

# San Francisco Bay Conservation and Development Commission

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**TO:** Design Review Board Members

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**SUBJECT: Monarch Bay Shoreline Development in the City of San Leandro, Alameda County;  
Fourth Pre-Application Review**  
(For Design Review Board consideration on August 7, 2023)

## Project Summary

### Project Proponents

City of San Leandro, Gates and Associates, BKF Engineers, Cal-Coast Development

### Project Representatives

Jon Hughes, Avalon Schultz, Katie Bowman, and Nick Thom, City of San Leandro; Kevin Nguyen, BKF Engineers; Chuck Gardella, Gates and Associates; and Scott Cooper, Cal-Coast Development.

### Project Location (Exhibits 3-4)

The project site is located at the San Leandro Marina and the Marina Golf Course, on either side of Monarch Bay Drive between Marina Boulevard and Fairway Drive, in the City of San Leandro, Alameda County. The marina lies on the west side of Monarch Bay Drive and consists of two peninsulas: Mulford Point to the north and west, and Pescador Point to the south. The Marina Golf Course lies on the east side of Monarch Bay Drive. East of the golf course, the general surroundings are characterized by residential development. Approximately half a mile north, development includes the Oyster Bay Regional Shoreline Park and an adjacent industrial area. Directly to the south is Marina Park, Faro Point and a small lagoon, and the Tony Lema Golf Course.

### Project Overview

The proposed project is known as the San Leandro Monarch Bay Shoreline Development project. It would redevelop a 75-acre portion of the shoreline and Bay, including approximately 59 acres containing the land and water area of the San Leandro Marina and 16 acres of the Marina Golf Course with new residential development. The marina redevelopment would involve the removal of the existing marina facilities and boat slips and the development of a 9-acre shoreline park with new segments of the Bay Trail, a hotel and commercial facilities, and apartments. The golf course would be redeveloped with single-family and townhome residential development. Only the portion of the project in the marina and on the surrounding peninsulas and shoreline would be within the Commission's jurisdiction.



## Project Site

### Site History

This area is the indigenous homeland of the Lisjan (Ohlone) peoples, in the territory of Huchiun. In modern history, the area was well-known for the oysters it produced until the 1906 earthquake released natural oil deposits that polluted the oyster beds. In the 1920s and 1930s, the project site was used as a dump. In the early 1960s, the city constructed the original small boat harbor with 139 berths for recreational boating, dredging the channels to provide access. The harbor was expanded in the early 1970s, with further improvements in 1984 and 1991, with concrete docks and 455 berths. Through the mid-2000s, the marina was at maximum capacity for liveaboards (46 berths, or 10 percent of the total), but demand eventually declined. Prior to the last DRB meeting in December 2022, the City estimated that there was just one remaining legal liveaboard at the marina. The marina closed on December 31, 2022.

Over time, the City found that the natural siltation of the channel necessitated frequent dredging to maintain access to the marina. Dredging costs, combined with an increase in marina vacancies due to siltation, led the City to seek alternative uses of the site. The City began exploring options for the harbor in 2005, and in 2011, published the Harbor Basin Alternative Study following a multi-year planning and community engagement process. The study explored options for developing a marina park, aquatic park, and nature park at the site in connection with the larger Monarch Bay Shoreline Development Project, which was also taking shape. Following the study, in 2012, the City formed a Shoreline Advisory Group to provide community input as the project continued to develop. The planning process resulted in the February 24, 2020, approval of general plan and zoning map amendments and a Development and Disposition Agreement with Cal-Coast for the development project. A subsequent Development Agreement was approved on June 21, 2022. As part of the agreements, the City is obligated to redevelop the marina and surrounding shoreline area into a public park.

### Existing Conditions (Exhibits 5-6)

The project site is currently developed as a marina, with related facilities and commercial uses covering approximately 36 acres of land to the west of Monarch Bay Drive, and the approximately 36-acre Marina Golf Course to the east of Monarch Bay Drive. Closed since January 2023, the marina facilities include a 455-slip public boat harbor, a boat ramp, the San Leandro Yacht Club on the northern side, and the Spinnaker Yacht Club on the southern side. Occupancy of the public harbor was estimated at less than 30 percent in 2020, attributed to physical constraints caused by build-up of silt both in the harbor and the 2-mile federal channel. The marina's water surface area is approximately 23 acres. The marina shoreline is also home to a fishing pier at the end of Pescador Point, a decommissioned boat ramp near the fishing pier, the Marina Inn (a 131-room hotel) and Horatio's restaurant along Monarch Bay Drive, El Torito restaurant and the remaining foundation and piers of the demolished Blue Dolphin restaurant on Mulford Point, and 1,817 unassigned parking spaces in multiple asphalt lots throughout the site.

In recent months, site conditions at the marina have deteriorated. In addition to a fire that destroyed the remnants of the Blue Dolphin, vandalism and theft have become serious concerns. The City is eager to move forward with plans for redeveloping the site as soon as possible and has reached out to BCDC staff to explore amending existing permits to allow them to begin removing landside structures in the near term.

The existing on-street Bay Trail extends along Monarch Bay Drive from Marina Boulevard at the northern end of the project site to Fairway Drive at the southern end. The southbound travel lane is an unmarked shared lane; the northbound travel lane has an unmarked shared lane from Fairway Drive until Pescador Point Drive and then transitions to a bike lane separated by a fog line stripe. North of the project site, the Bay Trail connects to Class III bike lanes on Neptune Drive. South of the project site, the Bay Trail is a shared use path within Marina Park. The on-street bike facilities along Monarch Bay Drive from Fairway Drive to the Estudillo Canal consist of an unmarked shared lane in the southbound direction and a Class II bike lane in the northbound travel lane. The City of San Leandro's 2018 Bicycle and Pedestrian Master Plan calls for upgrading Monarch Bay Drive from Marina Boulevard to the Estudillo Canal to a Class I shared-use path.

