

Planning Services

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NOTICE OF OFFICIAL ACTION

April 26, 2007

Bair Island Aquatic Center
C/O Peter Allen
1450 Maple Street
Redwood City, CA 94063

Subject: Issuance of Temporary Use Permit
Project No.: UP2007-18
Property Address: 1450 Maple Street
Assessor's Parcel Number: 052-392-160

Dear Mr. Allen:

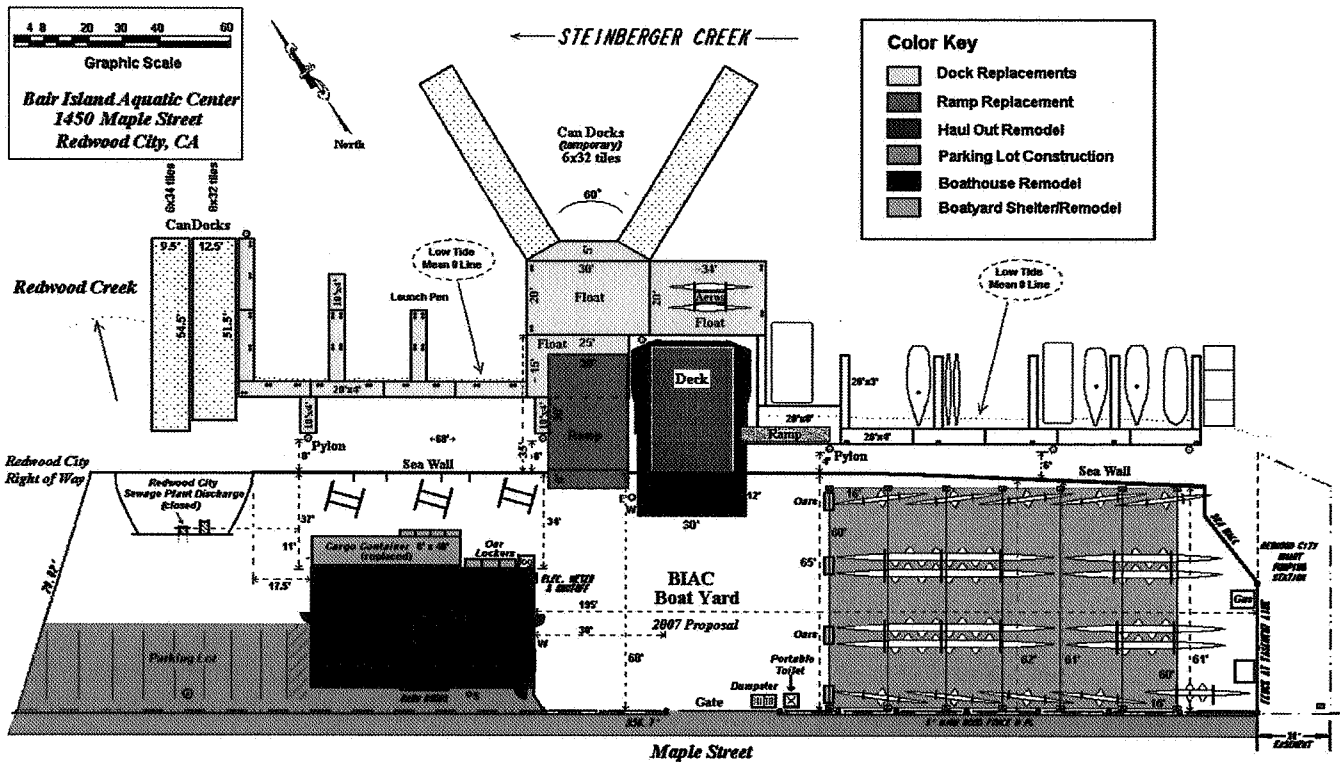
Your application for a Temporary Use Permit to allow for site improvements to the existing facility, Bair Island Aquatic Center, has been reviewed administratively by the Zoning Administrator. This Temporary Use Permit (UP2007-18) is provided as a supplementary document to the existing Use Permit (UP2004-43) and is intended to cover the scope of work identified as part of the "Rebuilding Together" program to be conducted on the subject property on Saturday, April 28, 2007 (as described below).

