that two of the Port’s proposed changes were appropriately reviewed and considered by the Commission through a material amendment to the permit. These two changes include: (1) a proposal by the Port to use the GTA for commercial parking on non-cruise, non-special event days (Exhibit K) (the original permit did not indicate another use for this area when not used for these uses); and (2) clarifying the areas available for public access along the Pier 27 east apron to accommodate maritime equipment and fencing (Exhibits I and J) (the area available for public access on the pier apron would be reduced to accommodate fencing to protect vessel infrastructure such as the onshore power connection and gangways). In addition, the Port of San Francisco has proposed to construct permanent restrooms within the historic Beltline Building by December 31, 2015, sooner than is required to be provided under the current permit (Exhibits E and F). These items are the subject of the public hearing and possible vote by the Commission on February 5, 2015.

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<td><strong>Project Details:</strong> The applicant, the Port of San Francisco (the “Port”) requests the following changes to Section I-A (“Authorization” section) of the permit:</td>
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(Language to be added is underlined and language to be deleted is struck-through)

**Section I-A, Phase 2, Within the 100-foot Shoreline Band:**

2. **Pier 27 Apron.** (a) Repair and strengthen the Pier 27 apron by installing, using and maintaining up to eight, 18-inch octagonal concrete piles, repairing up to 52, 18-inch square concrete piles with 6-inch thick pile sleeves and
5. **Shoreside Power Reinstallation.** Reinstall, use and maintain an approximately 1,200-square-foot shireside power control transformer at the eastern end of the cruise terminal building and the two power connection cable davits on the apron edge protected by 8-foot-high fencing as needed for safety and security;

6. **Ground Transportation Area (GTA).** Construct, use and maintain an approximately 2.7-acre GTA within the “valley” of Piers 27-29 for: (a) vehicle staging, drop-off, pick-up, and parking by trucks, taxis, buses and passenger cars for ship passenger loading needs of the cruise terminal, including parking for U.S. Customs and Border Protection and cruise terminal operations management staff, and staging or support use as may be required to support other maritime vessel berthing operations by paving, striping, and installing and maintaining signage, planters, landscaping and lighting; (b) special events when not in use for cruise ship or other maritime berthing operations; (c) special event support space for visitor parking, staging and working areas for caterers, event and entertainment managers when not in use for cruise ship or other maritime berthing operations; and (d) community events free of charge when the terminal is not in use; and (e) waterfront visitor parking when not in use for cruise ships and other maritime berthing and special events.

**Section II-B-4-b, Special Conditions:**

b. **Northeast Wharf Restroom.** By December 31, 2015, the permittee shall construct an approximately 310-square-foot ADA-accessible public restroom within the northeast corner of the Beltline Building, subject to final plan review approval in Special Condition II-A. As soon as funding is secured and no later than 11 years from certificate of occupancy of the cruise terminal building, the permittee shall construct an approximately 450-square-foot public restroom adjacent to the planter area separating the Northeast Wharf Plaza from the GTA, subject to Design Review Board review and final plan review approval in Special Condition II-A. If funding
for the Plaza is not secured, the permittee shall install within an attractive enclosure, a portable restroom as part of the interim Northeast Wharf improvements (Amendment No. Two).

Staff Analysis

A. Issues Raised: The staff believes that the application raises two primary issues: (1) whether the project is consistent with the San Francisco Waterfront Special Area Plan; and (2) whether the project is consistent with the Commission's public access and scenic views policies.

1. San Francisco Waterfront Special Area Plan. On March 1, 2012, the Commission approved an amendment to the San Francisco Waterfront Special Area Plan (Waterfront SAP) to authorize the cruise ship terminal project. The amendment recognized that “Pier 27 is the most suitable location for a new, international cruise ship terminal...due to its size, its apron length and width, structural integrity, and the availability of the infrastructure to easily supply the cruise ships with shoreside power.” The amendment also acknowledged that, “[t]he use of the San Francisco Waterfront for special events may provide a unique opportunity to achieve several objectives of the SAP, including bringing more people to the waterfront and increasing the public’s enjoyment of the Bay.”

