

SAN DIEGO UNIFIED PORT DISTRICT

MEMORANDUM

Date: July 15, 2022

To: Board of Port Commissioners

Via: Tony Gordon
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From: Lesley Nishihira
Director, Planning Department
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Subject: Agenda Related Materials re July 21, 2022 Special Board Meeting Agenda Item No. 1, File No. 2022-2080, "Presentation and Update on the Seaport San Diego Project with 1HWY1, LLC for the Redevelopment of a Portion of the Central Embarcadero District in the City of San Diego and Direction to Staff on the Same"

The purpose of this memo is to transmit to the Board of Port Commissioners a summary matrix capturing feedback received to date from California Coastal Commission (CCC) staff on the Seaport San Diego Project (Project). The attached document provides a summary of the notes taken by both District staff and representatives of the 1HWY1 team during discussions held with CCC staff regarding the Project. Note that this summary has not been confirmed by CCC staff, although a copy has been provided to them for review.

If you have any questions, please contact Tony Gordon at (619) 665-5890 or via email at agordon@portofsandiego.org, or Lesley Nishihira at (619) 961-6322 or via email at lnishihi@portofsandiego.org.

Attachment(s):

Attachment A: Summary Matrix of Comments Received from California Coastal Commission Staff on Seaport Village Redevelopment Project

Attachment A

SUMMARY MATRIX OF COMMENTS RECEIVED FROM CALIFORNIA COASTAL COMMISSION STAFF ON SEAPORT VILLAGE REDEVELOPMENT PROJECT

Please note: The Seaport Team and Port staff have met with California Coastal Commission (CCC) staff on five occasions. Four of the meetings are summarized below. The third meeting on 9/29/2021 is not included below because it was meant to be a courtesy briefing on the Project Description and no feedback was requested.

| 1 ST MEETING 10/17/2018 | 2 nd MEETING 4/4/2019 | 3 rd MEETING 12/2/2020 | 4th MEETING 7/6/2022 |
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| <p><u>EARTHQUAKE FAULT</u> The CCC geologist out of the San Francisco office did a quick review of the earthquake study and is concerned about fill in the location and says that we need to explain why we think 25' is sufficient when the Alquist Priolo Act calls for 50'. We need to explain why we think a deviation is appropriate in this circumstance.</p> | <p><u>EARTHQUAKE FAULT</u> CCC staff will want more detailed discussion regarding seismic. Underground gas plume? Dewatering? Stronger argument for why the variance for the seismic fault setback is sufficient.</p> | <p><u>EARTHQUAKE FAULT</u> Not discussed.</p> | <p><u>EARTHQUAKE FAULT</u> Not discussed.</p> |
| <p><u>SEA LEVEL RISE</u> The CCC geologist is also concerned about Sea Level Rise and safety (over the 75 year economic life) because of elevation. CCC staff wants to be sure we consider extreme storm events. Use H++ when running scenarios.</p> | <p><u>SEA LEVEL RISE</u> They would like a detailed SLR analysis. They are curious what the raising of the promenade (3') was based on. Raising 3' by fill? Explain purpose of seawall construction and armoring as it relates to SLR and protecting public promenade and critical infrastructure.</p> | <p><u>SEA LEVEL RISE</u> Not discussed.</p> | <p><u>SEA LEVEL RISE</u> CCC does not want any of the public serving elements of the project in hazard areas or areas vulnerable to the impacts of Sea Level Rise. This comment was specifically raised in context of the cantilevered walkways proposed in some areas to extend over the riprap, but landward of the MHHW.</p> |
| <p><u>TOWER / DENSITY / BULK & SCALE</u> Not discussed in detail.</p> | <p><u>TOWER / DENSITY / BULK & SCALE</u> CCC staff conveyed concerned about height of the tower and proximity to the water. Buffering or setback from water's edge before getting to the building was discussed. It was suggested that we should look at statewide precedent on building close to the water. B&W rendering shows new tower is closer to the water than the existing Hyatt towers etc. CCC</p> | <p><u>TOWER / DENSITY / BULK & SCALE</u> Concerned about spire (500') on water's edge.</p> | <p><u>TOWER / DENSITY / BULK & SCALE</u> Pleased to see that building setbacks from the water have increased, but still concerned about bulk and height – especially in comparison to today's conditions. Questioned whether urban scale/high rise development is the best interpretation of the Coastal Act in this location. They are going to think about this internally and get back to us.</p> |

