

# CITY OF OAKLAND

## Parks and Recreation Advisory Commission



### AGENDA FOR REGULAR MEETING

Date: Wednesday, October 8, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

#### Remote access instructions:

The following options are available to join this meeting remotely via Zoom;

- To join online, please click on the following link: <https://us06web.zoom.us/j/82998108170>.
- To join by phone, please use one of the options below:
  - One-tap mobile.
  - +16694449171,,82998108170# US, +16699006833,,82998108170# US (San Jose)
- Dial one of the numbers below for higher quality based on your current location.
  - +1 669 900 6833 US (San Jose), +1 408 638 0968 US (San Jose),
  - +1 669 444 9171 US, +1 253 215 8782 US (Tacoma),
  - +1 346 248 7799 US (Houston), +1 719 359 4580 US, +1 253 205 0468 US,
  - +1 309 205 3325 US, +1 312 626 6799 US (Chicago), +1 360 209 5623 US,
  - +1 386 347 5053 US, +1 507 473 4847 US, +1 564 217 2000 US,
  - +1 646 876 9923 US (New York), +1 646 931 3860 US, +1 689 278 1000 US,
  - +1 301 715 8592 US (Washington DC), +1 305 224 1968 US
  - International numbers are available at <https://us06web.zoom.us/j/kcq4t8oX4i>.
  - Webinar ID: 829 9810 8170.

#### How to submit Public Comment before and during the meeting:

1. To submit comments for review by the Commission before the meeting date, email comments to [publiccomments2prac@oaklandca.gov](mailto:publiccomments2prac@oaklandca.gov).
2. To comment in person during the meeting, please complete a Speaker Card and provide to meeting coordinators before the Chair opens the floor to Public Comment on that Item. Each speaker will be called to the podium by name and permitted to comment for the allotted time.
3. To comment during the meeting online, click “Raise Your Hand” when prompted. When it is your turn to speak, please unmute yourself. You will be permitted to comment on the open Item for the allotted time and re-muted. See instructions on how to “Raise Your Hand” here: [https://support.zoom.com/hc/en/article?id=zm\\_kb&sysparm\\_article=KB0068290](https://support.zoom.com/hc/en/article?id=zm_kb&sysparm_article=KB0068290).
4. To comment during the meeting by phone, please call one of the phone numbers listed above. You will be prompted to “Raise Your Hand” by dialing \*9 to request to speak. When it is your turn, please unmute yourself by dialing \*6. You will be permitted to comment on the open Item for the allotted time and re-muted.

If you have questions, email [publiccomments2prac@oaklandca.gov](mailto:publiccomments2prac@oaklandca.gov) or contact Oakland Parks, Recreation and Youth Development at 510-238-7275. Thank you.

## AGENDA FOR REGULAR MEETING

### Parks and Recreation Advisory Commission

Date: Wednesday, October 8, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

---



#### **NOTE: Public Comment will be taken during this meeting as follows...**

- If you have a comment to make about an Item on this agenda, you may do so after the Chair opens the floor to Public Comment on that Item.
- If you have a comment to make about a topic that is not on this agenda, you may do so under **Items 5 and 10**, Open Forum and Continuation of Open Forum.

#### **Agenda Items**

1. Call to Order
2. Roll Call / Determination of Quorum
  - Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore
3. Modification of the Agenda
4. Disposition of Minutes
  - Draft minutes from regular meeting on **September 10, 2025**.
5. Open Forum
  - Comment on all items not on this agenda will be taken at this time.
6. Measure Q Update
  - Monthly OPW Informational Report on Measure Q and Performance Measure Updates.
    - No report this month.
7. New Business
  - 7A. Request for Parks and Recreation Advisory Commission (PRAC) to approve Lower Grand Radio request to collect onsite donations, vendor fees, vendor sales of wares, sales of beverages, and merchandise at their “At the Lake” craft and maker fair to be held at Lakeside Garden Center on Sunday, November 2, 2025, 9:00am-6:00pm.
  - 7B. Request for Parks and Recreation Advisory Commission to support citywide planning code amendments to (1) adjust regulations for Section 17.11.060 Special

## AGENDA FOR REGULAR MEETING

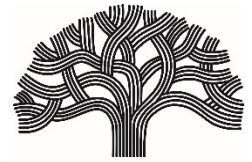
### Parks and Recreation Advisory Commission

Date: Wednesday, October 8, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

---



CITY OF OAKLAND

provisions for permitted and conditionally permitted activities in the OS Zone for purposes of reducing regulatory barriers to improving and maintaining parks; and (2) make related miscellaneous and administrative changes to chapters 17.09, 17.10, 17.11, and 17.135.

- 7C. Request the Parks and Recreation Advisory Commission provide recommendations to the City Council regarding an application for a General Plan Amendment, Rezoning, and amendments to the approved Estuary Park Master Plan to allow residential development on Parcel N.
  - 7D. Verbal Presentation from Bay Area Parks for People.
- 
- 8. Planning and Conditional Use Permits (CUPs)
  - 9. Update from the Director, Committees, and Announcements
  - 10. Continuation of Open Forum
    - All final comments on items not on this agenda will be taken at this time.
  - 11. Adjournment

## AGENDA FOR REGULAR MEETING

### Parks and Recreation Advisory Commission

Date: Wednesday, October 8, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

---



Visit [PRAC's website](#) for Agendas, Meetings, Minutes, and more information.

### Next Regular PRAC Meeting

Date: Wednesday, November 12, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

### Accessibility Information:

This meeting location is wheelchair accessible.