The following SAP policies apply to the proposed project changes:

   a. Northeast Wharf Plaza Policies. The SAP requires the Northeast Wharf Plaza to be designed to function as a major attraction for visitors and residents and states, “provide open space around the Beltline Railroad Office Annex building if it remains in its present location, and maintain unobstructed views from the Annex across the plaza to the Bay.” The policies state that the plaza design should in part, “be designed to create zones or activity areas”, “support both active and passive recreation uses” and “include a variety of appropriate plaza features, such as landscaping, fountains, a small amphitheater, public art, small kiosks, sheltered areas for activities such as chess and checkers, food carts and temporary seating within the café zones that are clearly incidental to the plaza and that would enliven public recreation and enjoyment of the plaza.” Adjacent commercial uses may spill into and activate the plaza and adjoining public access areas to provide interest and enjoyment for users. The new policies also allow for “periodic high-intensity uses and events in the plaza” and “reasonable provision for vehicle access to the Piers 27-29 portion of the project site” if the piers are redeveloped.

The Northeast Wharf Plaza which was officially opened to the public on September 25, 2014, has been constructed as an approximately 2.73-acre open space at the south end of Pier 27, fronting the Embarcadero, and includes an approximately 35,000-square-foot “bay lawn” for unprogrammed recreation use, approximately 84,270-square feet of walkways, special paving and gathering areas, and a land-saced planting and seating “entry plaza” connecting the Embarcadero to the cruise terminal building and the Bay Lawn with the GTA (Exhibit E). Within the entry plaza, is the Pier 29 Annex Building (also known as the “Beltline Building”),
a two-story, approximately 3,000-square-foot structure (1,700-square-foot footprint) located adjacent to the Embarcadero. The structure is a contributing resource to the Port of San Francisco Embarcadero Historic District.

The existing BCDC permit for the project requires that permanent restrooms be provided no later than 11 years from certificate of occupancy of the cruise terminal building and portable restrooms to be provided in the interim. Earlier plans for the permanent restrooms envisioned these in a new structure, constructed within the entry plaza, near the GTA (see Exhibit E). The Port now proposes to provide the permanent restrooms on the ground floor of the northeast corner of the Beltline Building, by December 31, 2015, sooner than is required in the permit and eliminating the need for interim restrooms at the site. The restrooms would be approximately 310-square-feet in size and have 4 female and 3 male fixtures. Exterior signs at both sides of the Beltline Building would direct the public to the restrooms. Full renovation of the Beltline Building is proposed and would include an Americans with Disabilities Act (ADA) access ramp to the first floor and a required stairway to the second floor (Exhibit F). The remaining ground floor would be used for small food or retail service and an outdoor patio within the plaza. The second floor would remain as an office. Currently stairs and landings cover an area of about 100 square feet south of the Building (Exhibit F). The proposed first level access ramp, second level stairway, and patio would increase the coverage of the building by approximately 730 square feet to 830. Both the retail/commercial and office use have not yet been fully developed and these proposals would require further review and approval by the Design Review Board and Commission or Commission staff.

b. **Public Access and Waterfront Design Policies.** The SAP policies on public access state that, “public access should provide direct connections to the Bay, both physical and visual” and that it “should generally be accessible at any time; however, reasonable restrictions on public access may be approved to promote public safety and security.” For projects redeveloped as a “large pier”, such as Piers 27-29, the policies state that the public access provided should consist of: perimeter access, significant park(s)/plaza(s) on the pier perimeter, additional areas such as small parks or plazas integrated into the perimeter access, significant view corridors to the Bay from points on the pier, and the Bayside History Walk (in Pier 29). However, the policies recognize that “in those instances where maritime use projects create public safety concerns, public access may be restricted or not required.” The policies go on to state that, “When ship loading and service areas temporarily preclude complete perimeter access for the period of time of the use, due to legitimate safety concerns, such areas should be reopened to public access when the conflict is not present. When safety considerations preclude perimeter public access entirely, public access should be provided elsewhere to meet the public access area requirements, consistent with the project.” Finally, the policies require that the project “provide signage, including public access area identification, directional signage for pedestrian movement, Bay Trail signs and interpretive signage...”
The policies on waterfront design state, “enclose all servicing facilities within structures and shield them from public view. Prohibit exterior storage of a temporary or permanent nature except for maritime uses.” The policies also state, “major new developments on waterside properties should highlight maritime features.”