All portions of the project site east of Monarch Bay Drive are located outside of the Commission's jurisdiction. The Marina Golf Course is a 9-hole golf course operated by the Monarch Bay Golf Club. It is directly adjacent to an existing residential area, as well as the Mulford-Marina branch of the San Leandro Public Library, a sewer lift station, and a recycled water facility.

### **Existing Public Access**

Given its use as a municipal marina, the site has generally been accessible to the public, and the public fishing pier at Pescador Point pre-dates BCDC, though it was refurbished in the early 2000s. However, several BCDC permits have specifically provided for public access around the marina.

1. **Permit No. 1971.035.09** required that the clubhouse deck and connecting boardwalks (totaling 1,495 square feet) at Spinnaker Yacht Club remain accessible to the public. It also required the City to install landscaping and public access improvements, including a picnic table and bench area at Pescador Point.
2. **Permit No. 1978.006.07** authorized a two-lane public boat launch ramp (the Wes McClure Boat Launch) and required other public access improvements, including a 4,000-square-foot landscaped public access area, a public restroom, and a 200-foot-long, 8-foot-wide pathway connecting Pescador Point Drive, the launch ramp, and Monarch Bay Drive. A subsequent amendment to the permit would have relocated the boat launch to Mulford Point and included an associated approximately 225-foot-long pathway, but that project was never completed.
3. **Permit No. 1978.009.00** required two public access areas associated with the development of what is now Marina Inn, including an approximately 60-foot-wide, 390-foot-long landscaped public access area adjacent to the marina basin and an 800-square foot public access area to the north of the hotel.
4. **Permit No. 1989.014.06** required a 28,900-square-foot public access area on the north and west sides of Mulford Point Drive, including a 1,515-foot-long concrete pedestrian pathway with approximately 20,500 square feet of landscaping, a landscape irrigation system, public access amenities, including a minimum of 6 benches, 12 concrete seatwalls, 4 drinking fountains, 15 bollard lights, and 3 public access signs.
5. **Permit No. 1991.004.01** required a 35,000-square-foot landscaped public access area with a 10,400-square-foot pathway on Mulford Point.

6. **Permit No. 1996.009.00** would have required an 83,944-square-foot public access area with public access pathways and landscaping associated with the development of a conference center, hotel, restaurant, and fitness center at the Blue Dolphin restaurant site on Mulford Point; however, this project was never constructed.
7. **Permit No. M1977.064.01** authorized construction of a 1,000-square-foot overwater public observation platform adjacent to Horatio's restaurant, along with an 80-foot-long public access path with lighting and landscaping.
8. **Permit No. M1977.117.04** required public access improvements associated with the remodeling of an outdoor dining area at Horatio's restaurant, including an approximately 11-foot-wide, 172-foot-long shoreline path, a 384-square-foot landscaped area along the public access path, and installation of two benches on the observation platform.
9. **Permit No. M1982.039.00** required that an approximately 530-square-foot floating dock and associated 120-square-foot gangway at the San Leandro Yacht Club along Mulford Point Drive be provided to the public free of charge for Bay and marina basin access.



Figure 1: Summary of BCDC-required public access

## Site Access

The project site can be accessed from Monarch Bay Drive, via Marina Boulevard to the north or Fairway Drive to the south. Marina Boulevard provides a direct vehicular connection to Interstate 880 (I-880), approximately 1 mile away. Access to the marina is by Mulford Point Drive and Pescador Point Drive, each connecting to Monarch Bay Drive. Class II striped bike lanes on Marina Boulevard and Fairway Drive end where they connect to Monarch Bay Drive. A striped bike lane exists on Monarch Bay Drive south of the project site, though some stretches appear to be utilized as street parking. The marina is served by AC Transit line 35, which stops at Mulford Point Drive and provides an estimated 15-minute connection to the San Leandro BART Station approximately 2 miles away.

## Social and Environmental Context

The Commission has developed a Community Vulnerability Mapping Tool to help inform its analysis of how socioeconomic indicators and contamination burdens contribute to a community's vulnerability to climate change. The mapping tool collects information at the level of Census block groups using 2020 data and at the level of the Census tract using CalEnviroScreen 3.0. Commission staff use the mapping tool to help identify potentially disadvantaged, vulnerable, or underrepresented communities. These communities include those disproportionately affected by environmental pollution and hazards that can lead to negative public health effects, exposure, or environmental degradation, and those with higher concentrations of people with socioeconomic characteristics associated with a higher degree of social vulnerability.

According to the mapping tool, social vulnerability in Census block groups near the project site varies from low to highest social vulnerability, and contamination vulnerability varies from moderate to highest vulnerability (Figure 2).

1. The marina is part of a block group that includes the northern portion of the Mulford Gardens neighborhood and the adjacent general industrial area surrounding the Oakland International Airport. The airport itself is approximately 1 mile from the project site. Social vulnerability indicators in the 70th percentile include the rates of renter households, households without a vehicle, single-parent families, people of color, individuals over 65 who live alone, individuals without a high school degree, limited English proficiency, very low income population, and non-U.S. citizens.
2. The block group across Monarch Bay Drive from the marina includes the golf course and adjacent Mulford Gardens neighborhood. Social vulnerability indicators in the 70th percentile include the rates of renter households, people with a disability, people of color, individuals without a high school degree, limited English proficiency, and non-U.S. citizens.
3. The block group south of the marina includes a portion of Pescador Point, Marina Park, the Monarch Bay Golf Club, and a residential area. Social vulnerability indicators in the 70th percentile include the rates of households without a vehicle, people with a disability, severe housing cost burden, and very low income population. Indicators in the 90th percentile include individuals over 65 who live alone and limited English proficiency.