The site contains approximately 33,193 square feet or 0.76 acres and is located in the Tidal Plain "TP" Zoning District. The site is currently developed with an approximately 2,000 square foot metal tilt up building for the purpose of housing an office, bathroom, rowing machines, and indoor storage. The remaining portion of the site is utilized for outdoor storage and marina operations. The outdoor storage consists of the following:

- a) approximately 9 boat racks which hold up to 10 large boats (for sculling, rowing or paddling) per rack;
- b) 2 boat racks which hold up to 24 small boats;
- c) approximately 11 boat trailers;
- d) 12 outdoor storage lockers for housing paddles, oars, life vests and other related equipment; and
- e) several sheds used for storing flammables.

The marina operations consist of 2 primary boat docks (used for launching the smaller boats that are stored on land) and 12 boat slips. The boat slips, which can hold approximately 18 boats, are rented to individual boat owners. Currently, several of the slips on the south end of the marina are occupied with live aboard units while the remaining slips are used for monthly storage purposes. The boat docks on the north end of the marina are utilized for small boat with outboard motors used by program coaches to follow crew boats.

The site currently does not provide any on-site parking; however, as proposed, the site would be improved to accommodate eight (8) on-site parking spaces.



BACKGROUND:

The earliest City records available indicate that in 1959 the subject property was utilized as an outfall area adjacent to the Redwood City Sewage Treatment Plant. In 1964, the then owner Pacific Ready Mix, Inc. notified the City that they would be seeking approvals for a boat repair facility which was being installed north of the Treatment Plant on the opposing side of Maple Street. In August of 1964, the property owner received a variance to construct a fence along the front property line.

Since that time the property has changed ownership and is currently owned by CEMEX. Bair Island Aquatic Center (BIAC) has been operating as a tenant on the subject property for over eight years. Although no entitlements were obtain at the inception of the use, making it difficult to determine the exact initiation of use

BIAC was able to obtain a three year Use Permit in October 2004. The Use Permit was granted for a membership of 175 persons and services included a variety of rowing, paddling and outrigger programs and activities for its membership, school groups, junior programs and non-members. Between April and October of 2004 the City's Code Enforcement Division worked with BIAC to address life safety issues with regard to the dilapidated condition of the boat docks and ramps, existing electrical panels and wiring, and hazardous materials on the site and in the water.

PROJECT DESCRIPTION:

The "Rebuilding Together" program¹ is seen as an extension to the continued upgrades needed for the operation of the existing facility and do not constitute an increase in the overall intensity of the use.

Under the current proposal BIAC is requesting consideration of the following:

1. **Construction of a surface parking lot:** The Use Permit (UP2004-43) issued for BIAC on October 25, 2004 required the construction of a surface parking lot with a minimum of eight (8) parking spaces.
2. **Replacement of existing floating boat docks:** The existing floating boat docks located on the North end of the marina are severely damaged and are in need of replacement.
3. **Reconfiguration of existing Candocks and construction of additional boat docks:** The existing boat docks are configured in a "y" shape. This shape would be changed to a "V" shape. An additional 20 foot by 64 foot floating boat dock will be constructed to allow for boat store near the water to accommodate those members who are unable to transport their boats to the upper boat yard storage area.
4. **Repair/Replacement the existing ramp:** The floating boat docks are subject to the raising and lowering of the tides; therefore, a hinged ramp is provided to adjust to the height. The existing ramp is in need of some repair and will be widened to approximately 20 feet to allow for additional safety features.
5. **Rebuilding an existing haul out and construct an observation deck:** The previous use, a boat repair yard, had the need for a haul out where boats could be hoisted out of the water and/or lowered back into the water. BIAC has no such need for this facility and has therefore requested to convert the boat launch into an observation deck, which

¹ Each April, Webcor, the largest general contractor in the Bay Area, sponsors a rebuilding day in which they donate their time and talents to repair and upgrade a local community organization.

would require repair of the existing haul out's pile system and construction of a new deck surface.

