

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



July 27, 2006

Thur 15a

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: DEBORAH N. LEE, DEPUTY DIRECTOR
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO DISTRICT
DIANA LILLY, COASTAL PLANNER, SAN DIEGO DISTRICT

SUBJECT: **Staff Recommendation on San Diego Unified Port District Port Master Plan Amendment No. 36 (Old Police Headquarters & Park).** For Commission consideration and possible action at the Meeting of August 8-11, 2006.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending denial of the Port Master Plan Amendment (PMPA) as submitted. The PMPA would allow for the redevelopment of the Old Police Headquarters building (OPH), creation of a new approximately 3.3 acre park and additional plaza areas, demolition and rebuilding of the existing Harbor Seafood Mart as the Pier Walk Building, and redesign of the existing Seaport Village parking lots. The majority of the development proposed in the PMPA would have a positive impact on commercial and visitor-serving recreational opportunities and public access on the Embarcadero waterfront, through the preservation of the historic OPH and the creation of new parks and public accessways. However, as submitted, the PMPA would also allow for the loss of the existing commercial fishing facilities at the Harbor Seafood Mart without adequate assurances that the replacement facilities will be of comparable size, value, and functionality.

The existing tenant at the Harbor Seafood Mart building and other commercial fishing interests have submitted comments expressing concerns that the proposed amendment would adversely impact commercial fishing in San Diego. Commercial Fishing is one of the highest priority uses under the Coastal Act, but there have been increasing financial and land use pressures over the last two decades in San Diego to reduce commercial fishing facilities, land, and water area. Any changes to the PMP that affect the existing remaining facilities must ensure that these facilities are preserved and promoted, and the language of the proposed amendment fails to do so. The proposed Parking Management and Monitoring Program also fails to provide adequate documentation that the parking reduction strategies required in the plan to make up for the short-fall in parking spaces, will be both feasible and effectively implemented.

Port staff have indicated a willingness to revise the proposed amendment to provide greater specificity and protection for the commercial fishing uses at the site (see Page 13 for some potential text changes), and to provide additional documentation regarding the parking reduction measures. However, there was not sufficient time to incorporate these changes in the PMPA or have these changes reviewed in any public forum. The Port does not want to delay Commission action to later than the August meeting. Therefore, because the Commission can only approve or deny port master plan amendments, staff is recommending the Port Master Plan Amendment be denied as submitted at this time.

The appropriate motions and resolutions can be found on Page 3. The main findings for denial of the begin on Page 5.

Port Master Plan Amendment Procedure. California Code of Regulations, Title 14, Section 13636 calls for port master plan amendments to be certified in the same manner as provided in Section 30714 of the Coastal Act for certification of port master plans. Section 13628 of the Regulations states that, upon the determination of the Executive Director that the master plan amendment and accompanying materials required by Section 13628(a) are sufficient, the master plan amendment shall be deemed submitted to the Commission for purposes of Section 30714 of the Coastal Act.

The subject PMPA was deemed submitted on April 21, 2006. Within 90 days after this submittal date, the Commission, after public hearing, shall certify or reject the amendment, in whole or in part. If the Commission fails to take action on the amendment submittal within the 90-day period, the proposed amendment is deemed certified. However, on June 23, 2006, the Commission received a letter from the Port District waiving the time restriction with the understanding that the subject amendment would be placed on the August Commission agenda for action.

STAFF RECOMMENDATION:

I. PORT MASTER PLAN SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to the resolution.

RESOLUTION I (Resolution to deny certification of Port of San Diego Master Plan Amendment No. 36)

MOTION I

I move that the Commission certify the San Diego Unified Port District Master Plan Amendment No. 29 as submitted by the port.

Staff Recommendation

Staff recommends a **NO** vote. Failure of this motion will result in rejection of the port master plan amendment and adoption of the following resolution and findings. The motion to certify passes only upon an affirmative vote of a majority of the Commissioners present.

Resolution I

Deny Certification of Amendment

The Commission hereby denies certification to San Diego Unified Port District Master Plan Amendment No. 36 and finds, for the reasons discussed below, that the amended Port Master Plan does not conform with or carry out the policies of Chapter 3 and Chapter 8 of the Coastal Act. Nor would certification of the amendment meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the amendment.

II. FINDINGS AND DECLARATIONS.

The Commission finds and declares as follows:

A. Previous Commission Action. The Commission certified the San Diego Unified Port District Master Plan on October 14, 1980. The Commission has reviewed approximately thirty-five amendments since that date.

B. Contents of Port Master Plan Amendments. California Code of Regulations Title 14, Section 13656 calls for port master plan amendments to be certified in the same manner as port master plans. Section 30711 of the Coastal Act states, in part, that a port master plan shall include all the following:

- (1) The proposed uses of land and water areas, where known.
- (2) The proposed design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body.
- (3) An estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impact.
- (4) Proposed projects listed as appealable in Section 30715 in sufficient detail to be able to determine their consistency with the policies of Chapter 3 (commencing with Section 30200) of this division.
- (5) Provisions for adequate public hearings and public participation in port planning and development decisions.

The Commission finds that the proposed port master plan amendment does not conform to the provisions of Section 30711 of the Coastal Act. The proposed changes in land and water uses are do not contain sufficient detail in the port master plan submittal for the Commission to make a determination that the proposed amendment is consistent with the Chapter 3 and Chapter 8 policies of the Coastal Act.

The proposed amendment was the subject of an Environmental Impact Report under the California Environmental Quality Act. The Environmental Impact Report associated with the plan amendment was subject to public review and hearing and was adopted by the Board of Port Commissioners on February 7, 2006 as Resolution #2006-28. A public hearing on the proposed master plan amendment was held and the amendment was adopted by the Board of Port Commissioners on February 7, 2006 as Resolution # 2006-29.

Standard of Review. Section 30710 states that Chapter 8 shall govern those portions of the San Diego Unified Port District, excluding any wetland, estuary, or existing recreation area indicated in Part IV of the Coastal Plan. The entire water area under the jurisdiction of the Port of San Diego is covered by Chapter 3 policies because San Diego Bay is mapped as an estuary and wetland in Part IV of the Coastal Plan, and on the maps adopted by the Commission pursuant to Section 30710 of the Act. The proposed Amendment involves changes to the land and water designations at Centre City Embarcadero. The policies of Chapter 8 of the Coastal Act are the standard of review for the land portion of the proposed amendment, and Chapter 3 policies are the standard of review for the portion of the amendment addressing the water area (the redesignation of a small portion of water area to land, to reflect the presence of an existing pier). In addition, Chapter 3 is the standard of review for all projects appealable to the Coastal Commission, including the OPH reuse and the Pier Walk Building.

D. Summary of Proposed Plan Amendment.

The proposed Port Master Plan Amendment (PMPA) for the Old Police Station Headquarters (OPH) and Park Project involves changes to the text, project list, and land and water use designations within the Port District's Planning District 3 – Centre City Embarcadero. The PMPA would allow for the retention and reuse of the OPH building for a mix of specialty retail, entertainment and restaurant uses; relocation of the previously approved 4.1-acre "Central Park" to a 3.3-acre park at the northwestern portion of the project area; and demolition of the existing Harbor Seafood Mart and construction of a redesigned facility (the Pier Walk building) to accommodate existing commercial fish processing operations, as well as associated retail, restaurant, and other services/support uses. The OPH renovation, the new Pier Walk building, and the Bayfront Park would be added to the project list in the Master Plan. The PMPA also includes implementation of an updated Parking Management and Monitoring Program that includes the following: a) on and off-site parking; b) valet and tandem parking; and, c) shuttle system or participation in a shuttle system linking the site to off-site parking; and an updated Public Access Program.

The setting of the proposed PMPA is the South Embarcadero area of downtown San Diego, along the San Diego Bay waterfront. The project site is bordered on the north by Harbor Drive, the east by Kettner Boulevard, and the west by the San Diego Bay. In total, the project site is 21.33 acres in size.

Proposed Port Master Plan Land Use Acreage Changes (Approximate)

Land Use Designation	Existing (acres)	Proposed (acres)	Net Change
Commercial Recreation	15.9	13.8	-2.1
Commercial Fishing	0.3	1.0	+0.7
Commercial Fishing Berthing	13.3	13.1	-0.2
Park/Plaza	5.2	5.8	+0.6
Promenade	1.1	1.2	+0.1
Streets	0.0	0.8	+0.8

Under the proposed amendment, Commercial Fishing uses would increase by 0.7 acres as a result of two changes proposed by the PMPA: 1) designation of a small area of land next to the Fishing Pier from Commercial Recreation to Commercial Fishing at the location of the existing Harbor Seafood Mart; and 2) designation of a small portion of the Tuna Harbor Commercial Fishing Berthing water use to Commercial Fishing land use to reflect an existing dock. The latter change would also result in the 0.2-acre decrease in the Commercial Fishing Berthing use.

The 2.1-acre decrease in Commercial Recreation use would result from a variety of changes including the increase in Commercial Fishing use, the addition of the Pacific Highway extension, and increase and reconfiguration of the Park/Plaza designation.

The Streets designation would also increase slightly in acreage as a result from showing the extension of Pacific Highway, south of Harbor Drive, on the precise plan land use map. The existing Port Master Plan does not show Pacific Highway extending south of Harbor Drive; however, the South Embarcadero Redevelopment Project (SERP) I project previously approved for the area would not have physically removed this extension. Thus, this change is a correction to the Port Master Plan to better reflect planned conditions, rather than a new concept.

In addition, the PMPA would redesignate approximately 0.2 acres of Tuna Harbor from the Commercial Fishing Berthing water use designation to the Commercial Fishing land use designation to reflect the presence of the existing dock. Other minor text changes proposed including updating the Project List to reflect current conditions, by adding previously approved projects such as the pedestrian bridge over Harbor Drive and the Eighth Avenue pedestrian crossing.

The site is a highly urbanized area. To the west of the project site is the San Diego bay waterfront, the Tuna Harbor fishing pier, and Tuna Harbor. Tuna Harbor is shaped by the Fishing Pier to the south and a pier that extends off of the G Street Mole to the north (northwest of the project site). The G Street Mole contains parking, park uses, and a restaurant. To the north of the G Street Mole is the U.S.S. Midway Aircraft-Carrier.

North of Harbor Drive, between Pacific Highway and North Harbor Drive is the Navy Broadway Complex. The complex is an eight block, 15-acre site that includes the Navy pier, approximately 400,000 square feet of administrative offices, and approximately 600,000 sq.ft. of warehouses, most of which were constructed between 1921 and 1944. The portion of the Navy Complex nearest to the project site is used as a parking lot. The entire Navy Complex site is currently being proposed for major redevelopment with high-rise office and hotel buildings.

The subject site itself is a developed area containing buildings and parking lots that are basically separated into three distinct areas: the OPH, the Harbor Seafood Mart, and Seaport Village. The OPH is a historically significant building complex (listed on the National Register of Historic Places and California Register of Historic Resources). The OPH, which opened in 1939, consists of several connected buildings around a large open-air courtyard. The buildings contain approximately 74,600 square feet of first floor space and approximately 26,228 square feet of second floor space. The OPH was used by the San Diego Police until they relocated to a new building in 1987. Since then, the majority of the building complex has not been used, with only small portions being leased for specialized commercial uses. Cinderella Carriage Company vacated the premises in February 2005, and the building is currently entirely vacant.

There are parking lots on the north and south sides of the OPH. The northern parking lot along Harbor Drive (OPH North Lot) has approximately 76 spaces and is restricted to use by Seaport Village primarily for employee parking. The parking lot to the south of the headquarters (OPH South Lot) contains approximately 162 spaces and is used by Seaport Village for employees, carpools, and other various uses.

The primary commercial use proposed for the OPH is the Bazaar del Mundo, a collection of boutiques and restaurants that previously operated in San Diego's Old Town for more than 30 years. The proposed project also includes a Public Market in the former OPH garage and adjacent service yard for fresh and prepared food sales in permanent vendor stalls. In addition to the permanent vendors located inside the garage, the Public Market may evolve to include day vendors and/or a regularly scheduled Farmers Market. Additionally, a dinner theater or other entertainment venue is proposed to utilize the two-story assembly building within the OPH. This use could involve, but is not limited to, a combination of a restaurant, lounge, and live musical performances.

The existing Harbor Seafood Mart building is approximately 35,970 square feet and includes a loading area and dock on the east side of the building. A portion of the Harbor Seafood Mart building is currently leased to the Chesapeake Fish Company. The Chesapeake Fish Company is a wholesaler of seafood products and the leased space in the Harbor Seafood Mart building is used for its maritime-related activities consisting of offices and seafood processing/distribution.

A large portion of the Harbor Seafood Mart building was once used as a restaurant named the Coral Reef Restaurant, which closed several years ago. Currently, the Port occasionally uses the former Coral Reef for meetings and other gatherings. The Harbor Seafood Mart parking lot lies on the north and east sides of the building, along Harbor Drive and the extension of Pacific Highway south of Harbor Drive. This parking lot contains approximately 160 spaces, some of which are metered parking spaces that are available to the public and some reserved for permits for employees. There is also parking to the south of the Harbor Seafood Mart along the access road that leads to the Fishing Pier. Approximately 55 spaces, some metered and available to the public and some reserved, are located in this area.

As part of the proposed PMPA, complete demolition of the existing Harbor Seafood Mart building would occur. Currently, approximately 55% of the existing Harbor Seafood Mart building is vacant and the remaining portion of the building is leased for seafood processing and packing operations. The conceptual redevelopment plan for this portion of the project site reconfigures the Commercial Fishing use along the Pier Walk. A new Pier Walk Building would be constructed to accommodate the commercial fishing operations as well as associated Commercial Recreation uses (retail and restaurant), and other associated services/support. The Pier Walk Building would accommodate Seaport Village storage and maintenance uses that are currently located on the south side of the Pier Walk within the Seaport Village leasehold.

The PMPA as submitted shows the Pier Walk building as a non-appealable project. However, as commercial fishing facilities and retail and restaurant uses are appealable projects under Section 30715 of the Coastal Act, the Port District has agreed in writing to correct this designation to appealable (see Exhibit #10).

With relocation of the existing storage and maintenance uses to the Pier Walk Building, the existing structures housing these uses would be removed, the corridor would be widened, and the building façade would be improved. The Harbor Seafood Mart parking area would also be reconfigured and located north of the Pier Walk Building. A new Pier Walk public accessway would be located along this area, extending out to the pier. This pier currently serves as extra berthing for tuna seiners, fishing boats, water taxi services, and provides public access over the water. As proposed, the entrance to this pier would be reconfigured to improve public access to the water.

The proposed PMPA also includes development of approximately 4.5 acres of new park and plaza areas. New plaza areas would surround the OPH building and extend along Pacific Highway, Harbor Drive, and Kettner Boulevard. These plaza areas would improve access and viewsheds along these streets and provide areas adjacent to the OPH for gathering, seating and vendors, and other associated uses. The area located between the waterfront and Pacific Highway, along the southern edge of Harbor Drive, would be developed as a major public park, approximately 3.3 acres in size. This park would include lawns and landscaped areas, walkways, and could include other associated uses

such as an amphitheater/terraced style seating area, gazebo type structures, picnic areas, and restrooms.

The Seaport Village complex and its parking lots cover the remainder of the project area. The only physical changes to Seaport Village resulting from the proposed PMPA would be the reconfiguration of its parking lots and Pacific Highway entry, and relocation of some storage and maintenance space near the proposed Pier Walk accessway.

The subject PMPA is in many ways a replacement of the previously approved South Embarcadero Redevelopment Plan I (SERP I). In October 1998, the Commission approved the SERP I Port Master Plan Amendment, which included construction of a new Hyatt tower; expansion of Seaport Village, including demolition of the OPH and the Harbor Seafood Mart Building and construction of new underground parking structures, and designation of a future location for a Central Park located along the west side of Kettner Boulevard, creating a connection between Harbor Drive and the Embarcadero Marina Park North. However, only the Hyatt tower portion of the SERP I has been constructed, and thus, the proposed amendment would replace the remainder of the SERP I proposed development.

E. Conformance with the Coastal Act. The proposed PMPA would result in changes to land and water use categories, and to the text and Precise Plan map contained in Planning District 3 (Centre City/Embarcadero) of the Port Master Plan. In order for the Commission to certify the PMPA, the Commission must determine that the amendment conforms to the following applicable Chapter 3 and Chapter 8 policies of the Coastal Act listed under each section:

1. Marine-Related Uses/Commercial Fishing

Applicable Policies

Section 30234

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30234.5

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Section 30255.

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30703.

The California commercial fishing industry is important to the State of California; therefore, ports shall not eliminate or reduce existing commercial fishing harbor space, unless the demand for commercial fishing facilities no longer exists or adequate alternative space has been provided. Proposed recreational boating facilities within port areas shall, to the extent it is feasible to do so, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30708

All port-related developments shall be located, designed, and constructed so as to:

- (a) Minimize substantial adverse environmental impacts.
- (b) Minimize potential traffic conflicts between vessels.
- (c) Give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities.
- (d) Provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat uses, to the extent feasible.
- (e) Encourage rail service to port areas and multicompany use of facilities.

Section 30708(c) of the Coastal Act gives the highest priority to the use of existing land space within harbors for port purposes, such as navigational facilities, shipping industries, necessary support and access facilities, including the fishing industry. Section 30708(d) provides for the accommodation, to the extent possible, of other public trust uses such as recreation and wildlife habitat. Section 30708(e) requires all port-related development to minimize substantial environmental effects. All three of the above policies should be considered along with the underlying objectives of Sections 30705 and 30706 which are to minimize fill of coastal waters to only that necessary for specific port-related uses and to minimize harmful effects to coastal resources. Therefore, new development must ensure that adequate existing land area is reserved for port-related purposes so as to avoid

the need for additional fill of coastal waters to accommodate future demand for such facilities.

Although the existing fish processing/distribution uses at the Harbor Seafood Mart building have operated at its current location next to Seaport Village for many years, the land use designation at the site has always been Commercial Recreation. The proposed PMPA would redesignate an area currently occupied by the southern portion of the Harbor Seafood Mart building from its current Commercial Recreation designation to Commercial Fishing. The surrounding area, which includes the northern portion of the Seafood Mart building, would be redesignated as Park/Plaza. In addition, the PMPA would redesignate approximately 0.2 acres of Tuna Harbor from the Commercial Fishing Berthing water use designation to the Commercial Fishing land use designation to reflect the presence of the existing dock. In total, the proposed PMPA would increase Commercial Fishing designated land by 0.7 acres.

The PMPA also includes language in the text and project list regarding the redevelopment and redesignation of the Harbor Seafood Mart as the Pier Walk building. The proposed plan states (text proposed to be added though the subject amendment is underlined, and text proposed to be deleted is in ~~strike-out~~):

~~Retain the existing 20,000 square foot building area to continue~~ The underutilized Harbor Seafood Mart building is planned to be demolished and the site redeveloped with a new Pier Walk building, which will consist of an improved the existing fish processing facility as well as retail and restaurant uses, and sales company in its existing location. The commercial fishing use will continue to utilize and maintain the existing fish and unloading dock. The Precise Plan underlying the portion of the new Pier Walk building nearest the unloading dock will have a land use designation of Commercial Fishing to provide for the retention of valued commercial fishing activities.

The following new project would be added to the project list:

PIER WALK BUILDING: Remove existing Harbor Seafood Mart building and construct new Pier Walk building to accommodate existing commercial fish processing operations, as well as associated retail, restaurant and other services/support uses.

On the face of it, the PMPA provides an extra level of protection to the commercial fishing uses on the site by designating area for commercial fishing uses, and by proposing an “improved” fish processing facility “to accommodate existing commercial fish processing operations.” However, letters of opposition to the proposed PMPA submitted by the existing tenant, the Chesapeake Fish Company, as well as letters from the American Albacore Fishing Association, the California Lobster & Trap Fishermen’s Association, the Federation of Independent Seafood Harvesters, and the National Oceanic

and Atmospheric Administration (NOAA), and others, (see Exhibit #11), have raised concerns that the lack of specificity in the plan language may not ensure the preservation of the existing commercial fishing facilities or promote the expansion of these priority uses.

For example, the PMPA does not specify how large the replacement facility must be, or require that the facility be comparable in size or functionality to the existing facility. The PMPA does not specify how much of the new facility must be reserved for strictly commercial fishing activities and how much can be dedicated to related retail or restaurant services. The PMPA states that the new building will “accommodate existing commercial fish processing operations, as well as associated retail, restaurant and other services/support uses” but does not commit to ensuring that there is at least some room for increased operations should demand for commercial fishing related uses increase. The PMPA describes the current facility as “underutilized,” but the current operator has suggested that this underutilization is as a result of a business disagreement between the Port and Chesapeake, and that expansion may be desired and feasible.

Other potential deficiencies in the PMPA language relate to the provision of adequate parking for loading and unloading trucks, ensuring that the facility has direct access to the unloading dock, and integrating the building with the surrounding commercial recreation and public park/plaza area by providing public viewing and access opportunities to the commercial fish operations, such as the existing facility provides. While the specific details of the Pier Walk building can and should be determined at the coastal development permit stage, policy language protecting commercial fishing uses at the site must be in the planning document, and the lack of this language is a serious deficiency in the proposed Port Master Plan Amendment.

The Port and Chesapeake are in the process of developing a site plan for the proposed Pier Walk building (see Exhibit #8). These draft plans indicate that the new facility would be two-stories high, with approximately 15,806 sq.ft. of indoor floor area, compared to the existing 35,970 sq.ft. building (only a portion of which, approximately 20,000 sq.ft., is currently used for the current fish processing operations). The proposed uses in the building would consist of 6,454 sq.ft. for fish processing, 3,090 sq.ft. of enclosed dock area, 2,682 sq.ft. of support offices for the fish processing, and 3,580 sq.ft. of additional office space on the second floor. In addition to the 15,806 sq.ft. of indoor floor area, the plan would include 1,743 sq.ft. of outdoor storage and trash enclosures, and 4,040 sq.ft. for outdoor patio dining.

The Port has indicated that the draft plans were designed to meet Chesapeake’s design specifications and would provide enough space to meet current and future operations, while Chesapeake has stated that the size of the proposed facility would not be adequate and would not allow for the expansion of seafood processing. However, neither the Port nor Chesapeake has provided specific documentation to support their respective claims.

Thus, the Commission is put in the difficult position of trying to make a determination on the specific business and operational requirements of a commercial fishing related enterprise, when the two parties most intimately familiar with these needs—the Port District and the business operator—are in disagreement and have submitted limited, but contrary information regarding those requirements.

Commission staff have suggested some revised language that could be added to the Master Plan that would at least partially address some of the above-outlined concerns with the current proposal. The strike-out/underline represent staff's suggested revisions to the Port's proposed language:

The ~~underutilized~~ Harbor Seafood Mart building is planned to be demolished and the site redeveloped with a new Pier Walk building of comparable size and use allocation, which will consist of an improved fish processing facility with sufficient parking and loading/unloading spaces to support the operation, as well as ancillary retail and restaurant uses related to and supportive of the commercial fish processing uses in the building. The development will be designed so that the commercial fishing use will be able to continue to utilize and maintain the existing fish and unloading dock, with direct, unrestricted access to joint use of the pier/dockside facilities. The new facility will be large enough to support both the current capacity requirements of the fishing industry, and allow for the future expansion of services for seafood processing compatible with the surrounding uses. The Precise Plan underlying the portion of the new Pier Walk building nearest the unloading dock will have a land use designation of Commercial Fishing to provide for the retention of valued commercial fishing activities. The facility will be integrated with the surrounding public walkways and plazas with opportunities for public viewing and access.

Although the above language does not include a specific building size, it would ensure that the new facility would be of comparable size and use allocation, that non-fishing related uses would not dominate the building, and that both existing commercial fishing operations and some room for expansion would be accommodated.

However, unlike a Local Coastal Program, in reviewing a Port Master Plan Amendment, the Commission cannot suggest modifications to the Plan, but can only approve or deny the amendment. Port staff has tentatively agreed to incorporate language similar to the above paragraph into the proposed Port Master Plan Amendment. However, the change would materially affect the PMPA, and the public has not had an opportunity to respond to these potential changes. Because the Commission can only approve or deny Port Master Plan Amendments, staff is recommending the Plan be denied as submitted at this time.

In summary, while the proposed PMPA is supportive on a general level of the Coastal Act policies that prioritize commercial fishing uses, the amendment lacks the specificity

and detail required to ensure that the existing commercial fishing operations on the site will be able to continue to adequately function and thrive in the plan area. As proposed, the PMPA would potentially have an adverse impact on the short and long-term viability of commercial fishing in San Diego Bay. Therefore, the Commission finds that the proposed text changes are not consistent with the protection of priority use policies in Chapter 3 and 8 of the Coastal Act, and the amendment must be denied.

2. Public Access/Parking.

Applicable Policies

Section 30210.

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211.

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212.

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or,

[...]

Section 30213.

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30252.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

Section 30253.

New development shall: [...]

(4) Minimize energy consumption and vehicle miles traveled.

In total, there are currently approximately 953 parking spaces provided within the project site, in approximately seven parking lots labeled A through F. However, the Port has indicated that only about 650 of those spaces are available for public use; the remainder are restricted to permit, employee, or other specially designated uses. In addition, there are existing temporary arrangements for the Hyatt to use portions of the OPH and its courtyards for parking. There are also a number of other existing parking opportunities found in the project area. A small lot containing 12 public metered spaces is located to the northwest of the project site along Harbor Drive, and there are 35 off-site spaces currently leased to the Chesapeake Fish Company located at the northwest corner of Harbor Drive and Pacific Highway. Directly to the south of the project site is the Embarcadero Marina Park North, which contains a parking lot with approximately 86-metered public spaces. To the east of the site, parking is available for a fee at the Hyatt Hotel. Further from the site, parking is available along several streets, in metered and pay parking lots, and hotel lots. The site can also be accessed by various forms of transit, bicycles, and walking, allowing patrons to park further from the site or to access the site by alternate means of transportation.

The proposed PMPA would allow for the following parking changes (see Exhibit #9):

- **Lot A – Seaport Village East Lot.** This lot would be reconfigured to maximize parking within the lot.
- **Lot B – Seaport Village West Lot.** This lot would be reconfigured to maximize parking within the lot, improve access, egress, and circulation, and to improve connections between the OPH and Seaport Village. The lot will also be expanded to include a portion of the existing OPH South Lot.
- **Lot C – OPH South Lot.** A portion of this lot would be included in the Seaport Village West Lot. The remainder of the lot would be removed to provide vehicular access along the south side of the OPH.
- **Lot D – OPH North Lot.** This lot would be removed for the construction of the park/plaza along the north side of the OPH.
- **Lot E – Pacific Highway Streetside Parking.** This area would be reconfigured to improve the Pacific Highway entry to the project site and would include diagonal parking along the street.
- **Lot F – Pier Walk Parking.** These parking areas would be removed to improve pedestrian access along the Pier Walk and connections between the new Pier Walk Building, Seaport Village, and the OPH.
- **Lot G – Harbor Seafood Mart Lot.** This parking lot would be reconfigured to maximize parking within the area to the north of the new Pier Walk Building, while also maximizing area to be developed as a park to the immediate north of the parking lot and south of Harbor Drive.

As a result, the proposed project is anticipated to decrease on-site parking from approximately 953 spaces to approximately 789 spaces. With valet parking, the proposed project would be able to accommodate approximately 909 vehicles on site. An additional 35 off-site spaces in the Navy lot would remain available for the proposed project. Although there would be a net decrease in the total number spaces on site (approximately 164 space decrease), the proposed project would increase on-site parking for the public by approximately 139 spaces because, as noted above, under existing conditions only approximately 650 public spaces are provided.

To determine the adequacy of the proposed parking supply to accommodate the projected demand associated with the proposed OPH PMPA, parking demand was calculated based on the Port District's *Tideland Parking Guidelines* (2001) using Port District parking rates developed specifically for Seaport Village. Although these guidelines are not part of the certified Port Master Plan, the ratios used are within the range of parking ratios commonly approved for coastal cities in San Diego County.

Because the proposed new uses will share parking with existing Seaport Village use, the demand for existing Seaport Village uses was also calculated. Pursuant to Port guidelines, adjustments were taken into account for the project site's proximity to the

waterfront and transit. The result of the calculation was a parking demand of 1,458 spaces. This demand assumes 100 percent occupancy of all uses included in the study area. This scenario is not representative of normal operations because it does not account for the change in usage during the day. For example, office usage typically decreases later in the day while restaurant usage peaks in the evening. Therefore, to provide a representative analysis, peak parking demand for the project was calculated based on the occupancy anticipated for the various study areas uses under two scenarios: 1:00 and 7:00 p.m. on a Friday. These scenarios represent peak times of parking demand for the proposed project. The resulting calculated peak demand was 1,160 and 1,162 spaces for 1:00 and 7:00 p.m., respectively.

The project proposes to provide approximately 789 on-site spaces and although it would increase the amount of public parking opportunities on site, it would not meet the calculated demand for the project, which also includes employees. When accounting for valet parking (which would accommodate up to an additional 120 vehicles on site) and approximately 35 spaces at the adjacent Navy Lot, the project would still be short approximately 216 and 218 spaces during the 1:00 and 7:00 p.m. peak hours, respectively, based on the Port's parking standards.

To address this shortfall, the Port has updated the Parking Management and Monitoring Plan (PMMP) previously certified with the SERP I Port Master Plan Amendment. The PMMP is designed to ensure that the various proposed developments conform to the Port District's Parking Guidelines through implementation of measures that reduce parking demand and/or increase parking availability. The measures include the following:

- requiring commercial recreational tenants to provide convenient shuttle bus service between their facilities and off-site parking lots for employees and staff during peak patron demand periods, when on-site parking by employees and staff shall be prohibited;
- requiring commercial recreational tenants to provide and maintain secure bicycle parking racks, on-site pedicab and taxi parking spaces;
- requiring commercial recreational tenants to provide off-site parking, with valet and/or shuttle service as appropriate, for patrons during peak automobile parking demand periods;
- requiring commercial recreational tenants to provide employees and staff discounted mass transit passes, or comparable three-year discount on the purchase of a bicycle.

In addition, the Port will work to expand bus service to the South Embarcadero area, and shall establish and maintain new bus turnout facilities in the area.

Furthermore, the proposed PMPA would add the following language to the text of the Master Plan:

Throughout the South Embarcadero (G Street mole to the Convention Center Hotel Complex), commercial development is also required to participate in and contribute a fair share to the implementation of a bayside shuttle system that would serve and connect tideland uses along the waterfront, such as the Convention Center Hotel Public Parking Facility, hotels, Seaport Village, and other waterfront destinations. Although outside the South Embarcadero, the bayside shuttle should also provide service to the Midway. In addition, this bayside shuttle should include linkages to public roadside shuttle systems serving downtown San Diego, the airport, and MTS transportation hubs. Implementation of the bayside shuttle system is a goal that is intended to serve visitors as part of an integrated waterfront access and parking program that the Port District shall pursue in conjunction with the City of San Diego, CCDC and MTS.

Nevertheless, these measures are not likely to eliminate all parking deficits associated with the development envisioned with the PMPA.

In evaluating the actual impact the proposed development will have on coastal access, it is important to keep several factors in mind. Redevelopment efforts often present challenges with regard to parking, traffic, and circulation patterns. The Coastal Act supports the construction of new development in existing developed areas to decrease sprawl and impacts to open space. In a dense downtown neighborhood with limited space for devoted parking lots and with existing transit infrastructure, designing development dependent upon automobile access and dedicating substantial amounts of land area to parking lots is not necessarily the best or most efficient use of waterfront land. It also discourages the use and development of non-automobile transit systems. Instead, development in these locations should be designed to take advantage of existing mass-transit opportunities, and to supplement existing facilities with new alternative transit systems. The proposed Master Plan and PMMP requirements have been developed with these goals in mind.