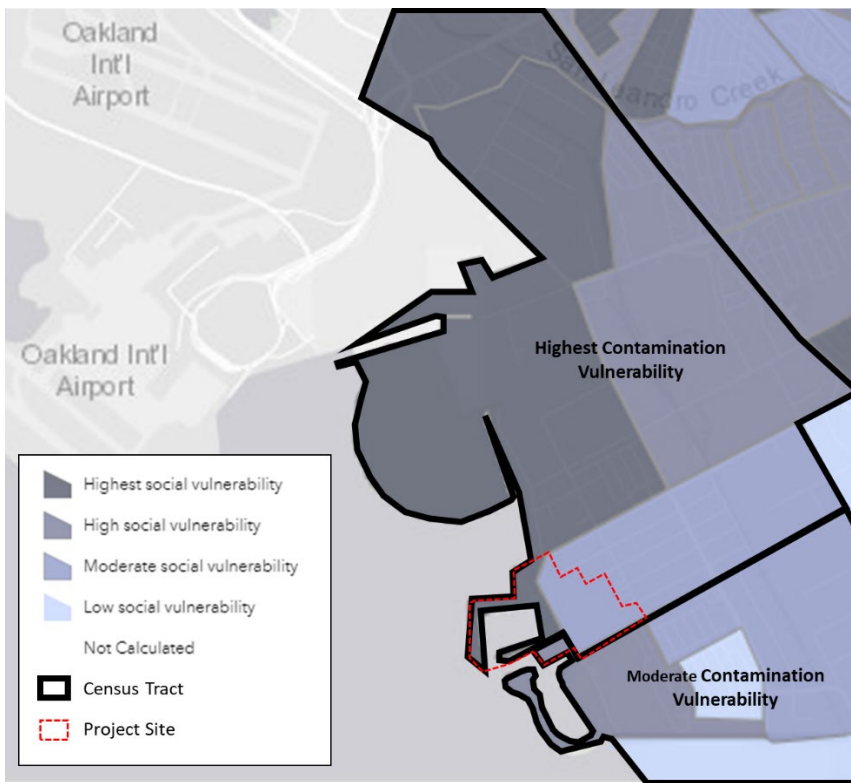


Figure 2: BCDC Community Vulnerability Mapping

The marina and golf course are part of a Census tract identified as having highest contamination vulnerability due to the presence of hazardous cleanup activities, groundwater cleanup activities, permitted hazardous waste facilities and generators, solid waste sites and facilities, and an impaired water body (the Bay). The Census tract to the south is identified as having moderate contamination vulnerability due to the same factors, but most are to a lesser degree.

### Prior Review by the Board

#### Overview

The DRB previously reviewed this project in April 2016, September 2016, and December 2022. The project has evolved considerably since 2016. Most notably, in the first and second proposals, most of the project was concentrated on the marina side of Monarch Bay Drive. Following the 2016 DRB meetings, discussions with staff, and further site analysis, the project proponents determined that the marina peninsulas could not structurally support the project as proposed with the grading necessary to ensure resilience to sea level rise. As a result, the proposal presented to the DRB in December 2022 represented a significant change from the 2016 versions of the project, with private uses largely shifted outside of the shoreline band and much of the area surrounding the marina dedicated to public uses.

#### 2016 DRB Review (Exhibit 7)

The September 2016 version of the project involved the removal of the marina and the construction of the following:

1. Three residential buildings with a height of up to 50 feet, consisting of 160 units over ground-level parking garages, north of Mulford Point.

2. An approximately 150,000-square-foot office building, with a height of up to 46 feet, and an approximately 35-foot-tall parking structure with approximately 468 spaces.
3. An approximately 16,000-square-foot restaurant with a height of up to 30 feet, with an upstairs banquet hall/meeting room and outdoor dining patio.
4. A 200-room extended-stay hotel with a height of up to 40 feet.
5. An approximately 8,000-square-foot restaurant with a height of up to 30 feet at the tip of Mulford Point.
6. Vegetated riprap and an aeration fountain in the interior basin.
7. An approximately 8,000-square-foot, 15-foot-tall “service” building with a café, fishing shop, and kayak rental and storage adjacent to the existing boat ramp.
8. Four condominium buildings with a height of up to 50 feet, consisting of 61 units over ground-level garages, south of Pescador Point.
9. 587 surface parking spaces and 8 boat trailer parking spaces with dedicated public shore parking.

The September 2016 proposal included the following public access improvements:

1. An approximately two-mile-long public promenade with various public piers, plazas, and shoreline seating steps. The promenade would connect the two peninsulas via a new pedestrian/bicycle bridge.
2. Two floating boardwalks, approximately 600 and 800 feet long, that connect to the promenade on the west and east sides of the basin, with kayak storage on the eastern floating boardwalk.
3. Two community parks at the tips of Mulford and Pescador Points, including picnic areas and bocce ball courts.
4. A public dock consisting of repurposed boat slips, located in the interior basin.
5. A perched beach with a pond located in the interior basin.
6. An auto overlook area on the Bay-side of Mulford Point for in-car Bay viewing.
7. Art installations and educational signage.
8. Refurbished boat ramp and restrooms.
9. The existing fishing pier on Pescador Point and the existing boardwalk/lookout pier in the interior basin would remain in place.

Outside of BCDC’s jurisdiction, the project also involved 92 townhomes and 42 single-family homes and a community library, east of Monarch Bay Drive.

