



## **Waterfront Plan Working Group**

Meeting: October 3, 2017

### **Working Group Subcommittee Recommendations for Part 2 of the Waterfront Plan Update Public Process**

#### Final Meeting Notes

Members Present: Kirk Bennett, Reid Boggiano (by phone), Mike Buhler, Troy Campbell, Kevin Carroll, Chris Christensen, Jon Golinger, Carolyn Horgan, Aaron Hyland, Earl James, Ellen Johnck, Janice Li, Ron Miguel, Stewart Morton, Rudy Nothenberg, Karen Pierce, Tom Radulovich, Linda Fadeke Richardson, Alice Rogers, Peter Summerville, John Tobias, Anne Turner, Corrine Woods, Dee Dee Workman

Absent: Grant Ballard, Lawrence Beard, Jeffrey Congdon, Jane Connors, Pia Hinkle, Cristina Rubke, Jasper Rubin, Dilip Trivedi

Link to SFGovTV Video for 10/3/17 Waterfront Working Group meeting:

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=74&clip\\_id=28930](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=74&clip_id=28930)

Link to the “Part 2 Summary Report – Working Group Subcommittee Recommendations” :  [9.11.17 Waterfront Update Part 2 Summary Report.pdf](#)

1. Welcome from Co-Chair Rudy Nothenberg and description of how meeting discussion will proceed:
  - Co-chairs will ensure that everyone has an opportunity to be heard; will not favor expediency over a robust discussion of these important issues.
  - The chair of the Land Use Subcommittee will provide an overview of the recommendations. Land Use Subcommittee members will be invited to make comments, followed by comments from other Working Group members and the public will be invited to comment as well.
  - Working Group members –are asked to indicate recommendations that will require further discourse by the Working Group; discussion of such issues will be deferred to the end of the meeting. The uncontested Land Use Subcommittee recommendations may then be accepted. For the deferred items, if an item can be easily resolved with re-wording, we can make that change in this meeting. If it is a new item that was not discussed in Subcommittee, it will be referred back to the Subcommittee for consideration. If it’s an issue that was already debated in Subcommittee, the -Working Group may arrive on an

acceptable modification this evening. If full consensus has not been reached on any remaining recommendation, either at this or any subsequent Working Group meeting, Staff will work with the Working Group member or members who object and develop alternative recommendations. "Alternative" Recommendations to those accepted by the rest of the Working Group will be included in the Part 2 Report and presented to the Port Commission. The "objecting" members of the Working Group will have the opportunity to approve the language of the alternative recommendation(s) which will be included in the Part 2 Report. Such alternatives will not come back to the Working Group for acceptance.

2. Consideration and Acceptance of September 19, 2017 Meeting Notes

Meeting Notes were accepted with the following revisions:

- Corrections: Troy Campbell was absent; Jon Golinger was present
- Add notation: Items referred back to Subcommittee were not accepted by Working Group
- Typo: Add enumeration "6." on page 5 for Recommendation #40 "Parking and Auto Access"

3. Review of Land Use Subcommittee Recommendations

Alice Rogers, Chair of Land Use Subcommittee, summarized the process, approach and recommendations of the Land Use Subcommittee. The Subcommittee held a total of 14 meetings and covered 8 major topics that included some overlapping issues with the other Subcommittees. Many Advisory Team members attended the meetings and participated to guide the discussion. Staff from agencies such as BCDC and ABAG Water Trail attended many of the meetings. Reid Boggiano from State Lands attended all meetings in person or by phone, and Jennifer Lucchesi attended two different meetings to convey how public trust principles apply to Port policies. Financial consultants from EPS provided financial model analysis to inform public discussion of financial feasibility of rehabilitation of Embarcadero Historic District piers and bulkhead buildings, which included analysis of pier condition and engineering information, and cost estimates. Alice summarized key conclusions of recommendations for each of the 8 Land Use topic areas.