The existing permit requires an approximately 50-foot-wide and 1,500-foot-long walkway along the Pier 27 east apron as shared maritime/public access (Special Condition II-B-3-f). The area is controlled by approximately 410 feet of foldable fencing to close apron areas off in two locations adjacent to the Northeast Wharf Plaza when needed for maritime (Exhibits C, E and G). Special Condition II-B-5-a of the permit requires the area to be closed only in accordance with the Maritime Transportation Security Act of 2002 when cruise ships and other visiting vessels such as tall ships, research vessels, and military vessels are berthed at Pier 27. The condition estimates that the closures could occur up to half of the year but that this number may fluctuate from year to year. The Port is required to use its best efforts to ensure that the Pier 27 apron and tip is available for public access to the maximum extent feasible and that the apron “be kept as free and clear as possible to allow public access passage along the apron whenever open.” Special Condition II-B-5-c states that, “[w]hen security does not require apron closure, gangways shall be designed with as minimal footprint as possible to allow passage through and around the space.”

The condition also requires the Port to provide by December 1st of each year, a schedule of cruise calls and scheduled visiting vessels that are planned for berthing at Pier 27 the following year so that both agencies have a consistent understanding of the shared maritime and public access use of these areas. Exhibit H is the proposed cruise call schedule for 2015.

In order to protect the gangway wheels and shoreside power equipment along the Pier 27 apron from theft and vandalism, the Port proposes to enclose these structures with eight-foot-high, chain-link fencing, when the apron is open for public access (Exhibits I and J). The structures and fencing would narrow the approximately 50-foot-wide apron in two, 20-foot-long sections and one, five-foot-long section for the gangway and two, 30-foot-long sections for the shoreside power equipment. The total footprint of public access occupied by the structures and fencing would be approximately 1,410 square feet. Within the two, 20-foot-long sections, the apron would be constrained to an eight-foot-wide area immediately along the Bay, an eleven-foot-wide area between the two gangway wheels, and a 10-foot-wide area against the cruise terminal building (a total of 29 feet of the required 50-foot-wide apron). Within the five-foot-long section, there would be an approximately eight-foot-wide corridor along the Bay, a twenty-foot wide area between the gangway wheels, and a 10-foot-wide area against the cruise terminal building. In addition, fencing around the two shoreside power hook-ups would limit the apron width to approximately 39 feet in these two locations.
The fencing would still allow the public to access the Pier 27 apron when not closed for cruise or visiting vessel calls. The public would have the opportunity to walk under and through the operational maritime equipment to provide a “working waterfront” experience. Although the fencing and equipment would narrow access along the 50-foot-wide apron, this equipment was recognized in the original permit and intended to be part of the shared maritime/public access area and experience. The limited constraints along the apron (two, 20-foot-long sections, one, five-foot-long section, and two, 30-foot-long sections) still allow sufficient passage around the equipment and access to the Pier 27 tip. According to the Port, the fencing has been designed with as minimal a footprint as possible to allow passage through and around the space and is consistent with the requirement that the public access be kept as free and clear as possible to allow public access passage along the apron whenever open.

In order to meet the SAP policies above, the Commission staff proposes to include a permit condition requiring the Port to post the cruise call schedule in a visible public location so that the public is aware of when cruise ships are in berth, to install signage at the site to inform the public when the Pier 27 apron will be closed, and to provide a map, signage or other graphic illustrating the areas at Piers 27-29 that are available for public access at various times. This would help the public navigate through the site, both when a ship is in berth and when it is not.

The Commission should determine whether the proposed limits on public access along the Pier 27 apron is consistent with the SAP policies above.

c. Transportation and Parking and Plan Implementation Policies. The policies on transportation and parking state, “parking on piers will be planned to minimize adverse impacts on public access through such measures as avoiding queuing that extends over Herb Caen Way or other public access areas; limiting vehicle access on pier aprons to maintenance, service and emergency vehicles; and using special paving, signing and other design treatments at crosswalks and other pedestrian-vehicle interfaces to identify the joint use and ensure a pedestrian-friendly environment.” Under the “Plan Implementation” policies, it states that “[a]ny BCDC permit issued for major reuse of Piers 27-31 should include reasonable provision for vehicle access to the project site.”