While the project presented in September 2016 responded to some of the DRB’s earlier feedback to make the site more welcoming to public visitors, the Board concluded at the end of the meeting that there were still many concerns about the big picture of the project, including massing, site design, placement of buildings, parking, and sea level rise adaptation, and directed the project proponents to work further with staff and return to the DRB.

### **December 2022 DRB Review (Exhibit 8)**

The December 2022 proposal departed significantly from the 2016 proposals, moving private development largely outside the shoreline band and creating a public shoreline park. At the December 2022 DRB meeting, the Board expressed appreciation for the changes to the design and praised the City's efforts to engage with and respond to the community. The Board also discussed the following:

1. **Water Recreation.** The Board encouraged the project team to explore activation of the basin and how the basin could be used to enhance the site after the marina facilities are removed. Specific suggestions included retaining some of the docks to facilitate access for kayaks and stand-up paddleboards or to provide space for sea lions or birds to rest. The Board also recommended designing the boat launch to accommodate multiple user groups.
2. **Riprap.** The Board raised concerns about the extensive riprap along the shoreline at the site and recommended studying the feasibility of removing some or all of the riprap to provide enhanced connections to the water and provide shoreline protection with some ecological value. The Board discussed potential alternatives, such as terracing and wetlands or creating an ecotone to transition habitats to a higher elevation.
3. **Parking and Auto Access.** Members commented that the project was overly automobile-oriented, with too much space dedicated to parking, particularly continuing out to Mulford Point. The Board requested more detail about the City's parking needs assessment, as well as greater clarity around whether/how parking for shoreline access would overlap with restaurant and hotel parking. The Board suggested creating a stronger wayfinding system to the shoreline.
4. **Project Phasing.** Noting that the park and most of the public amenities were not expected to be complete until 2031, the Board suggested exploring ways to provide a better interim park experience for the public earlier in the process, such as by providing temporary amenities and a more developed planting scheme. The Board also requested a contingency plan should there be delays in completing the public access areas.
5. **Landscaping.** The Board discussed the proposed landscaping plan, which called for hydroseeding large lawn areas. Members raised concerns about durability and maintenance, aesthetics, attracting geese, and whether the lawns would feel inviting to the public. The Board suggested creating more natural zones with native plantings, as well as creating berms on the western edge of Mulford Point to shelter people from the wind.
6. **Circulation and Connectivity.** The Board expressed concerns about the lack of safe routes for pedestrians and cyclists to and through the site and made several suggestions to enhance access and connection to the shoreline and adjacent areas. The Board recommended increasing the number of safe pedestrian crossings on Monarch Bay Drive and relocating the bike lanes to the west side of the street.
7. **Sea Level Rise Adaptation.** The Board discussed the long-term implications of developing privately-owned homes close to the Bay, questioning whether it would undermine the region's ability to adapt to rising sea levels. Along these lines, the Board suggested a potential role for the golf course in mitigating inland flooding in the future. Specific to the site, the Board requested additional detail about how the elevations would vary across the project site and how the elevations would compare to that of existing development to remain, including Horatio's restaurant and the Marina Inn.

At the end of the meeting, the Board asked to review the project again and requested additional details about the City's constraints and goals for the project.

### **Revisions since the December 2022 Review (Exhibits 9-12)**

While the current project is similar in scope to the December 2022 proposal, the project proponents have made several changes in response to the Board's feedback. Key changes include:

1. Updating the phasing plans to provide public amenities in Phase 1 rather than waiting until Phase 2;
2. Expanding the boat launch facilities at Pescador Point to include extended side-tie docks and additional storage areas for non-motorized boats;
3. Reconfiguring the Bay overlook points and trails, including adding a new Lower Basin Trail with seating along the more wind-protected east side of Mulford Point to facilitate engagement with the basin through sitting, birdwatching, etc.;
4. Replacing the uniform lawn areas with zones for native grasses and pollinator gardens and adding bank plantings along the coastal edge and interior basin; and
5. Adding crosswalks on Monarch Bay Drive to improve pedestrian circulation.

## **Proposed Project**

### **Project Description (Exhibit 9)**

The proposed project can be conceptualized as two parts: 1) the redevelopment of the marina peninsula, involving a public shoreline park, multi-family housing, and hotel and commercial uses; and 2) the redevelopment of the golf course, involving single-family residential and townhome development. All parts of the project within the Commission's jurisdiction would be located in the marina peninsula redevelopment area. Based on the existing Disposition for Development Agreement, the City of San Leandro will be responsible for completing the public park and for replacing the Mulford-Marina library, and Cal-Coast will be responsible for completing the private development.

#### *Marina Peninsula Redevelopment*

The redevelopment of the marina and surrounding peninsula would include the decommissioning and removal of the existing marina and the 455 marina slips, demolition of the existing boat launch, demolition of the fishing pier, and demolition of the existing asphalt paving and landside marina buildings and infrastructure, such as the Spinnaker Yacht Club, El Torito restaurant, and the remaining foundation of the demolished Blue Dolphin restaurant. The Marina Inn and Horatio's restaurant on the eastern side of the marina would remain.