General Questions/Comments from the Land Use Subcommittee members

1. From a regional perspective, the recommendations are reasonable and respectful of the broader public interest. Good report.
2. Appreciate Alice Rogers' leadership, allowing experienced, strong advocates to dive into the issues. Total agreement with 48 of 55 items; recommend 7 for further discussion. (Those seven recommendations flagged for further Working Group review are listed below, at the end of the meeting notes.)
3. From the vantage point of maritime tenants and support of maritime industry, it was an amazing process.
  - Pleased with unanimity on recognizing the value of the industry, the Port's legal responsibility to implement the trust, and that maritime priorities stand fast.

- Gratified by support of diversity of maritime uses from small, medium to large as well as recognition of important linkages between operations (e.g. cruise is dependent on ship repair; harbor services support the tour boat business)
  - Appreciate maritime tenant's challenges with public access: resolve that sometimes access can be shared, but sometimes there are conflicts. We're supportive of a balance.
  - New intermediate leases provide exciting new opportunities for maritime industry.
4. Pleased with attention to historic preservation elements, and hope recommendations will allow appropriate development and rehabilitation of the Embarcadero Historic District piers that are empty.
  5. Compliments to Alice Rogers on a very difficult job well-handled; 14 Land Use Subcommittee meetings produced a logical, thoughtful document for the City. This document cannot take into consideration all of the major growth shifts in San Francisco, especially pronounced in the southern part of City. It can set some guidelines for Port property, some ways to move forward and grow. Reasonably satisfied with recommendations; will hold off on wordsmithing.
  6. The Subcommittee was attentive to two basic considerations: Equity: It was discussed often and thoroughly in all 14 meetings. Applaud the whole committee. And maritime activities: It's clear that we value preserving maritime activities at the Port, but such activities shouldn't be pushed to one area – they must be preserved throughout the Port waterfront from north to south. Maybe an executive summary should reflect that.
  7. Pleased that we understand the Port's needs for leasing, and that we got to some rules around intermediate leasing. The recommendations around sole-source opportunities should give the Port greater ability to assert their own priorities.
  8. Support activation of open space; it has been very difficult to activate open space, and keep it clean and usable. It will be critical for State Lands and BCDC sign off, in principle, on the guidance regarding activation of open space and how intermediate leasing fits into the State's goals. If they are in agreement, we've gone a long way. Response from Reid Boggiano, State Lands: State Lands and Port staff have worked hand-in-hand on the intermediate and long term pier leasing scenarios for a couple of months, and State Lands understands and support those scenarios. As with other pier projects, we went through the same process to analyze public trust benefits and tradeoffs, and what works for the historic piers. So Port and State Lands did discuss at length the leasing recommendations for historic piers, and now have some great diagrams that outline our thought process. The topic of active uses in open space is still broadly defined, and probably requires further discussion in the future.
  9. How do you make the Waterfront Plan policies around community engagement in development projects enforceable? We have good policy recommendations, but still don't have enforceable language in Pier 70 DA for public engagement as the project is being designed and built.

Recommendation #47 addresses enhancing communication between Port Advisory Committees and Port Commissioners, perhaps mandating Port Commissioner attend advisory committee meetings. One response: It's not clear how that is done legally, but the Working Group can make a statement to the Port Commission, that it expects its 3+ years of effort and any related policies of the Land Use Plan to be adhered to in future Development Agreements.

10. Comfortable with recommendations. Appreciate staff attention to recording our ideas faithfully. Alice Rogers set a productive and collegial tone.
11. When will Working Group discuss the Financial Tables in the Part 2 Summary Report? It seems relevant to discussion of the hotel. Diane Oshima clarified that financial tables are informational, prepared by staff to identify typical funding sources related to the Working Group recommendations, as many recommendation have cost implications. The notes at the beginning of the table indicate that the financial tables are not a part of the accepted Working Group Subcommittee recommendations. Further Working Group discussion on the Financial Table will follow discussion and acceptance of Subcommittee recommendations.