6. **Construction of a canopy (Coverall) for the boat yard:** Currently, BIAC uses a variety of different boat racks, which hold a range of boats between 10 large boats to 24 small boats. The majority of boats are stored in the boat yard located at the Southern end of the property. The Coverall is constructed with a fabric canopy covering, corrugated steel siding and three, 10 x 10 coiling sheet doors and is used for the purpose of protecting and optimizing existing outdoor boat storage. The proposed canopy would be approximately 100 feet long by 60 feet wide.
7. **Resurfacing the boat yard:** In order to adequately fasten the Coverall, BIAC will need to install anchor stays and/or structural tie downs. The existing asphalt surface would be patched and resealed during this process.
8. **Modifications and repairs to the existing boat house:** The first phase of work to the existing boat house would be limited to maintenance, restoration, and cosmetic work. The second phase of work for the boat house would potentially include the construction of a second floor. This would allow for the ground floor to be reconfigured with both men's and women's changing rooms, locker rooms, an office and storage. The second floor would potentially accommodate classroom space and an ergometer gallery.

The following scope of work has been identified as part of the Rebuilding Together program and has been separated into three primary categories; Site Preparation, Site Control, and Site Management:

Site Preparation:

1. Temporary relocation of Equipment:
 - a. Move all shells and racks to a temporary storage yard (Ferma).
 - b. Pack up the boathouse and move the boxed boathouse into 40' cargo containers.
 - c. Moved the Candock floats and all coach's launches to safe BIAC south dock locations.
2. Docks
 - a. Remove the north docks the week of April 16-20. All materials are to be carefully removed from the water and compacted into dumpsters.

- b. Remove the Haul Out decking the week of April 16-20 in preparation for rehabilitating the pylons and deck platform.
 - c. Create temporary float and south dock ramp location for live aboard use until April 28, 2007.
 - d. Prefab the new docks fingers, floats, and the safer ramp the week of April 23-27.
 - e. Rehabilitate Haul Out pylons with pipe sleeves.
 - f. Rehabilitate Haul Out platform with new materials.
3. Parking
- a. Pour parking curb.
 - b. Install specified storm drain per engineered plans.
 - c. Install landscaping irrigation lines per engineered plans.
 - d. Install bio-swell channels per engineered plans.
 - e. Pave parking lot per engineered plans.
4. Boathouse
- a. Shut off all electric power and install temporary power boxes.
 - b. Remove all electrical lighting, conduit, and air lines.
 - c. Remove existing walls in preparation for rehabilitation maintenance.
 - d. Remove floor carpet tiles and plumbing fixtures.
 - e. Install water service shut-off valve at building.
 - f. Install a pressure assist system with a 100 gallon water tank to supply additional water pressure for the building.
 - g. Cut and pour footings for rehabilitated interior walls (week of April 16-20)
 - h. Prefab replacement interior walls offsite (week of April 23-27)
 - i. Install replacement interior walls (week of April 23-27)
 - j. Install new electrical main switch, distribution panel, and boathouse wiring (April 25-27).

5. Boatyard
 - a. Donate the compressor, remove air lines, and remove the current aging oar lockers.
 - b. Clean up electrical, telephone, and water lines across the yard.
 - c. Prefab new oar lockers (week of April 23-27).
 - d. Slurry seal the boatyard surface (Friday April 20, 2007)
 - e. Pave unimproved boatyard surfaces to within 5' of sea wall.
 - f. Prepare the ramp top with a proper anchor berm.
6. Return to site: Sunday April 29, 2007
 - a. Move all shells back into the boatyard and onto new racks.
 - b. Unload two cargo containers and repopulate the boathouse.
 - c. Restore Candocks and coaches launches to the north docks.

Site Control:

1. Pollution and Drainage Control Measures
 - a. Measures shall be taken to ensure that no materials used in grading and surface work are introduced into the bay waters or conduits leading to the Bay.
 - b. Lines are being drawn on the boat yard, five feet or more from the sea wall to create an environmental safety zone.
 - c. Any work done within five feet of an approach to water will be equipped with sufficient berms of absorbent material will prevent pollution transferring into the bay.
 - d. During demolition, preparation, and grading there will be a supervisor on site to ensure no materials encroach on the safety zone.
2. Best Management Practices
 - a. Webcore will utilize Best Management Practices to ensure minimal impact to the site and surround sensitive areas.