New development on the site would include the following:

1. **Shoreline Park (Exhibits 30-58).** The project proposes a 9-acre shoreline park along Mulford Point and Pescador Point to be developed by the City of San Leandro. Based on input from community engagement, the City established five objectives for the park development: 1) return the San Leandro Marina to a more natural state; 2) provide for community engagement with nature; 3) enhance Bay views; 4) enhance community access to the Bay; and 5) provide a contemplative, culturally sensitive park environment that is accessible to the whole community. Key features of the park include:

- a. **Bay Trail.** The plans provide for an approximately 4,200-linear-foot segment of the Bay Trail along the western side of Mulford Point connecting to Monarch Bay Drive and Marina Boulevard, and an approximately 1,800-linear-foot segment of the Bay Trail along Pescador Point connecting to Monarch Bay Drive. Bay fill would be required along the southern side of the proposed apartment building to accommodate the new Bay Trail where the boat launch is currently located. Additional pedestrian pathways would connect the Bay Trail to the interior edge of Mulford Point and the new businesses and apartments. Development along the peninsulas would be connected by existing pedestrian paths on the eastern side of the marina basin.
- b. **Overlooks.** The park would provide five overlooks: Overlook 1, a cantilevered overlook partially over the bay at the northeastern corner of Mulford Point near the proposed hotel; Overlook 2, at the northwest bend of Mulford Point; Overlooks 3 and 4 at the southwest tip of Mulford Point; and Overlook 5 at the tip of Pescador Point southwest of the proposed apartments. One of the overlooks at the tip of Mulford Point would be a Cultural Reflection Outlook designated for Ohlone cultural activities.
- c. **Flexible Lawn.** The park area on Mulford Point would consist mainly of flexible lawn space in response to the community's request to emphasize passive enjoyment. The lawn area would be designed with landscapes suitable for picnics but not flat enough to be used as sports fields. The area would be planted with shade trees with low groundcover along the peninsula's edges, with sections planted for stormwater treatment. Landscaping would also include zones planted with native grasses, landscaped berms for wind protection, and the establishment of a pollinator garden at the tip of Mulford Point Drive.
- d. **Boat Launch.** The boat launch would be relocated from its current position near the southeast corner of the site to the end of Pescador Point, replacing the existing fishing pier. A new kayak rental facility would be located adjacent to the launch. Contemplated uses of the boat launch include public access for motorized and non-motorized boats, emergency services water access, and a private water shuttle service. (Note: BCDC Permit No. M2019.015.04 authorized use of the "west dock" of the existing boat launch for operation of a private water shuttle through February 4, 2023. The City has requested a time extension for the permit through April 1, 2024, and has indicated interest in allowing the water shuttle to continue in the future. Any landside improvements associated with this commercial use would be left to the concessionaire to coordinate.)
- e. **Public Art.** The existing Lost Boat Memorial, San Leandro Oyster Bed Mosaic, and Jack D. Maltester Channel Commemoration Plaque would be relocated on site. The project also contemplates a future art piece located at Overlook No. 2 on Mulford Point.
- f. **Parking.** The park would include 197 public shore parking spaces spread across four areas: one accessed from Mulford Point Drive with 111 spaces, one further along Mulford Point with 40 spaces, a third accessed by Pescador Point Drive with 15 spaces and an additional 14 boat trailer spaces, and an additional 17 spaces along Pescador Point Drive in front of the new apartment building.
- g. **Other Amenities.** Public restrooms would be provided in a dual-purpose restroom and maintenance facility on Mulford Point and at the rental facility at the end of Pescador Point. Bike racks would be located at each of the five overlook areas and at the parking lot on the west side of Mulford Point Drive. The project also proposes an interpretive signage program on Mulford Point.

2. **Hotel and Commercial Development (Exhibits 24-26).** On the northern portion of the site, Cal-Coast is proposing a hotel with an attached restaurant, a separate restaurant/banquet facility, and a commercial retail space intended for use as a market. The hotel would consist of 209 rooms, five stories, and 158,334 square feet. The restaurant would be two stories and 16,024 square feet with a roof deck. The market would be one story and 2,500 square feet, and would be accompanied by an outdoor dining space. The hotel and commercial uses would be developed with parking areas and landscaping, some of which will be located within the Commission's 100-foot shoreline band jurisdiction. The buildings themselves would be located outside of the Commission's jurisdiction.
3. **Multi-family Housing (Exhibit 27).** On the parcel south of Pescador Point Drive, Cal-Coast is proposing a five-story, 285-unit apartment building. The structure would be located outside of the Commission's jurisdiction, but portions of its parking and landscaping areas would be within the 100-foot shoreline band. The project proponents are proposing to fill the existing boat launch at this location to accommodate the apartments, landscaping, and Bay Trail segment.

#### *Golf Course Development (Exhibit 28)*

East of Monarch Bay Drive, Cal-Coast is proposing single-family residential and townhome development on an approximately 16-acre parcel that is currently part of the Marina Golf Course. The development would include 144 detached single-family homes and 62 townhomes. This part of the project would be outside of the Commission's jurisdiction.

#### **Sea Level Rise (Exhibit 20)**

Base Flood Elevations (BFEs) at the project site range from +13 feet NAVD88 and +11 feet NAVD88 at the northern edge of Mulford Point to +12 feet NAVD88 along the western edge of Mulford Point and +10 feet NAVD88 inside the marina basin and along Pescador Point. Existing grades on the peninsula range from +8.8 to +11 feet NAVD88.

Sea level rise at 2050, under the 2018 Ocean Protection Council Sea Level Rise Guidance high emissions, medium-high risk aversion scenario, is projected to be +1.9 feet NAVD88. At 2100, under the same scenario, sea level rise is projected to be +6.9 feet NAVD88. The project proponents plan to raise the grade for the majority of the marina peninsula site +3.5 feet NAVD88 to grades ranging from +13.8 feet to +16.5 feet. The proposed elevation is based on the +3.5-foot sea level rise projected for 2070 under the high emissions, medium-high risk aversion scenario. The project would also involve placing new riprap along the Bay-side perimeter of Mulford Point and north along the shoreline to the proposed hotel, where the site is subject to wave action, to provide shoreline protection. In areas that are not subject to wave action, such as the north and south sides of Pescador Point, the grade will be raised by adding bank plantings above the existing riprap.