General Questions/Comments from other Working Group members and public

1. Parking is both a Transportation and Land Use issue. Consider having a consistent approach to all Port properties, regardless of variations between City Neighborhood Plans (e.g. treatment of new parking, existing surface lots, and requirements for active uses against edge of street/sidewalk rather than parking)
2. Port Zoning is antiquated – consider creating 2-3 zoning districts that fit with the Waterfront Plan. This could be discussed further in Part 3 of the update process.
3. Re Publicly Oriented Uses – what is the definition of publicly oriented uses? In addition to retail and restaurants, arts, cultural, and museum are examples of public-oriented uses, which currently are acceptable uses in the Waterfront Plan.
4. Support Land Use recommendations. Look forward to discussion of hotels. Appreciate Recommendation #21 – concessionaires and restrooms – it's an important issue of equity for the City, to allow visitors to use restrooms.
5. Appreciate and agree with Recommendation #13, reflecting the positive value the public places on views of maritime activities. And all of the recommendations that will help preserve and rehabilitate the historic piers. These are highlights.
6. Water Recreation – onshore fishing is not mentioned. Diane Oshima noted that this use typically is considered a public access activity. Recommendation #26 seems superfluous and

unnecessary – Port will balance commercial revenue generation with public-oriented uses and benefits. Land Use subcommittee members feel the recommendation is valid.

7. Request that Port staff clarify how the Part 2 Recommendations will apply to maritime leases in any location of the waterfront, particularly for leases over 10 years. And the related public process for such leases. Should different requirements be considered for maritime use/leases?
8. Regarding #41, consider using language that is closer to what was adopted by the Subcommittee, so that state legislation to lift trust restrictions is not handled in a broad, blanket fashion on the remaining seawall lots north of Market Street, but on a case by case basis.
9. Regarding #36, regarding hotel use to rehabilitate historic piers, consider replacing the word “possibly” with “but”, to reflect the Subcommittee’s agreement on pier hotels, if it’s limited to only one or two. Was a minimum threshold for public access discussed for hotels?
10. Regarding #44, does the Waterfront Plan identify any parking lots as potential open space sites?

Edits/modifications to be made by Port staff based on direction of the Working Group (or in coordination with Working Group member)

1. Land Use Recommendation #16 - Port parks and open space also meet City emergency response, staging and evacuation needs, which overlap with Resilience Subcommittee Recommendation #21
2. Add a cross-reference from Land Use Recommendations to Transportation Recommendation #43, regarding unbundling parking from Port leases, since it also relates to Port leasing policy.

The Working Group accepted the Land Use Subcommittee recommendations of the Part 2 Summary Report, except for those listed below along with a description of comments that may lead to revised recommendations.

**The following Land Use Subcommittee Recommendations were not accepted by the Working Group, and will be discussed at the next meeting:**

- #30 – concern is with public review process for intermediate term leases for most/all of a pier (Note: Public review for intermediate leases is the subject of Recommendations #51, and #55)
- #31 – wording omission; list sources of funds for pier rehabilitation (see Subcommittee memo)
- #35 – sea level rise direction should be better coordinated with Resilience Recommendation #32
- #36 – hotel use for one or two pier rehabilitation projects
- #41 – state legislation to lift trust restrictions on seawall lots north of Market Street (see Subcommittee memo for accepted wording)
- #44 – parking on seawall lot furthers certain trust objectives
- #47 – enforce communication between PACs and Port Commission

- #52a-c – process for sole source projects
- 55b – public review process for intermediate term leases for a limited area in an industrial pier

Other Items:

Concern was expressed that Land Use recommendations that support maritime operations may conflict with previously accepted Transportation Recommendation #43 that would “discontinue bundling of parking with Port leases” which could be impractical for maritime tenants. Request additional discussion or language that provides some flexibility for maritime uses.

[For further details, see October 3, 2017 Working Group Meeting “Recommendations Referred to Land Use Subcommittee for Discussion/Revision”]

There was insufficient time available to address the recommendations that were not accepted. The next Working Group meeting will be on Wednesday, October 25, 2017.