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| | <p>staff said the proposed buildings seem to be walling off from the water.</p> <p>This site might be a challenge because historically Seaport Village has been accessible for the public with a lower scale. Setback requirements are to avoid being imposing. Thoughtful height, bulk and scale on the waterfront so it doesn't feel like you're being dominated. CCC staff believes that you can activate and integrate the area but still not sure about scale.</p> | | |
| <p><u>OPEN SPACE</u> Prepare an exhibit that consists of a bare topography base and shows the existing development footprints and access ways overlaid with the proposed. CCC staff wants to understand the change. Ruocco and Embarcadero Parks are currently at grade public park spaces with water views and CCC staff is concerned that these parks will have less value to the public if they are not at grade. Commission emphasized that they are concerned about the loss of passive open space. They don't want open space to be overly programmed and used by hotels more than the general public (for passive uses).</p> | <p><u>OPEN SPACE</u> Really important for CCC staff to understanding the existing development versus what it is proposed. Show that none of the new buildings are closer than the existing building (at Seaport)</p> <p>Luxury hotel is adding massing on existing park; concerned with view blockage.</p> | <p><u>OPEN SPACE</u> Didn't want us to move the hotel to the tip where there is a park. Relocate the hotel off the peninsula.</p> <p>Open, green, passive park space is important. The "Pops" project just ate up a bunch of it.</p> <p>They like the (current) big views at Ruocco Park. Concerned about privatization.</p> | <p><u>OPEN SPACE</u> Raised questions about why some piers were counted as Recreation Open Space (ROS) and some were not; questioned if any should count as ROS.</p> |
| <p><u>PARKING</u> 15% of the parking spaces are surface spaces. The rest are underground and stacked. CCC staff asked for an analysis of how we measure up against today's parking regulations.</p> | <p><u>PARKING</u> Not discussed.</p> | <p><u>PARKING</u> Not discussed.</p> | <p><u>PARKING</u> Not discussed.</p> |
| <p><u>CANTILEVERING</u> CCC staff wants to know what construction impacts will be. We need to create base exhibits that tell the story. Normally</p> | <p><u>CANTILEVERING</u> CCC staff is concerned about shading over rip rap. Want a development edge</p> | <p><u>CANTILEVERING</u> Not discussed.</p> | <p><u>CANTILEVERING</u> Still concerned about the cantilevering over the riprap or water because of Sea Level Rise. They don't want the</p> |

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| <p>CCC staff says that promenades can't extend over the water at all. They believe that a cantilevered promenade is a means to expand the development footprint. CCC staff said that if you're in the area of the revetment then you're in the water. CCC doesn't use Mean High Tide Line: they draw a harder line at the land's edge. They are concerned about shading impacts, development footprint, etc..</p> | <p>exhibit at a scale that is usable.</p> | | <p>public access areas to be in the locations that are most vulnerable to Sea Level Rise (also refer to Sea Level Rise section above) .</p> |
| <p><u>DREDGE AND FILL</u> With respect to the beach they said it depends how you access it. It could be considered fill. They want to see sections that show existing conditions. CCC staff said that they don't want to encourage fill of water areas. They want us to define and quantify the areas of fill. CCC staff said that the promenades as we are proposing them are potentially fill of water area (depending on whether we are using pilings (considered fill because they displace water) etc.). They are concerned about shading of eelgrass.</p> | <p><u>DREDGE AND FILL</u> Not sure they like the location of the wetland next to a marina. Will there be ecological impact as a result of the creation of the beach?</p> | <p><u>DREDGE AND FILL</u> Not discussed.</p> | <p><u>DREDGE AND FILL</u> They want to make sure we are not using fill to gain land acreage. They suggested that creation of an urban beach is not an appropriate justification for the use of fill. They have the same issue with the overlook area and the over-water restaurant. They said that the Coastal Act limits the uses of fill to necessary uses and these types of uses don't qualify. They feel that restaurants over the water should not be allowed since they are not water dependent. Cut and fill should be reserved for necessary uses or restoration, as specified in Sections 30233 (Chapter 3) and 30705 (Chapter 8) of the California Coastal Act.</p> |
| <p><u>MIX OF USES</u> CCC raised concerns about uses that they don't think are consistent with the public trust: office, learning center, and the event center. We also explained that the event center is unresolved because State Lands Commission has some concerns. Staff seemed sympathetic to the position that</p> | <p><u>MIX OF USES</u> Concerned with office uses. Some of the examples do not seem to be coastal dependent (not related). Seems more retail has been added. 150k sq ft of office space is too much and not consistent with the public trust doctrine. Reduce size so more space will be available for the public. CCC staff was informed</p> | <p><u>MIX OF USES</u> Generally seems like building heights have increased with this proposal. Footprints are so close to the water.</p> | <p><u>MIX OF USES</u> Not discussed.</p> |