At the proposed elevations, the project generally would not be expected to flood at 2050 sea levels, though the Lower Basin Trail, at +9 feet would be susceptible to flooding during storm events. However, at 2100, all parts of the project would be below projected BFEs and would be vulnerable to flooding during storm events. At an elevation of +13.8, the site would be susceptible to flooding during events as frequent as the 2100 1-year flood event, or King Tide. Higher elevations would be more resilient, but all would be vulnerable to flooding during a 100-year storm.

While the project does not include specific information regarding adaptation measures for conditions beyond 2070, the City established a Community Facilities District in 2022 with bonding capacity to fund future adaptation efforts for the site.

### **Phasing (Exhibits 21-22)**

Since the marina closed, the site has fallen into disrepair and has become an attractive nuisance. As a result, the project proponents are eager to move forward and begin removing the landside improvements later this year. After site demolition, the project is planned to occur in two phases, Phase 1, from 2025 to 2027, and Phase 2, anticipated to be complete by 2031.

Phase 1 would involve:

1. Removal of the marina;
2. An interim alignment of the Bay Trail (2,160 linear feet) on Mulford Point and Pescador Point;
3. A new network of unpaved pedestrian trails;
4. Integration of a tiered Lower Basin Trail on Mulford Point to enhance engagement with the water and provide interior protection from the wind;
5. Site preparation and hydroseeding of the park space utilizing a blend of varying pollinator species;
6. Installation of park benches at various viewing locations;
7. Preliminary construction of Overlook No. 2;
8. Construction of two of the three public parking areas (one at Mulford Point Drive and another at Pescador Point Drive);
9. Relocation of the boat launch and installation of the extended side tie docks and a laydown area of non-motorized boats; and
10. Construction of the kayak rental/restroom facility at Pescador Point.

Phase 2 would involve buildout of the remaining project, including the commercial development and completion of the park with the final landscaping and Bay Trail alignment.

### **Community Engagement**

The project proponents have conducted multiple rounds of community engagement for this project, from the initial engagement efforts in 2007 when the City was beginning to explore alternatives for redeveloping the marina, to more recent engagement specifically focused on the design of the park. For the most recent round of engagement, the City referenced BCDC's Community Vulnerability Mapping tool, the CalEnviroScreen SB 535 Disadvantaged Communities and AB 1550 Low-Income Communities mapping tool, and input from community-based organization (CBO) partners to identify geographic areas and populations in which to concentrate outreach efforts. The City also expanded its existing stakeholder list to include CBOs, youth outreach agencies, businesses, real estate developers, labor unions and trade groups, faith-based communities, environmental groups, schools, neighborhood associations, tribal leaders, area residents, and more.

Engagement activities in 2022 included pop-ups at local businesses and community centers serving underrepresented communities and three community meetings, with additional pop-up events planned. Outreach has included use of social media, e-mail blasts, postcards, and in-person flyers, including distribution at the existing park site during popular visiting times, with notifications published in a range of languages. The City also engaged with representatives from both the Muwekma and Ramaytush bands of the Lisjan/Ohlone tribe early in the design process.

The current proposal for the shoreline park represents a number of revisions to the earlier 2016 drafts of the shoreline park that were driven by specific requests from the community. The previous design draft featured large grass fields suitable for team sports, more hardscaping with wide, straight paved paths, and more parking. Through engagement, the City heard that the community was interested in more passive recreational opportunities, and that community members wanted a park that expressed San Leandro's unique identity by paying homage to local Ohlone heritage, featuring local art, and embracing the natural landscape. The resulting design changes included replacing the large sports fields with rolling landscapes, paths that were meandering rather than straight, consolidated parking areas to allow for more greenery and bike and pedestrian space, native plantings, and an emphasis on Bay views. The City arranged a series of meetings with representatives of the Ohlone community to involve them directly in the design process, resulting in a designated space for cultural activities and interpretive signage for parkgoers to learn about tribal cultural heritage.

The City also heard ideas for additional amenities that residents would like included, but have not been added to the current design for budgetary reasons. These include additional bathrooms, more educational facilities/programming, and a bridge connecting Mulford Point and Pescador Point. Smaller, more budget-feasible ideas that will be considered in future design drafts include EV charging in the parking lot, charging facilities for electric bikes, pet waste stations, a fish cleaning station, and ADA-accessible picnic benches. Additionally, the Kaimanu Outrigger Canoe Club, a key community lagoon user, has expressed concerns about losing access to the existing launch facility, as the large size of their canoes, storage and launch present particular challenges. This updated design includes additional dock space and a boat laydown area that could accommodate the larger canoes, but the project team is continuing to work with the Canoe Club to address outstanding concerns.

The Ohlone tribal representatives also voiced several requests and concerns on behalf of their community, including a desire to be consulted and/or present during excavation due to the possibility of the Shoreline being an ancestral burial site; a desire to see ancestral sites named in their native language; concerns about the potential for sea level rise over a 50-year timeline; a desire to incorporate the tribe's traditional use of the land into the park design by including allotted space for ceremonies, restoring plant and animal life that were native to the shoreline, and integrating areas where the community can be educated about the shoreline's cultural history; and an interest in formalizing a relationship with the City to share stewardship of the area.

## **Approval and Construction**

The San Leandro City Council approved entitlements and agreements for the project on June 21, 2022. The City certified an environmental impact report (EIR) on July 20, 2015, for a previous iteration of the project. An EIR Addendum was completed in 2020 to analyze the subsequent changes to the project, which concluded that the proposed project would not result in any new significant impacts or substantially increase the severity of any significant impacts identified in the Certified EIR.