Site Management – On April 28, 2007:

- a. Reception and job assignment table for around 300 Webcor volunteers.
- b. Volunteer parking will be limited to the lot of the hardware store (at Blomquist and Maple) and to the Kmart lot (at Maple and Veterans Blvd). BIAC will have a shuttle service in place to ferry volunteers to and from their vehicles on ten minute cycles or better.
- c. Only trucks and service vehicles will be permitted close to BIAC on this day.
- d. Some Webcor volunteers will be assigned to traffic control duty and wear orange Webcor vests. All volunteers will receive BIAC location, parking, and day activity communications in the week prior to April 28.
- e. Some skilled volunteer workers will arrive as early as 5:00 AM to take advantage of dock work that can only be accomplished at the 5:30 AM low tide.
- f. Most volunteers are expected to arrive between 8:00 and 9:00 AM.
- g. Work will cease at 3:00 PM and a traditional Webcor barbeque will be held at the BIAC facility to end at or before 6:00 PM.
- h. BIAC's boat yard will be used as a construction staging area, as may the newly paved parking areas.
- i. Construction on April 28th will mostly be final assembly and finishing work of the preparation work done in the two weeks before hand. This includes painting, cleaning, assembling docks, assembling shell racks, assembly boat slings, and other coordinated details that can safely be done in one day.
- j. The overall site managers and project directors will be as follows:

Webcor: Dave Zarubin
BIAC: Peter M. Allen
- k. All volunteers will have signed liability waivers.
- l. Safety equipment will be provided for all volunteers appropriate to their assigned tasks. This includes but is not limited to: gloves, safety masks, safety glasses, vests, and hard hats.

- m. Webcor will have ten porta-pots on site for the convenience of volunteers.
- n. BIAC members will not be part of the Rebuilding Day effort for safety reasons.
- o. BIAC will have around ten representatives on site who are either Board members or have been part of the Rebuilding Day team since February. These key BIAC leaders will help Webcor manage the day's operations and impart gratitude to each Webcor volunteer.

The Zoning Administrator was able to make the following findings and the application for a Temporary Use Permit was approved, subject to the conditions of approval listed below:

FINDINGS:

1. The establishment, maintenance, and operation of the proposed use will not, under the circumstances of this case, be detrimental to the public health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood because the proposed site upgrades are considered to be within the scope of the existing use and would result in the repair and maintenance of existing facilities and therefore not cause an increase in the existing use. Furthermore, the use is considered compatible with the adjacent waterfront uses and the operations associated with the Rebuilding Together program are considered short term in nature. Additionally, the temporary use will be conditioned and termed to ensure that the proposed site is maintained in good working order and that potential impacts are minimized.
2. The establishment and operation of the proposed use will not be detrimental or injurious to property or improvements in the neighborhood because the proposed use will not result in the construction of any new structures and the operation of the proposed use (i.e., storage of boats and associate materials) will be maintained on-site. Conditions of approval will be placed on the subject use to help ensure proper on-going maintenance of the site, which shall include clean-up of the waterfront, improved access to the waterfront, and on-site drainage control. It is not anticipated that the need for off-site parking will be considered detrimental or injurious to property or improvements in the neighborhood given the fact that a significant amount of the proposed use occurs during off-peak hours. Furthermore, the applicant is responsible for securing off-street parking for the day of the event.
3. The establishment and operation of the proposed use will not be detrimental or injurious to the general welfare of the City because the proposed use provides a unique opportunity for a community service program to provide upgrades to an existing program that might not otherwise be able to

accomplish the site improvements. These improvements will result in a cleaner, safer project site that allows members to get recreational exposure to the waterway through its rowing, paddling, and outrigger programs.