However, these various offsetting measures are only as effective as their implementation. It is critical that the various requirements for off-site employee parking, employee transit incentives and contribution into a shuttle system be a condition of approval for every coastal development permit issued for new development or redevelopment within the scope of the proposed PMPA. Staff has requested additional information to be provided by the Port to address the more detailed implementation and off-site parking locations for the proposed employee and peak demand satellite parking programs. Any coastal development permit approval that does not require implementation of and participation in the various transit-related requirements in the PMMP would be inconsistent with the Port Master Plan and subject to appeal by the Commission.

The Commission is also concerned that the various satellite lots that would accommodate the off-site employee parking lots have not been identified. When the SERP I was certified, the Port surveyed the surrounding parking lots to ensure that adequate off-site

parking existed. However, since that time, there has been substantial amounts of new development in the downtown region, including construction of a new ballpark, which may have severely impacted the supply of nearby parking lots. In addition, the one project that was constructed under the requirements of the existing PMMP of the SERP I, the Hyatt hotel, should have been implementing all of the required transit incentive strategies. The Hyatt did submit annual parking management programs to the Port (although not to Commission staff, as required), but these programs did not document how and if the transit-related requirements have been implemented, or evaluate their effectiveness. Without evidence that the parking reduction measures are 1) feasible given the supply of off-site parking spaces and; 2) effective, based on the experience of the Hyatt, the proposed transportation measures cannot be found consistent with the public access policies of the Coastal Act.

In summary, the proposed amendment will fall short of the minimum transportation measures needed to support the proposed development accommodated in the PMPA. However, in this location, there are good alternative transit systems in place, and the plan includes requirements designed to facilitate the provision and extension of transit service. Consistent with the policies of the Coastal Act, the project will provide commercial facilities within walking distance of residential areas that will minimize the use of coastal access roads. Additionally, the proposed project itself involves the construction of new visitor-serving facilities and public access opportunities, consistent with the public access and recreation policies of the Coastal Act. Nevertheless, the feasibility and implementation of the Plan requirements is in question. As submitted, the Plan does not provide sufficient assurances that public access will be preserved and enhanced.

Thus, the parking impacts associated with the proposed PMPA cannot be found consistent with the public access protection policies of Chapter 3 and Chapter 8 of the Coastal Act, and the amendment must be denied.

3. Public Recreation/Visual Quality/Commercial Recreation

Applicable Policies

Section 30251.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

As previously stated, Section 30221 requires that “oceanfront land suitable for recreational use shall be protected for recreational use and development unless present

and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.” Section 30213 requires the provision of lower cost visitor and recreational facilities, where feasible, and that public recreational opportunities are preferred.

As noted above, the development allowed by the subject PMPA would replace the previously approved South Embarcadero Redevelopment Plan I (SERP I). The SERP I Port Master Plan Amendment included construction of a new Hyatt tower; expansion of Seaport Village, including demolition of the OPH and the Harbor Seafood Mart Building and construction of new underground parking structures; and designation of a future location for a Central Park located along the west side of Kettner Boulevard, creating a connection between Harbor Drive and the Embarcadero Marina Park North. These projects were analyzed together, and the environmental impacts and required mitigation were evaluated for the entire site. Of these various components, only the Hyatt tower has been constructed.

Under the proposed PMA, the Seaport Village expansion would not occur, the OPH would be preserved in its current location, the Harbor Seafood Mart building would be relocated, and the Park/Plaza uses would shift from a park connecting Harbor Drive to the Embarcadero Marina Park North to a bayfront park along the southern edge of Harbor Drive, between the waterfront and Pacific Highway.

The proposed PMPA envisions considerably less development on the site than approved under the SERP I, and it would allow for the preservation of the historic OPH. However, construction of the Hyatt hotel did have visual, public access and recreational impacts, and these were intended to be mitigated by construction of the Central Park, and through the provision of activating uses, such as retail and restaurant uses, at the base of the hotel tower. The Hyatt tower has been constructed, but contrary to the requirements of the coastal development permit issued for the project, does not have any activating uses. And, as proposed, the Central Park will not be constructed.

However, as described above, the proposed PMPA does include development of approximately 4.5 acres of new park and plaza areas, including an approximately 3.3 acre landscaped park. The proposed plazas around the OPH and along Pacific Highway, Harbor Drive, and Kettner Boulevard will improve public access and help activate these streetscapes with gathering spaces, seating, vendors, and other associated uses. After the proposed rehabilitation, the OPH would include approximately 115,000 square feet of interior and exterior area to be used for entertainment, restaurant, and specialty retail uses. The reuse of the OPH should provide for a lively mix of public commercial and recreational uses at the main entrance to Seaport Village and the waterfront. The Port has stated that special attention will be paid to activating the eastern side of the OPH, across from the Hyatt, which will help mitigate for the lack of activating uses on the Hyatt site.

Instead of a Central Park connecting Harbor Drive to Embarcadero Park North, the area located between the waterfront and Pacific Highway, along the southern edge of Harbor Drive, would be developed as a major public park. This park would include lawns and landscaped areas, walkways, and could include other associated uses such as an amphitheater/terraced style seating area, gazebo type structures, picnic areas, and restrooms. The promenade extending east from the Fishing Pier that would have extended through the OPH building to connect with the Central Park, as proposed would be realigned along the southern side of the OPH building.

The proposed park will not directly counter the walling-off effect created by the second Hyatt Tower, because it will not be located adjacent to the tower. However, it will improve coastal access in the project area by providing a visual and physical link to the waterfront from Harbor Drive. Implementation of the Central Park as approved under the existing Master Plan would have required demolition of most of the OPH and could not have been completed in its entirety until the Seaport Village lease terminated in 2018, because of the existing buildings located in the Central Park area.

On balance, preservation of the historic and visual qualities associated with the OPH, the development of this area with attractive public plaza and commercial recreational uses, and the proposed public park and public accessways, will serve to adequately offset the adverse visual impact associated with the previously approved Hyatt hotel. The project will improve public access and recreation on the site, consistent with the relevant Chapter 3 and Chapter 8 policies of the Coastal Act.

With regard to the visual impact of the PMPA, the project site is currently developed with low-rise (one- and two-story) structures consisting of the Harbor Seafood Mart and the OPH. The existing development on this site is low-scale in contrast with the surrounding downtown and Marina District high-rise hotel and office uses located directly north. However, the existing development and the proposed development will be consistent with the low scale Seaport Village buildings on the southern portion of the site, which consists of one-and two-story pedestrian oriented specialty retail shops interspersed with plazas, open space, landscaping, and a waterfront promenade.

Under existing conditions, the OPH and surrounding portion of the project site are underutilized, unmaintained, and involve large expanses of asphalt and limited landscaping. The amendment would retain the OPH and construct the new Pier Walk Building with the same scale and general location as the existing Harbor Seafood Mart, and redesign the parking lots. These changes would significantly improve the visual character of the subject site.

The proposed PMPA would result in a 2.1-acre decrease in Commercial Recreation use resulting from the increase in Commercial Fishing use, the addition of the Pacific Highway extension, and an increase and reconfiguration of the Park/Plaza designation. Commercial Recreation is a high-priority use under the Coastal Act, but so are

Commercial Fishing and Park/Plaza (public access and recreation) uses. The project includes the major redevelopment of the currently vacant OPH for commercial recreational uses. Taken as a whole, the minor decrease in land area proposed for commercial recreation will not adversely impact the supply of commercial recreation land or uses at the Port.

In summary, the reconfiguration of the Park/Plaza use under the proposed PMPA would provide the passive recreation opportunities planned for by the SERP I project in a manner that can be implemented in the near-term and that preserves the historically significant OPH. The reuse of the OPH for commercial recreation uses, the public access and activating uses surrounding the OPH, and the public plazas and public accessways will help offset the impacts of the previously approved and constructed Hyatt tower. The PMPA will provide a variety of lower-cost visitor and public recreational opportunities, which are preferred and protected under both Chapter 3 and 8 of the Coastal Act. The minor reduction in land designated for commercial recreation to allow for additional park and commercial fishing area will not have an adverse impact on commercial recreation in the area. The Commission finds that this portion of the Port Master Plan Amendment to be consistent with the Chapter 3 and Chapter 8 policies of the Coastal Act regarding public recreation, commercial recreation, and visual quality.

Denial of the amendment is based on inconsistency with the commercial fishing protection and public access policies of the Coastal Act.

F. Consistency with the California Environmental Quality Act (CEQA).

As described above, the proposed PMPA does have the potential to result in damage to commercial fishing facilities and opportunities. The proposed amendment was the subject of an Environmental Impact Report under CEQA. The EIR was subject to public review and hearing and was adopted by the Board of Port Commissioners. However, the Commission has found that the PMPA cannot be found in conformance with Chapter 3 and Chapter 8 policies of the Coastal Act due to the potential for significant adverse impacts to the environment of the coastal zone. Therefore, the Commission finds that the PMPA is inconsistent with the California Environmental Quality Act.

Re Amendment of Port District]
Master Plan - Old Police]
Headquarters & Park Project]

RECEIVED

MAR 09 2006

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RESOLUTION 2006-29

WHEREAS, the San Diego Unified Port District (Port District) has an adopted Port District Master Plan which has been certified by the California Coastal Commission; and

WHEREAS, said Master Plan was prepared, adopted and certified pursuant to the Port District Act, the California Coastal Act and other applicable laws; and

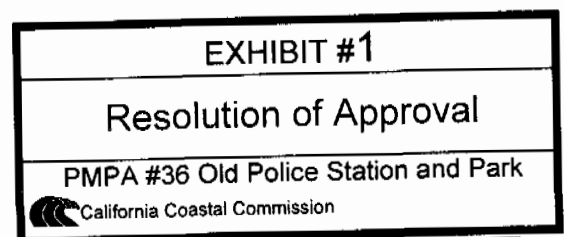
WHEREAS, a proposed Master Plan Amendment for the Old Police Headquarters & Park Project in the City of San Diego has been prepared and processed; and

WHEREAS, a Final Environmental Impact Report pursuant to the California Environmental Quality Act, State CEQA Guidelines, and Port District procedures relative to said Amendment has been prepared and certified and its contents considered, NOW, THEREFORE,

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Master Plan of the Port District is amended by incorporating therein the Master Plan Amendment, on file in the office of the Port District Clerk as Document No. 50089, pertaining to said Old Police Headquarters & Park Project.

BE IT FURTHER RESOLVED that the Executive Director or his designated representative is hereby authorized and directed to transmit said Master Plan Amendment, together with all relevant factual information, the Final Environmental Impact Report, and the Coastal Act consistency analysis to the California Coastal Commission for its review, approval and certification pursuant to the California Coastal Act, and that said



Amendment will take effect automatically and be deemed fully certified upon Coastal Commission approval pursuant to Public Resources Code Section 30714. This action by the Board of Port Commissioners constitutes formal adoption of the Coastal Commission's certification of the referenced Amendment.

ADOPTED this 7th day of February, 2006.

sw
2/7/06

San Diego Unified Port District

Office of the Clerk

CERTIFICATION OF VOTE

Passed and adopted by the Board of Port Commissioners of the San Diego Unified Port

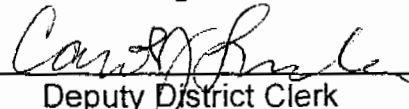
District on February 7, 2006, by the following vote:

<u>Commissioners</u>	<u>Yeas</u>	<u>Nays</u>	<u>Excused</u>	<u>Absent</u>	<u>Abstained</u>
Michael Bixler	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Stephen P. Cushman	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
William Hall	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sylvia C. Rios	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Robert J. Spane	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Robert Valderrama	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Victor A. Vilaplana	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

AUTHENTICATED BY:


Chair of the Board of Port Commissioners

WAYNE K. DARBEAU
Clerk of the San Diego Unified Port District

By: 
Deputy District Clerk

(Seal)

Resolution Number: 2006-29
OR
Ordinance Number:

Adopted: February 7, 2006

*San Diego Unified Port District
Port Master Plan Amendment*



RECEIVED

MAR 09 2006

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

DRAFT

*Old Police Headquarters &
Park Project
Port Master Plan Amendment*

**Existing/Proposed Plan Text
and
Plan Graphics**

February 2006

Note: Text to be ~~deleted~~ shown ~~stricken~~ and text to be a
Text in italics is for clarification only and is not part of

EXHIBIT #2

**Proposed Master Plan
Amendment**

PMPA #36 Old Police Station and Park



California Coastal Commission

**TABLE 4
PORT MASTER PLAN
LAND AND WATER USE ALLOCATION SUMMARY**

<u>LAND USE</u>	<u>ACRES</u>		<u>WATER USE</u>	<u>ACRES</u>		<u>TOTAL ACRES</u>		<u>% OF TOTAL</u>
	Ex.	Prop.		Ex.	Prop.	Ex.	Prop.	
<u>COMMERCIAL</u>	374.9	373.5		383.2	383.0	758.4	756.5	14%
Marine Sales and Services	18.8		Marine Services Berthing	17.7				
Airport Related Commercial	38.0							
Commercial Fishing	7.6	8.3	Comm Fishing Berthing	49.0	18.8			
Commercial Recreation	306.2	304.1	Rec Boat Berthing	335.4				
Sportfishing	4.3		Sportfishing Berthing	11.1				
<u>INDUSTRIAL</u>	1206.4			217.7		1424.1		26%
Aviation Related Industrial	152.9		Specialized Berthing	170.5				
Industrial Business Park	113.7		Terminal Berthing	47.2				
Marine Related Industrial	322.1							
Marine Terminal	149.6							
International Airport	468.1							
<u>PUBLIC RECREATION</u>	279.8	280.5		681.0		960.8	961.5	18%
Open Space	19.0		Open Bay/Water	681.0				
Park/Plaza	145.8	146.4						
Golf Course	97.8							
Promenade	17.2	17.3						
<u>CONSERVATION</u>	399.2			1058.6		1457.8		27%
Wetlands	304.9		Estuary	1058.6				
Habitat Replacement	94.3							
<u>PUBLIC FACILITIES</u>	222.4	222.9		394.3		616.4	617.2	12%
Harbor Services	2.7		Harbor Services	10.5				
City Pump Station	0.4		Boat Navigation Corridor	284.6				
Streets	219.0	219.8	Boat Anchorage	25.0				
			Ship Navigation Corridor	50.0				
			Ship Anchorage	24.2				
<u>MILITARY</u>	25.9			125.6		151.5		3%
Navy Fleet School	25.9		Navy Small Craft Berthing	6.2				
			Navy Ship Berthing	119.4				
<u>TOTAL LAND AREA</u>	2508.3	2508.4	<u>TOTAL WATER AREA</u>	2860.4	2860.2			
MASTER PLAN LAND AND WATER ACREAGE TOTAL						5368.7	5368.6	100%

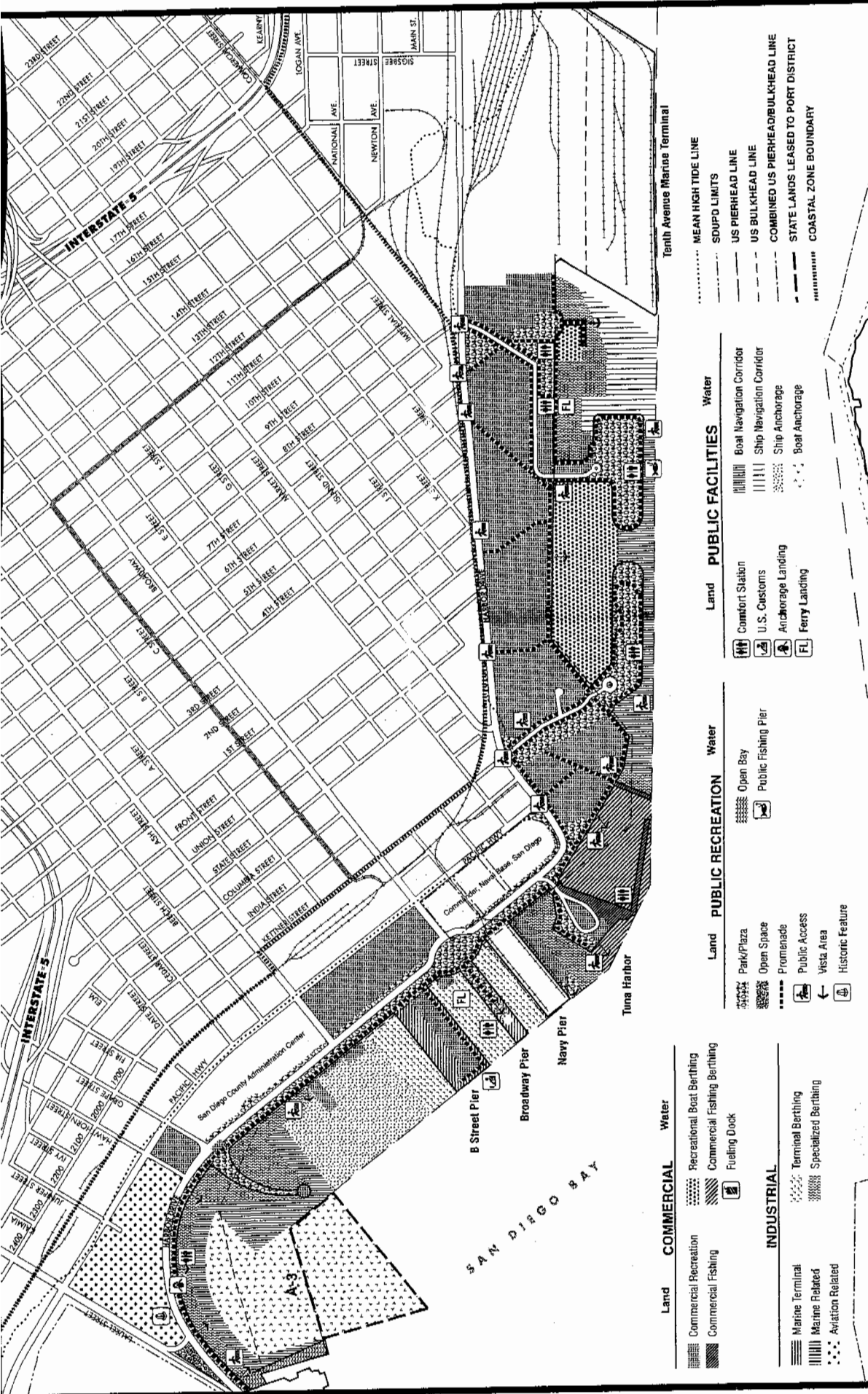


Figure 11 PRECISE PLAN-Existing

Planning District 3

CENTRE CITY EMBARCADERO

scale approx.

Land Use Planning

DATE: 1/15/02

PP: dls3

FILE TITLE: nlsDEC12_combined.at

UNW/CHK: WBC/BB/TO

TIME:

Rev: SEP02 PMR/L 12/20/01

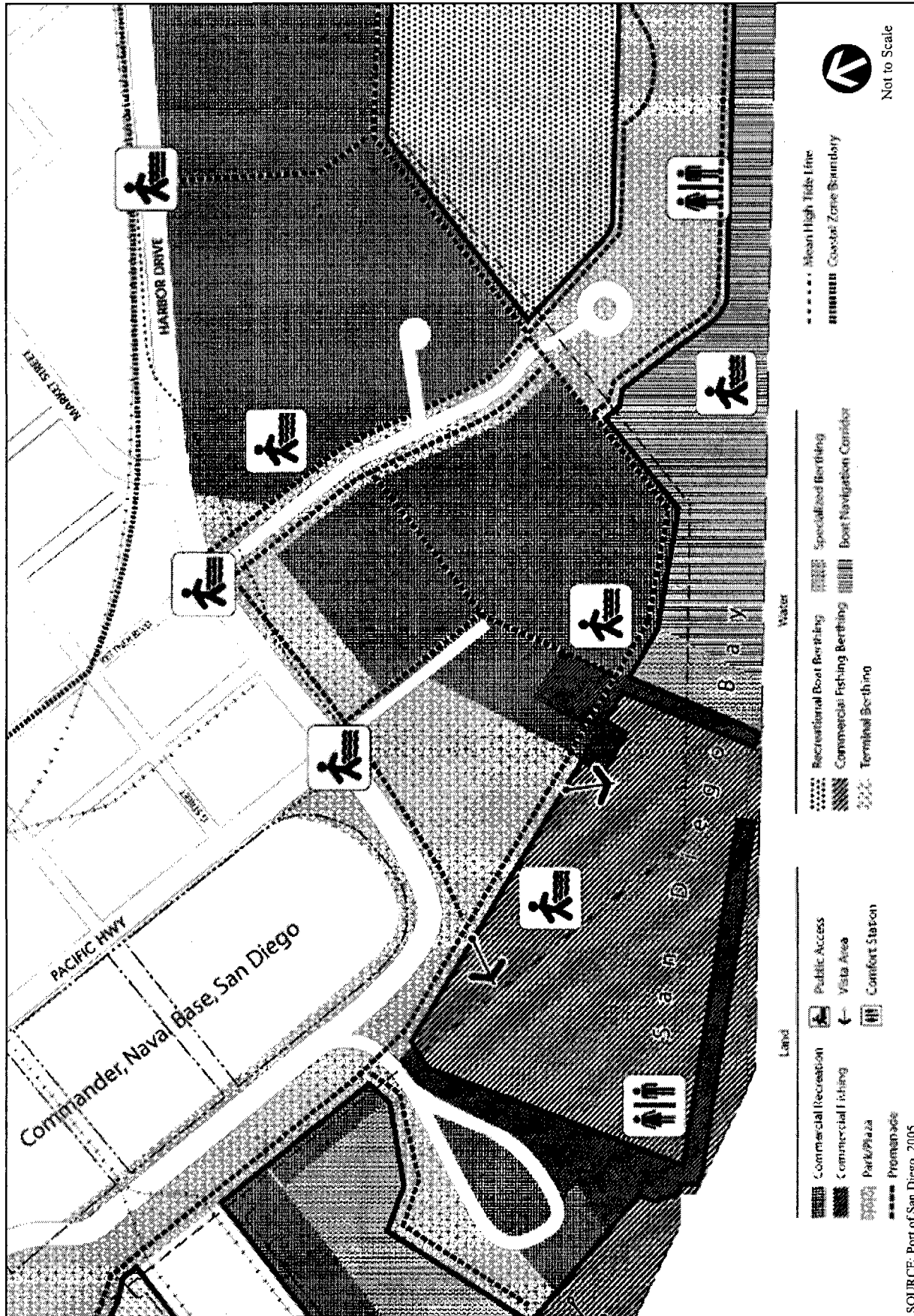


FIGURE 3.4-1

PROPOSED PORT MASTER PLAN PRECISE PLAN AMENDMENT

CENTRE CITY EMBARCADERO: Planning District 3

The Embarcadero of San Diego is the downtown waterfront area for an urban region of over 2.7 million people. The pierside maritime activities of commercial fishing boats, merchant ships, Navy vessels and pleasure craft contribute to the fabric of the Embarcadero. Planning District 3 covers all of the Port District waterfront from the U.S. Coast Guard Air Station to the Tenth Avenue Marine Terminal. From Laurel Street to Market, Port land boundaries follow parallel to the shoreline and extend easterly to Pacific Highway, except for two major land blocks; the five-block-long property of the County of San Diego's Administrative Center and the four-block-long property of the U.S. Navy's Commander, Naval Base San Diego and Naval Supply Center. The owners of both of these properties have proposed extensive renovation and redevelopment plans, which include commercial recreation, county government's administration, and U.S. Navy uses.

In order to coordinate the redevelopment of this area and adjoining agency properties, an alliance was formed to develop a single, comprehensive plan. The North Embarcadero Alliance includes the Port District, City of San Diego, County of San Diego, Centre City Development Corporation, and the U.S. Navy. The Alliance developed a Visionary Plan in 1998 to guide the redevelopment of the contiguous properties. The specific recommendations of the Visionary Plan that pertain to Port District land and water areas within the Planning District 3 Precise Plan area are incorporated into the Master Plan. All other recommendations of the Visionary Plan guide development within Planning District 3.

Precise Plan Concept

The basic concept of the redevelopment of the Embarcadero is to create a unified waterfront, both visually and physically, which creates an overall sense of place. In this concept, the Embarcadero becomes a pedestrian spine along which commercial and recreational

activities are located. In order to emphasize the pedestrian oriented waterfront experience, through traffic is routed to Pacific Highway, and considerable effort is directed toward improving the amenities and people spaces of the public thoroughfare along North Harbor Drive. Industrial uses adjacent to the airport are renovated and retained as important employment centers and as airport buffer land use activities. The renovation of marine terminal facilities will retain the active use of deep draft berthing and continue carefully selected functions of a working port. The commercial fishing industry is given a major focus at several locations with the development of new piers and a mooring basin. A major hotel and commercial complex with recreational facilities is proposed to connect and enhance nearby portions of downtown.

The Embarcadero is intensively used by many people. With the mixture of activities going on here, it is important to emphasize that several activities may occur at the same location, depending on a scheduling overlap to accommodate all of them. For example, Broadway Pier may be used at different times for tuna fleet berthing, cruise ship berthing, excursion or ferry boat berthing, public access, passive recreation, and commercial recreation. The redefined Specialized Berthing designation applies to this precise plan area only, and may include marine-related uses such as transient and general berthing of small boats, historic ship berthing, ferry or excursion boat berthing, and commercial fishing boat berthing as the highest priority use. The designation carried on the Precise Plan indicates the primary use but secondary uses may occur. This is particularly true of water areas and of public access, which may be available at other sites than those mentioned.

Land and Water Use Allocations

The Precise Plan allocates a balanced distribution of commercial, industrial, public recreation and public facility uses in this 434-acre planning area. More detailed allocations are indicated in the Land and Water Use Table, and use areas are graphically portrayed on the Plan Map.

Centre City Embarcadero Planning Subareas

The Planning District has been divided into six subareas as shown in Figure 12.

The North Embarcadero Alliance "Visionary Plan" area includes all of Subareas 31, 32, 33, and part of Subarea 34. The Visionary Plan proposes to revitalize San Diego's downtown waterfront through a concept for public improvements and by guiding development to optimize property values, public access opportunities and priority waterfront and water-dependent uses. The Plan recommends a substantial linear esplanade park on the urban waterfront with public art, street furniture, public spaces, expansive Bay views and public parking. The Plan proposes two major parks and plazas

at the County Building and the foot of Broadway, and includes recreational piers and associated public facilities, harbor excursion landings and water-related commercial uses on Port tidelands. General commercial, residential, and commuter traffic would utilize an enhanced Pacific Highway grand boulevard, while North Harbor Drive would serve waterfront public access, water-dependent, and Embarcadero commercial recreational uses. An extension of the downtown San Diego small-block street grid across the railroad right-of-way, off Port lands, to the Bay would enhance public views and pedestrian access opportunities from upland areas (See Visionary Plan Figure 3.1 for illustrative plan of the area). Aboveground parking structures which are visible at the perimeter of a development should be limited to a maximum of six levels of parking or 60 feet above grade. (See Visionary Plan - p.79) North Harbor Drive, Broadway, Ash Street, and Grape Street are envisioned as active pedestrian linkages to the Bay from upland areas. Building frontage adjacent to these streets shall be developed with uses that promote pedestrian activity and public oriented uses. On other streets, ground-level facades shall maximize the sense of contact between indoor and outdoor activities. (See Visionary Plan - pp.67, 68.)

TABLE 10
Precise Plan Land and Water Use Allocation

CENTRE CITY EMBARCADERO: PLANNING DISTRICT 3

<u>LAND USE</u>	<u>ACRES</u>		<u>WATER USE</u>	<u>ACRES</u>		<u>TOTAL ACRES</u>		<u>% OF TOTAL</u>
	Existing	Revised		Existing	Revised	Existing	Revised	
COMMERCIAL	109.8	108.4		36.0	35.8	145.8	144.2	33%
Commercial Fishing	4.7	5.4	Commercial Fishing Berthing	43.3	13.1			
Commercial Recreation	405.4	103.0	Recreational Boat Berthing	22.7				
INDUSTRIAL	29.2			61.5		90.7		21%
Aviation Related Industrial	22.3							
Marine Terminal	6.9		Specialized Berthing Terminal Berthing	43.3	18.2			
PUBLIC RECREATION	59.5	60.2		4.7		64.2	64.9	15%
Open Space	0.5		Open Bay/Water	4.7				
Park/Plaza	54.3	51.9						
Promenade	7.7	7.8						
PUBLIC FACILITIES	46.7	47.5		93.9		140.6	141.4	32%
Streets	46.7	47.5	Boat Navigation Corridor	29.6				
			Boat Anchorage	25.0				
			Ship Navigation Corridor	15.1				
			Ship Anchorage	24.2				
TOTAL LAND AREA	245.2	245.3	TOTAL WATER AREA	196.4	195.9			
PRECISE PLAN LAND AND WATER ACREAGE TOTAL						441.3	441.2	100%

Note: Does not include:
State Submerged Tidelands 22.6 acres

Revised acreage includes:
South Embarcadero Redevelopment Program II PMPA - CCC on December 12, 2004
Old Police Headquarters & Park Project PMPA - CCC on XX XX, 2006

Laurel Street Corridor

The established aviation related industrial use in this subarea, subsequent to renovation and beautification of the physical plant, is anticipated to continue in operation; however, if such use is discontinued, the Visionary Plan proposes the extension of vehicle and pedestrian access, parking, service access, and view corridors along extensions of Kalmia, Juniper, and Ivy streets through this parcel to North Harbor Drive. Building height limits of 60 feet are proposed for this area; however, this height limit would be superseded by any more-stringent FAA runway approach zone restrictions. (See Visionary Plan Figures 4.5, 4.10, 4.11, and 4.12.) Grape and Hawthorn Streets, Pacific Highway and North Harbor Drive from Laurel Street to Hawthorn Street will be modified to accommodate traffic flow and with streetscape improvements to match the balance of the streets through Subareas 31-34. Geometric improvements to direct traffic flow from North Harbor Drive to Pacific Highway will be made at the Grape Street intersections with these roadways. The block between Hawthorn, Grape, Pacific Highway and North Harbor Drive (2.3 acres) will remain in commercial recreation use with some landscape improvements or possible parking facility development. The landscaped triangle at Laurel and North Harbor Drive is shown on the Plan as Open Space.

Crescent Zone

The most important element influencing design in the Crescent Zone is the curvilinear form of the waterfront. Dramatic panoramic views can be realized at either vehicular or pedestrian speeds. The Port Master Plan capitalizes on this attribute to establish a grand pedestrian-oriented esplanade (no less than 100-feet wide) and major entryway into the Centre City district from Grape Street to Broadway. The promenade connects with the North Harbor Drive bicycle path to provide a continuous pedestrian/bicycle path from Navy Estuary to Fifth Avenue, a distance of four miles. Pacific Highway streetscape improvements would continue through this subarea. An esplanade at least 25-feet wide, bayward of Harbor Drive, will be added from Laurel Street to Grape Street. North Harbor Drive will be narrowed to three lanes to reduce through traffic. The unused right-of-way will be developed with landscaped promenades, parks and plazas. Along the water's edge the concrete pathway will continue its present use as both pedestrian promenade and service area for commercial fishing boats tied up along the Crescent Zone bulkhead. Four public

viewing/vista points would be spaced along the Crescent shoreline.