On December 30, 2022, the developer Cal-Coast and the City completed the sale and leasing of public properties that comprise the land for the shoreline project. Next steps include preparing detailed grading and construction documents and obtaining permits from regulatory agencies. Phase 1 of construction is expected to begin in Q2 of 2025. In the interim, the City will continue to license public parking areas and continue the lease for El Torito restaurant so that they can operate until Cal-Coast begins work on the proposed hotel and restaurant.

## Commission Plans , Policies, and Guidelines

### San Francisco Bay Plan Policies

The *San Francisco Bay Plan* (Bay Plan) contains policy sections relevant to the design of the public access areas for this project, including the sections on Public Access; Environmental Justice and Social Equity; Climate Change; Shoreline Protection; Appearance, Design and Scenic Views; Recreation; and Fills in Accord with the Bay Plan.

The Bay Plan's Public Access policies state that "maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline" (Policy 2); that "public access improvements provided as a condition of any approval should be consistent with the project, the culture(s) of the local community, and the physical environment, including protection of Bay natural resources" (Policy 8); and that "access to and along the waterfront should be provided by walkways, trails, or other appropriate means" (Policy 10). The project would provide public access along the perimeter of the marina, including new Bay Trail segments along Mulford Point and Pescador Point and a new Lower Basin trail on the east side of Mulford Point.

Public Access Policy 5 states that "public access that substantially changes the use or character of the site should be sited, designed, and managed based on meaningful community involvement to create public access that is inclusive and welcoming to all." The project team is incorporating a public outreach program into its design process as described above.

Public Access Policy 6 states that "public access should be sited, designed, managed and maintained to avoid significant adverse impacts from sea level rise and shoreline flooding." The project includes raised elevations and a community facilities district to address future sea level rise vulnerabilities.

The Bay Plan's Environmental Justice and Social Equity Policy 3 states that "equitable, culturally-relevant community outreach and engagement should be conducted by local governments and project applicants to meaningfully involve potentially impacted communities for major projects and appropriate minor projects in underrepresented and/or identified vulnerable and/or disadvantaged communities," and "evidence of how community concerns were addressed should be provided." The project site and surrounding areas are within areas identified by BCDC's Community Vulnerability Mapping Tool as having moderate to highest social and contamination vulnerability. The project proponents have engaged the public since 2007, when the City began considering alternative uses of the marina site, and have, in the past year, conducted a more targeted community engagement process of identifying new stakeholder groups, reaching out to vulnerable populations, and soliciting feedback on the shoreline park's design elements. Outreach has included dialogue with the Lisjan/Ohlone bands with cultural ties to the project site. As described above, the current project design has incorporated feedback received from the engagement process on the park's programming, overall site plan, and amenities. The project proponents have also identified outstanding issues to be addressed as the process continues.

The Bay Plan's Climate Change Policies state that projects "should be designed to be resilient to a mid-century sea level rise projection. If it is likely the project will remain in place longer than mid-century, an adaptive management plan should be developed to address the long-term impacts that will arise based on a risk assessment using the best available science-based projection for sea level rise at the end of the century" (Policy 3), and that "wherever feasible and appropriate, effective, innovative sea level rise adaptation approaches should be encouraged" (Policy 5). The project is located in an area projected to be affected by rising sea levels in the future, and includes finished elevations of +3.5 feet NAVD88 above current BFE to equal projected BFEs for 2070, riprap for shoreline protection, and the creation of a community facilities district to raise funds for additional future adaptation measures.

The Bay Plan's Shoreline Protection Policy 1 states that "new shoreline protection projects... should be authorized if: (a) the project is necessary to provide flood or erosion protection for... proposed development, use or infrastructure that is consistent with other Bay Plan policies; (b) the type of the protective structure is appropriate for the project site, the uses to be protected, and the causes and conditions of erosion and flooding at the site; (c) the project is properly engineered to provide erosion control and flood protection for the expected life of the project based on a 100-year flood event that takes future sea level rise into account; (d) the project is properly designed and constructed to prevent significant impediments to physical and visual public access; (e) the protection is integrated with current or planned adjacent shoreline protection measures; and (f) adverse impacts to adjacent or nearby areas, such as increased flooding or accelerated erosion, are avoided or minimized." The project includes new riprap around the outer perimeter of the marina. Additionally, Policy 5 states that "all shoreline protection projects should evaluate the use of natural and nature-based features." The project does not include nature-based shoreline infrastructure components.

The Bay Plan's Appearance, Design and Scenic Views policies state that "all bayfront development should be designed to enhance the pleasure of the user or viewer of the Bay" and "[m]aximum efforts should be made to provide, enhance, or preserve views of the Bay and shoreline, especially from public areas" (Policy 2), that "[s]horeline developments should be built in clusters, leaving areas open around them to permit more frequent views of the Bay" (Policy 8), and that "views of the Bay from vista points and from roads should be maintained by appropriate arrangements and heights of all developments and landscaping between the view areas and the water" (Policy 14). The public shoreline park is designed to provide multiple viewing areas at overlooks and along the Bay Trail, and attempts to maintain visual access to the Bay from each of the vehicular and Bay Trail access points. The project would place new private development up to five stories between the proposed park and the public roadway (Monarch Bay Drive), which is designated as a scenic drive in the Bay Plan and thus would need to ensure that views are adequately preserved or enhanced outside of the park itself.