The existing permit authorizes the construction, use and maintenance of an approximately 2.7-acre Ground Transportation Area or “GTA” within the valley of Piers 27-29 for vehicle, staging, drop-off, pick-up and parking for ship passenger needs of the cruise terminal, including for cruise terminal staff and other maritime vessel berthing operations (Exhibit B). When not in use for cruise ship or other maritime berthing operations, the space may be used for special events or special event support space and community events free of charge. Special Condition II-D elaborates on the use of the cruise terminal building and/or the GTA for special events by requiring that the events may be held for both public and private purposes but shall be programmed and planned to ensure that private events do
not spill onto required public access areas or adversely affect these areas. Special Condition II-G requires the Port to prepare and submit to BCDC, a circulation and operation plan for the GTA that includes details on how the area would be managed and designed to remedy traffic congestion and transportation conflicts along the Embarcadero. The plan is required to include information such as procedures for vehicular, truck, and bus access into the GTA, provision of vehicle queuing space and striping to provide separate areas for public access and vehicle circulation, use of traffic monitors and transportation control personnel to monitor ingress and egress at the site, to provide directional signage, and to ensure the Embarcadero bike lane is free of queuing vehicles. The plan was intended to provide information specific to the cruise terminal needs and the expected number of vehicles and cars generated from that use.

The Port proposes to amend the permit to allow commercial parking in the GTA to serve waterfront visitors, when not in use for cruise ships, other maritime berthing, and special events, anticipated to be approximately 165-185 days per year (about half the year). The Port states this number could be less if cruise calls and special events increase. The Port requests this amendment because it feels it needs the Pier 27 parking revenue to help offset the Cruise Terminal project debt service and operating expenses. There is also a desire by the Port to actively manage the GTA during non-cruise, non-special event days so that it does not become a large empty space that attracts unsolicited uses that can affect safety and the public’s enjoyment of the adjacent public spaces.

The Port Commission approved an agreement with Metro (through Impark) to manage the parking. Through the management agreement, Metro and Impark would provide overall security and manage parking in the GTA. On the approximately 165-185 days that the area is not used for cruise calls and special events, the GTA would be generally open and staffed from 8:00 a.m. to 8:00 p.m. for daily parking, with hours adjusted seasonally based on demand. A manager and customer service ambassador/patroller would be on-site for a combined 12 hours a day. The GTA would accommodate approximately 125 self-park spaces. If demand justified more parking, the operator could exceed this amount with attendant-assisted parking.

The Port proposes to encourage non-commuter parking through pricing that holds a consistent short-term rate throughout the day. To address safety and traffic concerns, the Port has striped and signed the parking lot for both buses and self-park. The spaces would be designated for ADA and energy-efficient vehicles in accordance with the project’s LEED standards. Signage would direct circulation for bus and parking uses and an electronic message board located on the entry pylon sign at the driveway entrance into the GTA would inform the public of the availability of the GTA for use for public parking. A Stop sign and pavement lettering would be placed immediately before the Embarcadero promenade for vehicles exiting the GTA to stop for pedestrians on the Promenade. Bollards along both
sides of the driveway entrance were approved in Amendment No. Three to the Permit to limit vehicle/pedestrian conflicts and protect a possible tripping hazard due to a grade change at this location (Exhibit K).

During peak times, identified as noon to 5 p.m. on Saturday and Sunday between June 15th and Labor Day, and days when there are large special events occurring on the waterfront, such as 4th of July or Fleet Week, the operator would station personnel at the driveway/Embarcadero Promenade to facilitate safe pedestrian, bicycle, and vehicle movement.

According to the Port, the proposed parking is less than 25% of the 520 parking spaces that were in use prior to the construction of the cruise terminal at the site. As a comparison, other parking areas on piers along the waterfront include parking at Pier 3, which accommodates approximately 150 striped spaces and 200 valet spaces; the parking at Piers 30-32, which accommodates approximately 600 parking spaces; parking at Pier 40 which accommodates approximately 38 spaces; and parking at South Beach Harbor which accommodates approximately 160 spaces.

The Port staff estimates that the annual number of cruise calls, subject to historic fluctuations, should average around 80 calls per year at Pier 27. Because each cruise call typically needs an average of one day prior and/or after for setup and tear down to support the cruise operations, the Port estimates the number of days the GTA is not used for cruise calls as approximately 165-185 days per year. The GTA is also expected to attract events, which may or may not include vehicle staging and event parking. Based on early responses from the travel and event market, the Port expects strong demand and a diverse mix of activities that would utilize the cruise terminal building and adjacent GTA, including: (a) private, non-profit and commercial events including trade shows, conferences, corporate galas, weddings, parties and community events; (b) maritime conferences, security meetings, and maritime events; and (c) civic events determined by the Port and/or the City that serve Port and civic goals to bring people to the waterfront. The Port’s initial estimates are for approximately 95-125 events a year. However, since this is a new line of business for the Port, it anticipates taking a year or two to accurately assess the market and operations of events held at the GTA.