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| <p>it is consistent with the Tidelands Trust.</p> <p>CCC staff said that they do occasionally disagree with State Lands Commission – sometimes they draw a harder line than SLC. They reiterated that the office is the most glaring inconsistency for them. They would need to understand clearly why it couldn't be 2 blocks inland. If it is going to have bay water intake, those structures would have to be permitted by the CCC and if any other federal agencies had oversight like NOAA for example, CCC would also have to make a federal consistency determination.</p> | <p>Seaport team has been working with State Lands staff and will need to talk with them in the future.</p> <p>Confirm low cost hotels are still in the plan.</p> | | |
| <p><u>COMMERCIAL FISHING</u></p> <p>We explained that the plan is to move the existing fish processing to G Street Mole. CCC staff made it clear that they want commercial fishing to be made whole because it is a very high priority for them. It's not just about maintaining what they have, CCC staff wants to make sure that the fishermen are offered what they need. Staff said that we need to justify that it's a suitable and appropriate tradeoff.</p> | <p><u>COMMERCIAL FISHING</u></p> <p>Concerned with view blockage from new museum (from Harbor Drive) at G Street Mole.</p> <p>Need coordination with PMPU with regards to Fish Market. Who is going after lease renewal?</p> <p>Advised against sea lion exhibit near fishermen.</p> | <p><u>COMMERCIAL FISHING</u></p> <p>Not discussed.</p> | <p><u>COMMERCIAL FISHING</u></p> <p>CCC staff reiterated Commercial Fishing is a priority use and that they will want to hear the fishermen's perspective.</p> |
| <p><u>PUBLIC ACCESS</u></p> <p>CCC staff said that we need to be sure to categorize the various types of open space appropriately. CCC staff discussed with Port staff when to break down certain designations such as Park/Plaza (today it includes parking) when it coexists with a park. CCC staff expressed some hesitancy about us getting credit for an elevated park on a site that is designated Commercial Recreation and the ground floor is some use other than park.</p> | <p><u>PUBLIC ACCESS</u></p> <p>Need to explain how people will use publicly accessible spaces. Explain how the space is accessible and what the uses at the upper levels are (like the roof).</p> | <p><u>PUBLIC ACCESS</u></p> <p>"San Diego Scene" park seems more commercial and activated than park.</p> <p>Looking for more usable open space that isn't overly heavy on commercial uses. Find other ways to make it safe (than with commercial uses).</p> <p>NOTE: CCC staff will provide examples of best practices for parks in urban environments.</p> | <p><u>PUBLIC ACCESS</u></p> <p>CCC staff commented that the exhibit did not accurately compare the proposed access ways to those that exist today; stated access is more than just view corridors, but also how the public can go through and around SPV; the proposed buildings would impede existing accessways.</p> |

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| <p>Port staff expressed concerned that using the 70% designation for “public realm” in the presentation materials is a dangerous representation.</p> | | | |
| <p><u>ELEVATED PARKS</u> CCC staff said that historic paths are very important to maintain whenever possible. They said that elevated parks need to be called out as elevated. They didn’t see much ground level green space in the proposed plans and they said that was concerning. They said that elevated open space does not have the same value as ground level open space. They also pointed out that it needs to be free.</p> | <p><u>ELEVATED PARKS</u> How was 2:1 credit established for rooftop park? Should be based on accessible/usable.</p> | <p><u>ELEVATED PARKS</u> Concerned about the functionality of elevated park space.</p> | <p><u>ELEVATED PARKS</u> Not discussed; no longer proposed.</p> |
| <p><u>WATER VIEWS</u> Not discussed.</p> | <p><u>WATER VIEWS</u> What will be the use of California Pier? Marine (boat masts) are acceptable and not considered view blockage.</p> | <p><u>WATER VIEWS</u> Not discussed.</p> | <p><u>WATER VIEWS</u> They questioned whether the piers should be counted as open space. Would the users be the general public? Although they have said in the past that marine views with boat masts are acceptable, what we showed them at this meeting was much more expansive than what they had seen before. They said there is a point at which there are too many boats, and it diminishes not only the view of the water, but also the waterfront experience. They want some open water view. In addition, commented that portions of the marinas are configured such that the fingers are parallel to the shoreline so that the fairway widths described don’t necessarily translate to an improved water view in those areas.</p> |
| <p><u>VIEWES</u> Not discussed.</p> | <p><u>VIEWES</u> Presentation included high aerial view; CCC staff prefers to see street level pedestrian views.</p> | <p><u>VIEWES</u> Not discussed.</p> | <p><u>VIEWES</u> CCC staff thinks the double decker concept (“Green Strand”) is creative but wants</p> |

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| | <p>How does this integrate with the downtown plan with view corridors? How does raising the site elevations affect the downtown view corridor? Need to understand.</p> <p>Water's edge section cut shows about 7' increase in height at new building so how does that affect view from downtown?</p> | | <p>to know if it's feasible and what it does to the view. Specifically the view from Harbor Drive.</p> |
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