The waterfront between Grape Street and Ash Street will be used for Ship Anchorage, Boat Navigation Corridor, and Specialized Berthing. The three existing piers no longer function or are needed as commercial fishing berthing or fuel pier; therefore they will be replaced with a 30,000 square-foot curvilinear pier at Grape Street, with a 12,000-square-foot public boat dock designated as Park Plaza. The waterside termination of this pier is designated as Commercial Recreation to allow possible development of a commercial facility. Wave attenuation structures would protect the boat docks. A 5,000-square-foot parcel with a maximum 10,000-square-foot floor area designated as Commercial Recreation will provide for a major restaurant or other commercial recreation use on the esplanade at the foot of the Grape Street Pier. Development density with a Floor Area Ratio (FAR) of 3.0 and a building height limit of 12 feet is prescribed for this area, with the exceptions of the proposed commercial recreation parcel where a 13-foot high second story would be allowed. Building setbacks along the inland side of North Harbor Drive for upper stories shall be 25-foot minimum at 50 feet along the inland side of North Harbor Drive and 15-foot on east-west streets. (See Visionary Plan Figures 4.4, 4.5 and 4.8) Commercial Fishing Berthing has been allocated to the Crescent water interface (18.6 acres) as the highest priority use; however, this water is also used for transient berthing and occasional general berthing for small boats. The boat channel area just offshore is also used for temporary anchorage for small boats; therefore, the designation is changed to Specialized Berthing, which includes these uses within this precise plan area only.

Anchorage A-3, Laurel Street Roadstead Anchorage, is sheltered from the open sea but is located in both the most visible and the widest part of northern San Diego Bay. Approximately 20.6 acres of water area is allocated to accommodate about 50 vessels on swing point mooring buoys. Onshore, a public rest room, three dinghy floats and connecting shore ramps provide for the landing needs of the anchorage user. As a federally designated anchorage, the boundaries are shown on coastal charts and identified on site by boundary markers. Administration of the anchorage is exercised by the Port District, pursuant to local ordinance. Thirty to forty percent of the moorings are to be set aside for short-term use by cruising or transient vessels. Section III, Water Based Transportation system, contains information on the baywide small craft anchoring system.

Civic Zone

The zone of highest activity is the Civic Zone from Ash Street to Broadway. This zone reflects its waterfront orientation, with operating piers extending into the bay, Navy facilities, commercial fishing activity, and historic sailing vessels. Its physical relationship to Centre City attracts large numbers of people and the future development of both areas is integrated by the Visionary Plan.

Significant redevelopment is recommended for the Civic Zone. The landscaped esplanade and streetscape improvements mentioned in the Crescent Zone will be continued along North Harbor Drive and Pacific Highway through the Civic Zone. North Harbor Drive will be reduced by narrowing to three lanes. Parking areas along the street will be interspersed with landscaping, vertical elements used to frame and enhance views, and lawn areas. (See Visionary Plan Fig. 5.3)

The esplanade expands into plazas at Beech and Ash Streets, B Street Pier, and Broadway Pier. These plazas will be designed to provide open space, sitting and strolling areas for tourists and nearby workers, and to increase the sense of destination for Embarcadero visitors.

Passive green spaces (parks) are proposed between the plazas on the esplanade, providing recreational opportunities and places for people to relax, play, and enjoy Bay views. The promenade is a continuous 25-foot-wide paved area adjacent to the water's edge. The wharf side remains clear of objects or furnishings that would block Bay views. A delicate string of lights, a planting area with tall palms, and a 10-foot-wide bike path border the landward side of the promenade (See Figure 5.3 of the Visionary Plan).

The most important element in this zone is the conversion of the old Lane Field site and Navy Engineering building into a new complex of buildings and open spaces. Primary consideration is a 600-to-800-room hotel. The intent of the plan is to retain flexibility for considering a wide array of development options. The concept includes possible multiple utilization of activities that could provide for commercial recreation; international trade, travel and cultural complexes;

commercial and office space for maritime business; support facilities related to the Port; and subject to negotiation with the U.S. Navy, the provision of equal or better building space for the relocation of the Naval Facilities Engineering Command. The FAR for Lane Field parcel is 7.0 and 6.5, while building height limits range from 400 feet to 200 feet sloping toward the Bay. Special setback requirements along the Broadway side of this parcel range from 55 feet to 65 feet, widening toward the Bay (See Figure 4.7 of the Visionary Plan, which also illustrates the special radius setback on North Harbor Drive/Broadway SW corner). Stepbacks for upper stories are 25-foot minimum at 50-foot building height except for the B Street side of the parcel and on other east-west streets where they are 15 feet. There are no stepback requirements along Pacific Highway. (See Visionary Plan Figures 4.5, 4.6, 4.7 and 4.8.)

The Visionary Plan proposes public right-of-ways aligned with existing downtown streets through development parcels, including Lane Field. These right-of-ways include pedestrian and vehicle traffic, view corridors, parking and service access. The right-of-ways shall be a minimum of 80-feet-wide with the character of a public street, and would enhance the physical and visual access to the Bay. The C Street segment through Lane Field may vary in alignment with existing street up to 20 feet north or south, and it may or may not accommodate vehicular circulation. A north-south pedestrian link, if practical, is also proposed through this parcel. (See Visionary Plan Figures 4.10, 4.11, 4.12, and 6.1).

B Street Pier is scheduled for substantial redevelopment of the apron wharf and the structures on the pier. The south shed will be removed or redesigned to create space for parking and a promenade. The western end of the pier will be converted for specialized commercial uses such as a shopping bazaar, and foods and services reflecting the maritime character of the Embarcadero and which will be compatible with cruise ship berthing. The Cruise Ship Terminal will be expanded and both sides of the pier will accommodate ship berthing. Cruise ships may tie up at both the B Street and Broadway Piers. The shopping bazaar could be expanded into the terminal building and the existing Maritime Museum could be provided with land-based support

area, storage and work area, and possibly a living museum of nautical craftsmen; however, loading, off-loading, and storage capabilities for general cargo will be retained as needed. Alternatively, the Maritime Museum may be relocated to another location along the Embarcadero, such as the curvilinear pier at Grape Street. A FAR of 2.0 applies to the B Street and Broadway piers. The building height limit for the B Street Pier is 50 feet; however, an expanded cruise ship terminal, now under study, may require (for functional reasons) building(s) in excess of 50 feet in height. Pursuant to the Port's cruise ship terminal study, alternative height restrictions and other guidelines affecting B Street Pier may be appropriate and acceptable, and they should be considered by the Alliance. (See Visionary Plan Figs. 4.4, 4.5 and pp. 63, 64.)

Broadway Pier will continue to provide recreational space on its plaza and viewing platform, as well as accommodating commercial shipping and miscellaneous vessel berthing, including day cruisers. Improvements to the pier will include paving, plantings, lighting, and furniture. The harbor excursion and ferry boat water lease north of Broadway Pier may also remain as part of the recreational experience along the waterfront or move to another location along the Embarcadero.

Tuna Harbor

This subarea consists of the Tuna Harbor, the harbor formed by its pier, the ~~Harbor Seafood Mart~~ proposed new bayfront public park, the new Pier Walk building with commercial recreation and commercial fishing uses, parking, and adjacent areas.

Tuna Harbor and the shoreline area between it and Navy Pier are planned to provide space for commercial fishing and commercial recreation activities. The plan concept is to create a physical and visual linkage along North Harbor Drive by tying together Broadway Pier and the ~~Harbor Seafood Mart~~ with the Tuna Harbor area.

The aircraft carrier Midway is ~~proposed to be~~ docked on the south side of the Navy Pier. The Terminal Berthing designation would be changed to Commercial Recreation and Park/Plaza for the proposed 0.8-acre public viewing area with a designated vista point on the bow deck of the ship. The Commercial Fishing Berthing designations in this water area would be replaced with Specialized Berthing to accommodate multiple uses. Landscaping and

streetscape improvements on North Harbor Drive would continue through this area.

Parking for visitors to the Midway and its museum will be provided, on an interim basis, at the Navy Pier, pursuant to the museum's lease with the United States Navy. When and if the Navy determines that its use of the Navy Pier is no longer necessary, the Port will accept the proposal by the San Diego Aircraft Carrier Museum to convert the Navy Pier into a "public park" use, thereby allowing the pier to be converted into a memorial park complementing the Midway and its museum, while affording additional public open space and bay vistas. Vehicle parking for museum visitors will then be shifted to nearby offsite locations. However, since the Navy Pier's future is uncertain and will be determined by decisions of the federal government, the conversion of the pier to a 5.7-acre memorial park is a specific planning goal of the Port, and environmental analysis for the park conversion will be conducted prior to the Navy relinquishing ownership and/or control of the Navy Pier such that construction of the park can occur as soon as feasible thereafter. The park conversion will be subject to all appropriate laws at the time the Navy Pier Park is proposed.

Mitigation for the loss of 4.1 acres of open water habitat resulting from the placement of the aircraft carrier Midway and its mooring platform structures ~~will be~~ has been provided by an expansion of an existing degraded marsh, known as Lovett Marsh, east of south San Diego Bay, in the City of National City, resulting in the creation of approximately 5.8 acres of new coastal salt marsh.

A small waterfront plaza, fishing technology displays, restaurants, marine related office and retail space is planned on the periphery of the mole. Tourist traffic on the public areas will be encouraged, consistent with safety. The Embarcadero pedestrian path loops through the area.

A substantial portion of Tuna Harbor is devoted to commercial fishing use. It is anticipated that offices for the tuna and fresh fish fleet will locate here, as well as ancillary uses such as small seafood processors, fish markets, marine instrument and equipment sales, fishing and ocean technology displays, and automobile parking. The northern side of the mole has been renovated by stabilizing the existing concrete slab wall with rock revetment. The south face of the mole has been renovated with rock revetment for shore protection. Floating docks

will provide 50- and 60-foot berths for commercial fishing boats. Low level lighting is provided for the berths. Landside support services, auto parking, and truck access are included. Approximately 100 commercial fishing berths are provided alongside the floating docks.

To shelter Tuna Harbor from the south, a concrete breakwater pier approximately 400 feet long has been built from the land lying between the former Harbor Seafood Mart area and Seaport Village. ~~The pier provides additional berthing for tuna seiners and large market fishing boats, and allows public access to the water, and accommodates water taxi service. The entrance to this joint use pier will be enhanced to provide a strong pedestrian linkage from waterfront viewing areas to the reconfigured commercial fishing and retail area (formerly occupied by the Harbor Seafood Mart building). This pier walk will connect to the new bayfront public park to the north, as well as the entrance to Seaport Village and the south side of the redeveloped Old Police Headquarters building.~~

~~Retain the existing 20,000-square-foot building area to continue. The underutilized Harbor Seafood Mart building is planned to be demolished and the site redeveloped with a new Pier Walk building, which will consist of an improved the existing fish processing facility as well as retail and restaurant uses, and sales company in its existing location. The commercial fishing use will continue to utilize and maintain the existing fish unloading dock. The Precise Plan underlying the portion of the new Pier Walk building nearest the unloading dock will have a land use designation of Commercial Fishing to provide for the retention of valued commercial fishing activities. In conjunction with the reconfiguration of the fishing facility, the Precise Plan will also be designated as Park/Plaza to allow for the construction of a new three-acre bayfront public park on the north end of the site. A maritime theme retail complex of 80,000 to 130,000 square feet will be developed at the Harbor Seafood Mart site. The existing open space provided by the new bayfront park plaza will be retained as a enhance pedestrian and visual access to the Bay, as well as create a pleasant rest area and viewing place along the Embarcadero promenade for event gatherings and public activities. Adjoining parking areas will also be reconfigured and enhanced with landscaping and pedestrian linkages to the surrounding uses. The parking areas are intended to serve the public park, commercial fishing and recreation uses, reactivated Old~~

Police Headquarters building, as well as Seaport Village.

Marina Zone

The Marina Zone, located along Harbor Drive from Market Street to Fifth Avenue, is planned to be intensively developed as a major public and commercial recreational complex. Major projects, including the 22-acre Embarcadero Marina Park; the restaurant and specialty retail center of Seaport Village; a regional convention center, convention center expansion, convention center hotel public parking facility, and convention hotels and marina, have started the transformation of this waterfront area into an attractive commercial and recreational resource. ~~The plan concept calls for an expansion of the regional convention center, partially depressing a new parking lot entrance from Harbor Drive, appropriate parking structures, and the redevelopment of the vacated police station site for entertainment and specialty retail shopping.~~ Marina Zone projects will provide the southerly anchor for the Embarcadero development and the six-mile long promenade that extends north to Spanish Landing Park along the waterfront. Pedestrian linkages from the upland areas will provide access to this lively activity center for residents and visitors alike.

~~The plan envisions creation of the approximately 4.1-acre Central Park, between California Street and Kettner Blvd., Harbor Drive and North Embarcadero Park, as the first phase of redevelopment the Seaport Village project, to provide open space, family-oriented recreation, and supporting facilities consistent with the Public Access and Recreation land use designation. The existing Harbor House Restaurant will be allowed to remain at the edge of the park until its lease expires in 2018, or an economically feasible alternative location within Subarea 35 becomes available. A specialty retail and entertainment complex of 45,000 to 70,000 square feet on the old police station site and public and commercial parking in an underground facility. The complex may include performing arts/movie theater, restaurant, lounge, cabaret dining, food court, retail, and associated storage, food preparation and management office space with a general height of structures not to exceed two stories with some exterior architectural elements not exceeding 40 feet. Certain buildings specifically identified in the site expansion plan (April 13, 1998) may extend up to 65 feet. The extensive pedestrian and bicyclist access to and along the shoreline provided by the existing Seaport~~

~~Village will be extended along the access and visual corridors of Pacific Highway, California Street, realigned Kettner Boulevard, Pier Walk, Central Park and other public accessways, as shown in the South Embarcadero Public Access Program (April, 1998), which is included in this plan by reference.~~

The plan concept is to rehabilitate and reactivate the historically designated, and presently vacant, Old Police Headquarters (OPH) building with restaurant, specialty retail, indoor/outdoor public market, and entertainment uses. On the district Precise Plan, this area will be designated as Commercial Recreation. The north side of the site along Harbor Drive will be designated as Park/Plaza and will be redeveloped into an urban park and plaza area of approximately one acre in size with enhanced landscaping and pedestrian features. The new urban park will create visual and physical linkages from the OPH to the new bayfront park across Pacific Highway, as well as link to enhanced pedestrian connections to and along the Embarcadero through Seaport Village and along Kettner Boulevard. A small portion of the site on the north side the OPH will retain the Commercial Recreation land use designation in order to allow for associated outdoor commercial, or activating, uses. The parking areas surrounding the OPH and Seaport Village will be reconfigured to accommodate vehicles more efficiently, as well as allow for valet parking and loading areas.

~~The regional Convention Center is supported by major hotel complexes; a convention hotel that contains twin 25-story towers accommodating 1400 hotel rooms and a 450-slip marina; and an existing hotel of 875 rooms. Ancillary uses in this area include banquet, meeting, restaurant, hotel guest oriented retail space, court game areas, and automobile parking. (Paragraph moved to page 79a)~~

~~A proposed 750 to 810-room second hotel tower, with a minimum 100-foot set back from Harbor Drive, and a maximum height of 62 feet for the lobby-galleria/ballroom structure connecting the second tower to the existing tower, including meeting space, 34,000 square feet of exhibit space, 30,000 square feet of ballroom space (Preceding sentence moved to page 79a), a minimum 35,000-square-foot public plaza-park at the intersection of Harbor Drive and Kettner Boulevard shall be developed. The public sidewalk along Harbor Drive and the Marina Walk public access, view corridor, and public plaza shall be developed and maintained,~~

and that part of the existing restaurant located in Marina Walk shall be redesigned, relocated or elevated to achieve its public purposes. Across from the hotel development, the west side of Kettner Boulevard from Harbor Drive to Seaport Village will be developed with landscaping and pedestrian features to provide improved connectivity between tideland uses, as well as increase activating uses.

Between the existing Marriott and Hyatt Hotels, an accessway is proposed consistent with the Public Access Program, as amended February, 2006. Bayward of the hotels, a continuous pedestrian promenade links the two Embarcadero Marina Park peninsulas and assures public access along the shoreline. Pedestrian linkage to the uplands is proposed provided around and over the expanded Convention Center. An existing accessway between the Marriott Hotel and the Convention Center ~~will be~~ has been improved to provide functional, safe, and environmentally educational passage to the waterfront, as provided in the Public Access Program. The Convention Center expansion ~~includes included~~ another public accessway with a minimum width of 20 feet over the Convention Center connecting Harbor Drive and the Embarcadero Promenade. An elevated walkway on the Convention Center's observation deck level ~~will~~ parallels Convention Way. At the intersection of Eighth Avenue and Harbor Drive, the promenade connects with the adjacent Gaslamp Quarter pedestrian and trolley facilities. The public accessway extends from the south end of the Convention Center expansion and along both sides of Eighth Avenue. The District, in conjunction with the City of San Diego, ~~will has~~ implemented a public access program of signage, pavement markings, amenities and public information to inform and invite the public to and along the Embarcadero, as is more specifically shown in the District's "Public Access Program" (November, 1995) and the "South Embarcadero Public Access Program" (April, 1998 and as amended February, 2006), which are incorporated into the plan by reference.

~~Seaport Village, a 100,000-square-foot specialty retail and restaurant complex, was constructed in 1979. An expanded specialty retail center is proposed on the former City police headquarters site. This project includes the relocation of Pacific Highway and Harbor Drive, as well as the vacation of a five-foot strip along Kettner Boulevard. These street modifications are in accord with street right-of-way abandonment~~

and dedication agreements between the City of San Diego and the Port District. The vacated street area is redeveloped in compliance with the adjacent land use designation which is Commercial Recreation. Additional automobile parking for specialty retail and hotel uses is planned in structures in the vicinity of Kettner Boulevard and Harbor Drive.

It is recognized that providing all required parking on-site can result in a significant amount of waterfront land being dedicated to parking lots and structures, thereby limiting the ability to provide visitor-serving uses such as parks and commercial development. New commercial development in the Marina Zone shall participate in the implementation of the Parking Management and Monitoring Plan (PMMP), as amended February, 2006. Such participation is intended to achieve maximum feasible reduction in automotive traffic, facilitate the extension and utilization of mass transit to serve the Marina Zone, provide and support means of non-automobile circulation to employees and guests, make more efficient use of existing parking lots and structures, and help avoid significant effects associated with a lack of parking for waterfront projects. Additionally, the PMMP requires new commercial development to provide maximum feasible on-site or proximate parking facilities on Port and nearby City lands, and participate in the tiered, legally available, off-site parking program to address peak individual and cumulative demand. Required participation in the plan which shall be monitored and reported annually to the Port and California Coastal Commission for the economic life of the development. Throughout the South Embarcadero (G Street mole to the Convention Center Hotel Complex), commercial development is also required to participate in and contribute a fair share to the implementation of a bayside shuttle system that would serve and connect tideland uses along the waterfront, such as the Convention Center Hotel Public Parking Facility, hotels, Seaport Village, and other waterfront destinations. Although outside the South Embarcadero, the bayside shuttle should also provide service to the Midway. In addition, this bayside shuttle system should include linkages to public roadside shuttle systems serving downtown San Diego, the airport, and MTS transportation hubs. Implementation of the bayside shuttle system is a goal that is intended to serve visitors as part of an integrated waterfront access and parking program that the Port District shall pursue in conjunction with the City of San Diego, CCDC and MTS.

Situated within the eastern portion of the Marina Zone is an 11-acre site, fronting onto Harbor

Drive and Fifth Avenue, which has been developed into a regional Convention Center. Floor area is allocated for display and exhibit area, meeting rooms, and support space, such as lobbies, storage, food service, and parking.

(The following paragraph was moved from page 78) The regional Convention Center is supported by major hotel complexes; a convention hotel that contains twin 25-story towers accommodating 1,400 hotel rooms and a 450-slip marina; and a hotel of 875 rooms. A proposed 750-to-840-room second hotel tower has been constructed, with a minimum 100-foot set back from Harbor Drive, and a maximum height of 62 feet for the lobby Galleria/ballroom structure connecting the second tower to the existing first tower. The hotel expansion, including meeting space, 34,000 square feet of exhibit space, and 30,000 square feet of ballroom space. Ancillary uses in this area include banquet, meeting, restaurant, hotel guest-oriented retail space, court game areas, and automobile parking.

The ~~plan concept proposes an extension of the Convention Center into a 13-acre site connected to the south end of the center and occupying the area bounded by Harbor Drive, Eighth Avenue, and Convention Way has been completed.~~ The ~~USO is to be relocated.~~ Fifth Avenue, an undedicated street, was closed as part of the development of the original center. Harbor Drive ~~is proposed to have been~~ partially depressed to provide an alternate access to an existing underground parking lot system and to enhance the urban design character at the Convention Center. The expansion ~~will added~~ approximately one million gross feet of floor area to the Convention Center. The Convention Center operator ~~will be~~ was required to implement the Parking Management Plan and Monitoring Program (November, 1995, which is incorporated by reference into the master plan) to meet the needs of the Convention Center visitors and support functions, as well as the public seeking access to the Embarcadero Marina Park South.

Convention Way Basin

A transition in the existing land use is planned for the area located to the south of the expanded Convention Center. A parcel on the south side of the park entry road is the proposed location for a 250-room Spinnaker hotel. The 250-room Spinnaker hotel tower only, located on the northwesterly portion of the Fifth Avenue Landing site, shall be designed to occupy a minimal building footprint in order to maximize

the amount of public access and open waterfront parkland, and the tower shall not exceed 20-23 stories in height. No portion of the Spinnaker hotel complex shall encroach on the promenade. The public pedestrian bridges linking the Convention Center observation terrace to the public observation terrace of the Spinnaker hotel tower will cross Convention Way and the promenade and link to the plaza and promenade below with a public stairway and elevator to ensure access to persons with disabilities. The pedestrian bridge will be part of the Spinnaker hotel project. The public pedestrian bridges shall be designed by the developer of the Spinnaker hotel to be visually attractive, compatible with the public art, architecture, and pedestrian orientation of the project area. A pedestrian bridge over Convention Way will provide pedestrian access from the observation deck of the Convention Center expansion to a terrace surrounding the hotel as well as access to the shoreline walkway. Universal design for disabled access will be incorporated in all new development.

A ballroom, parking facility, other hotel-related facilities, and water transportation center for harbor excursion boats, water taxis and ferries is planned east of the promenade along Convention Way. The Spinnaker hotel complex shall include a water taxi and ferry service to the Convention Center hotels and to other San Diego Bay locations. The roofline of the hotel facilities, ballroom and parking facilities shall not exceed 25-feet above finished grade (not including appurtenant structures and the main hotel tower), unless construction requirements or geotechnical or other physical characteristics of the site make it infeasible. If a 25-foot roofline is infeasible, the maximum height of the roofline and appurtenant structures shall be the minimum height necessary, but in no case shall it exceed 32-feet in height and shall be subject to further review and approval by the Port District. All rooftop equipment shall be screened from public view and shall be designed to be visually attractive from all public viewing areas.

The entire ground floor and perimeter of the Spinnaker hotel tower and the ballroom and related hotel facilities facing the promenade shall provide ground-level pedestrian-oriented uses compatible with the Commercial Recreation land use designation, such as visitor serving retail shops and restaurants, including outdoor seating, to activate the promenade. Minimal hotel lobby space may be permitted on the ground floor of the Spinnaker hotel tower. A minimum 198 parking spaces to serve the

Spinnaker hotel guests and the public will be provided. The spaces shall be allocated as follows: a minimum 88 surface parking spaces shall be provided on-site, and 110 valet spaces shall be provided in the Convention Center parking facility. A minimum 44 spaces of the on-site surface parking will always be available for general public use and will not be reserved for hotel events. Appropriate signage shall mark the on-site lot as available to the public. Views from the promenade toward the Spinnaker Hotel parking lot shall be softened by use of a landscaped buffer. The Spinnaker hotel tower shall have an architectural style depicted in the shape of a spinnaker sail.

Bayside improvements to this area include the continued extension of the pedestrian promenade along the waterfront. Park/Plaza areas of 4.3 acres and 1.1 acres at the shoreline will open views to the waterfront from Convention Way. New and expanded restroom facilities will be provided in the 5.4-acre combined Park/Plaza area and the Embarcadero Marina Park South. The promenade widths and public plaza areas on the water's edge of the Fifth Avenue Landing site vary in size. The promenade width ranges from 60 feet to 35 feet, of which the first 26 feet adjacent to the water's edge shall remain open and unobstructed for public pedestrian use. A minimum building setback of 35 feet from the water's edge along the entire promenade in Subarea 36 shall be provided. A 120-foot diameter public plaza is located at the center of the Fifth Avenue Landing site. The promenade is extended into the Embarcadero Marina Park South on the south (Chart House) side of the park entry. The new continuous promenade will be extended along the water's edge of the entire Fifth Avenue Landing and former Campbell Shipyard sites, and will connect to Harbor Drive for complete public pedestrian access throughout the public park/plaza areas of the project vicinity and Convention Center. The former shipyard area will be redeveloped with a 1000-to-1200-room Convention Hotel and support facilities including restaurant, retail, meeting space, a 35,000-square-foot ballroom, a 20-to-30-slip marina, and a maximum 2000-car public parking facility. A transport service will be available from the 2,000-car public parking facility to the Bayfront. The maximum 500-foot high Convention Hotel tower and parking structure shall be located outside and south of the Park Boulevard view corridor and the Eighth Avenue view corridor to maintain public views to the Bay from Harbor Drive. The parking structure shall be set back a minimum of 100

feet from Harbor Drive. At least 899 of the 2000 maximum parking spaces in the parking structure shall be provided for Convention Hotel guest use. The remaining parking spaces shall be designated for general public use.

The Convention Hotel shall provide pedestrian access along two major corridors, Eighth Avenue and the extension of the Embarcadero promenade. Landscaped setbacks and/or street-front retail must be provided along these access ways. The Eighth Avenue pedestrian walkway shall be a minimum of 20-feet wide with 12-foot wide planting strips between the Eighth Avenue right-of-way and the pedestrian walkway and a 12-foot wide planting setback between the walkway and the hotel development. Pedestrian-oriented uses compatible with the Commercial Recreation land use designation, such as visitor serving retail shops and restaurants, which may include outdoor seating shall be provided to activate the promenade. Project components shall meet the 20-foot building height for buildings on the promenade, stepping back to 50-feet in height in the development area to create a pedestrian-scaled public environment. Shoreline promenade and landscape improvements will be included in the 35-foot minimum setback of the hotel from the water's edge. The first 26 feet of promenade adjacent to the water's edge shall remain open and unobstructed for public pedestrian use.

A public access pier with recreational boat facilities will be set back a distance sufficient to preserve the continued use of the Tenth Avenue Marine Terminal Berths 1 and 2 for commercial cargoes. The new marina has been reduced to a "transient oriented" marina of 20-30 large yacht slips. State-of-the-art best management practices will be used in the marina to reduce spills, reduce or prohibit toxic bottom paints, and mandate new pump-out stations.

Specific implementation proposals will be evaluated by the San Diego Water Quality Control Board for compliance with all applicable regulations and will include the best management practices required by the Port District Urban Runoff Action Plan and Stormwater Management Ordinance.

The amount of water coverage in Subarea 36, Convention Way Basin, resulting from redevelopment of the bulkhead and pier structure shall be minimized and necessary to

construct the public promenade, water transit center, public access piers and recreational marina. Any increase in water coverage from that which previously existed when the leaseholds were developed with the Campbell shipyard and R.E. Staite marine construction yard shall be subject to further environmental review and mitigation.

The public promenade, waterfront park and plaza and the Embarcadero Marina Park South will be open to general public use at all times. Any temporary special events held in these public park/plaza areas must obtain a special event permit from the San Diego Unified Port District, according to the Port District Special Event Procedures and Guidelines. At no time will the public access to the sidewalk promenade be fenced, screened or blocked off by any structure.

TABLE 11: Project List
CENTRE CITY/EMBARCADERO: PLANNING DISTRICT 3

APPEALABLE ↓
 DEVELOPER ↓
 SUBAREA ↓

FISCAL
 YEAR

1. NORTH HARBOR DRIVE, GRAPE TO BROADWAY: Reduce traffic lanes; install landscaping, irrigation; develop bike path	33	P	Y	2000-04 <u>2005-20</u>
2. SPECIALTY RETAIL/ENTERTAINMENT COMPLEX: Renovate or reconstruct buildings; landscape improvements; parking; ancillary structures, including parking structure; pedestrian access routes to the bay	34, 35	T	Y	1999-2001
3. CONVENTION CENTER PHASE II: Construct regional center; infrastructure, not including groundwater treatment; and landscape improvements; Parking Management Plan and Monitoring Program; public access program; construct public plaza	35	T	N	1999-2001
4. HARBOR DRIVE: Convention Center; Subgrade alignment	35	T	N	1999-2001
5. HARBOR DRIVE AND EIGHTH AVENUE INTERSECTION: Construct intersection for cross traffic and turning movements	35	P	N	1999-2001
6. STORM DRAIN AND SEWER LINE: Relocation and new construction	36	T	N	1999-2001
7.2. PUBLIC ACCESS: Pedestrian access improvements to waterfront and promenade	35	T	N	2000-02 <u>2007-08</u>
8. HOTEL TOWER: Construct hotel tower, lobby and gallery; pedestrian access to the waterfront walkway; remove Market Place and construct new cul-de-sac driveway	35	T	Y	1999-2000
9. PARK: Remove old City Police Station; construct park including landscape improvements, artwork and pedestrian plazas	35	P	Y	1999-2000
10. WIDEN NORTH HARBOR DRIVE to 4 lanes between Broadway and Pacific Highway	34	T	Y	1999-2000
14.3. LANE FIELD DEVELOPMENT: 600-to-800-room hotel, office building, retail, and parking	33	T	Y	2001-05 <u>2005-10</u>
12.4. NORTH EMBARCADERO REDEVELOPMENT: (a) Visionary Plan public improvements, (b) esplanade, (c) street improvements, (d) vista points, (e) Grape Street piers replacement + restaurant, (f) park and plaza areas, (g) Broadway Pier infrastructure improvements, (h) B and C Street linkages between Pacific Highway and North Harbor Drive	31-34	P	Y*	2001-05 <u>2005-20</u>
13. USS MIDWAY: Aircraft Carrier Museum located on the south side of Navy Pier 11A	34	T	N	2000-02
14.5. PASSENGER TERMINAL AT B STREET PIER: Cruise Ship Terminal Modernization	33	P	N	2001-05 <u>2006-10</u>
15.6. WATER TRANSIT CENTER: Prepare site, construct buildings, piers, pedestrian access and landscape improvements to and along the San Diego Bay shoreline to accommodate water-based transportation including a ferry landing, water taxi access and public boat access	36	T	N	2001-05 <u>2007-10</u>
16.7. CONVENTION CENTER HOTEL COMPLEX AND MARINA: Construct 1000- to-1200- room hotel tower, a lobby, ballroom, meeting rooms, retail shops, restaurants, other ancillary uses, above-grade parking structure, marina, piers, pedestrian access, boat access, park/plaza, and landscape improvements	36	T	Y	2001-05 <u>2006-08</u>
17.8. SPINNAKER HOTEL: Construct 250-room hotel with meeting rooms, ballroom, restaurants, retail shops, other ancillary uses, pedestrian access, with bridge to Convention Center, surface parking spaces, and landscape improvements	36	T	Y	2001-05 <u>2007-10</u>
9. PEDESTRIAN BRIDGE OVER HARBOR DRIVE: Self-anchored suspension bridge over Harbor Drive connecting to public parking garage to Eighth Avenue	35	I	N	2006-08
10. EIGHTH AVENUE PEDESTRIAN CROSSING: At grade pedestrian crossing to be completed with pedestrian bridge over Harbor Drive	35	I	N	2006-10

(CONTINUED ON FOLLOWING PAGE)

(CONTINUED FROM PREVIOUS PAGE)

TABLE 11: Project List
CENTRE CITY/EMBARCADERO: PLANNING DISTRICT 3


		APPEALABLE ↓ DEVELOPER ↓ SUBAREA ↓			FISCAL YEAR
11.	<u>OLD POLICE HEADQUARTERS REHABILITATION: Rehabilitation and adaptive reuse of historically designated Old Police Headquarters building with a mix of specialty retail, entertainment and restaurant uses; reconfiguration of surrounding parking areas; and, pedestrian access, plaza and landscape improvements.</u>	34, 35	T	Y	2007-08
12.	<u>PIER WALK BUILDING: Remove existing Harbor Seafood Mart building and construct new Pier Walk building to accommodate existing commercial fish processing operations, as well as associated retail, restaurant and other services/support uses.</u>	34	T	N	2008-09
13.	<u>BAYFRONT PARK: Construct new bayfront public park along the southern edge of Harbor Drive, between the waterfront and Pacific Highway, including lawn and landscaped areas, walkways, as well as other park/plaza features</u>	34	P	N	2009-10
P- Port District T- Tenant	N- No Y- Yes	* "Vista Points" and Broadway Pier infrastructure improvements are non-appealable projects.			