To understand the impacts of running the GTA as a commercial parking lot on access on Herb Caen Way and at Pier 27-29, the Commission staff proposes to include a permit condition requiring the Port to include in the circulation and operation plan it is already required to submit to the Commission, similar information for the commercial parking use at the site. The Port would be required to monitor the site to ensure that vehicular/pedestrian conflicts are minimized. If conflicts arise and issues such as queuing of vehicles across the Embarcadero occurs, the Port would be required to adopt additional measures to address these concerns including stationing personnel at the edge of the driveway/Embarcadero Promenade more frequently than just the peak times outlined above; installing
more signage, appropriate paving materials, or other treatments needed to reduce conflicts amongst users; and/or limiting the number of vehicles permitted to park within the GTA.

The Commission staff encourages the increased use of the cruise terminal building and the adjacent GTA for special events to minimize the use of the GTA for general parking. It therefore also proposes a condition requiring the Port to report on its efforts to attract special events, conferences and other civic activities to the site, and to encourage the Port to increase the frequency of bringing events to the GTA area as it becomes more programmed and visible.

The Commission should determine whether the Port’s commercial parking proposal at Piers 27-29 is consistent with the SAP policies above.

2. **Public Access**

   a. **Maximum Feasible Public Access.** Section 66602 of the McAteer-Petris Act states, in part, that “…existing public access to the shoreline and waters of the…[Bay] is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided.” In addition, the Bay Plan policies on public access state, in part, that “a proposed fill project should increase public access to the Bay to the maximum extent feasible…” and that “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.” According to the Waterfront SAP public access policies, “for a major development project occupying all or most of a pier(s), a project that provides 35% of the project pier area for public access should be deemed to provide maximum feasible public access” and public access should not include any area dedicated to the Northeast Wharf Plaza required in the SAP.

   (See also, discussion in “San Francisco Waterfront Special Area Plan” section above).

   The existing permit requires the Port to provide a total of approximately 195,205 square feet of public access on-site year-round, which would be available when cruise ships or other vessels are berthed at Pier 27. This would include the Northeast Wharf Plaza, the Pier 29 Tip, the north apron of Pier 29, pathways between Piers 27 and 29 and the GTA area, and the Bayside History Walk within the Pier 29 shed (see Exhibit C). When security requirements are not in place for cruise ships and maritime activity, the Pier 27 apron and the Pier 27 Tip would provide an additional 148,825 square feet of public access. This includes the approximately 50-foot-wide, 1,500-foot-long Pier 27 apron.

   With the footprint of the shoreside power equipment, the gangway, and security fencing proposed in Amendment No. Four, the public access along the Pier 27 apron would be reduced by approximately 1,410-square feet. This reduction is a minor amount given the total amount of public access provided at the site and does not change the total percentage of public access provided in relation to the entire site.
As discussed above, the public will still be able to access the tip of Piers 27-29 along the Pier 27 apron when ships are not in berth, and the public access experience will be a maritime one, consistent with the SAP and public access policies above.

The original permit found that with these secured maritime areas included in the public access calculation (and excluding the Northeast Wharf Plaza), the project would provide approximately 45% of the project site for public access. Because these secured maritime areas would not be available for public access year-round, if these areas were excluded completely from the calculation, the project would provide approximately 17% of the project site for public access. These numbers do not change based on the small reduction of area along the Pier 27 apron taken up by the gangway wheels, the shoreside power equipment, and the fencing to surround these structures. Therefore, the amount of public access provided on-site would continue to be roughly between 17% when the Pier 27 berth is in use and 45% of the total pier area when ships are not in berth. In addition to the public access provided on-site, the permit requires additional areas off-site, including the north and east aprons of Pier 19, the south and east aprons of Pier 23, the aprons of Piers 19½ and 29½, and connections through the Piers 19½ and 29½ connector buildings. Finally, the Port has proposed to accelerate the provision of permanent restroom facilities at the site, which is a public access improvement and benefit.

b. **Barrier Free Access.** The Bay Plan policies state that public access improvements “should permit barrier free access for the physically handicapped to the maximum extent.”