The Bay Plan's Recreation policies include policies relevant to waterfront parks and marinas. Policy 3.a.5 states that "[d]ifferent types of compatible public and commercial recreation facilities should be clustered to the extent feasible to permit joint use of ancillary facilities and provide a greater range of choices for users." The shoreline park design includes a kayak rental facility near the proposed boat launch and would place retail and restaurant uses near the park entrances. Policy 3.a.7 states that "[a]ccess to marinas, launch ramps, beaches, fishing piers, and other recreational facilities should be clearly posted with signs and easily available from parking reserved for the public or from public streets or trails." The project includes a signage program and public parking areas near the park and boat launch. Policy 3.b states that unsuitable sites for marinas are those that tend to fill up rapidly with sediment and require frequent dredging, which the project proponents have cited as the rationale for redeveloping the marina area as park.

Fills in Accord with the Bay Plan Policy 1 states that a project should be approved if the filling is the minimum necessary to achieve its purpose and if it is in accord with Bay Plan policies regarding minor fills for improving shoreline appearance or public access. The project proposes to fill in an existing boat launch facility to accommodate a Bay Trail segment adjacent to the proposed apartment structure, as well as two cantilevered overlooks. The project would also remove existing Bay Fill by removing the in-water marina infrastructure.

As shown on Bay Plan Map No. 5, the project site does not have a priority use designation. However, the site is located between the Oyster Bay Regional Shoreline to the north and the San Leandro Shoreline Park System to the south, both of which are designated as Waterfront Park, Beach.

### **Public Access Design Guidelines**

The *Public Access Design Guidelines* state that public access should feel public, be designed so that the user is not intimidated nor is the user's appreciation diminished by structures or incompatible uses, and that there should be visual cues that public access is available for the public's use by using site furnishings, such as benches, trash containers, lighting, and signage. The *Public Access Design Guidelines* further state that public access areas should be designed for a wide range of users, should maximize user comfort by designing for weather and day and night use, and that each site's historical, cultural, and natural attributes provide opportunities for creating projects with a "sense of place" and a unique identity. The project is designed to provide vehicular and Bay Trail connections from Mulford Point and Pescador point to Monarch Bay Drive, and would include a signage program to direct visitors through the site and provide cultural, historical, and natural interpretation. Public amenities, such as bicycle racks, seating, viewing plazas, and flexible lawn space, would be provided throughout the site. Private development is proposed between the public facilities and the public road, adjacent to the public facilities; therefore, the project will need to ensure that the availability of public access is clearly indicated and that any potential conflicts between public and private users are minimized.

The *Public Access Design Guidelines* also specify that projects should provide visual access to the Bay and shoreline by organizing development to allow Bay views and access between buildings, and siting projects so that they enhance and dramatize views of the Bay; enhance the visual quality of the Bay and shoreline by providing visual interest and architectural variety while complementing the appearance of the Bay and adjacent development; and take advantage of the Bay setting by orienting projects towards the Bay and orienting public access areas to take advantage of views of opposite shores and landmarks. The project is located along the Bay shoreline and includes the development of new two- to five-story private uses between the public access area and the public road, which is designated as a Scenic Drive in the Bay Plan. The project proponents will need to ensure that the project is oriented and designed to ensure adequate visual access to the Bay from the roadway.

The *Public Access Design Guidelines* further state that projects should provide connections along the shoreline by incorporating the Bay Trail and promoting safe pedestrian and bicycle access. The project includes Bay Trail segments, pedestrian pathways, and bicycle parking in the shoreline park.

The *Public Access Design Guidelines* also urge that projects should ensure that public access is compatible with wildlife through siting, design, and management strategies. The project will involve the removal of fill from the interior basin of the marina, which could improve the subtidal habitat and attract wildlife to the site. The project will need to ensure that the fill is removed in a manner that does not negatively impact wildlife, and may need to consider whether there is potential for conflicts between the natural spaces being created in the water or in any newly planted areas and public use of the site.

## Board Questions

Staff recommends the Board frame its remarks of the proposed public access improvements considering the existing permit requirements and the proposed development project. The Board may wish to refer to the public access objectives found in the Commission's Public Access Design Guidelines. Additionally, please provide feedback on the proposed public access improvements with respect to the Commission's policies on sea level rise, and environmental justice and social equity.

The seven objectives for public access are:

1. Make public access **PUBLIC**.
2. Make public access **USABLE**.
3. Provide, maintain, and enhance **VISUAL ACCESS** to the Bay and shoreline.
4. Maintain and enhance the **VISUAL QUALITY** of the Bay, shoreline, and adjacent developments.
5. Provide **CONNECTIONS** to and **CONTINUITY** along the shoreline.
6. Take advantage of the **BAY SETTING**.
7. Ensure that public access is **COMPATIBLE WITH WILDLIFE** through siting, design, and management strategies.

Staff also has the following specific questions for the Board's consideration:

- a. Does the peninsula "feel public," and allow for the shoreline to be enjoyed by the greatest number of people? Is the space inviting with sufficient facilities to support public use?
- b. Does the updated phasing plan address the Board's concerns about making the space feel usable and welcoming before the project is fully completed?
- c. Are there clear connections and wayfinding to the shoreline from the community and Monarch Bay Drive?
- d. Does the proposed Bay Trail alignment along Monarch Bay Drive complement the current and planned pedestrian and bicycle circulation networks? Does the Phase 1 design adequately provide for south bound Bay Trail traffic?
- e. Does the proposed shoreline protection approach enhance the experience of the shoreline? How could the design improve these physical and visual connections?
- f. Does the proposed design provide adequate opportunities for fishing without creating points of conflict with other site users?
- g. Is the design of Pescador Point and the boat dock adequate to accommodate current and anticipated user groups, including public recreational use and a commercial water taxi service?
- h. Does the design provide sufficient flexibility for future adaptation and public access connections?