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

**SOUTH EMBARCADERO
PUBLIC ACCESS PROGRAM**

SAN DIEGO UNIFIED PORT DISTRICT
LAND USE AND PLANNING DEPARTMENT
3165 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101-1128
(619) 686-6283

MAY 26, 1998,
Amended FEBRUARY 2006

EXHIBIT #3
Public Access Program
PMPA #36 Old Police Station and Park
 California Coastal Commission

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

~~Port Master Plan Amendment #26 PUBLIC ACCESS PROGRAM~~

- Contents:
1. South Embarcadero Public Access Program, as amended February 2006
 2. Planning District 3 – Table A – Access and Recreation Components
 3. South Embarcadero Public Access Map

1. South Embarcadero Public Access Program

The South Embarcadero Public Access Program defines and implements an extensive multi-modal pedestrian, bicyclist, mass-transit and automobile-based system to provide a variety of free and low-cost San Diego Bay waterfront public recreational opportunities for a broad range of individuals and families who reside in the region, as well as visitors. Access facilities will be constructed and maintained to be accessible to persons with disabilities.

The Embarcadero Promenade, which extends along 4,600 feet of San Diego Bay in Planning Subareas 34 (Tuna Harbor) and 35 (Marina Zone), offers an unparalleled pedestrian California urban waterfront experience, including a commercial and naval harbor, working fisheries, two publicly accessible piers, ~~two~~three shoreline public parks, recreational boating and ferry/water taxi facilities, and many water-related commercial recreational enterprises. The 70,000 SF Promenade also serves to provide convenient non-automotive pedestrian linkages between and among the San Diego Convention Center, hotels, and other commercial recreation uses in the Planning Area. As a result of improvements made through this South Embarcadero Redevelopment Program (SERP) I Port Master Plan Update-Amendment, the Promenade alone can readily accommodate 10,000 persons at one time, or 30-50,000 persons per day.

Along the inland boundaries of the Planning Area, Harbor Drive roughly parallels the Promenade and provides a diversified multi-modal corridor. In response to increasing public interest, a substantially enlarged and landscaped 10-foot wide urban sidewalk, as well as designated driveway crossings and a unified multi-language directional signage program, will be incorporated along the west side of Harbor Drive.

The new Old Police Headquarters (OPH) 4.1 1.0-acre open space Central Park Urban Plaza, new pedestrian linkages around and through the OPH, and activating uses along the west side of Kettner Blvd, along with and the existing 0.7-acre open space plaza adjacent to the new Hyatt tower, will connect Harbor Drive, between California Street and Kettner Blvd., with existing Embarcadero Marina Park North. The new open space areas will create visual and physical linkages from the OPH to the new 3.5-acre waterfront park across Pacific Highway, as well as link to enhanced pedestrian connections to and along the Embarcadero through Seaport Village and along Kettner Blvd. These parks will be improved with environmentally sustainable features to enhance family recreation opportunities, and other recreational and access support facilities, such as lighting, paths, fitness course, signs, restrooms, water, telephones, tables, seating, and trash disposal. Upon expiration of the existing Seaport Village lease in 2018, the "Harbor House Restaurant" building will be demolished and the site restored to create additional useable park space and to afford public views to the Bay

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

Eleven public accessways 15 to 60 (minimum) feet wide, and comprising a total of 8,000 lineal feet, will directly connect the Harbor Drive walkway in the Planning Area with the Embarcadero Promenade: (1) on the north side of Tuna Harbor, (2) on the breakwater-pier on the south side of Tuna Harbor; (3) along the foot of Pacific Highway, (4) along the foot of California Street and south through the rehabilitated OPH building; (5) along the ~~foot~~ west side of Kettner Blvd., (6) along Pier Walk, from Market Street at Harbor to the Tuna Harbor Pier (7) along Market Plaza to the Embarcadero at Seaport Village East (8) along Marina Walk between the existing Marriott and Hyatt hotels; (9) through the canyon path between the Marriott Hotel and the existing Convention Center; (10) in the Skyward elevated access between Harbor Drive and Embarcadero Marina Park South at the junction of the existing and expanded convention center elements; and (11) from Eight Avenue Plaza along Eighth Avenue to Campbell Park and on to the Campbell Pier. These connecting accessways are united with existing upland (City) sidewalks at Pacific Highway, California Street, Kettner Blvd., Market Street, Front Street-Childrens' Park-First Street, Fifth Avenue, and Eighth Avenue. The connecting accessways on Port lands are, or will be improved with a variety of access support and safety components as shown in Table A (page 4). No existing accessway will be reduced in size or functional capacity. Pedicab service, including designated holding areas, will be provided in conjunction with all public access, public recreational, and commercial recreational facilities, including the Convention Center, consistent with the capacity of existing and proposed accessways, and with pedestrian safety.

The South Embarcadero Planning Area and immediately adjacent areas are presently served by public accessible automobile parking spaces, bicycle parking spaces, and three trolley and ~~three~~^{four} proposed bus stops. These spaces and transit stops will be maintained, although some may be relocated. To facilitate additional public recreational waterfront access opportunities, the Plan ~~Update~~ Amendment also provides for an additional water taxi landing at Tuna Harbor Pier (consistent with continued commercial fishing uses), additional automobile, new bicycle parking spaces and lanes, and three new bus stops along Harbor Drive (implementation of which will be coordination with San Diego Transit). Throughout the South Embarcadero (G Street mole to the Convention Center Hotel Complex), commercial development is also required to participate in and contribute a fair share to the implementation of a bayside shuttle system that would serve and connect tideland uses along the waterfront, such as the Convention Center Hotel Public Parking Facility, hotels, Seaport Village, and other waterfront destinations. Although outside the South Embarcadero, the bayside shuttle should also provide service to the San Diego Aircraft Carrier Museum (USS Midway). In addition, this bayside shuttle system should include linkages to public roadside shuttle systems serving downtown San Diego, the airport, and MTS transportation hubs. Implementation of the bayside shuttle system is a goal that is intended to serve visitors as part of an integrated waterfront access and parking program that the Port District shall pursue in conjunction with the City of San Diego, CCDC and MTS.

The unified public access directional and information signage program, as well as the environmental education signage program, are proposed to be expanded throughout the Planning Area, and to be augmented by works of public art. Substantial environmental education displays of San Diego's on-shore and off-shore coastal geology will be incorporated into the design of public access ways.

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

TABLE A - PLANNING DISTRICT 3, ACCESS AND RECREATION COMPONENTS

NAME	LOCATION	MAP REF. NO.	SIZE/PARKING	USE TYPES	FACILITIES
A. Promenade	Embarcadero	1	4600 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			70000 SF		
Segment 1	Laurel Broadway	2	5200 LF	P,B,Rb, Ed, A:ha	VP,p,l
			72800 SF		
Segment 2	Broadway Com	3	950 LF	P,B,Rb,Ed,A:ha	p,l
			3800 SF		
Segment 3	Tuna Harbor	4	800 LF	P,B,Rb,Ed,A:ha	VP,p,l
			11200 SF		
			200/85 Spaces		
Segment 4	Seaport Village	5	1100 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			15400 SF		
Segment 5	N Emb Mar Park	6	1600 LF	P,B,B/Ap,Rb:ha	VP,p,t,w,l,tl,b,tb,s
			22400 SF		
Segment 6	Central Park Kettner Blvd (includes 0.7 acre Hyatt Plaza)	7	1600 LF	P,B,B/Ap,Rb:ha	p,t,w,l,tl,b,tb,s
			4.8 Acres-32000 SF		
			345 Spaces		
Segment 7	Hyatt Hotel 1/2	8	600 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			48,000 SF		
			100 Spaces		
Segment 8	Marriott	9	600 LF	P,B,Rb,Ed,A:ha	p,t,w,l,tl,b,tb,s
			18000 SF		
Segment 9	S Emb Mar Park	10	4075 LF	P,B,B/Ap,Rb:ha	VP,p,t,w,l,tl,b,tb,s
			44500 SF		
			132 Spaces		
Segment 10	Conv Cntr/Exp	11	3350 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			37500 SF		
Segment 11	5th Ave Landing	12	1200 LF		
			7200 SF		
Segment 12	Campbell	13	700 LF		
			4200 SF		
B. Tuna Harbor	Harbor Drive	14	800 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			45000 SF		
			200/85		
C. Urban Plaza Park	Harbor Dr. Curve South of side of Harbor Dr; North side of OPH	15	See Seg-3	Plza,P,B/Ap,A:ha	VP,p,t,w,l,tl,b,tb,s
			50000 SF- 1 Acre		
			38 Spaces		
D. Central Waterfront Park	S of Harbor Dr	16	See Seg. 63	Prk,P,Pg,B/Ap,A:ha	P,T,W,L,TL,B,TB,S
			4.1-3.5 Acres		
E. Pier Walk	W of Market St	17	1250 LF	P:ha	VP,p,t,w,l,tl,b,tb,s
			50000 SF		
F. Tuna Hrb Pier	W of Pier Walk	18	400LF	P,CF,WT:ha	VP,p,tl,s
			10000 SF		

Legend: A=(public) Art
Ed=Envrn. Education
PRK=Park
VP=View Point
sp=parking spaces
w=water available

B=Bikepath
P=Pedestrian walkway
Rb=Roller Blade Accessible
ha=handicapped accessible
t=toilet facility

B/Ap=Bike/Auto parking
Pg=Playground
SA=Shaded Area Available
l=lighting
tb=table/benches

CF=Commercial Fishing
PLZA=Plaza
SF=Sport Fishing
p=path s=sign
tl=telephone

NOTE: The data in this table is indicative rather than determinative (i.e., the numbers are approximations).

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

TABLE A - PLANNING DISTRICT 3, ACCESS AND RECREATION COMPONENTS

NAME	LOCATION	MAP REF. NO.	SIZE/PARKING	USE TYPES	FACILITIES
G. N Emb Mar Pk	S of Central Pk	19	See Seg. 5	Prk, P,Pg,B/Ap,A:ha	VP,p,t,w,l,tl,b,tb,s
			10.7 Acres		
			87 Spaces		
H. Pacific Hwy.	S of Harbor Dr.	20	650 LF	P,B:ha	p,s
			65000 SF		
I. Kettner Blvd.	S. of Harbor Dr.	21	900 x 2 LF	P,B:ha	p,s
			54000 SF		
			35 Spaces		
J. California	S. of Harbor Dr.	22	650 LF	P,B,A:ha	p,s
			32500 SF		
K. Harbor Dr.	Plaza Pk to 8 th Ave.	23	4000 LF	P,B:ha	p,s
			40000 SF		
			18 Spaces		
L. Marina Walk	S. of Harbor Dr.	24	600 LF	Plz,P,B:ha	p,s
			36000 SF		
M. Access Cyn.	S. of Harbor Dr.	25	750 LF	P,A,Ed:ha	p,s,Ed
			7500 LF		
N. Skywalk	At CC/CCE	26	800 LF	P,Ed,A:ha	VP,p,s,l,b,tb
			16000 SF		
O. S Emb Mar Pk	S of Conv Cntr.	27	See Seg. 9	Prk,P,Pg,B/Ap,A:ha	VP,p,t,w,l,tl,b,tb,s
			12 Acres	SF	
P. 8 th Ave Plaza	Harbor at 8 th	28	See Seg. 10	Plz,P,B/Ap,A:ha	p,s,t,w,l,tl,b,tb
			30000 SF		
Q. 8 th Ave Walk	W. of Harbor at 8 th	29	600 LF	P,B,Ed:ha	p,s,l
			2600 SF		
R. Transit Stops	BusStp @ PlzaPWaterfront Pk	30	Bus turnout	P,B,Ed:ha	p,s
	BusStp @ CntrlPk	31	Bus turnout	P,B,Ed:ha	p,s
	BusStp @ Conv.	32	Bus turnout	P,B,Ed:ha	p,s
	BusStp @ 8 th Ave.	33	Bus turnout	P,B,Ed:ha	p,s
	Trolley S @ Mkt.	34	NS/East Line	P,B,Ed:ha	p,s
	Trolley S @ 1 st	35	NS/East Line	P,B,Ed:ha	p,s
	Trolley S @ 5 th	36	NS/East Line	P,B,Ed:ha	p,s
S. Public Parking	Plaza Park Pacific Hwy.	37	38-40 Spaces	B/Ap:ha	p,s
	SPVE Main Lot	38	4416-453 Spaces (493 w/ valet)	B/Ap:ha	p,s
	Central Waterfront Park/Pier Walk Bldg	39	35-172 Spaces	B/Ap:ha	p,s
	Hyatt 2	40	100 Spaces	B/Ap:ha	p,s
	SPV East	41	404-124 Spaces (204 w/ valet)	B/Ap:ha	p,s
	Marriott	42		B/Ap:ha	p,s
	Conv.Cntr.	43		B/Ap:ha	p,s
	8 th Ave./Conv. Way	44	21/24 Spaces	B/Ap:ha	p,s
T. S Emb MarFP	S Emb Mar Pk	45	132 Spaces	P,SF,B:ha	VP,p,w,l,b,tb,s
U. Village Wlks	SPV (1978)	46		P,Plz,A,Ed:ha	l,p,Rb,SA,s,sp,t,tb,tl,w

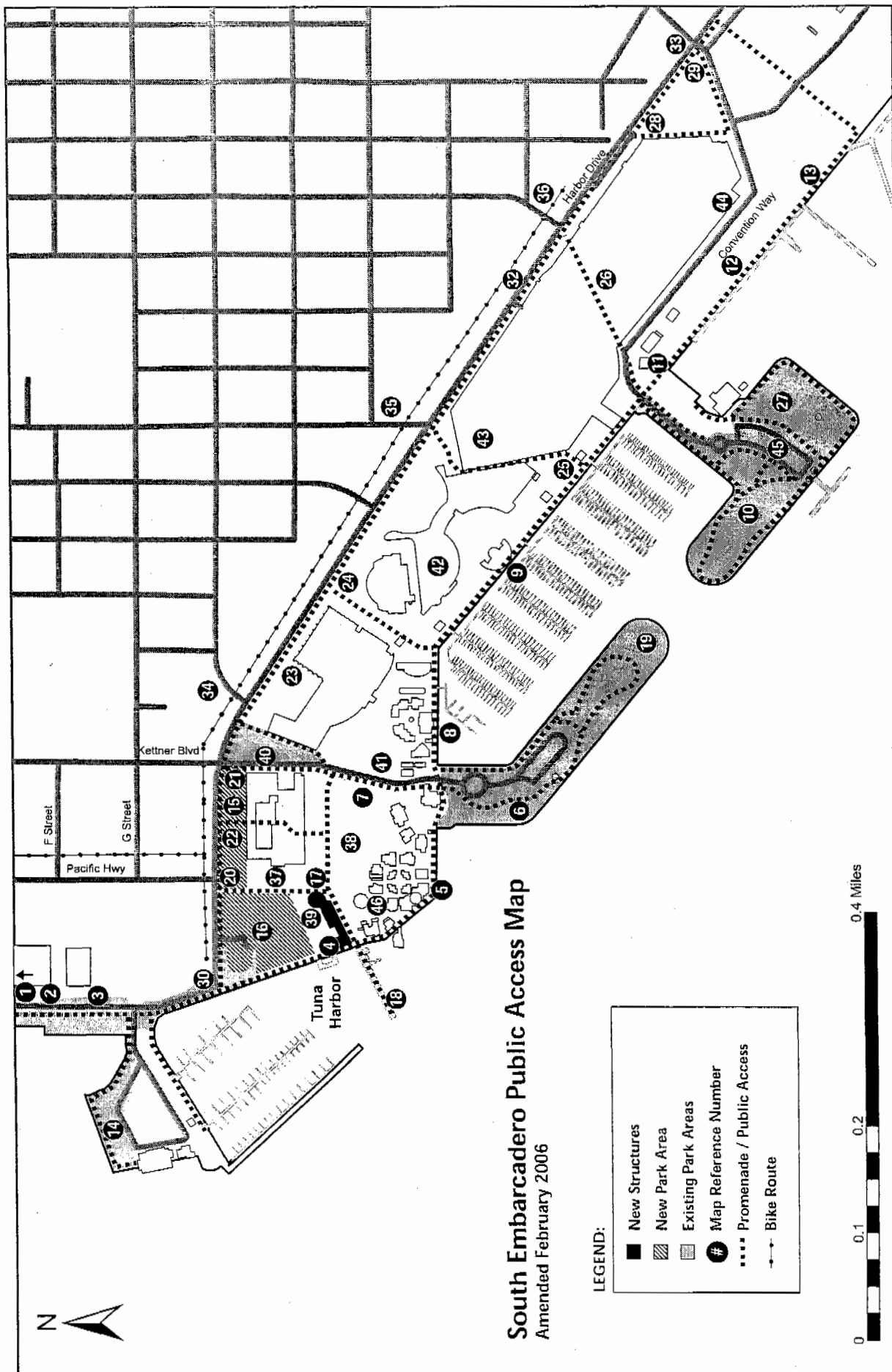
Legend: A=(public) Art
Ed=Environ. Education
PRK=Park
VP=View Point
sp=parking spaces
w=water available

B=Bikepath
P=Pedestrian walkway
Rb=Roller Blade Accessible
ha=handicapped accessible
t=toilet facility

B/Ap=Bike/Auto parking
Pg=Playground
SA=Shaded Area Available
l=lighting
tb=table/benches

CF=Commercial Fishing
PLZA=Plaza
SF=Sport Fishing
p=path s=sign
tl=telephone

NOTE: The data in this table is indicative rather than determinative (i.e., the numbers are approximations).




South Embarcadero Public Access Map
Amended February 2006

SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM

**SOUTH EMBARCADERO
PARKING MANAGEMENT
AND MONITORING PROGRAM**

SAN DIEGO UNIFIED PORT DISTRICT
LAND USE AND PLANNING DEPARTMENT
3165 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101-1128
(619) 686-6283

MAY 26, 1998,
Amended FEBRUARY 2006

EXHIBIT #4
Parking Management Program
PMPA #36 Old Police Station and Park
 California Coastal Commission

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

I. Introduction

By design and consistency with the California Coastal Act, and other applicable laws, the South Embarcadero is intended to be an active and high intensity public shoreline access, public recreational, and commercial recreational area for both visitors to, and residents of, the San Diego Bay region.

Mandatory guidance for the South Embarcadero Parking Management and Monitoring Program is provided by Coastal Act Section 30252, which states that:

"The location and amount of new development should maintain and enhance public access to the coast [here, the shoreline of San Diego Bay] by

- (1) facilitating the provision or extension of transit service,
- (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,
- (3) providing non-automobile circulation within the development,
- (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation,
- (5) assuring the potential for public transit for high intensity uses such as high rise office buildings, and by
- (6) assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development with local park acquisition."

II. Objectives and Standards

A. The Objectives of the South Embarcadero Parking Management and Monitoring Program are:

- (1) To extend, in cooperation with San Diego Transit, regular weekday, weekend, and special holiday bus service from inland, South Bay, and North County communities to the South Embarcadero, so as to maximize public access and recreational opportunities to and along San Diego Bay for all the people, including persons employed within the South Embarcadero, while also reducing automobile parking demand and traffic congestion. As part of this objective, the Port, in cooperation with the City of San Diego and San Diego Transit, shall establish and maintain four new bus turnout facilities, accessible to disabled persons, at Plaza Park (Public Access Program Map Reference (#30), ~~Central Park (#31)~~, Convention Center (#32) and 8th Avenue (#33)).

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

- (2) To engage, in cooperation with San Diego Transit, the Metropolitan ~~Transportation Transit System (MTS) Development Board (San Diego Trolley)~~, Port tenants, and other local and regional mass transportation providers in a coordinated and effective public information (advertising) campaign to "Ride the [Bus, Trolley, Shuttle, etc.] to the Bay," and to create appropriate institutional and financial incentives for increased public awareness and utilization of mass transit system access to the South Embarcadero.
- (3) Commercial recreational tenants shall provide convenient shuttle bus service between their facilities and satellite automobile parking lots for employees and staff during peak patron demand periods, when on-site parking by employees and staff shall be prohibited.
- (4) Commercial recreational tenants, and SDUPD in public access and recreational facilities, shall provide and maintain convenient and secure bicycle parking racks, as provided in the Public Access Program. Seaport Village shall provide a minimum of 250 bicycle rack parking spaces. The Hyatt facility shall provide a minimum of 75 bicycle rack parking spaces. In addition, all commercial recreation, public access, and public recreational facilities shall provide on-site (off-street) pedicab and automobile taxi parking spaces to reduce the frequency of short-distance automobile trips in, and adjacent to, the South Embarcadero.
- (5) SDUPD, in cooperation with tenants and alternative transportation providers, shall also encourage feasible water-borne transit opportunities to and from the South Embarcadero, including, but not limited to, water taxi service and water ferry service to and from San Diego International Airport and other San Diego County waterfront destinations.
- (6) SDUPD, in cooperation with the City of San Diego, Centre City Development Corporation (CCDC) and MTSDB will improve, as appropriate, pedestrian and bicyclist crossings of Harbor Drive at Pacific Highway, Kettner Boulevard, India Street, Market Street, Front Street, First Street, Fifth Avenue, and Eighth Avenue to enhance public access and recreational opportunities between the Port lands and shoreline, and adjacent upland areas, including through a unified Port-City access signage and information program, and to provide improved pedestrian access to commercial recreational facilities on Port lands.
- (7) Commercial recreational development shall be consistent with the on-site parking, parking demand reduction, and peak off-site parking program provided in Tables A & B, which requires the following steps to eliminate unmanaged, on-street commercial recreational parking demand:

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

- (a) Maximization of feasible on-site automobile parking for patrons;
 - (b) Elimination of employee and staff on-site parking demand (consistent with facility utilization patterns) through implementation of a subsidized mass transit program, provision of on-site employee bicycle parking spaces, and off-site employee parking with connecting shuttle service to and from the commercial recreational facility;
 - (c) Reduction in patron demand for on-site automobile parking;
 - (d) Provision of off-site parking, with valet and/or shuttle service as appropriate, for patrons during peak automobile parking demand periods.
- (8) Public access and recreational facilities on Port lands in the South Embarcadero shall be served by convenient automobile, bicycle and pedicab parking, and water taxi landings, as provided in the Public Access Program.
- (9) Otherwise permitted high intensity commercial recreational uses pursuant to the Port Master Plan, as amended by the South Embarcadero Redevelopment Plan, shall specifically offer each employee or member of staff a discounted mass transit pass, or comparable three-year discount on the purchase of a bicycle, to encourage mass transit or alternative transportation use.
- (10) The Seaport Village and Old Police Headquarters commercial recreational uses permitted by the Port Master Plan, ~~as amended~~, shall maintain and post all of its walkways as free public accessways, which shall be accessible to disabled persons, and shall maintain and provide all of its permitted ~~underground~~ automobile parking spaces as "Public Parking," provided that permissible use of said spaces shall be limited to serving Seaport Village commercial recreational uses.

B. Implementation

Every applicant for a coastal development permit for a commercial recreational use within the South Embarcadero shall demonstrate compliance with Section 2.A. as a condition precedent to issuance of the coastal development permit.

III. Parking Demand

A. Parking Demand Generation

- (1) Automobile parking demand generation by commercial recreational development permitted by the Port Master Plan, as amended, in the South Embarcadero Redevelopment Program area shall be consistent with California Coastal Commission guidance, as shown in Tables A & B,

SOUTH EMBARCADERO PARKING MANAGEMENT AND MONITORING PROGRAM

Columns "H" and "I," subject to site-specific analysis performed pursuant to, and consistent with, the shared parking analysis guidance of the Urban Land Institute ("The Dimensions of Parking," 1993; "Shared Parking," 1983).

- (2) Preliminary parking demand generation calculations by commercial recreational development (Seaport Village, Hyatt) are contained in Tables A & B.

B. Parking Demand Reduction

The applicant for any coastal development permit for a commercial recreational use in the South Embarcadero Redevelopment Plan area shall prepare implementable parking demand reduction measures, including, but not limited to, those identified in Table A, as a condition precedent to coastal development permit issuance. The permit holder shall monitor, on a monthly basis, and annually report to SDUPD on the implementation of the parking demand reduction measures.

IV. Parking Supply

A. Public Access and Recreation

- (1) Public Access Program

The existing and proposed automobile, bicycle, and pedicab parking supply to serve public access and recreational uses within the South Embarcadero Redevelopment Plan area is shown in Tables A & B. 655642 dedicated public access/recreational automobile parking spaces, bicycle and pedicab parking spaces will be provided as part of the Public Access Program. In addition, Seaport Village and Hyatt will each provide a maximum of 100 additional public parking spaces.¹ Seaport Village also will sign its underground and East Village at-grade parking facilities for "Public Parking."

- (2) Waterfront Central Park and North Embarcadero Marina Park

Central Park will be served with 35 metered parking spaces. Parking for the waterfront park will be served by shared parking with the adjacent commercial recreation uses. A "waterfront" parking requirement has been factored into the parking requirements for the project site (i.e., 30% adjustment rate added to calculated parking demand numbers).

¹ Seaport Village Expansion project will not occur and has been supplanted by the OPH&P project: Final design of Hyatt Expansion provides for up to 1,162 on-site spaces with the ability to accommodate an additional 280 on-site vehicles with the use of valet parking – resulting in a total of 1,442 on-site spaces, including 100 on-site public spaces (per 2005 Hyatt Annual Parking Assessment).

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

The 87 public parking spaces in North Embarcadero Marina Park will be maintained.

(3) Parking Demand Study

Up to 100 additional parking spaces for general public use shall be provided by both the Hyatt and Seaport Village within or adjacent to the South Embarcadero plan area pursuant to a demand study to be conducted over the summer of 1998 (June 1 to Labor Day). The required additional parking shall be provided in conjunction with the planned expansion of the respective developments and may be accommodated through restriping or provision of new on-street or off-street parking or a combination thereof.¹

~~B. Seaport Village~~

~~Seaport Village will provide a maximum of 100 additional public parking spaces, as well as sign all of its 1310 other parking spaces as "Public Parking," for a total of 1410 parking spaces.¹~~

B. Hyatt Hotels and Facilities

Hyatt will provide a maximum of 100 additional public parking spaces.¹

C. Old Police Headquarters & Seaport Village

The parking demand and supply for the OPH project is based on a shared parking arrangement with the existing Seaport Village. The methodology for calculating the parking demand for the site was derived from the *San Diego Unified Port District's Tidelands Parking Guideline, dated January 2001*, with adjustments given based on the shared parking (time of day), mixed-use parking (synergy of adjacent uses), or other potential adjustment factors such as transit and waterfront proximity. As shown in Tables A & B, the calculated demand for the project site amounts to 1,162 parking spaces. The project will provide approximately 944 parking spaces (789 on-site, 35 off-site, and 120 valet), resulting in a shortage of approximately 218 spaces. Mitigation measures adopted with the Environmental Impact Report for the project, in concert with conditions of approval for forthcoming CDPs, require the provision of and compliance with parking reduction and management strategies as

¹ Seaport Village Expansion project will not occur and has been supplanted by the OPH&P project; Final design of Hyatt Expansion provides for up to 1,162 on-site spaces with the ability to accommodate an additional 280 on-site vehicles with the use of valet parking – resulting in a total of 1,442 on-site spaces, including 100 on-site public spaces (per 2005 Hyatt Annual Parking Assessment).

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

specified throughout this Program. Additionally, Seaport Village and the OPH parking areas will be required to be signed as "Public Parking."

D. Cumulative Considerations

Altogether, the South Embarcadero Redevelopment Program area will be served by ~~4556~~⁴² dedicated public access and recreational parking spaces and an additional signed ~~4340~~⁹⁴⁴ "Public Parking" spaces, which are likely to serve both commercial recreational and public access/recreational functions. Thus, a total of ~~4765~~^{1,586} potentially public automobile parking spaces will be available to serve the South Embarcadero.

V. Parking Management

A. Coastal Development Permit Requirements

In acting on a coastal development permit for any commercial recreational development within the South Embarcadero, in addition to making a specific finding of development consistency with California Coastal Act Sections 30210-30214 (public access) and 30220-30224 (public recreation), the Board of Port Commissioners shall find, based on the evidence in the administrative record, whether the proposed development meets the following provisions of the South Embarcadero Parking Management and Monitoring Program, as provided herein:

- (1) Non-automotive Transportation Standards
 - (a) Mass Transit (Objective and Standard II.A.(1), II.A.(2), II.A.(5), II.A.(9))
 - (b) Bicycles and Pedicabs (Objective and Standard II.A.(4))
 - (c) Water Taxis (Objective and Standard II.A.(5))
 - (d) Walkways (Objective and Standard II.A.(6); Public Access Program)
- (2) Employee and Staff Parking (Objective and Standard II.A.(3), II.A.(7)(b))
- (3) Automobile Parking Reduction Program
 - (a) Airport Shuttle Service (Objective and Standard II.A.(3))
 - (b) "Ride-the-Trolley and Bus to the Bay" Campaign (Objective and Standard II.A.(1), II.A.(2))
- (4) Maximum Feasible On-site Parking to Meet Standard Demand
 - (a) Maximize capacity of existing parking facilities (Objective and Standard II.A.(7)
 - 1) Compact Spaces

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

Allow for up to 60% compact car spaces in a parking facility, provided that the width of such spaces shall be adequate to allow comfortable human ingress and egress with respect to all cars.

2) Valet Parking Required/Encouraged

Valet parking shall be required at Seaport Village and Hyatt during peak automobile parking demand periods to maximize feasible on-site utilization of parking structures. Valet parking is encouraged at Seaport Village and Hyatt to facilitate off-site parking at satellite parking areas during peak automobile parking demand periods when respective on-site parking facilities approach capacity.

3) Subterranean Expansion Consideration Required (Objective and Standard II.A.(7)(a))

~~4) Electric Recharging Stations Required~~

~~Patron parking at Seaport Village shall include both inductive and conductive electric vehicle recharge stations.~~

~~(b) Develop Feasible Additional Subterranean Parking~~

~~1) Seaport Village~~

~~The "Central" underground parking structure should be analyzed for feasible expansion to provide additional subterranean commercial recreational patron parking generation, as identified in table A, onsite. The term "feasible" is defined as at Cal. Pub. Res. Code Section 30108.~~

(5) Provide for Legally Sustainable Off-site Parking to Meet Peak Demand

(a) Identification of Off-site Off-street Parking Areas

As a condition precedent to coastal development permit issuance, the applicant for any commercial recreational development in the South Embarcadero Redevelopment Plan area shall identify available off-street parking areas containing, at a minimum, a number of spaces equivalent to the parking deficiency for said development identified in Tables A & B, as applicable based on project-specific study pursuant to Sections III.A.(1) and (2). The off-street parking areas shall be located within ~~one (1)~~ two (2) miles of the proposed commercial recreational development.