According to the Port, all proposed public access areas (including the changes proposed in Amendment No. Four: passage around fences enclosing sensitive maritime equipment on the Pier 27 apron, the new permanent restrooms within the Beltline Building, and commercial parking in the GTA) would be accessible, as defined by the Americans with Disabilities Act (ADA).

c. **Appearance, Design, and Scenic Views.** The Bay Plan policies on appearance, design, and scenic views state, in part, that “…maximum efforts should be made to provide, enhance, or preserve views of the Bay and shoreline, especially from public areas, from the Bay itself, and from the opposite shore” and that “local government should be encouraged to eliminate inappropriate shoreline uses and poor quality shoreline conditions.”

According to the Port, the proposed changes would preserve views of the Bay and shoreline. The proposed parking within the GTA is largely screened from pedestrians and bicyclists on Herb Caen Way and motorists on the Embarcadero by planters at the edge of the Cruise Terminal plaza, the Cruise Terminal and the Beltline Building, and is lower in elevation than some of its surroundings. Because of its lower and screened location, the public parking would not impact views of the Bay from nearby public streets and trails. The proposed fencing on the Pier 27 east apron to protect maritime equipment would be an 8-foot high transparent chain link fabric that would allow views of the wheel and lift mechanisms of the automated cruise...
passenger gangway and of the shoreside power equipment. Both of these maritime pieces of equipment may be interesting to the public because of the scale and heft of the structures, and their relationship to maritime activities. The Port has stated that the fencing would be positioned as close as possible around each of the infrastructure pieces, thereby not significantly limiting the public’s movement or access along the apron and not diminish the views to the Bay and shoreline. Finally, the proposed restroom would be installed within the historic Beltline Building. The previously envisioned public restroom was to be located within the Cruise Terminal Plaza in a new free-standing building. Moving the restroom to the interior of the Beltline Building frees up additional public space in the Cruise Terminal plaza and would eliminate an additional building that would block some views of the Bay and maritime activities.

The Commission should determine whether the proposed project is consistent with the Bay Plan policies regarding public access and appearance, design and scenic views.

B. Review Boards. The changes proposed in Amendment No. Four to the permit were determined to not require review by the Design Review Board or the Engineering Criteria Review Board.

C. Environmental Review. The City and County of San Francisco, the lead agency for the project, prepared, circulated, and, on January 24, 2012, certified a Final Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for both the 34th America’s Cup and the James R. Herman Cruise Terminal projects.

On December 24, 2014, the City and County of San Francisco, certified Addendum 2 to the EIR (“Addendum”), to address changes to the project that include: the construction of the Pier 27 Facility Operations Building (authorized in Amendment No. Three), the construction of public restrooms within the Beltline Building, and the use of the GTA for parking on non-cruise, non-special event days. Specifically regarding the use of the GTA for parking, the Addendum found that the EIR trip generation analysis of cruise ship calls was based on an assumed 3,000-passenger vessel capacity. The associated trip generation projections evaluated in the EIR tables range from 205 vehicle trips in the weekday a.m. peak hour to 565 trips during a Saturday midday peak hour. This reflects a higher intensity of trip activity than would be generated by visitor parking, which has a typical turnover rate of 3 to 4 hours, based on existing patterns observed by Port parking operators. According to the Addendum, the effects of using the GTA for visitor parking on days when there are no cruise calls or special events would not change any of the traffic or circulation impact conclusions in the EIR or require any new mitigation measures.

The Addendum concluded that the analyses conducted and the conclusions reached in the EIR certified on December 15, 2011 and effective January 24, 2012, remain valid and that no supplemental environmental review is required for the proposed modifications to the project.
D. Relevant Portions of the McAteer-Petris Act
   1. Section 66632

E. Relevant Portions of the San Francisco Waterfront Special Area Plan
   1. Geographic-Specific Policies, Northeastern Waterfront (Pier 35 to China Basin), Findings (pp. 20-21)
   2. Geographic-Specific Policies, Northeastern Waterfront (Pier 35 to China Basin), Policies on Public Plazas, Northeast Wharf Plaza (pp. 30-32)
   3. Geographic-Specific Policies, Northeastern Waterfront (Pier 35 to China Basin), Policies on Public Access (pp. 33-34)
   5. Geographic-Specific Policies, Northeastern Waterfront (Pier 35 to China Basin), Policies on Transportation and Parking (page 42)
   6. Public Access Plan Implementation Requirements (page 44)

F. Relevant Portions of the San Francisco Bay Plan
   1. San Francisco Bay Plan Policies on Public Access (page 67)
   2. San Francisco Bay Plan Policies on Appearance, Design and Scenic Views (page 70)

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