CEQA STATUS:

The proposed use is categorically exempt from the requirements of the California Environmental Quality Act Guidelines pursuant to section 15301 Class 1 "existing facilities" because the proposed use would result in the repair and modification of existing structures.

CONDITIONS OF APPROVAL: *It is the responsibility of the property owner, project applicant, tenant, and/or any other party identified in this document to adhere to and perform the following conditions of approvals in the time specified. If no time is specified then the condition is considered to be an ongoing obligation.*

General Conditions

1. The subject use shall substantially conform to the plans and related information submitted by Bair Island Aquatic Center on February 28, 2007, on file with Planning Services, except as modified by the conditions contained herein.
2. Any modifications to said approved plans and related materials must be submitted to Planning Services for review and approval.
3. The master Use Permit (UP2004-43) remains in full force and effect. This Temporary Use Permit (UP2007-18) is limited in scope and duration to the Rebuilding Together program as defined above. Any increase in intensity, expansion of use, and/or new facilities are subject to the review and approval of the City under a new Use Permit application.
4. It shall be the responsibility of the applicants to secure all necessary entitlements for the proposed scope of work through the appropriate lead agency be it the City of Redwood City, Army Corps of Engineers, Fish Wildlife Service or other local, State or Federal Agency.
5. The dumping of any sewage, debris, and/or waste into the water way shall be strictly prohibited. It shall be the responsibility of the applicant (BIAC) to provide adequate on-site disposal services (i.e. a pump out service, on site refuse containers, etc.) Any dumping associated with the proposed use may result in revocation of this Use Permit.
6. Any signs associated with the proposed use are subject to the review and approval of the Architectural Review Committee prior to installation of the signage.
7. Any exterior modification to the existing buildings and/or structures shall require the review and approval of an Architectural Permit.

8. Any electrical service provided to boats within the marina shall be subject to the issuance of an Electrical Permit with the City's Building and Inspections Division. Furthermore, any extension cords and/or wiring to the boats in the marina shall be kept out of the water at all times and shall be consolidated through a primary conduit.

Operational Conditions

9. Hours of operation for the Rebuilding Together program shall be limited to 5:00 AM to 8:00 PM on Saturday, April 28th, 2007.
10. All outdoor storage associated with the proposed use must be adequately screened. Therefore, no trailers, boats, or other materials shall be stored in the parking lot or on the public right-of-way.
11. It shall be the responsibility of the applicant to adequately dispose of any on-site debris/junk including but not limited to tires, unused or damaged boats or boat parts on an on-going basis. No accumulation of such materials is permitted.

Surface Parking Lot

12. BIAC shall provide finished striping and wheel stops in accordance with the approved plans on file with the City.
12. The parking lot shall be constructed entirely on private property. Extension of the parking lot on to City property requires the review and approval of a lease agreement and revocable encroachment permit by the City Council prior to any construction on City property.
13. The proposed parking lot shall be installed in accordance with the approved set of plans on file with the Engineer & Construction division.
14. Adequate site control measures and Best Management Practices shall be used during construction of the surface parking lot to insure that all potential impacts are minimized to the greatest extent possible.
15. Since this is a project located in a "sensitive" area, on site storm drainage must be retained and treated before being allowed to discharge into the creek. Therefore, the applicant shall be required to comply with the requirements of the City's NPDES permit and shall be subject to the conditions of the San Mateo County Stormwater Pollution Prevention Program (STOPPP). This shall include, but not be limited to, treatment for the parking area established within the conditions of this Use Permit.
16. It shall be BIAC's responsibility to provide adequate traffic control measures during the construction of the surface parking.

Existing Boat Docks

14. Replacement of the existing boat docks shall comply with all applicable Fire Code requirements.
15. Since this is a project located in an environmentally "sensitive waterfront" area, on site storm drainage must be retained and treated before being allowed to discharge into the creek.
16. The replacement of existing floating boat docks shall be limited to boat docks of the same size and configuration (i.e. like for like).
17. Any increase in the size of boat dock or the reconfiguration of boat docks shall require the review and approval of a new Use Permit prior to construction.
18. The boat dock shall be constructed with closed cell foam or fully enclosed floatation devices. Open cell foam, such as Styrofoam is not permitted, because it degrades and breaks apart polluting the water.