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

(b) Evidence of Availability

As a condition precedent to coastal development permit issuance for any commercial recreational development, the applicant shall submit written evidence of and availability of the off-site parking spaces identified pursuant to Section V.A.(5)(a) to meet applicant's peak parking demand for one year following the effective date of the off-site parking agreement. Parking areas previously committed to serving the San Diego Convention Center Expansion shall not be included in the reservoir of allowable available parking spaces for the dates or times of day for which said prior commitment exists or was made. Applicant's agreement shall be recorded with the San Diego County Recorder as a condition precedent to coastal development permit issuance.

(c) Annual Review

The agreement provided by Section V.A.(5)(b) shall be reviewed for consistency with the provisions of the Parking Management and Monitoring Program, and the Port Master Plan, as amended, based on a monitoring report submitted by the permit holder to SDUPD. The San Diego area staff of the California Coastal Commission shall be provided the annual monitoring report. In the event that deficiencies in the permit holder's implementation of the Program are identified, or there is a material factual change, the permit holder shall be invited to submit a revised implementation scheme within thirty (30) days. Failure to do so, or continued deficiencies in the implementation scheme, shall constitute a violation of the conditions of the Coastal Development Permit.

B. Peak Day/Weekend Parking Implementation

Seaport Village and Hyatt shall include a specific peak day and peak weekend parking implementation program in the annual submittal of their respective parking implementation programs pursuant to Section V.A.(5)(a).

C. Reporting and Monitoring

(1) Annual Reports to SDUPD and CCC

On January 15 of each year, permit holders for commercial recreational development shall file an annual parking implementation report with SDUPD,

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

which shall transmit a copy to the San Diego office of the California Coastal Commission.

(2) Mandatory Parking Program Refinement and Correction

As a condition of their respective coastal development permits, leaseholders shall implement parking program refinements that may be required by SDUPD.

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

TABLE A. PARKING DEMAND, MANAGEMENT, AND SUPPLY

1. PUBLIC ACCESS

1.01	Existing Parking	615 spaces
1.02	Parking to be removed	-160 spaces
		455 spaces
1.03	New Public Access Parking	
a.	Seaport Village (located below Central Park)	100 spaces
ab.	Hyatt	100 spaces
1.04	Total Public Access Parking (does not include Central Park or N. Emb. Park parking)	<u>555</u> 655 spaces

2. CENTRAL PARK AND NORTH EMBARCADERO MARINA PARK

2.01	Central Park area existing at grade parking	60 spaces (est.)
2.02	Central Park area existing at grade parking removed	60 spaces (est.)
2.03	New Central Park (Kettner Blvd. Row) parking	35 spaces
2.04	Total Central Park at grade parking	35 spaces
2.015	North Embarcadero Marina Park at grade parking	87 spaces
2.026	Total Central and No. Emb. Marina Park at grade parking	<u>87</u> 122 spaces

2.037 Total Dedicated Public Access Parking 642 777 spaces

3. SEAPORT VILLAGE

3.01	Existing Seaport Village Parking Onsite	550 spaces
3.02	Existing Seaport Village Parking Offsite	214 spaces
3.03	Total Existing Seaport Village Parking	764 spaces
3.04	Seaport Village Parking Spaces to be removed	663 spaces
3.05	Seaport Village Parking Spaces remaining	101 spaces
3.06	Existing SPV Retail SF: 70,000	
	CCC 1978 Guidelines 1 space @ 300 SF	234 spaces
	CCC Mission Bay LCPA 1-95 Guidance 1 sp. @ 500 SF	140 spaces
	ULI Shared Parking Standard 1 space @ 200 (weekend)	350 spaces
3.07	Proposed SPV Retail SF: 110,3000	
	CCC 1978 Guidelines 1 space @ 300 SF	368 spaces
	CCC Mission Bay LCPA 1-95 Guidance 1 sp. @ 500 SF	221 spaces
	ULI Shared Parking Standard 1 space @ 200 (weekend)	552 spaces
3.08	Total Retail Parking Spaces Required	<u>602</u> 361/902 spaces
3.09	Existing SPV Restaurant SF: 30,000	
	CCC 1978 Guidelines 1 space @ 100 SF	300 spaces

SOUTH EMBARCADERO PARKING MANAGEMENT AND MONITORING PROGRAM

3. SEAPORT VILLAGE, Cont'd

CCC Mission Bay LCPA 1-95 Guidance 1 sp. @ 200 SF		150 spaces
ULI Shared Parking Standard 1 space @ 50 SF (weekend)		600 spaces
3.10 Proposed SPV Restaurant SF: 80,980		
CCC 1978 Guidelines 1 space @ 100 SF		810 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp. @ 200 SF		405 spaces
ULI Shared Parking Standard 1 space @ 50 SF (weekend)		1620 spaces
3.11	Total Restaurant Parking Spaces Required	1,110/555/2,220 spaces
3.12 Proposed Entertainment Space (800 seats)		
CCC 1978 Guidelines (incl. in retail)		na
CCC Mission Bay LCPA 1-95 Guidance (incl. in retail)		na
ULI Shared Parking Standard 0.3 space @ 1 seat		240 spaces
3.13	Total Entertainment Parking Spaces Required	na/na/240 spaces
3.14	Total Commercial Parking Spaces Required:	
1978 CCC Guidelines		1,712 spaces
CCC Mission Bay LCP 1-95 Guidance		916 spaces
ULI Shared Parking Standard		3,362 spaces
3.15	Total Dedicated Public Access Parking Spaces Required	100 spaces
3.16	Total Parking Spaces Required:	1,812/1,016/3,462 spaces
3.17 Parking Demand Reduction Program		
3.18 Employee/Owner Offsite Parking (weekends)		
Existing Seaport Village		20 spaces (owner)
Proposed New Seaport Village		60 spaces (owner)
(Employees already park offsite on weekends)		
3.19	Employee/Owner Onsite Parking (weekends)f	0 spaces
3.20	Bike rack Parking Spaces 250=125 cars	125 spaces
3.21	Pedicab Parking Spaces 30=15	15 spaces
3.22 Mass Transit Use (50% employees w/out		
Weekday parking permit, 478 @ 2/car)		120 spaces
3.23	Valet Onsite (Peak), 100 spaces	100 spaces
3.24	Valet Offsite (Peak)	
CCC 1978 Guidelines		46 spaces
CCC Mission Bay LCP Guidance		0 spaces
ULI Shared Parking Standard		1,696 spaces
(100% automobile patron traffic: worst case)		

SOUTH EMBARCADERO PARKING MANAGEMENT AND MONITORING PROGRAM

3. SEAPORT VILLAGE, Cont'd

3.25 Total Onsite Commercial Parking Provided	1,306 spaces
(assumes elimination of New West Surface Lot in Park Plaza)	
3.26 Total Onsite Dedicated Public Parking Provided	100 spaces
3.27 Total Onsite Parking Provided	1,406 spaces

34. HYATT

34.01 Existing Hyatt Parking Onsite	1,342,116 spaces (LL&G)
34.02 Existing Hyatt Parking Offsite	19 spaces (ACE parking lot)
34.03 Total Existing Hyatt Parking	1,361,135 spaces
34.04 Hyatt Parking Spaces to be removed	19 spaces
34.05 Hyatt Parking Spaces Remaining	1,342,116 spaces
(180,400 valet on-site commercial spaces provided)	
34.06 Existing Hyatt Hotel Rooms: 875	
CCC 1978 Guidelines 1 space: 1 room	875 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp:1 room	875 spaces
ULI Shared Parking Standard 1 space @ 1 room	875 spaces
Proposed Hyatt Hotel Rooms: 810	
CCC 1978 Guidelines 1 space: 1 room	810 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp:1 room	810 spaces
ULI Shared Parking Standard 1 space @ 1 room	810 spaces
34.07 Total Hotel Room Parking Required	1,685 spaces
34.08 Existing Hyatt Retail SF: 4,400	
CCC 1978 Guidelines 1 space @ 300 SF	15 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp @ 500 SF	9 spaces
ULI Shared Parking Standard 1 space @ 200 (weekend)	22 spaces
(No new Hyatt retail is proposed)	
34.09 Total Retail Parking Required	15/9/22 spaces
34.10 Existing Hyatt Restaurant SF: 16,050 (743 seats)	
CCC 1978 Guidelines 1 space @ 100 SF	161 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp @ 200 SF	80 spaces
ULI Shared Parking Standard 1 space @ 50 SF (weekend)	321 spaces
No new restaurant space proposed	
34.11 Total Restaurant Parking Spaces Required	161/80/321 spaces
34.12 Existing Meeting/Ballroom Space SF: 45,500 SF	
CCC 1978 Guidelines 1 space @ 200 SF	228 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp @ 200 SF	228 spaces
ULI Shared Parking Standard 1 space @ 33 SF	1,379 spaces

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

34. HYATT, Cont'd

Proposed Meeting/Ballroom Space SF: 40,850	
CCC 1978 Guidelines 1 space @ 200 SF	204 spaces
CCC Mission Bay LCPA 1-95 Guidance 1 sp @ 200 SF	204 spaces
ULI Shared Parking Standard 1 space @ 33 SF	1,238 spaces

34.13 Total Meeting Ballroom Parking Spaces Required 432/432/2,617 spaces

<u>34.14 Total Commercial Parking Spaces Required:</u>	
1978 CCC Guidelines	2,293 spaces
CCC Mission Bay LCP 1-95 Guidance	2,206 spaces
ULI Shared Parking Standard	4,645 spaces

<u>34.15 Total Public Access Parking Spaces Required</u>	100 spaces
---	-------------------

34.16 Total Parking Spaces Required 2,393/2,306/4,745 spaces

34.17 Parking Demand Reduction Program

<u>34.18 Employee Onsite Parking</u>	
Existing Hyatt	200 spaces
Proposed Existing and New Hyatt	-200 spaces

<u>34.19 Employee/Staff Parking</u>	200 spaces
--	-------------------

<u>34.20 Bike rack Parking Spaces 300=150 cars</u>	150 spaces
---	-------------------

<u>34.21 Pedicab Parking Spaces 30=15 cars</u>	15 spaces
---	------------------

<u>34.22 Mass Transit Use (300 employees @ 2/car)</u>	150 spaces
--	-------------------

<u>34.23 Valet Onsite (Peak), 280/400 spaces</u>	<u>280/400 spaces</u>
(CCC 1995 LCPA 1-95 Guidance: 4 spaces)	

<u>34.24 Airport Shuttle Service (25% of hotel patrons)</u>	421 spaces
--	-------------------

<u>34.25 Valet Offsite (Peak)</u>	
CCC 1978 Guidelines	141 spaces
CCC 1995 Mission Bay LCP Guidance	54 spaces
(Off-site valet parking unnecessary)	
ULI Shared Parking Standard	2,493 spaces
(100% automobile patron traffic: worst case)	

<u>34.26 Total Onsite Commercial Parking Provided</u>	<u>1,342/1,116 spaces</u>
--	----------------------------------

<u>34.27 Total Onsite Dedicated Public Parking Provided</u>	100 spaces
--	-------------------

<u>34.28 Total Onsite Parking Provided</u>	<u>1,442/1,216 spaces</u>
---	----------------------------------

**SOUTH EMBARCADERO PARKING MANAGEMENT AND
MONITORING PROGRAM**

Figure 1: Model "Legal Assurance" Form

[Month], [Day], [Year]

[Name]

[Position]

San Diego Unified Port District
P.O. Box 488
San Diego, California 92112

Dear [Name]:

Subject: SOUTH EMBARCADERO/[HYATT REGENCY]/[SEAPORT VILLAGE]
OFF-SITE PARKING

This will confirm that [Name of Parking Facility], located at [Address], and owned by [Name of Owner], is contractually committed to provide [the Hyatt Regency Hotel]/[Seaport Village], for consideration, up to [Number] of parking spaces on [nights], [weekends], [holidays], and up to [Number] of parking spaces between 8 a.m. and 5 p.m. Monday through Friday, for specified peak parking demand periods which require supplemental off-street parking as part of the South Embarcadero Parking Management and Monitoring Program.

These spaces will be available on [List Date(s)]. Spaces [will] [will not] be available at other times on an as-needed basis. [No Spaces] [Only Specified Number of Spaces] will be available on [List Dates] when [Name of Parking Facility] expects to have [no] [reduced] excess capacity. [Hyatt Regency Hotel]/[Seaport Village] agrees to provide [patron] [employee] shuttle service between [Name of Parking Facility] and [the Hyatt Regency] [Seaport Village] during the time periods specified in Paragraph 1. This agreement is in effect from [Month, Day, Year] to [Month, Day, Year].

Additional questions or comments should be directed to [Name, Title, Phone Number].

Sincerely,

[Owner/Authorized Agent]

ATTACHMENT: Contract between [Parking Provider] and [Hyatt Regency]
[Seaport Village]

TABLE B. PARKING DEMAND, MANAGEMENT, AND SUPPLY FOR THE OLD POLICE HEADQUARTERS & PARK PROJECT

Scenario	Size (sf)	Book Parking Rate ⁽¹⁾	Book Parking Demand	Friday with Shared Parking			
				% Occupancy at 1:00 p.m.	Net Parking	% Occupancy at 7:00 p.m.	Net Parking
Existing Seaport Village							
Restaurants	31,558	10 sp/KSF	316	70%	221	100%	316
Retail	55,153	4 sp/KSF	221	100%	221	75%	165
Storage	1,829	1 sp/KSF	2	90%	2	0%	0
Office	3,734	2.8 sp/KSF	10	90%	9	0%	0
Subtotal	92,274		549		453		481
Old Police Headquarters Project							
Bazaar del Mundo							
Restaurant	26,007	10 sp/KSF	260	70%	182	100%	260
Restaurant patio	14,792	10 sp/KSF	148	35%	52	50%	74
Retail	14,735	4 sp/KSF	59	100%	59	75%	44
Support Office	5,635	2.8 sp/KSF	16	90%	14	0%	0
Storage	8,190	1 sp/KSF	8	90%	7	0%	0
Dinner Theatre							
Restaurant	16,302	10 sp/KSF	163	0%	0	100%	163
Restaurant patio	5,698	10 sp/KSF	57	0%	0	50%	28
Support Office	1,227	2.8 sp/KSF	3	90%	3	0%	0
Public Market							
Interior Retail	12,113	4 sp/KSF	48	100%	48	75%	36
Exterior Retail	4,107	4 sp/KSF	16	100%	16	75%	12
Storage	6,097	1 sp/KSF	6	90%	5	0%	0
Pier Walk Building (Fish Processing)							
Fish Processing	14,655	2.5 sp/KSF	37	100%	37	0%	0
Restaurants	3,375	10 sp/KSF	34	70%	24	100%	34
Restaurant patio	4,000	10 sp/KSF	40	35%	14	50%	20
Retail	3,075	4 sp/KSF	12	100%	12	75%	9
Storage ⁽²⁾	1,346	1 sp/KSF	1	90%	1	0%	0
Subtotal			909		476		681
Total without Adjustments			1,458		928		1,162
Adjustments							
Transit				-5%	-46	-10%	-116
Waterfront				30%	278	10%	116
Subtotal					232		0
Grand Total			1,458		1,160		1,162
Proposed Parking Supply ⁽³⁾			944		944		944
Parking Surplus/Deficiency			-547		-216		-218

⁽¹⁾ Rates based on the San Diego Unified Port District's Tidelands Parking Guidelines dated January 2001.

⁽²⁾ Storage space relocated from Seaport Village. Since "net parking" in the PM hour is "0", the amount does not effect the overall parking demand; therefore, it was not subtracted.

⁽³⁾ The proposed parking supply accounts for 789 on-site spaces, 35 off-site spaces (Navy Lot), plus 120 valet-parking spaces.



FIGURE 4.4-1

G LAND USE MAP


EXHIBIT #5	
Existing Land Uses Map	
PMPA #36 Old Police Station and Park	
 California Coastal Commission	



FIGURE 3.4-3

TUAL SITE PLAN

EXHIBIT #6
Conceptual Site Plan
PMPA #36 Old Police Station and Park
California Coastal Commission

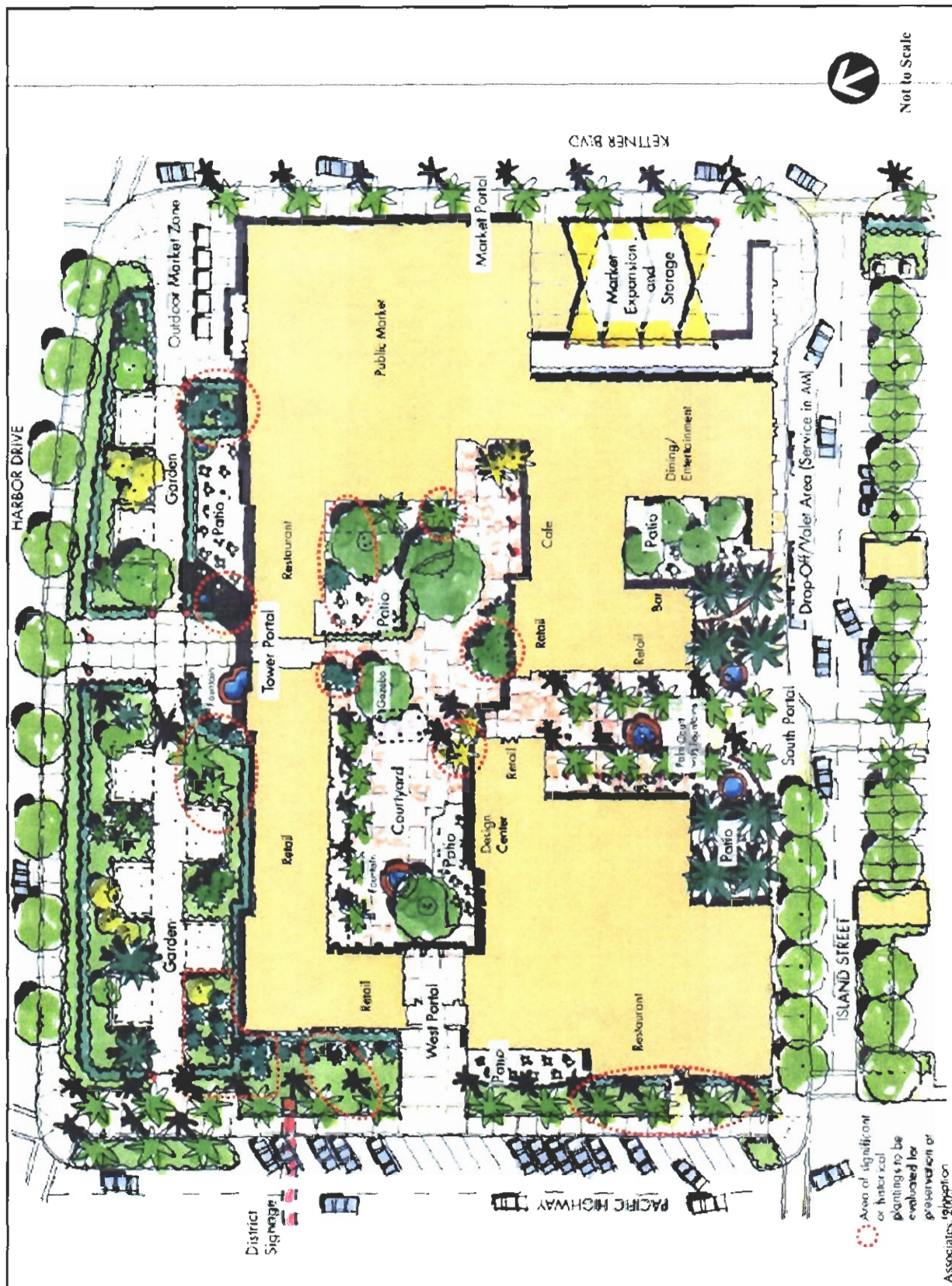
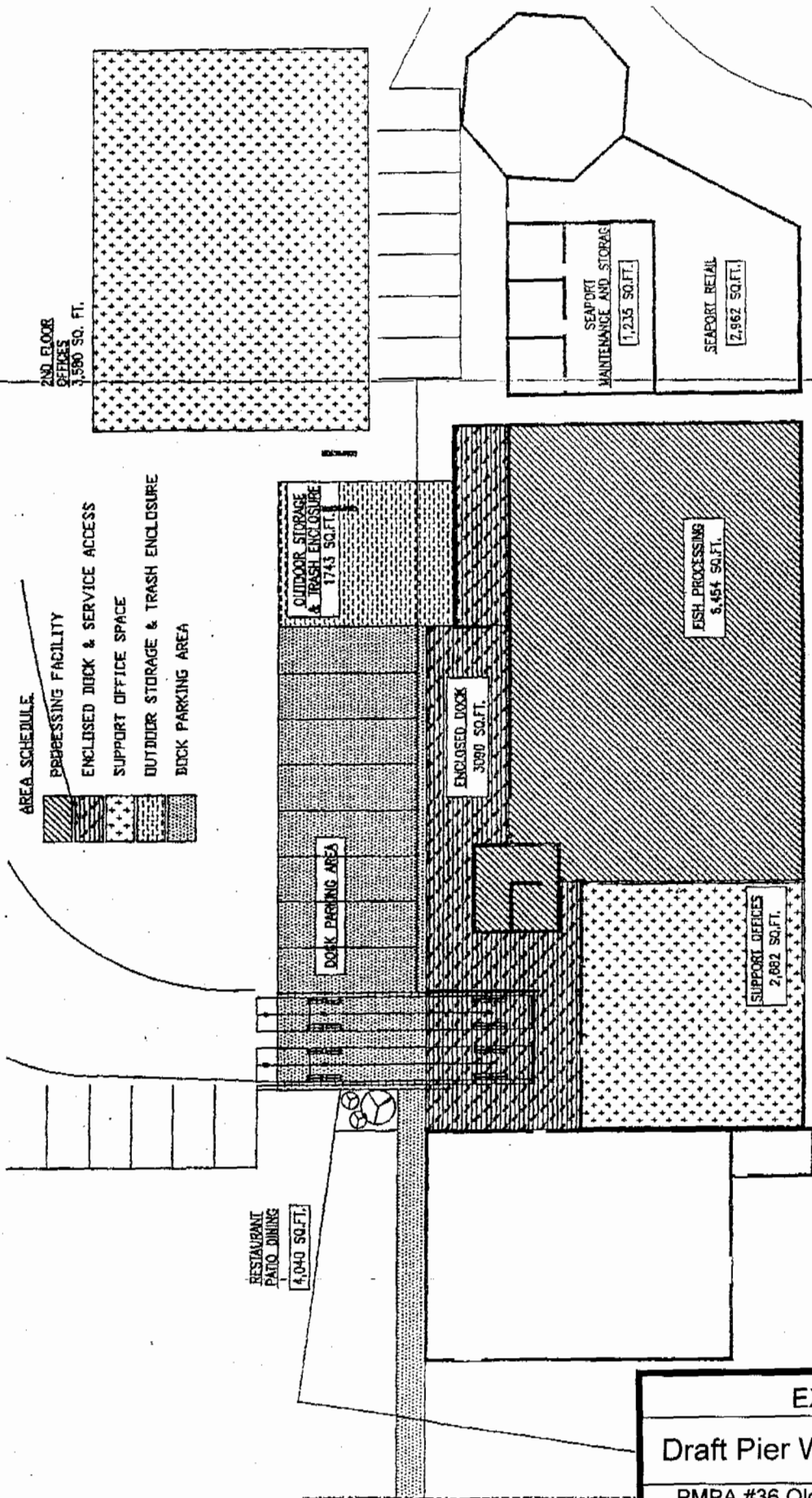


FIGURE 3.4-10

LICE HEADQUARTERS CONCEPT PLAN

EXHIBIT #7	
OPH Concept Plan	
PMPA #36 Old Police Station and Park	
California Coastal Commission	



AREA SCHEDULE

- PROCESSING FACILITY
- ENCLOSED DOCK & SERVICE ACCESS
- SUPPORT OFFICE SPACE
- OUTDOOR STORAGE & TRASH ENCLOSURE
- DOCK PARKING AREA

Q11



GMS REALTY, LLC
 5873 AVENUE ENCLAVE
 SUITE 300
 CARLSBAD
 CALIFORNIA 92008
 760-464-8800
 FAX 760-464-8802

Leased Premises
Chesapeake Fish Processing Facility
Seaport Village

200 West Park Blvd, Suite 300
 San Francisco, CA 94102
 (415) 392-1000
 www.gmsrealty.com

EXHIBIT #8

Draft Pier Walk Bldg Site Plan

PMPA #36 Old Police Station and Park

California Coastal Commission

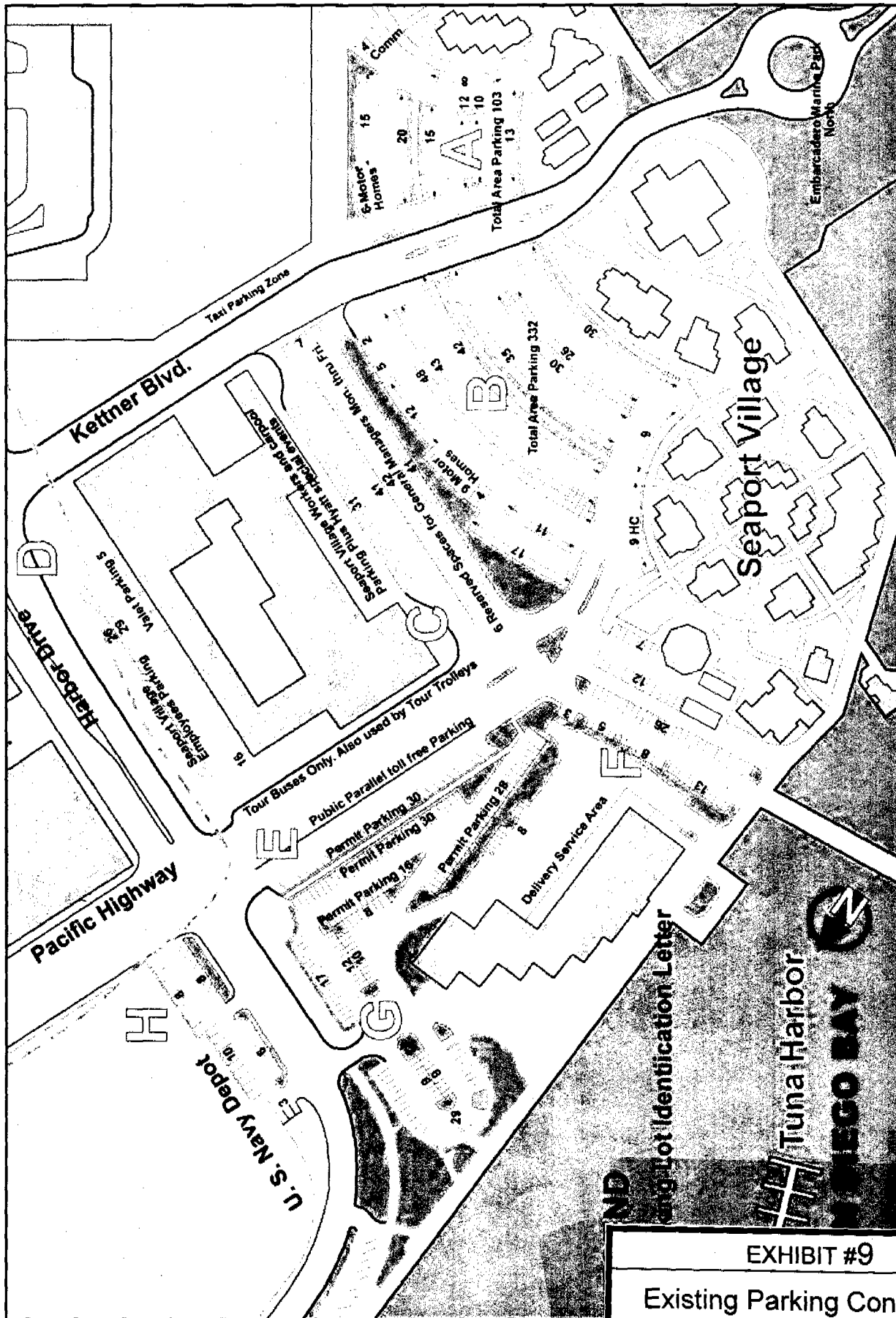


FIGURE 4.3-1

EXISTING PARKING CONDITIONS

EXHIBIT #9

Existing Parking Conditions

PMPA #36 Old Police Station and Park

California Coastal Commission

VIA HAND DELIVERY

July 20, 2006

Diana Lilly
California Coastal Commission
San Diego District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4402

RECEIVED

JUL 20 2006

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

**SUBJECT: PORT MASTER PLAN AMENDMENT #36
OLD POLICE HEADQUARTERS & PARK PROJECT**

Dear Ms. Lilly:

Pursuant to your request, this letter contains additional information intended to assist in your analysis of the Old Police Headquarters and Park (OPH&P) Port Master Plan Amendment (PMPA). The primary purpose of this letter is to provide background regarding the PMPA, San Diego's commercial fishing industry, as well as details pertaining to the fish processing facility located within the project site.

Background

For the past 20 years, the Port has worked with a number of developers in an attempt to redevelop the blighted and underutilized area surrounding the OPH and Harbor Seafood Mart Building. While the OPH building is on the National Registry of Historic Places, it has been abandoned since 1987, is in a blighted condition and has been subjected to vandalism and vagrancy. The proposed project is the result of a variety of efforts to improve not only the utilization and aesthetics of the property, but to increase the public benefit from the entire project site as well. We strongly believe that this PMPA represents the best opportunity to successfully redevelop this site. The proposed Port Master Plan amendment and resulting project will accomplish the following:

- Redevelop an underutilized building, and preserve and rehabilitate a historically significant structure – each of which have stood vacant for more than 12 years;
- Provide a multitude of pedestrian and public space enhancements, including the creation of a new 3.3-acre waterfront park;
- Create enhanced public views and access to the San Diego Bay;

- Preserve and enhance commercial fishing support facilities;
- Transform a blighted area into a destination place that will attract visitors and locals to the San Diego waterfront; and,
- Provide a focal point that will connect the North and South ends of the Embarcadero.

The Port has placed a tremendous amount of effort into coordinating with key stakeholders to ensure the project will indeed accomplish the benefits listed above and believes that implementation can be successfully accomplished soon after certification of the PMPA.

Proposed Port Master Plan Amendment Overview

The current Port Master Plan adopted as part of SERP I in 1998 provided for construction of a new Central Park to provide improved public access from the upland area to the bayfront. However, construction of the Central Park would have required demolition of all or a substantial part of the OPH. When the Coastal Commission approved the PMPA for SERP I, it directed Port staff to save as much of the OPH as possible while still providing improved public access to the bayfront. The proposed project attempts to accommodate this direction by relocating the new public park area in order to retain the OPH for rehabilitation and reuse.

The proposed amendment to the Port Master Plan also intends to memorialize the presence of valuable commercial fishing uses on the Embarcadero by assigning approximately 0.7-acre of land area with a new Commercial Fishing land use designation. Specifically, the footprint of the existing commercial fishing facility and a small area of land next to the Fishing Pier will be re-designated from Commercial Recreation to Commercial Fishing. In addition, the existing dock utilized for unloading catches that is currently designated as Commercial Fishing Berthing will be re-designated as Commercial Fishing. Other changes included with the PMPA involve an increase in land area designated as Park/Plaza, as well as the re-designation of land area as Commercial Recreation in order to allow for the adaptive reuse of the OPH building.

Based on our recent conversation, the Coastal Development Permit type referenced for the Pier Walk Building on the Table 10 Project List submitted with the draft PMPA will be revised from a "Non-Appealable" to an "Appealable" Coastal Development Permit. Also, specific pedestrian enhancements proposed to the entrance of the Fishing Pier are considered a component of the Pier Walk Building development project (No. 12 on PMPA Project List) and would be included when the Port considers a Coastal Development Permit for that building.

As indicated on the attached exhibit showing the proposed PMPA land use designations overlain on the schematic Pier Walk Building, approximately one half of the Pier Walk Building is designated as "Commercial Fishing" and the other half is designated as "Commercial Recreation". Therefore, all future land uses within this building must be consistent with the PMP land use designations. Below is the Port Master Plan language relative to the Commercial Fishing land use designation:

*The **Commercial Fishing** area is intended to meet the needs of the bona fide commercial fishing fleet for: marinas, berthing and moorings, net mending and the minor repair of fishing equipment; the loading of stores and provisions; fish unloading and transshipment; and fresh fish market operations involving restaurants, retail and wholesale operations, including some limited accessory fresh fish processing activities that are not associated with visual, odor and water pollution. Fish cannery and fish reduction activities are considered as marine oriented industrial uses and are excluded from this commercial classification, although it is recognized that the uses are functionally linked. Other uses associated with the commercial fishing developments include marine management and advisory services, marine custom brokerage, fueling docks, fishing consultants, and fishing organization offices.*

The Port fully intends for all subsequent Coastal Development Permits issued for this project area to be consistent with the Port Master Plan. Components of the plan for redeveloping the site are discussed below.

Pier Walk Building

A critical component of the project is to provide a new Commercial Fishing land use designation over the general footprint of the current Chesapeake Fish Company operation located within a portion of the Harbor Seafood Mart Building. The current land use designation is Commercial Recreation. This new land use designation would memorialize the Port's commitment to long-term commercial fishing presence in this location.

The Harbor Seafood Mart Building is over 30 years old, approximately 50% vacant and in need of substantial maintenance and improvements. The need to replace the Harbor Seafood Mart was further confirmed after extensive design studies and due diligence determined that the existing location and orientation of the Harbor Seafood Mart (parallel to the waterfront) significantly blocks public views of San Diego Bay and would further inhibit on-site circulation, parking, and open space objectives for the proposed project. Additionally, it was determined that the current configuration of the Chesapeake Fish Company operation could be made more efficient.

As a solution, the project proposes construction of the new "Pier Walk Building," oriented perpendicular to the waterfront and situated along a primary public

access corridor to San Diego Bay (the "Pier Walk"). The Pier Walk is identified within the existing Port Master Plan as a promenade, intended to provide direct access to the waterfront. This would require the demolition of the existing Harbor Seafood Mart (35,790 square feet) and its replacement with the new "Pier Walk Building" (approximately 25,000 square feet).

The proposed configuration and site planning for the new Pier Walk Building results in more efficient use of onsite acreage. The additional acreage gained allows for improvements to onsite circulation, parking, and open space and results in enhanced public views of San Diego Bay. We believe that the replacement of the Harbor Seafood Mart as proposed increases the success of the rehabilitation of the Old Police Headquarters, provision of the new waterfront park and the public improvements prescribed by the Port Master Plan Amendment and described in the certified Environmental Impact Report for the OPH and Park Project.

Similar to the historic use of the Harbor Seafood Mart, the Pier Walk Building is designed to accommodate a mix of commercial fishing and commercial recreation uses. The attached exhibit shows an overlay of the proposed Port Master Plan Amendment (PMPA) land use designations on the schematic Pier Walk Building site plan. As proposed, the new fish processing/distribution facility is approximately 16,000 square feet and retains direct access to the waterfront and unloading dock/pier currently used by the local fishing industry.

The concept design for the new fish processing/distribution facility was developed over the past year in collaboration between the Port of San Diego, Seaport Village Operating Company (SPVOC), and Chesapeake Fish Company. Chesapeake Fish Company worked closely with SPVOC's project architect (at SPVOC's expense) to define space, operating and equipment requirements for the new facility and review potential design concepts, including truck access and circulation. Please see attached letter from Chesapeake Fish Company dated February 3, 2006. It is important to note that this project will be further defined once land use entitlements are obtained; however, basic elements of the current conceptual design are provided below:

COMMERCIAL FISHING FACILITY	CURRENT	PROPOSED
Building Shell Area	~16,400 sf	~15,800 sf
Receiving/Dock Area	2,600 sf	2,900 sf
Off-Loading Wharf / Water Area	12,531 sf	12,531 sf
Dock / Lot Parking	17 spaces	17 spaces

The new commercial fish processing/distribution facility will provide the following:

- As designed, the new facility is more efficient than the existing facility and can accommodate state-of-the-art equipment and best practices for handling seafood product, allowing for greater capacity within less square footage.
- As with the existing facility, the new facility will be significantly larger than needed to meet the capacity requirements of the local fishing industry, which we understand currently comprises approximately 25% of the overall processing capacity. The excess capacity (capacity beyond that required to meet the current demands of the local fishing industry) provides future opportunities for expanding services for local seafood if required.
- The new facility is designed to support the following critical provisions:
 - Ability to handle a variety of seafood product, including equipment for the handling of live lobsters;
 - Ability to upgrade equipment and handling procedures for new varieties of seafood;
 - Equipment for making potable ice in compliance with regulatory health requirements (this ice is also made available to the local fishing industry at no cost); and,
 - More efficient truck loading facilities with enclosed/refrigerated loading areas where previously none exist.
- The new facility will continue to provide direct, unrestricted access to joint use pier/dockside facilities (seven days a week).
- The Port will subsidize the cost of the building shell for the fish processing/distribution facility. The tenant will be responsible for interior improvements and will receive lease terms consistent with Port policy. The lease will provide that rent from this facility will pass through to the Port with no profit to SPVOC.

Old Police Headquarters Rehabilitation and Adaptive Reuse

Implementation of SERP I would have resulted in the demolition of the OPH and Harbor Seafood Mart buildings, as well as the redevelopment of the entire site, including Seaport Village. Subsequent to the Port's approval of SERP I in 1998, the OPH was placed on the National Register of Historic Places. Following a design competition for the OPH site in 2004, a master plan was selected that retained all of the historic 1939 OPH elements. Therefore, any subsequent redevelopment of the OPH would have to retain the building with minimal demolition of historic elements.

The current plan as prepared by a historic architect, retains the original footprint and historic portions of the OPH. The project proposes modifications to some

interior spaces, a minor addition, and the establishment of adequate ingress and egress for the intended use of the OPH in compliance with all applicable Uniform Building Code, Secretary of Interior's *Guidelines for Rehabilitating Historic Buildings*, public safety and disabled access laws and regulations. The building would then be adaptively reused for a variety of visitor serving and local residents' use including a public market, new restaurants, retail uses and a police historical museum.

Waterfront Park

The PMPA shifts the majority of the current Park/Plaza land use designation along Kettner Boulevard to an area currently designated as Commercial Recreation located on the waterfront between Harbor Drive and Pacific Highway. This new designation would allow for development of the new, approximately 3.3-acre waterfront public park. The Port is working closely with the San Diego Foundation to help fund enhancements to this park to commemorate Lloyd and Ilse Ruocco, a prominent San Diego architect and interior designer, respectively. We believe that this park location, as opposed to the SERP I Kettner Boulevard location, is a rare opportunity to provide a new public space immediately adjacent to the waterfront, as well as to the commercial and fishing activities along San Diego Bay. In addition, a new Park/Plaza designation of approximately one-acre in size is proposed along Harbor Drive directly in front of the OPH to allow for the development of an "urban garden" with enhanced pedestrian features.

Commercial Fishing in San Diego

The Port of San Diego has two facilities specifically designated for commercial fishing uses. The Driscoll's Wharf Marina in the Shelter Island area includes 2.9 acres of land and 5.7 acres of water. The second, at Tuna Harbor basin, is located in the former G Street Mole area along the San Diego Embarcadero. The commercial fishing area at Tuna Harbor currently includes 4.7 acres of land and 13.3 acres of water. The proposed Plan amendment will convert 0.5 acre (land) of Commercial Recreation and 0.2 acre (water) at the off-loading dock now designated Commercial Fishing Berthing, to 0.7 acre (land) of Commercial Fishing, consistent with the use designation of the two pier structures protecting the Tuna Harbor basin.

Driscoll's Wharf

Driscoll's Wharf marina provides an off-loading dock, 21,760 square feet of net mending and equipment storage area, as well as 80 parking spaces specifically set aside for the fishing fleet. The marina's water area has the capacity for 120 slip spaces and provides the closest commercial fishing facility to the harbor's entrance. The Coastal Development Permit for Driscoll's Wharf is currently within the jurisdiction of the California Coastal Commission.

Tuna Harbor – G Street Mole

Tuna Harbor basin was formed by the construction of two apron wharf piers and has the capacity for an additional 120 slip spaces adjacent to the former G Street Mole. The 4.7 acres of land includes the offices of the American Tunaboat Association (ATA) and the 30-foot wide by 900 and 400-foot long piers that form the sheltered basin. In addition to the 39,000 square foot of area on the piers, a 13,500 square foot promenade adjacent to the basin is also available for net mending. Seven spaces along those pier structures provide additional berthing space for larger commercial fishing vessels. The Embarcadero shoreline promenade immediately to the east provides visual public access to the in-port activities of the fishing vessels. There are 43 permit parking spaces available to the fleet adjacent to the Tuna Harbor basin. An additional wharf in the protected basin provides a fishing off-loading facility. The off-loading dock as well as the fish processing building are to be designated Commercial Fishing in the proposed plan amendment.

Other Port facilities

In addition to the two facilities described above, the District has other Port facilities available to commercial fishing vessel for off-loading, repairs, major maintenance and marine outfitting at locations along the Embarcadero wharf, as well as at the marine terminals, commercial piers, and shipyards in San Diego Bay.

Industry Trends

Past studies of California and San Diego Bay's Market Fishing Fleet conclude that the California fishing industry is harvesting less catch, requiring fewer fishermen and utilizing smaller fleets in both vessel length and number. In essence, the reduction in the statewide fishing fleet means the demand for landside support facilities for commercial fishing has declined. These studies report that from the 1970s through the 1990s, the amount of recorded catches and fishing vessels in the San Diego County area have decreased significantly. This has been due to a number of influences including regulation protecting tuna and other fish species, regulatory limitations on catches, fishing areas and fishing seasons and increased competition from foreign fisheries. Similar to the statewide trend, there is less demand locally for harbor space and landside support facilities to accommodate San Diego's commercial fishing industry.

Current research indicates that the trend in reported catches and fishing vessels has continued to decline through 2004. Based on information obtained from the California Department of Fish and Game (see attached tables), in 2004 the catch representing the San Diego region accounted for approximately 0.8% (2,353,508 pounds) of the statewide total (291,116,100 pounds). Of this amount, approximately 30% of the San Diego regional catch is brought in via local landings within San Diego Bay. Most notable is that the commercial fish catch in 2004 for the San Diego region has decreased by approximately 28% from the catch in 2003.

Similarly, the number of commercial fishing vessels reported to the San Diego County Tax Assessor has decreased from 170 vessels in 1994 to 107 vessels in 2005 – a 37% decrease. From 2004 to 2005 alone, the number of registered vessels in the County declined by 11%.

Although local commercial fishing appears to be a sustainable industry, the need for commercial fishing harbor space in San Diego Bay has decreased over recent years. Presently, there is more than sufficient harbor space allocated to local commercial fishing enterprises within San Diego Bay.

The OPH&P PMPA's commitment to commercial fishing will not only create appropriately designated land use areas to support these enterprises, but will also promote the long-term viability of these uses. Furthermore, the Port has and will continue to work closely with the local fishing industry as they are key stakeholders in the future of Port tidelands. Specifically, the Port is planning a series of facilitated meetings with the commercial fishermen in order to better understand and address their needs. This commitment is further demonstrated by the Port's placement of a Tunaman's Memorial in Shelter Island (see attached).

Conclusion

The Port believes that the proposal reflects a plan that was conceived from extensive public outreach and community involvement, is well supported by downtown residents, visitor serving and commercial fishing enterprises, and will benefit the region for years to come. We look forward to the Coastal Commission hearing in August.

Please call me at (619) 686-6468 if you have any questions.

Sincerely,



John W. Helmer, Manager
Land Use Planning

Attachments

cc: Ralph Hicks, SDUPD
Lesley Nishihira, SDUPD
Paul Fanfera, SDUPD
Patti Philips, SDUPD
Clint Kisner, SDUPD
Bruce Walton, GMS Realty
Kevin Becker, GMS Realty



CHESAPEAKE FISH CO.

"SERVING THE SEAFOOD INDUSTRY SINCE 1915"

535 HARBOR LANE • SAN DIEGO, CALIFORNIA 92101-5899

Accounting (619) 238-0611 Fax (619) 238-0566 • Purchasing (619) 238-0140 Fax 237-1753 • Sales (619) 238-0526 Fax 238-5592

February 3, 2006

Chairman Robert J. Spane
Port of San Diego
P.O. Box 120488
San Diego, CA 92112-0488

POD/ KJW
RECEIVED
hand-delivered
FEB - 6 2006
10:42 am
SAN DIEGO UNIFIED
PORT DISTRICT
REAL ESTATE

Dear Chairman Spane,

I am writing to express our support of the Environmental Impact Report (EIR) that the Board of Commissioners will review for certification on Tuesday, February 7, 2006. We have been working with Port staff and GMS to fashion a development plan that we hope will be good for all parties involved. The plan, which I understand you will review in closed session on February 7th, as proposed appears to be a win-win for all parties. Chesapeake Fish Company wishes to continue to be a part of the solution for the re-development of the Old Police Headquarters and surrounding areas, and look forward to working with Staff and GMS to finalize details after February 7th.

If you have any questions or comments, please call me directly at 619 238-0697.

Sincerely,

Mark Bailey
President, Chesapeake Fish Company
MAB/bfd

cc:

Vice Chair Sylvia C. Rios, Port of San Diego
Secretary Michael B. Bixler, Port of San Diego
Commissioner Stephen P. Cushman, Port of San Diego
Commissioner William A. Hall, Port of San Diego
Commissioner Robert Valderrama, Port of San Diego
Commissioner Victor A. Vilaplana, Port of San Diego
President/CEO Bruce B. Hollingsworth, Port of San Diego
District Clerk, San Diego Unified Port District
Paul Fanferra, San Diego Unified Port District
Patti Phillips, San Diego Unified Port District

IMPORTER/PRODUCER/DISTRIBUTOR OF FRESH AND FROZEN SEAFOODS

14/MAR/05-AJF

California Commercial Fish Catch

Source: PACFIN* and CDFG

San Diego			California	
YEAR	Pounds	Dollar Value	Pounds	Dollar Value
2005	N/A	N/A	292,382,400	\$106,700,984
2004	2,353,508	5,037,578	*291,116,100	*126,778,449
2000	3,282,967	6,615,617	*556,818,400	*137,455,988
1995	1,954,480	3,258,510	*427,886,600	*160,548,788
1990	3,789,300	5,944,940	*398,315,900	*147,486,036
1985	6,371,348	7,194,815	*364,482,700	*128,532,590
1980	294,878,732	170,883,139	800,712,903	315,932,739
1975	84,964,548	22,512,785	979,816,165	164,338,282
1970	71,246,637	12,841,076	798,415,322	113,379,776
1965	65,509,781	9,037,882	544,419,901	66,208,358
1960	41,509,781	5,131,178	543,412,951	48,905,266
1955	111,148,593	16,321,933	710,713,523	69,114,444
1950	200,899,738	30,292,739	1,336,012,157	85,223,449
1945	105,871,620	11,265,846	1,215,919,582	38,670,016
1940	114,850,216	6,993,360	1,296,018,348	20,399,440
1935	102,320,282	3,900,000	1,181,415,064	13,950,000

SAN DIEGO REGION COMMERCIAL FISH CATCH 2000-2003

Source: CDFG

YEAR	POUNDS	DOLLAR VALUE
2004	2,353,508	5,037,578
2003	3,282,967	5,669,405
2002	3,247,109	5,396,662
2001	2,852,423	5,683,602
2000	2,961,750	6,615,617

POUNDS/ VALUE OF LANDINGS BY PORT, SAN DIEGO REGION-2004

Source: CDFG

City	Pounds	Dollar Value
San Diego	694,508	2,029,716
Oceanside	314,808	814,946
Mission Bay	795,184	1,546,630
Point Loma	547,478	642,398
All Other	1,532	3,888
Total	2,353,508	5,037,578

Five Top Fisheries in San Diego Region-2004

Source: CDFG

Fishery	Dollar Value	Fishery	Pounds
LOBSTER	2,046,015	N/A	N/A
SWORDFISH/SHARK	1,026,629		
SEA URCHINS	522,944		
SPOT PRAWNS	486,415		
TUNAS	186,948		
Total	4,268,951		
Percent of All Fisheries	85%		

SPECIAL PROPERTY TAX ASSESSMENT STATUS OF COMMERCIAL FISHING VESSELS BY COASTAL COUNTIES OF CALIFORNIA DURING 1994-2005

NAME OF COUNTY	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
SAN DIEGO	170	150	150	131	140	131	131	154	152	166	120	107
ORANGE ¹	n/a	n/a	n/a	n/a	80	81	76	70	72	65	70	55
LOS ANGELES ²	128	146	150	179	204	228	210	228	256	259	188	155
VENTURA ³	108	109	112	118	96	90	96	89	96	81	104	106
SANTA BARBARA	184	198	186	183	182	184	159	147	142	127	143	123
SAN LUIS	198	197	188	186	172	147	152	149	146	148	125	118
OBISPO												
MONTEREY	435	414	413	411	412	395	378	367	357	325	299	281
SANTA CRUZ ⁴	n/a	n/a	n/a	69	73	57	47	48	47	38	38	32
SAN MATEO	143	141	89	118	133	131	100	115	97	92	81	74
SAN FRANCISCO ⁵	n/a	n/a	n/a	78	71	57	41	30	59	59	53	50
ALAMEDA	63	66	66	61	53	50	43	40	41	42	42	37
CONTRA COSTA	25	27	28	27	29	30	30	30	29	29	12	14
NAPA	2	2	2	2	3	4	4	4	5	10	11	10
SOLANO ⁶	12	9	12	15	13	12	10	9	8	7	5	6
MARIN ⁷	n/a	n/a	n/a	n/a	34	35	39	38	38	36	27	22
SONOMA	n/a	n/a	217	193	194	183	172	160	164	154	147	157
HUMBOLDT	194	183	169	150	188	158	165	154	148	128	125	126
MENDOCINO	280	242	239	218	211	165	156	134	127	122	106	132
DEL NORTE	153	144	152	147	157	149	151	136	126	124	126	117
Totals ⁸					2446	2202	2076	2017	2025	1927	1826	1717

¹ For period 1994-1997 no data was found by the Office of the Assessor.

² The Principal Appraiser, Marine & Aircraft Section provided a letter showing "the annual number of vessels that the County of Los Angeles assessed and classified as Commercial Fishing Vessels for the decade 1994-2003." He orally advised that it was not a report on how many commercial fishing vessels received the Special 4% Assessment as commercial fishing vessels, that the data may include commercial passenger fishing vessels (CPFVs), and oceanographic research vessels, and that the annual numbers for the years 1994-1998 were not considered complete and reliable. The Acting Chief, Information Technology Division advised in writing that "it is not possible to programmatically extract them (Special 4% Assessment commercial fishing vessels) from our data base." Note that for 2004 and 2005 reflect the downward trend for the entire State and therefore appear more reliable.

³ Unknown number of documented CPFV were included. This may be true also for 2004 and 2005.

⁴ No information for lien years 1994 and 1995 provided, and for lien years 1997, 1998, and 1999, the numbers provided is "the number of claim forms mailed". In 1998, Santa Cruz County established a minimum value assessment of \$5000; it is believed that "probably 5-10 commercial fishing vessels operating from San Cruz Harbor" are under this value thereby removing the need to file an exemption claim form.

⁵ The Assessor reported: "Our records only go back 7 years."

⁶ For lien year 1993-94, the annual total of 22 vessels. The Assessor's report dated 04 Oct 05 6 vessels (3 documented) received "the 4% Fishing Vessel Exemption."

⁷ The Assessor reported: "data unreliable" for the years 1994-1997.

⁸ CDFG reports that during years 1994, 1995, 1996, 1997, "total registered commercial fishing vessels 6,450, 6,401, 6,309, 6,210, 6,111, 6,012, 5,913, 5,814, 5,715, 5,616, 5,517, 5,418, 5,319, 5,220, 5,121, 5,022, 4,923, 4,824, 4,725, 4,626, 4,527, 4,428, 4,329, 4,230, 4,131, 4,032, 3,933, 3,834, 3,735, 3,636, 3,537, 3,438, 3,339, 3,240, 3,141, 3,042, 2,943, 2,844, 2,745, 2,646, 2,547, 2,448, 2,349, 2,250, 2,151, 2,052, 1,953, 1,854, 1,755, 1,656, 1,557, 1,458, 1,359, 1,260, 1,161, 1,062, 963, 864, 765, 666, 567, 468, 369, 270, 171, 62, 53, 44, 35, 26, 17, 8, 7, 6, 5, 4, 3, 2, 1, 0."

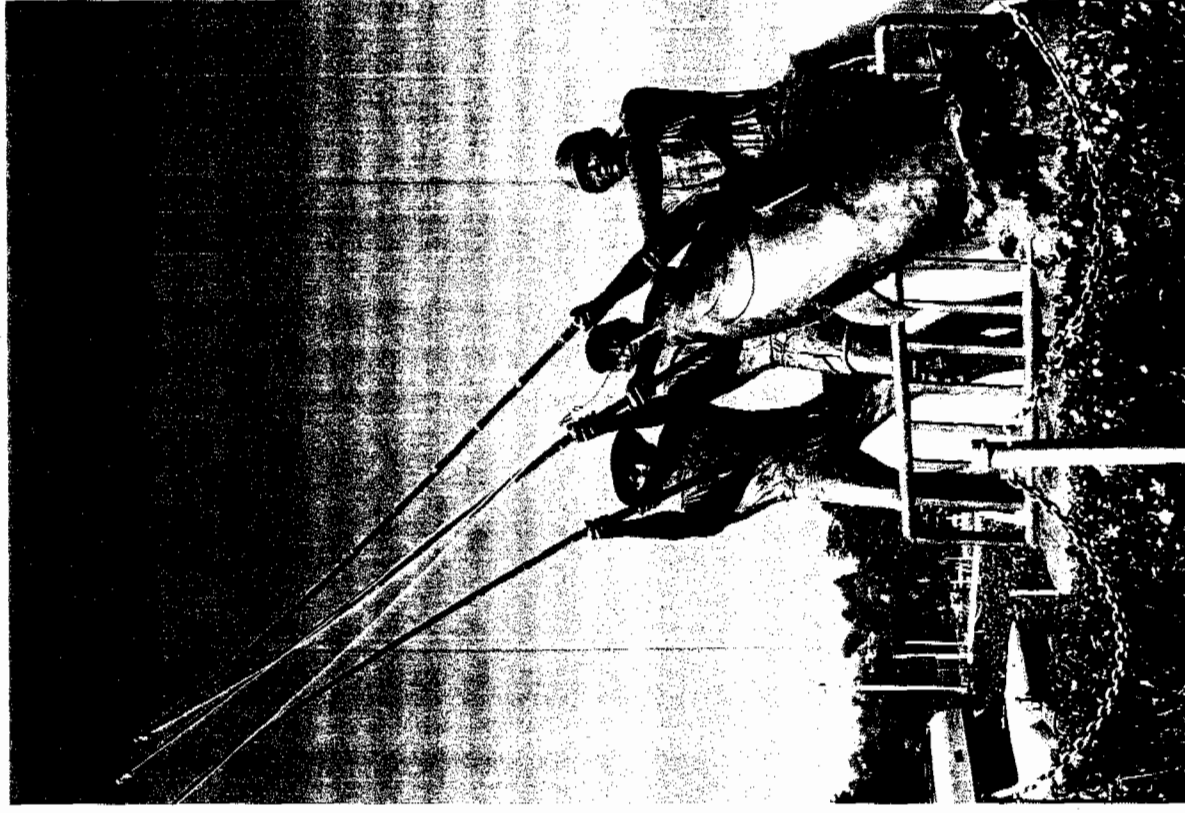
Tunaman's Memorial

Franco Vianello
Shelter Island

Located southwest end of island, facing bay.
Large bronze sculpture and granite marker

This sculpture is a symbol of the courage and determination of the men of the tuna fleet that once operated in the Pacific from its base in San Diego Bay. The statue represents fishermen of different ethnic backgrounds - Italian, Japanese, Portuguese, and Slavic - who were engaged in this fishery. A commercial fisherman himself, artist Franco Vianello invests this work with a special drama and authenticity.

The Portuguese Historical Center and others in the local fishing communities sponsored and funded this memorial, which was dedicated in October 1988. The Port of San Diego contributed the granite base and installation. The bronze sculpture weighs 9,000 pounds and stands 21-feet to the tip of the fishing pole. Its inscription reads: "Tunaman's Memorial Honoring those that built an industry and remembering those that departed this Harbor in the Sun and did not return.-Anthony Mascarenhas"





CHESAPEAKE FISH CO.

"SERVING THE SEAFOOD INDUSTRY SINCE 1915"

535 HARBOR LANE • SAN DIEGO, CALIFORNIA 92101-5899

Accounting (619) 238-0611 Fax (619) 238-0566 • Purchasing (619) 238-0140 Fax 237-1753 • Sales (619) 238-0526 Fax 238-5592

July 21, 2006

Diana Lilly
California Coastal Commission
San Diego District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4402

**Subject: Port Master Plan Amendment #36, Old Police Headquarters and
Park Project**

Dear Ms. Lilly,

As discussed, this letter contains "the rest of the story" as Paul Harvey would say, with regard to the Port of San Diego's Port Master Plan Amendment #36 and letter of additional information dated July 20, 2006. It is very disheartening that the details of this letter came out so late, but we have our initial comments below. Obviously with adequate time to review, our comments will be more directed and documented.

In addition I feel it was unfair, underhanded and out of context for the Port to use our February 2006 letter as support for their position. Never were we contacted about using the letter and certainly had no prior knowledge that it would be used against us. I will be sending a letter to rescind my letter and support, and I will go on public record at the next San Diego Port Commission Board meeting documenting the same.

I. **Comments regarding Port Master Plan Amendment:**


With regard to the Amendment as submitted, specific issues are as follows:

1. On page 77, paragraph 2 added language that states "The entrance to this joint use pier will be enhanced to provide a strong pedestrian linkage from waterfront viewing areas to the reconfigured commercial fishing and retail area (formerly occupied by the Harbor Seafood Mart building). The pier walk will connect to the new bayfront public park to the (N)orth, as well as the entrance to Seaport Village ... It is impossible to link the East/West pier walk to the Park which is proposed at the North West end of the project, unless you consider the existing boardwalk as the link.

EXHIBIT #11

Letters of Opposition

PMPA #36 Old Police Station and Park

 California Coastal Commission

IMPORTER/PRODUCER/DISTRIBUTOR OF FRESH AND FROZEN SEAFOODS

2. On page 77, paragraph 3 they have deleted a key provision of the original Plan by removing the reference to retaining the existing 20,000 square foot building area. In fact, this appears to be from a prior MP Amendment in 1998 that incorrectly calls out the size of the existing building. They then added "the underutilized Harbor Seafood Mart building.... The only reason the building is "underutilized" is because the Port of San Diego has refused for over 10 years to offer a lease in excess of one year. No reasonable business would enter into such a lease. We just have to be here and have no alternative location options. One prior Port employee in the Real Estate department told me personally that the Port would rather have the building empty than rent it out because it is easier to tear the place down if there are less tenants. Chesapeake has been on a notice of termination since 1999. For over 6 years we had no more than 18 months of lease term, with as little as 12 months at times. For a 91 year old Company that has been a tenant in good standing in a water dependent, protected Industry this is distressing. Banking, employee, supplier and customer relations are stranded under such uncertain terms. Currently we are on a Temporary Use and Occupancy Permit (TUOP) that grants use no more than 90 days of occupancy at any point in time. Chesapeake Fish, which has increased its leased square footage over the years through contracting for additional leased space (always only offered short term by the Port) and building additional space (which the Port only paid the undepreciated cost of construction when they terminated the lease). Also we are the largest square footage stakeholder in the Harbor Seafood Mart however, Aquamarine and Pesca International are also tenants and are part of the Commercial Fishing industry. The Port occupies part of the building for meetings and rents it for community training and events. Therefore, when Mr. Helmer refers to the Harbor Seafood Mart being "approximately 50% vacant" it is extremely misleading and inaccurate. At the very least it is what the Port has created. He also states that it is in need of substantial maintenance. Again, the Port has created the situation and should still be responsible for the maintenance as the Landlord.
3. The same paragraph continues to say "The Precise Plan underlying the portion of the new Pier Walk building nearest the unloading dock will have a land use designation of Commercial Fishing to provide for the retention of valued commercial fishing activities. On the surface this sounds good, however the devil is in the details. The Master Plan states that Commercial Fishing can mean fresh fish market operations involving restaurants, retail and wholesale operations. In fact the Ports letter of July 20, 2006 states on page 3 of 8 paragraph 1 that "approximately half of the Pier Walk building will be designated as "Commercial Fishing" and the other half is designated as "Commercial Recreation". Our inadequate area just got cut in half! Worst case half the building is ice cream shops (Commercial Recreation) and the other half is a restaurant that serves seafood. That would be completely consistent with the Master Plan. Tables 4 and 10 are therefore inaccurate when the state that Commercial Fishing Land Use will increase by 0.7 acres (30,000 square feet) when in fact best case is 15,000 square feet of land, hardly an improvement over 2 plus acres of land we currently have at the Harbor Seafood Mart facility. In addition, if lease terms cannot be reached, because there are no Port Policies nor Procedures for setting leases

with the Commercial Fishing Industry, then processing could be out completely, all consistent with the Master Plan. This must be stopped.

From the enclosures of the proposed Site Master Plan from GMS and the drawing from our lease, you can easily see that the area for Commercial fishing is being dramatically reduced to a point of being nearly inoperable. A primary consideration should be the evaluation of parking. There is not enough space for parking trucks, employees and customers. In fact GMS has already stated that they will develop a parking mitigation plan for the area. Simply stated they know it can't be parked but the need to make it as dense as possible to generate more money for them. They have eliminated the Harbor Seafood Mart and the associated truck space to provide parking for their OPH project that will still be underparked. They have taken the Park from the OPH site and moved it to an isolated corner rather than adjusting their site or Seaport Village. The Hyatt hotel, just East of the OPH is already parking in the OPH area. Where will they park now? I have included an excerpt from the latest proposal from GMS regarding parking. They offer 10 truck parking, not the 17 referred to in their July 20 letter. They offer no employee parking or commercial fishing spaces. We currently have 65 spaces available for employees (some are across Harbor Drive but are part of our TUOP), and 12 customer/visitor spaces for our 80 to 90 (some seasonal) employees. We are being offered no employee, customer or commercial fishing spaces. The other current Commercial Fishing tenants are not in the parking mix for their employees and customers.