Existing Ramp

19. The replacement ramp shall be limited to a twenty (20) foot width and shall be constructed in accordance with all applicable Building Code, Fire Code and Engineering requirements.

Haul Out and Observation Deck

20. All repairs and/or reconstruction of the existing haul out shall be in accordance with all applicable Building Code, Fire Code, and Engineering requirements.
21. Construction of an observation deck is considered to be an amenity to the existing use and therefore would not be considered expansion of the existing use. However, the observation deck shall be constructed in accordance with all applicable Building Code, Fire Code and Engineering requirements.

Resurfacing the Boat Yard

22. Adequate site control measures and Best Management Practices shall be used during resurfacing of the boat yard to insure that all potential impacts are minimized to the greatest extent possible.
23. All site grading and surface work shall be consistent with the requirements of National Pollutant Discharge Elimination System (NPDES) and San Mateo County's Stormwater Pollution Prevention Program (STOPP).

24. Since this is a project located in an environmentally "sensitive waterfront" area, on site storm drainage must be retained and treated before being allowed to discharge into the creek.
25. BIAC shall provide finished striping for the loading area in accordance with the approved plans on file with the City.

Canopy Structure

26. Prior to the installation of the canopy structure the applicant shall demonstrate compliance with all applicable Building Code, Fire Code and Engineering requirements.
27. Should the construction of a new canopy require the installation of fire sprinklers it shall be the responsibility of BIAC to provide and/or demonstrate adequate water supply to the site.
28. The Tidal Plain Zoning District has a minimum front yard requirement of 50 feet. Therefore, as proposed, the Coverall canopy is located within the required front yard. Consequently, BIAC would need to obtain a Variance or Planned Development Permit prior to the construction of the Coverall.
29. The Tidal Plain Zoning District has a maximum lot coverage of 50 percent; therefore, BIAC would need to demonstrate compliance with this requirement or seek relief through the Variance or Planned Development Permit process.
30. Construction of the Coverall canopy must be consistent with the design review approval as granted by the Architectural Review Committee.

Boat House

31. All repairs and/or modifications to the existing Boat House shall be in accordance with all applicable Building Code, Fire Code, and Engineering requirements.
32. The pressure assist system shall be installed in accordance with the Uniform Plumbing Code and any applicable Building Code requirements.
33. If the cost resulting modifications to the boat house involves more than 50% of the value of the original building, then the elevation of the boat house would have to be raised above the flood plain.
34. The addition of any square footage, including a second floor, to the existing boat house shall require the review and approval of a Use Permit prior to implementation.

35. Any exterior modifications to the existing building shall require the review and approval by the Architectural Review Committee.

Follow-up Conditions:

35. It shall be the responsibility of the applicant (BIAC) to provide on going maintenance of the site which shall include but not be limited to the condition of boat docks, ramps, storage of hazardous materials, boat racks, and debris. In the event that any life safety issues are identified all uses associated with the proposed use shall cease until the life safety issues are adequately addressed and verified by the City's Building and Inspections Division and/or Fire Department.

36. Any non-compliance with the above conditions may result in the revocation of this Use Permit. Furthermore, in the event that the approved Use Permit generates detrimental impacts to the neighborhood, including parking, circulation and noise, or any other issue of concern as determined by the City, this Use Permit shall be subject to review by the Zoning Administrator at a public hearing.

If approved, no building or zoning permit shall be issued, and no use shall be established except in accordance with and subject to the terms and conditions outlined above, and in no case shall such permit be issued or use established prior to the final action on any appeals that may be filed within the appeal period. Any appeal made in accordance with the provisions of Section 48.2, Ordinance No. 1130 (Zoning Ordinance), must be received by the City Clerk no later than seven calendar days after the date of the official action. As such, this Use Permit shall become effective on the eighth (8th) day following the date of approval by the Zoning Administrator unless an appeal to said decision has been filed in accordance with the provisions stated above.



Blake Lyon
Zoning Administrator

cc: Building and Inspection Services Department