II Comments Regarding Port Letter and enclosures dated July 20, 2006
subject: Port Master Plan Amendment #36 Old Police Headquarters and Park
Project

Page 2 of 8

SDPD – “preserve and enhance commercial fishing support facility”

Chesapeake-See Leased Premises Dated April 29, 2005 as part of July 12, 2006 lease proposal from GMS (excerpt) -

The plan does not allow enough truck loading spaces, or employee parking spaces. In addition it shows the processing facility removed from the waterfront location. The size of the facility is more the ¼ smaller than the current size.

Etc, Etc,

Page2 of 8

SDPD- specifically, the foot print of the existing commercial fishing facility and a small area of land next to the fishing pier will be designated from commercial recreation to commercial fishing.

Chesapeake-

The new facilitate is approx. 15,800 sq.ft. and is removed from the waterfront where the loading dock is located. Currently, Chesapeake is located in front of the loading dock, and needs direct access to the water. Also, the truck access is unsafe to turn in the proposed parking area because of size restraints, as well as there are only 10 loading truck spaces where as 16 spaces are used now.

Page 3 of 8 paragraph 1

SDPD- approx. one half of the Pier Walks Building designated as "commercial fishing and the other half is designated as "commercial recreation"

Chesapeake-

The proposed footprint shows a 2100 sq.ft. bldg. between the fish processing bldg. and loading dock. Chesapeake is seriously concerned about having direct access to the loading dock and if a restaurant is proposed in this space there could be unsafe conditions with the pedestrian traffic while unloading fish from the dock.

Page 3 of 8

"The commercial fishing" area definition

SDPD-the "commercial fishing" area is intended to meet the needs of the bona fide commercial fishing fleet for; retail and wholesale operations, including some limited accessory fresh fish processing activities that are not associated with visual, odor and water pollution

Chesapeake- Chesapeake has processed and distributed in the current facility for over 30 years. Currently, there is a visual processing room for the public to have access and watch. The Port and Chesapeake added the room over 10 years ago. Under the new project there would be no visual access or educational opportunities because of the new site proposed.

It is unclear as to what "limited fresh fish processing "means which is a serious concern as to what the intentions are for the new building in the future.

Page 3 of 8

"Pier walk building"

SDPD- a critical component of the project is to produce a new commercial fishing land use designation over the general foot print of the current Chesapeake Fish co, operation

Chesapeake- Chesapeake feels this is a step in the right direction for the commercial fishing industry. However, the new footprint is NOT over the current footprint. The new building is arranged away from the water and the unloading dock. There is no building in front of the unloading dock, which is a serious concern because Chesapeake operates in front of the unloading, currently in order to communicate with the fisherman and have direct access to the water.

Page 4 of 8 paragraph 3

SDPD- the pier walk building is designed to accommodate a mix of commercial fishing and commercial recreation uses.

Chesapeake- this area is designated for "commercial fishing land use" and not" commercial recreation use", as stated on page 3 under "pier walk building" OR is it commercial recreation use? The attached exhibit from the Port does not clearly show where the processing facility is placed. In fact the Port is very unclear in using a dark space to show commercial fishing land use.

The primary concerns are the processing facility is away from the unloading dock, the facility is smaller; there are only 10 truck loading spaces instead of 16 spaces required, the unsafe condition of the trucks moving in and out of the parking lot area, and finally no direct access to the unloading dock.

Page 4 of 8 paragraph 4

SDPD- Current vs. Proposed Sq.Ft.

Building Shell Area- the new facility is too small and does not allow for growth for seafood processing, the current capacity of 20,000 sq. ft. is needed and more, not the proposed 15,800 sq.ft.. Receiving dock area- the proposed 2900 sq.ft. area is include in the new 15,800 sq.ft building shell and therefore is NOT an addition.

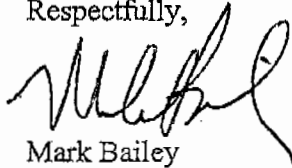
There are many more points to be made. We will continue our correspondence. Rest assured that when the Port states on page 8 of 8 under "Conclusion - The Port believes that the proposal ... is well supported by ... commercial fishing enterprises they are incorrect. Also, if they truly believed that, why didn't they include us in the distribution of the letter?

Having virtually no time to analyze the Port's comments in detail, we have tried to set out for you our comments as concisely as possible. An intensive history of discussions, changing specifics and uncertainties about the implementation of the Plan requires careful review by the Commission before weighing in on this significant proposal.

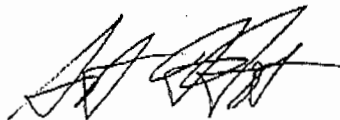
We would appreciate the opportunity to meet with you at your earliest convenience to discuss our questions, concern and comments. We would welcome participation by the Port and GMS at any such meeting. As Mike Duckor indicated to you, we are confirming a meeting time with the Port and GMS for Wednesday July 26, 2006 at 10:30 a.m.. Perhaps coincidentally, we just learned the Port was planning a meeting with the fisherman on the same day. Interesting. We are waiting to set the specific start time based on Paul Fanfara's schedule.

Again, we appreciate the opportunity to continue the process of ensuring the viability of Commercial fishing as mandated in the Coastal Act.

Respectfully,



Mark Bailey
Chesapeake Fish - President / Partner



Steve Foltz
V.P. - Sales / Partner

Attachments

CC: State Senator Denise Ducheny
Jonathan Hardy, District Representative
Assemblymember Lori Saldana
Mike Duckor, Esq.
Gary Spradling, Esq.
Peter Flournoy, Esq.
John Helmer, SDUPD
Paul Fanfar, SDUPD
Patti Phillips SDUPD
Bruce Walton, GMS Realty
Augie Felando

DRAFT

July 12, 2006

7

Mr. Mark Bailey
Chesapeake Fish Company
535 Harbor Lane
San Diego, CA 92101

Re: Letter of Interest
Fish Processing Facility - Pier Walk Building

Dear Mark,

GMS Realty, LLC (Seaport Village Operating Co., LLC) is excited about the opportunity of having Chesapeake Fish Company as a tenant within the proposed Pier Walk Building (Harbor Seafood Mart replacement). We have enjoyed working with you in this endeavor and appreciate your commitment and cooperation in helping to find a solution for incorporating your operations within the overall redevelopment of the project area. This Letter of Interest includes some of the essential terms upon which GMS Realty, LLC may be willing to enter into a binding Lease Agreement with Chesapeake Fish Company. Obviously, not all the essential terms required for a lease are contained within this letter and additional items may arise as our discussions continue.

The following outlines our initial terms and conditions:

Landlord: AGREE

GMS Realty, LLC / Seaport Village Operating Co., LLC

Tenant: AGREE

Chesapeake Fish Company

Trade Name: AGREE

Chesapeake Fish Company

Use: OPEN ISSUE - LANGUAGE MODIFIED

The Lease Premises shall be used only and exclusively for the purpose of fish and seafood processing, related wholesale activities, loading and unloading of fish from trucks and for no other purposes whatsoever without the prior written consent of the Port of San Diego's Executive Director and Landlord in each instance.

[Term has been modified to reflect language within Chesapeake's existing lease.]

DRAFT

Delivery of Leased

Premises: OPEN ISSUE

Landlord shall deliver the Lease Premises in "raw shell" condition as outlined on the attached exhibit:

[The Port of San Diego's Board of Commissioners has agreed to contribute up to \$5.3 million for constructing the "shell and core" (only) and not tenant specific improvements.

The scope of work approved within the \$5.3 million estimated budget is represented in the "raw shell" work letter attached. The estimated budget was prepared by a qualified contractor; the final amount of the contribution will be based on actual construction costs.]

Signage: OPEN ISSUE

To be determined, pending negotiations with the Port of San Diego. All signage shall be subject the Landlord's prior review and approval.

[No commitments regarding signage can be made until a Signage Program has been approved by the Port of San Diego.

At a minimum, Landlord will provide way-finding and building identification signage at no cost to the Tenant. Any tenant specific signage will be the sole cost of the Tenant, including on-going maintenance.]

Parking: OPEN ISSUE

Tenant shall have the right to use the "Pier Walk Parking Lot" and "Pacific Highway Entrance" for truck circulation/access and parking purposes.

Tenant shall comply with all parking conditions and restrictions as required by the Landlord. Tenant shall participate in all employee parking programs at Tenant's sole cost and expense.

Tenant shall be provided with a total of 10 parking spaces adjacent to the loading dock of the Pier Walk Building, as depicted on the attached exhibit ("Dock Parking Area"). The parking spaces are for Tenant's sole use to accommodate loading/unloading of distribution vans and semi-trucks during Tenant's operating hours.

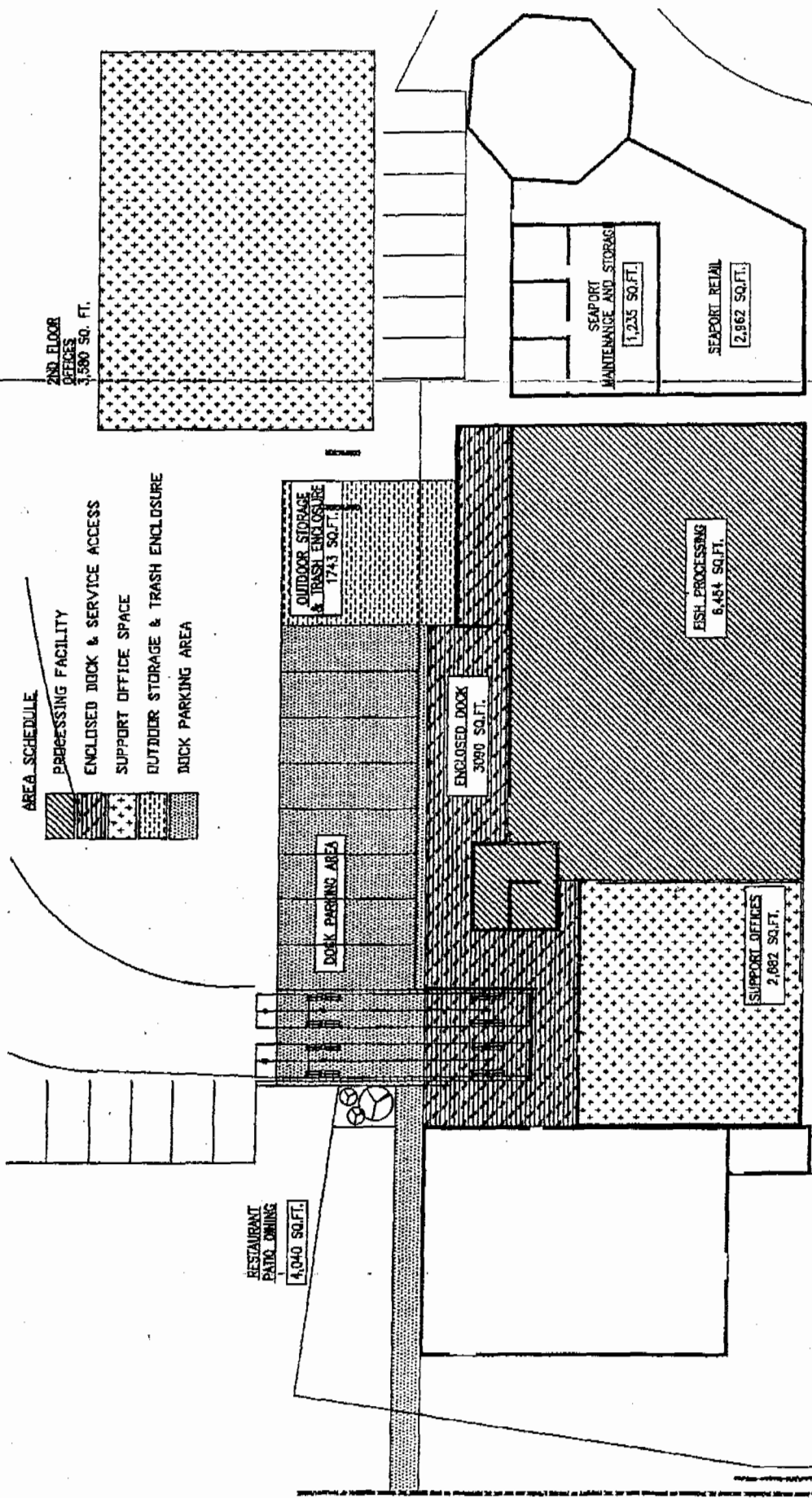
[Language has been modified to address issues raised in LOI (dated July 3, 2006).]

Tenant's Insurance: AGREE

Tenant shall be required to acquire and maintain adequate insurance coverage as required by Landlord and the Port of San Diego.

Landlord Audit Rights: OPEN ISSUE

Landlord shall have the right to audit Tenant's books of



RESTAURANT
3,375 SQ. FT.

FISH PROCESSING
15,806 SQ. FT.

SUPPORT OFFICES
2,682 SQ. FT.

FISH PROCESSING
6,434 SQ. FT.

ENCLOSED DOCK
3,090 SQ. FT.

OUTDOOR STORAGE
& TRASH ENCLOSURE
1,743 SQ. FT.

DOCK PARKING AREA

RESTAURANT
PATIO DINING
4,040 SQ. FT.

2ND FLOOR
OFFICES
3,580 SQ. FT.

AREA SCHEDULE

PROCESSING FACILITY

ENCLOSED DOCK & SERVICE ACCESS

SUPPORT OFFICE SPACE

OUTDOOR STORAGE & TRASH ENCLOSURE

DOCK PARKING AREA

Q11
1" = 10'
1" = 10'

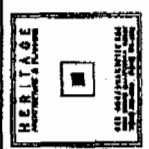
Leased Premises

**Chesapeake Fish Processing Facility
Seaport Village**

APRIL 20, 2005

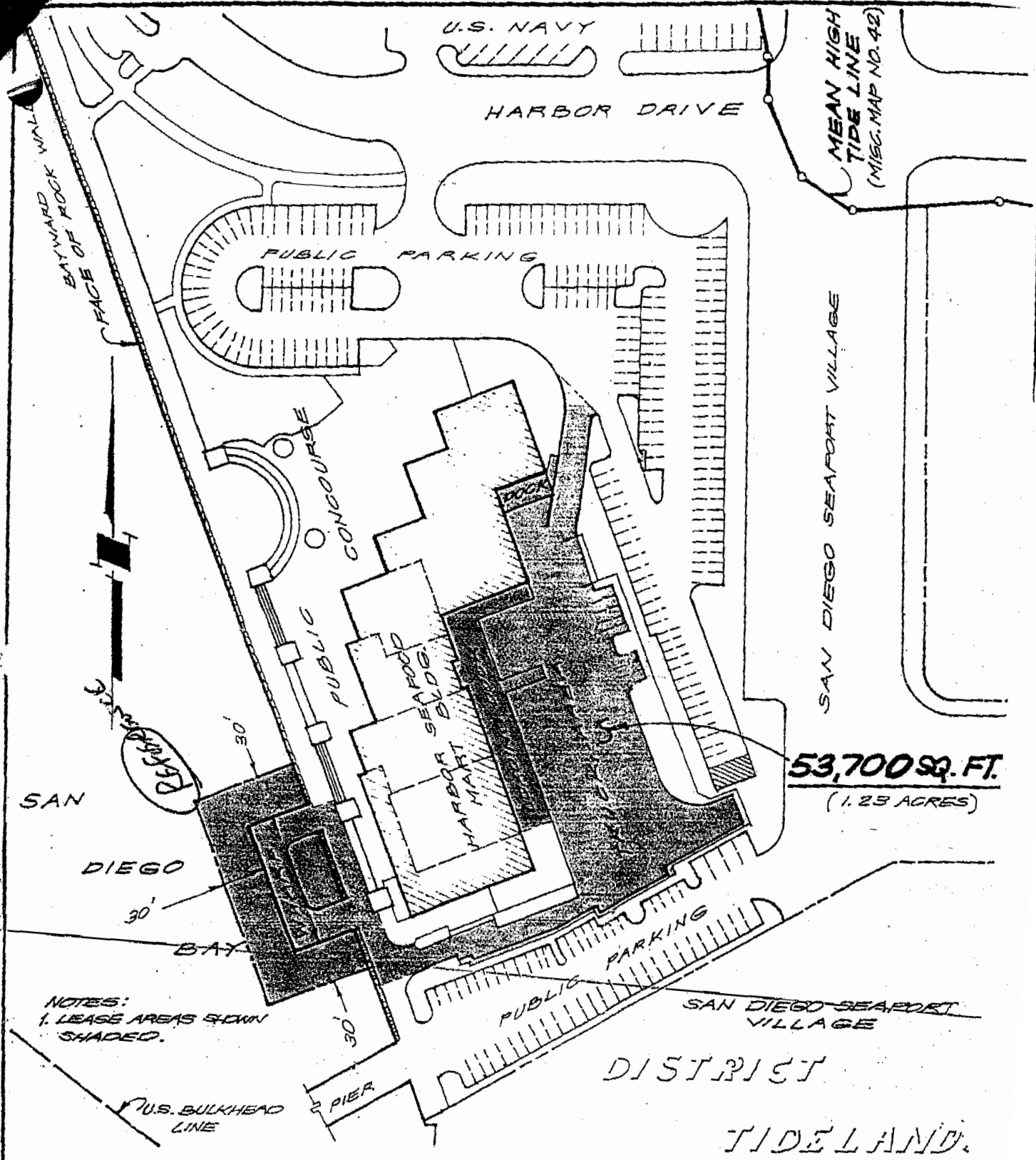
200 North Street
Fifth Floor
New York, NY 10005
Tel: (212) 310-1000
Fax: (212) 310-1001
www.hugoboss.com

ADMINISTRATIVE
PLANNING



HERITAGE
8873 AVONDA ENCLAVE
SUITE 300
CARLSBAD
CALIFORNIA 92008
760-441-6000
FAX 760-441-6008
REALTY, LLC





53,700 SQ. FT.
(1.23 ACRES)

NOTES:
1. LEASE AREAS SHOWN
SHADED.

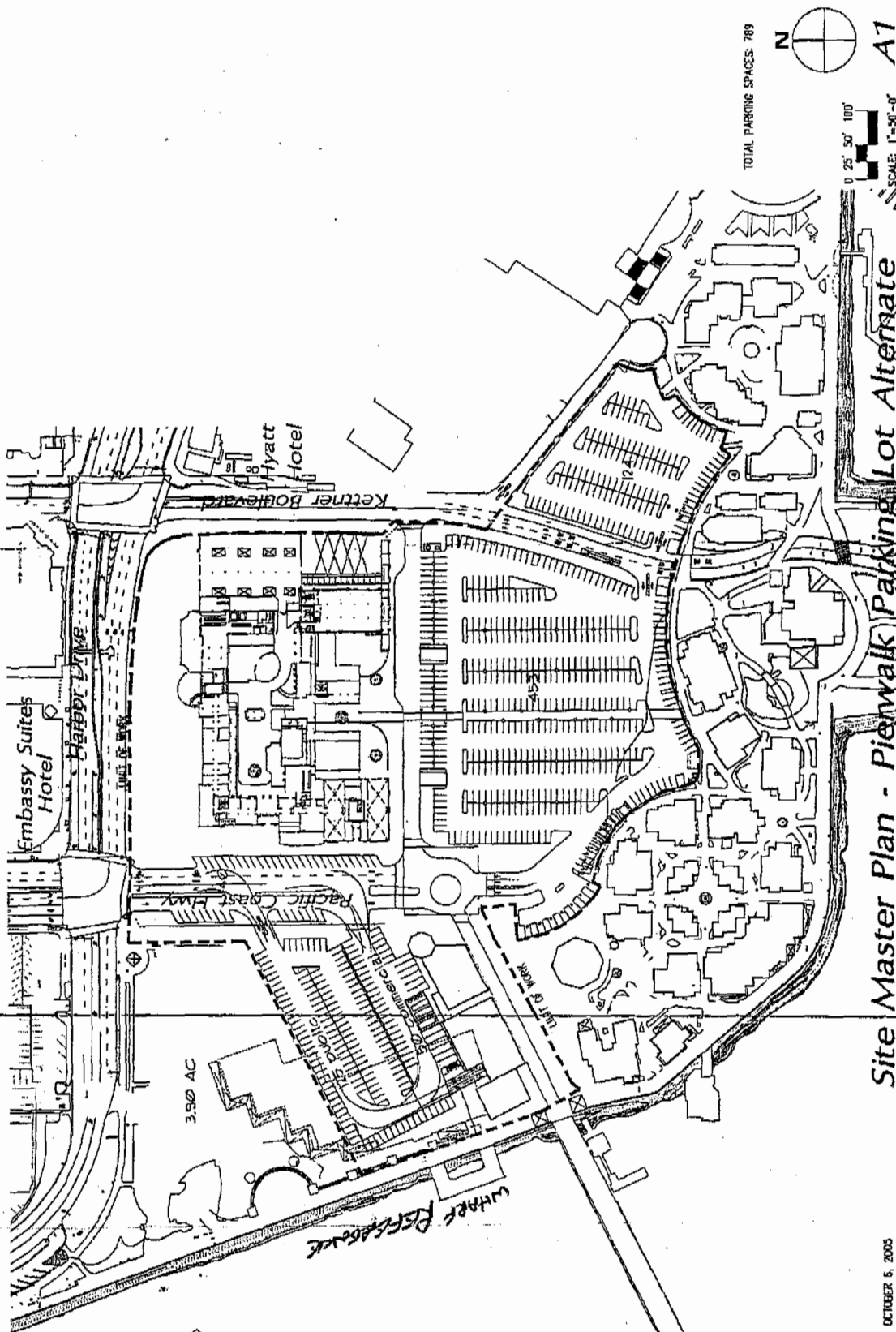
DISTRICT
TIDELAND

REVISED:

DRAWN SANTONIL
 CHECKED BOURKE
 REVIEWED [Signature]
 APPROVED [Signature]
 DIRECTOR OF ENGINEERING

SAN DIEGO UNIFIED PORT DISTRICT
 TIDELAND LEASE
 WITHIN CORPORATE LIMITS OF SAN DIEGO
JOINT USE TRUCK LOADING AND WHARF
AREAS OF HARBOR SEAFOOD MART TENANTS

DATE 1 APRIL 1971
 SCALE 1"=100'
 REF. 3311-B, 1499
 DRAWING NO.
104-16



Diana Lilly

Subject: FW: Port Master Plan Amendment #36

Diane Lilly

I just read the proposed amendments to the Port master plan for the redevelopment of our area specifically the Harbor Seafood Mart.

I have a meeting this afternoon in Los Angeles but felt compelled to at least alert you to concerns I see with this amendment. Next week when I am back in San Diego I will send you a letter in more detail and would be available to speak with you on the phone or in person regarding this critical decision for our commercial fishing area.

I have been here @ the Seafood Harbor Mart for 20 years (10 years as VP for JJ Camillo and 10 years as President of Aquamarine Seafood).

My company is now one of 3 companies left here on the waterfront. While commercial local landings may be on a down ward trend the seafood business is thriving and seafood consumption is on the rise. Seafood that is harvested both locally and transferred up from Mexico plays an integral part of distribution for local as well as national restaurant chains. Dock side facilities gives an extreme advantage for fresh deliveries and processing. Chesapeake is the largest seafood distributor in all of San Diego county and poised for growth along with my company and Pesca International also here @ the Harbor Seafood mart

I mention this all for the to shed light on the fact that the new proposed building will be 12000 square feet smaller and to be used for more than just our needs. As stated in the proposed amendment the new Pier Walk Building "is designed to accommodate a mix of commercial AND COMMERCIAL RECREATION USES". We will have lunch less space with it being utilized for more applications.

The Harbor Seafood Mart has dwindled in its occupancy for no other reason than the Port's refusal to grant lease terms during the last 10 years even though there have been many interested parties.

Our industry is increasing not decreasing. Looking forward we are expanding not contracting and the new amendment should provide for growth.

Michael Lindquist
Aquamarine Seafood
565 Harbor lane
San Diego, CA 92101

1800.335.3561 ext 205
cel 619.890.1963
mike@aquamarineseafood.com
www.aquamarineseafood.com

7/25/2006

Diana Lilly

Subject: FW: Port Master Plan Amendment #36

Ms Dianne Lilly:

For the past months, I have been following the proposed plans for the Old Police Headquarters and Park Project and the latest Port Master Plan Amendment #36.

Together with Aquamarine Seafood Co. and Chesapeake Fish Co. we share the building located on the waterfront. Pesca International Inc. is a seafood trading company that has been in business for 10 years. Personally I have been in this line of business since 1977.

We are involved in the distribution, importing, exporting of seafood products and I must admit that the location of this building is beneficial to the well being of the company and the companies around us.

It appears that the proposed Amendment decreases the amount of usable space for the Comercial Fishing Industry, when in my opinion, it should be the opposite. Companies such as Pesca have grown year after year since inception, and we are hoping to keep on expanding our business in years to come.

We also hope that the new plans of the Coastal Commission will include plans to expand the facilities and promote more fishing companes to move into the area, instead of simply reducing them.

San Francisco is a perfect example of a success story: the industry has achieved a perfect balance between the tourism industry and the commerical fishing industry. This has given more character to the city and at the same time creates jobs and income for the county by promoting a succesful commercial seafood environment.

Hopefully this amendment will be reviewed taking into consideration the benefits that we can offer as an industry.

Sincerely,

Gonzalo Espinosa-French
President
Pesca International Inc.
565 Harbor Lane
San Diego, Ca 92101

7/25/2006

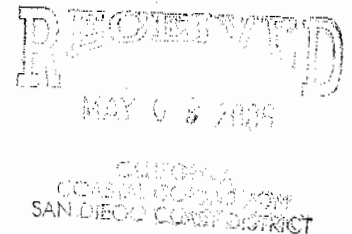
D.L.

Federation of Independent Seafood Harvesters

18212 Rosita St.
Tarzana, CA 91356

May 5, 2006

Diana Lilly,
California Coastal Commission
San Diego Coastal District
7575 Metropolitan Drive, Suite 103
San Diego, Ca 92108-4402



Re: Redevelopment of the Old Police Headquarters as it pertains to Chesapeake Fish Company.

Dear Ms. Lilly,

The Federation of Independent Seafood Harvesters (FISH) is a non-profit association of small, family-owned commercial fishing businesses. These businesses depend on long standing relationships with existing San Diego port infrastructure for obtaining fuel, space for dockage, and facilities for the sale and processing of their catch. The California Coastal Act recognizes the California commercial fishing industry to be important to the state, mandates that ports shall not eliminate or reduce existing commercial fishing harbor space; shall protect, and upgrade where feasible, facilities serving commercial fishing.

The Chesapeake Fish Company is exactly the type of commercial fishing facility for which the California Coastal Act mandates protection. Yet, it appears that the above referenced redevelopment project plans to reduce this facility to 1/4 of its present size. Such an outcome is unacceptable under the law, as well as to the many San Diego based FISH members that depend on the present facility to successfully conduct their businesses.

The California Coastal Commission has a long-standing reputation for vigorously protecting the interests of the state regarding coastal development. On behalf of FISH, I bring this issue to your attention in the belief that you will provide the appropriate oversight to ensure that this project conforms to California law.

Respectfully,

A handwritten signature in dark ink, appearing to read "Chuck Janisse", written over a horizontal line.

Chuck Janisse, general manager



Unified Port
of San Diego

3165 Pacific Highway, San Diego, CA 92101
P.O. Box 120488, San Diego, CA 92112-0488
619.686.6200 • www.portofsandiego.org

Via Fax 619.767.2384

June 23, 2006

RECEIVED

JUN 23 2006

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Diana Lilly
California Coastal Commission
San Diego District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4402

SUBJECT: PORT MASTER PLAN AMENDMENT #36
OLD POLICE HEADQUARTERS & PARK PROJECT

Dear Ms. Lilly:

In our phone conversation on June 14, 2006, you informed me that the application for the Port Master Plan Amendment (PMPA) for the Old Police Headquarters and Park Project was deemed complete on April 20, 2006, the date you received the additional materials we had provided to you. Therefore, the time limit regarding the requirement of Section 30714 of the Coastal Act that the Commission take action within 90-days of the Port Master Plan Amendment submittal would be July 21, 2006. Through other conversations we have had regarding the Commission hearing date, I agree to waive the 90-day time limit for the Commission to take action on the PMPA by 30 calendar days. I further understand that this PMPA will be considered at the Commission's August meeting to be held in San Pedro.

Please call me at (619) 686-6468 should you have any questions about this. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Helmer".

John W. Helmer, Manager
Land Use Planning

**American Albacore
Fishing Association**

www.americanalbacore.com
(619) 941 2307
"866 851 3918"



**"Protecting your fisheries by
preserving traditional values"**

4252 Bonita Road Box 154
Bonita, CA 91902

May 17, 2006

Diana Lilly
California Coastal Commission
San Diego Coastal District
7575 Metropolitan Drive, Suite 103
San Diego, Ca 92108-4402

Re: Redevelopment of the Old Police Headquarters as it pertains to Chesapeake Fish Company.

Dear Ms. Lilly,

The American Albacore Fishing Association (AAFA) is a non-profit association of small, family-owned commercial fishing businesses. These businesses depend on long-standing relationships with existing San Diego port infrastructures for obtaining fuel, space for dockage, and facilities for the sale and processing of their catch. The California Coastal Act recognizes the California commercial fishing industry to be important to the state, mandates that ports shall protect, and upgrade where feasible, facilities serving commercial fishing.

The Chesapeake Fish Company is exactly the type of commercial fishing facility for which the California Coastal Act mandates protection. Yet, it appears that the above referenced redevelopment project plans to reduce this facility to 1/4 of its present size. Such an outcome is unacceptable under law, as well as to the many San Diego based AAFA members that depend on the present facility to successfully conduct their businesses.

The California Coastal Commission has a long-standing reputation for vigorously protecting the interest of the state regarding coastal development. On behalf of AAFA, I bring this issue to your attention in the belief that you will provide the appropriate oversight to ensure that this project conforms to California law.

Sincerely,

A handwritten signature in black ink, appearing to read 'John G. Webster'. The signature is written in a cursive, flowing style.

John G Webster
American Albacore Fishing Association



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802- 4213

F/SWR2:CP

MAY 24 2006

RECEIVED

MAY 30 2006

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Diana Lilly, Coastal Planner
California Coastal Commission
San Diego Coastal District
7575 Metropolitan Drive, Suite 103
San Diego, California 92108-4402

Ref: Police Headquarters and Park Project, Port Master Plan Amendment

Dear Ms. Lilly:

I am writing you to express concerns in regard to the Old Police Headquarters and Park Project, Port Master Plan Amendment (Amendment). This Amendment was certified by the Board of Port Commissioners and will go before the California Coastal Commission shortly for possible certification. It appears that certification of the Amendment would result in further reduction of California's ocean fishing and processing capacity, specifically through a decrease in the area dedicated to fishing dock and processing facilities at the San Diego Port.

NOAA's National Marine Fisheries Service (NMFS) current system of ocean fisheries management is based on requirements in the Magnuson-Stevens Fisheries Conservation and Management Act. NMFS works closely with fishery management councils and other stakeholders to provide optimum sustainable yields of fish resources from within the Exclusive Economic Zone off the nation's coasts. Our objectives include the necessity to assure that our citizens benefit from the resulting employment, food supply, and revenue, particularly those commercial and recreational fishing vessel owners, operators, crews and United States fish processors that are based in fishing communities such as San Diego.

A report by the Massachusetts Institute of Technology Sea Grant Program, entitled "New England's Fishing Communities" (2001), states:

"...When working harbors are transformed to address the demand of housing, recreation, and entertainment rather than maintained in support of the productive activities associated with the commercial fishing industry, they may be said to be undergoing gentrification."

"...Loss of existing port fishing infrastructure stands out as one of the potentially most harmful threats to the health of fishing dependent communities. Many ports now have just the bare minimum of supporting infrastructure. The diminishing numbers of fishermen, vessels, processors and supporting services also affects the ability of



communities to retain social and cultural capital. Because of the decline in social and economic capital associated with the fishing industry, gentrification is much more difficult to resist..."

Although this report was written for the New England community, the concepts apply to the West Coast as well, especially since in recent years the West Coast has experienced the reduction of some fish stocks and decrease in fishing related infrastructure.

Further, San Diego is an important port to the fishing community and the region. The following information gives a brief synopsis of the loss of both fish dealers and fishing vessels homeported in the city over the past several years. (Data below was obtained from the Pacific Fisheries Information Network (PacFin)):

**Total Number of Fish Dealers for San Diego Port Area and San Diego County
(includes all fisheries)**

Year	2000	2001	2002	2003	2004	2005
San Diego Port Area	51	44	42	36	40	28
San Diego County	87	87	75	76	76	60

It can be observed that in the San Diego Port Area, 12 fish dealers were eliminated in one year, 2004-2005. Furthermore, it is important to note that only a few dealers comprise a large portion of the total revenue of all dealers. Therefore, if any one of those large dealers were significantly reduced in size or put out of business, there would be a large impact on the local fishing industry.

**Total Number of Commercial Boats Landing in San Diego Port Area and
San Diego County (includes all fisheries)**

Year	2000	2001	2002	2003	2004	2005
San Diego Port Area	145	115	124	91	85	59
San Diego County	215	202	199	202	176	130

It can be observed that boats making landings in the San Diego Port Area have decreased by 26 from year 2004 to 2005. If local infrastructure decreases further, it is a reasonable assumption that the number of boats landing in that area will decrease also. Fishermen take into account travel costs, including the location of processors when deciding on where to land and in which marketplace they will provide their fish.

Moreover, the DRAFT Supplemental Community Profiling Document, located on NMFS' Northwest Fisheries Science Center website, <http://www.nwfsc.noaa.gov/research/divisions/sd/communityprofiles/index.cfm>, includes a profile on San Diego. The following is an excerpt from this profile:

"...In 2000 at least six seafood processors were operating in San Diego. In the same year approximately 296 individuals were employed by these processors. The estimated total weight of their processed products in 2000 was 5,858,962 pounds, valuing \$41,096,402. San Diego is also home to an International Specialty Products company that manufactures alginates from California Giant Kelp; alginates are used in food, beverage, personal, and pharmaceutical applications. Additionally, numerous sportfishing companies offer processing and canning services such as Fishermen's Landing,

Sportsmen's Seafood, and Anthony's Seafood Group in affiliation with Point Loma Sportfishing..."

This shows that processors in San Diego provide hundreds of jobs and are annually a \$40 million industry. Also, note that this revenue is only including processors. There is also revenue in the form of fishermen's income and restaurants and tourism, etc.

Shoreside infrastructure is a significant and critical asset to the fishing industry, and NMFS looks favorably on any activities that preserve infrastructure and provide the necessary support to efficiently and effectively utilize marine fishery resources. Your decision on the pending Amendment will have broad implications to other ports and harbors in California, as the issue of shoreside infrastructure will be repeated in discussions about other proposed coastal development projects.

I encourage the Coastal Commission to carefully consider the effects of certifying projects, such as that for the Port Master Plan Amendment for the Old Police Headquarters and Park project, and the effects that the implementation of such projects would have on the commercial and recreational fishing industry.

Sincerely,



for Rodney R. McInnis
Regional Administrator

cc: Port of San Diego, Board of Commissioners, San Diego, CA
Steve Foltz, Chesapeake Fish Company, San Diego, CA

**CALIFORNIA LOBSTER
& TRAP FISHERMEN'S
ASSOCIATION**

29955 ROBBIE LANE
VISTA, CA 92084
PHONE: (760) 631-7438

May 5, 2006

Ms. Diana Lilly
Coastal Planner
California Coastal Commission
San Diego Coastal District
7575 Metropolitan Drive, Suite 103
San Diego, California 92108-4402

Old San Diego Police Headquarters and Park Project
Seaport Village
Chesapeake Fish

Dear Ms. Lilly

We urge the California Coastal Commission to reject any Proposed Port Master Plan change that would substantially reduce the land area currently used for commercial fishing facilities under the Existing Port Master Plan, because such proposal would not protect or allow a feasible upgrading of commercial fishing facilities operated by Chesapeake Fish. [Section 30234, California Public Resources Code.]

It is our understanding that a feasible plan of Chesapeake Fish to upgrade its facilities to continue its service to commercial fishing was negotiated by the parties prior to the submission of a Proposed Port Master Plan. See Attachment A: The Site Master Plan showing the unloading dock and Chesapeake Fish plan that we thought was approved by all parties: Drawing dated October 6, 2005, and entitled "Site Master Plan-Pierwalk Parking Lot Alternate A1, Old San Diego Police Headquarters Seaport Village. GMS Realty, LLC.

Reasons For Position

For over 32 years, Chesapeake Fish has operated facilities at 535 Harbor Lane that serve commercial fishing. In order to continue this service, Chesapeake Fish should be permitted to upgrade its facilities so as to make this historic fishing firm economically viable and capable of continuing its service to commercial fishing.

The facilities of Chesapeake Fish include operating the only bayside fishing dock in the Port of San Diego that is capable of unloading a variety of seafood landed by commercial fishermen who operate large and small fishing vessels. This dock and its hoist are operated and maintained exclusively by Chesapeake Fish.

The only other fishing dock facility located in the Port of San Diego, (Driscoll's Wharf) is not suitable for most commercial fishing vessels. For instance, one side of Driscoll's unloading dock cannot be used because of the shallow and rocky area adjacent to the dock. Also, its hoist is not capable of handling large loads and the dock cannot handle large (>60') vessels.

The facility of Chesapeake Fish provides a valuable service to commercial fishing because it is capable of handling a variety of seafood products. For instance, Chesapeake Fish handles the unloading and purchasing of many types of seafood products, such as locally-caught lobsters, crabs, sea urchins, sea bass, halibut, yellowtail, sharks, swordfish, tuna, rock cod, etc. Commercial fishing in San Diego benefits from having a strong state-wide and nation-wide buyer at one unloading location. To unload quickly (turn-around time) when the fish are running is of critical importance to the economic viability of locally-based commercial fishing.

2. The facilities of Chesapeake Fish include the provision of ice from potable water that is approved by the County of San Diego Department of Environmental Health, Food, and Housing Division.

3. These facilities also include provisions for handling live lobsters as well as dockside trucking.

4. These facilities also include another important economic factor not related to docks, ice, or receivers. Namely, that of being the number one buyer/wholesaler of market fish in San Diego County. Also, in being a major provider of locally-caught market fish to other fresh fish markets in the United States. These facts about the financial and market capability of Chesapeake Fish provide our Members and other commercial fishermen with the reasonable assurance that they are going to be paid fair and competitive prices, that they will be paid promptly after unloading, and that Chesapeake Fish will provide short-term financial help to the fishermen during periods of poor fishing conditions. Chesapeake Fish is also a source of helpful information to commercial fishermen regarding seafood quality and consumer trends that allow commercial fishermen to upgrade their products.

5. The dockside facilities of Chesapeake Fish also include the opportunity for commercial fishermen to meet the consumer/tourist and explain our livelihood. Chesapeake Fish is located in a very unique location: on a walkway adjacent to the Bay between the aircraft carrier museum MIDWAY and Seaport Village, thereby providing the public with an opportunity to see commercial fishing vessels and fishermen at work.

While it is true that some of our Members do sell their live-fish products to restaurants and other fish wholesalers, it is also a fact that during the six-month lobster season (October-March) most of the lobster catch off the shore of San Diego County and San Clemente Island occurs during the first 60 days. This concentrated

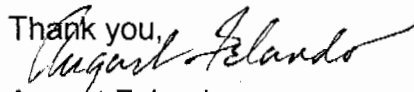
rush of lobster supply within a short period of time is best handled by strong, proven buyers, such as Chesapeake Fish. We want a strong, growing market for the seafood products of our Members, and we were pleased that the Port of San Diego was promoting commercial fishing by working with Chesapeake Fish to come up with plans that would up-grade its facilities.

We were advised that Chesapeake Fish had agreed with the Port to reasonable adjustments from its current large "fish work area" in developing its smaller but up-graded facility. For instance, that Chesapeake had responded in a positive way to reduce traffic conflict and increase visual screening regarding commercial truck access and parking. Now, we have been advised that the Port or GMS Realty has told Chesapeake Fish that it must drastically reduce its "fish work area" from 16,000 sq. ft. to 5,000 sq. ft.

Unfortunately, this "reduction" demand seems to correlate with a drawing shown by Port Officials to the undersigned on May 5, 2006. (See: Attachments X,Y,Z) This drawing showed a reduced area available for the facilities of Chesapeake Fish. When asked for an explanation, I was told that the "small square" was not intended to delimit the square footage of any intended use worked out with Chesapeake Fish. Yet, it appears clearly a reduction in the land area used for "commercial-recreation" is a part of proposed change in the Port Master Plan, and that the major target of this reduction is the Chesapeake Fish facility. We urge that you make a finding that this proposed action is acceptable only if it is designed to "protect" Chesapeake Fish and its facilities, and that sufficient area is available for any "upgrade" of these facilities. In this way, Chesapeake Fish can continue to operate facilities that service commercial fishing in the Port of San Diego.

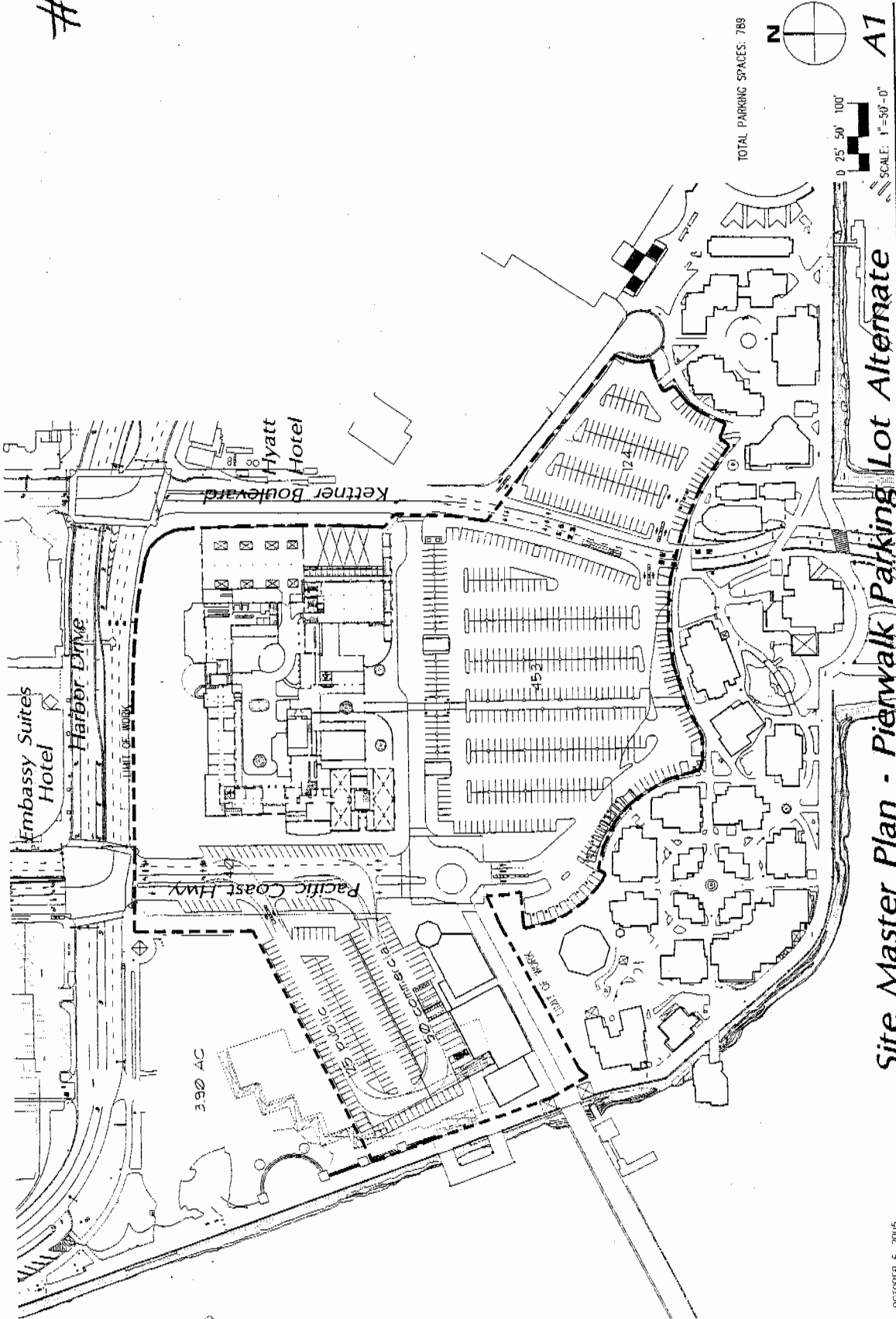
Attachment X: drawing of the area included in the Old Police Headquarters and Park Project Area; Attachment Y: drawing of the **Existing Port Master Plan**, and Attachment Z: drawing of the **Proposed Port Master Plan**.

Should you desire further information about our membership or on the matters we have discussed above, please advise at your earliest by contacting the undersigned by telephone: 619-223-7654; by FAX: 619-2237958, or by mail: 870 San Antonio Place, San Diego, CA 92106.

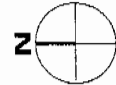
Thank you,

August Felando
Counsel

cc: John Guth, President, CLTFA

#A



TOTAL PARKING SPACES: 789



A1

0 25' 50' 100'
SCALE: 1"=50'-0"

Site Master Plan - Pierwalk Parking Lot Alternate

Old San Diego Police Headquarters
Seaport Village



5573 AVENUE ENCHAS
SUITE 300
CARLSBAD
CALIFORNIA 92008
760-844-8600
FAX 760-844-8605
GMS REALTY, LLC

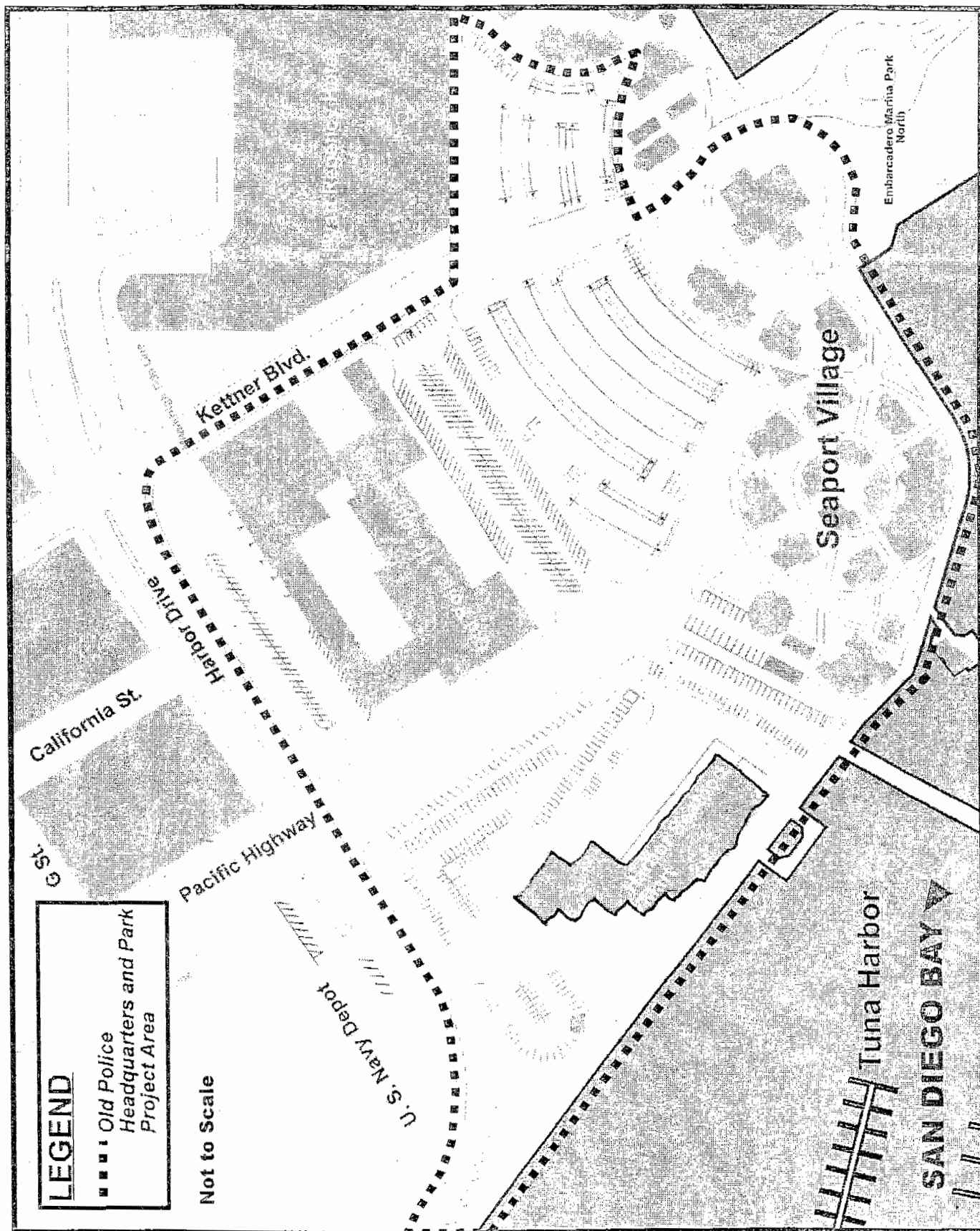
SASAKI
ARCHITECTS
1001 15th Street, Suite 1000
San Diego, CA 92101
Tel: 619.594.7777
Fax: 619.594.7777
www.sasaki.com

FERLMAN
LEBAPPE
ARCHITECTS
PLANNING
1001 15th Street, Suite 1000
San Diego, CA 92101
Tel: 619.594.7777
Fax: 619.594.7777
www.ferlmanlebappe.com

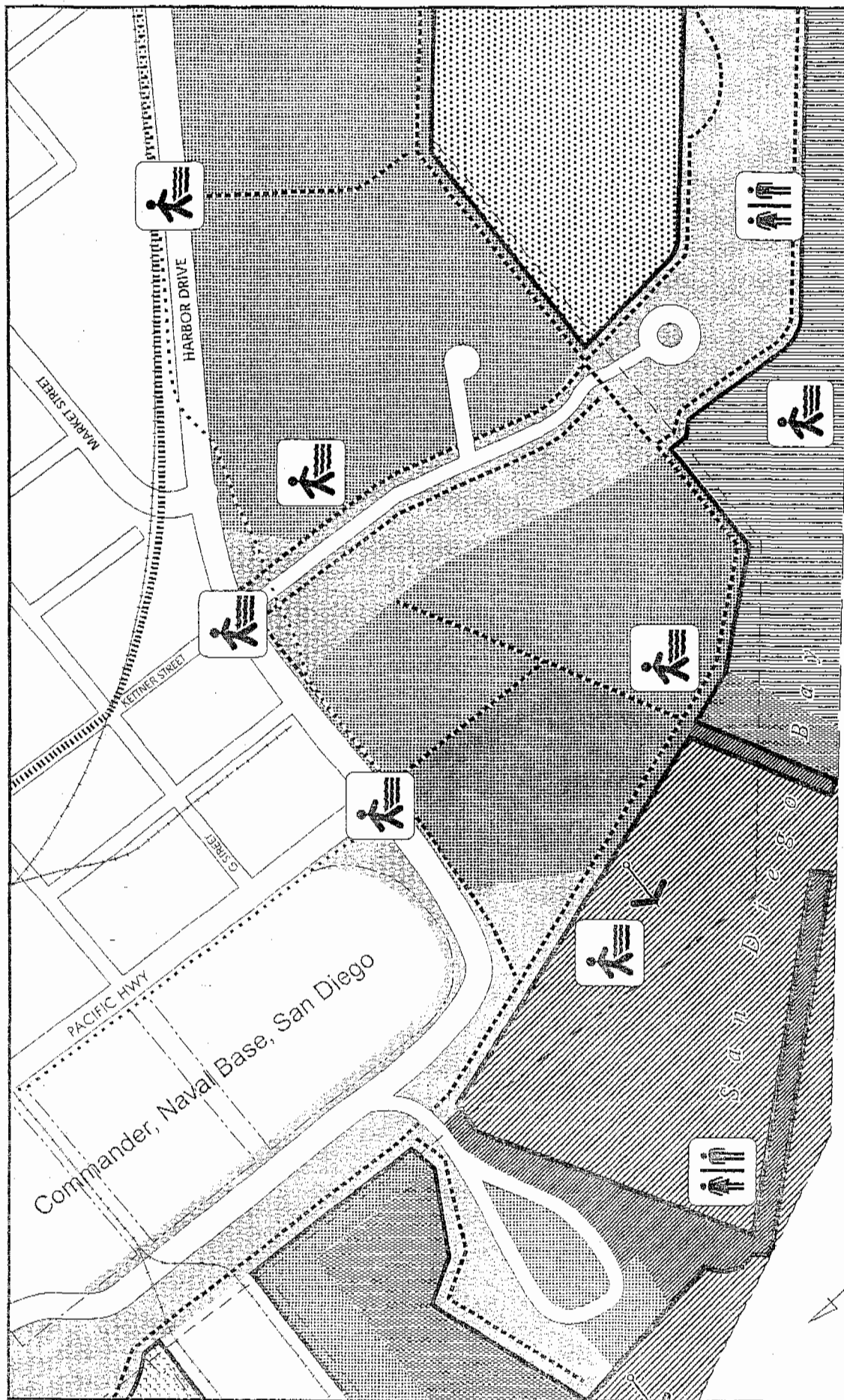
OCTOBER 6, 2005

THIS PLAN, SPECIFICATIONS, AND SCHEDULES ARE THE PROPERTY OF THE ARCHITECTS AND SHALL BE KEPT IN CONFIDENCE. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS. THE ARCHITECTS ASSUME NO LIABILITY FOR ANY DAMAGE, INCLUDING CONSEQUENTIAL DAMAGES, ARISING OUT OF OR FROM THE USE OF THIS PLAN OR SPECIFICATIONS. THE ARCHITECTS SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THEM BY THE CLIENT. THE ARCHITECTS SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THEM BY THE CLIENT. THE ARCHITECTS SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THEM BY THE CLIENT.

#X



#2

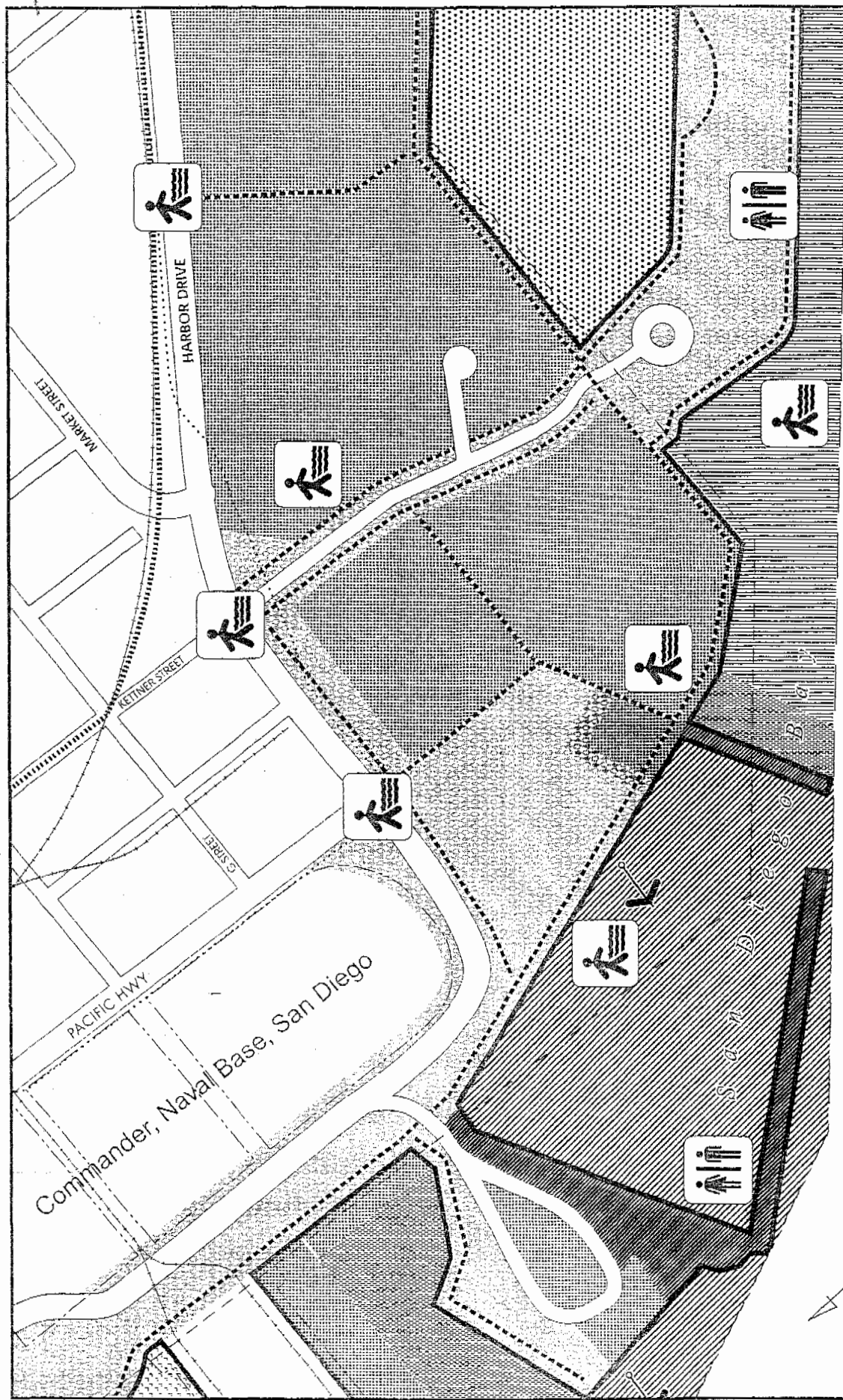


- | Land | | Water | |
|-----------------------|-----------------|-----------------------------|--------------------------|
| Commercial Recreation | Public Access | Recreational Boat Berthing | Specialized Berthing |
| Commercial Fishing | Visio Area | Commercial Fishing Berthing | Boat Navigation Corridor |
| Park/Plaza | Comfort Station | Terminal Berthing | |
| Promenade | | | |

- Mean High Tide Line
- Coastal Zone Boundary

EXISTING PORT MASTER PLAN

#2



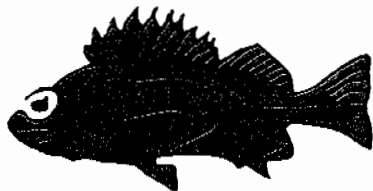
Land

- Commercial Recreation
- Commercial Fishing
- Park/Plaza
- Promenade
- Public Access
- Vista Area
- Comfort Station

Water

- Recreational Boat Berthing
- Commercial Fishing Berthing
- Terminal Berthing
- Specialized Berthing
- Boat Navigation Corridor

PROPOSED PORT MASTER PLAN



CHESAPEAKE FISH CO.

"SERVING THE SEAFOOD INDUSTRY SINCE 1915"

535 HARBOR LANE • SAN DIEGO, CALIFORNIA 92101-5899

Accounting (619) 238-0611 Fax 238-0566 • Purchasing (619) 238-0140 Fax 237-1753 • Sales (619) 238-0526 Fax 238-5592

Diana Lilly, Coastal Planner
California Coastal Commission
San Diego Coastal District
7575 Metropolitan Drive, Suite 103
San Diego, Ca 92108-4402

May 5th, 2006

Dear Ms Lilly,

Thank you for taking the time and listening to our position with the proposed redevelopment of the Old Police Headquarters (OPH) as it pertains to Chesapeake Fish Company.

Chesapeake Fish has been told by GMS (developer) and the San Diego Port District that under the revised Master Plan they simply are designating a smaller area for commercial fishing and processing, where Chesapeake Fish's facility currently resides. The facility would be less than 1/4 of the size in which Chesapeake Fish currently needs to operate its' business.

Under the California Coastal Act of 1976, Chesapeake Fish believes it to read the following:

Section 30703 Protection of commercial fishing harbor space

The California commercial fishing industry is important to the State of California; therefore, ports shall not eliminate or reduce existing commercial fishing harbor space, unless the demand for commercial fishing facilities no longer exists or adequate space has been provided.

Section 30234 Commercial fishing and recreational boating facilities

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided.

Chesapeake Fish Co. currently operates in an area of approx. 39,000 sq. ft. which includes, the dock for unloading and loading of commercial fishing

boats, the facility to store, process and distribute seafood, delivery truck space, trash area, and employee parking.

After working with GMS and the San Diego Port District for over a year to support the OPH project and then lead to believe a new facility of approx. 15,000 sq. ft. would be built for Chesapeake Fish, it was very upsetting and a surprise the new facility was no longer in the plan. Chesapeake Fish needs the current size facility and more to operate and grow it's business.

Therefore we are asking the support of the Coastal Commission to simply help GMS and the San Diego Port District allow Chesapeake Fish and the Commercial Fisherman to continue to operate under the current conditions and upgrade where possible

Chesapeake Fish Co. is a 91 year old company which operates at 535 Harbor Lane. The company is owned by Mark Bailey, Steve Foltz and Joe Principato. Chesapeake Fish is the largest unloader of commercial fishing boats in San Diego and employs over 100 workers through out the year. The company operates under the UFCW Local 135 Union. There are over 25 fisherman both locally and from Northern California in which Chesapeake Fish buys seafood from. Chesapeake Fish is the beginning link to the fresh and live seafood that San Diego fisherman produces. The products are received, stored, processed and shipped through out Southern California (Chesapeake Trucks) and the United States (local airport). The local fisherman include the drift gillnetters, spiny lobster, harpoon, albacore, sea urchin and the farm raised tuna. The local species consist of swordfish, thresher shark, mako shark, opah, black gill, live spiny lobsters, bigeye tuna, black cod, yellowtail, California halibut and more.

Chesapeake Fish has operated at it's current facility for 33 years and maintains the fishing dock for unloading. The fishing dock and facility plays a critical role for the commercial fisherman as well as visiting fisherman from other ports.

- 1) The dock is the largest of 2 docks on the bay which can off load larger vessels
- 2) Chesapeake Fish is known as the largest seafood buyer by the local fisherman because their entire catch is off loaded and paid for by Chesapeake
- 3) Chesapeake not only buys the entire catch from the fisherman but offer other services to them such as;
 - a) ice for storing fish on the boat

- b) paying for shipments within 1 week
- c) paying competitive prices
- d) loaning money during difficult times
- e) Chesapeake owns a boat in the fleet which helped a captain to continue fishing and provide for his family
- f) Unloading of fish 7 days a week
- g) Unloading of supplies such as generators, nets, and other equipment

The fisherman need reassurance they have a company they can depend on and will buy their catch. The proper handling, storing, processing and distribution of the catch dictates the value of which these fisherman can live off of. It is imperative the link in which Chesapeake Fish and the Fisherman of San Diego provide for the rest of the industry stay in tack so future generations can benefit from these waters and have capability to expand.

Thank you for your support,



Steve Foltz
V.P./Partner
Chesapeake Fish Co.