To request disability-related accommodations or to request an ASL, Cantonese, Mandarin or Spanish interpreter, please email [publiccomments2prac@oaklandca.gov](mailto:publiccomments2prac@oaklandca.gov) or call Oakland Parks, Recreation and Youth Development at (510) 238-7275 or TDD/TTY (510) 238-3254 at least ten (10) days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities. Thank you.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantones, Mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a [publiccomments2prac@oaklandca.gov](mailto:publiccomments2prac@oaklandca.gov) o llame al (510) 238-7275 o (510) 238-3254 por lo menos cinco (5) días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

會場有適合輪椅出入設施。需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 [publiccomments2prac@oaklandca.gov](mailto:publiccomments2prac@oaklandca.gov) 或致電 (510) 238-7275 或 (510) 238-3254 TDD/TTY。請避免塗搽香氛產品, 參加者可能對化學成分敏感。

# CITY OF OAKLAND

## Parks and Recreation Advisory Commission



### DRAFT MINUTES FOR REGULAR MEETING

Date: Wednesday, September 10, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

#### Agenda Items

1. Call to Order: **4:36 p.m.**

2. Roll Call / Determination of Quorum

Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore

**Present (10):** Chair Barach, Vice Chair Omolo, Commissioners Alper, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Whitmore and Watkins

**Remote (0):**

**Excused (0):**

**Absent (0):**

**Action:** Quorum confirmed.

3. Modification of the Agenda

- **Item 7F will be heard after Item 6.**

**Motion:** Chair Barach entertained a motion to approve the modification.

**Moved by:** Commissioner Tran

**Seconded by:** Commissioner Kos-Read

**Vote:** Yes (8) Alper, Barach, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore

No (0)

**Action:** Motion Passed.

4. Disposition of Minutes

- Approval of draft minutes from regular meeting on **July 9, 2025.**

**Motion:** Chair Barach entertained a motion to approve the minutes.

**Moved by:** Commissioner Thomas

**Seconded by:** Commissioner Tran

**Vote:** Yes (8) Alper, Barach, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore

No (0)

**Action:** Motion Passed.

5. Open Forum

- Comment on all items not on the agenda are taken at this time.

**In-Person:** 1

**Remote:** 1

**Email:** 2

*Com. Henderson joined the meeting at 4:41pm.*

6. Measure Q Update

- Monthly OPW Informational Report on Measure Q and Performance Measure Updates.
  - Q4 Maintenance Update
  - Measure Q Financial Report

*Com. Cervantes joined the meeting at 4:55pm.*

**Public Comment**

In-Person: 1

Remote: 0

Email: 0

**Motion:** Chair Barach entertained a motion to accept and file the report.

**Moved by:** Vice Chair Omolo

**Seconded by:** Commissioner Henderson

**Vote:** Yes (10) Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo,  
Thomas, Tran, Watkins, Whitmore  
No (0)

**Action:** Motion Passed.

7. New Business

- 7F. PRAC Review of Measure Q Findings and Recommendations in the 2024 -2025 Alameda County Grand Jury Final Report.

**Public Comment**

In-Person: 1

Remote: 0

Email: 0

**Motion:** Chair Barach entertained a motion to accept and file the report.

**Moved by:** Commissioner Henderson

**Seconded by:** Commissioner Tran

**Vote:** Yes (9) Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Watkins  
No (0)  
Abstain (1) Whitmore

**Action:** Motion Passed.

- 7A. Request for the Parks and Recreation Advisory Commission (PRAC) to approve Association of Professional Designers request for vendor sales of plants at their plant fair to be held at Lakeside Park Garden Center on Wednesday, October 22, 2025, from 9:00am-4:00pm.

**Public Comment**

In-Person: 0  
Remote: 0  
Email: 0

**Motion:** Chair Barach entertained a motion to approve the request.

**Moved by:** Commissioner Kos-Read

**Seconded by:** Vice Chair Omolo

**Vote:** Yes (10) Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore  
No (0)

**Action:** Motion Passed.

- 7B. Request for Parks and Recreation Advisory Commission (PRAC) to approve Water Lantern Festival request to collect funds onsite for sales of lanterns, vendor sales of merchandise, crafts, mobile food trucks sales of food and beverages (non-alcoholic) at the Water Lantern Festival to be held at Lakeside Park (Edoff Memorial Bandstand and beach area) on Saturday, November 1, 2025, from 3:30pm-9:00pm.

**Public Comment**

In-Person: 0  
Remote: 0  
Email: 0

**Motion:** Chair Barach entertained a motion to approve the request.

**Moved by:** Vice Chair Omolo

**Seconded by:** Commissioner Thomas

**Vote:** Yes (10) Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore  
No (0)

**Action:** Motion Passed.

- 7C. Request for the Parks and Recreation Advisory Commission (PRAC) to review and approve the Public Art Conceptual Design Proposal by artist Vanessa “DJ Agana” Espinoza for the De Fremery Park “Snack Shack” public art project in West Oakland (District 3).

**Public Comment**

In-Person: 0

Remote: 0

Email: 0

**Motion:** Chair Barach entertained a motion to approve the request.

**Moved by:** Commissioner Cervantes

**Seconded by:** Commissioner Whitmore

**Vote:** Yes (10) Alper, Barach, Cervantes, Henderson, Kos-Read, Omolo, Thomas, Tran, Watkins, Whitmore  
No (0)

**Action:** Motion Passed.

- 7D. Informational report to the Parks and Recreation Advisory Commission (PRAC) on draft Slow Streets network recommendations which include paths within Oakland parks.

**Public Comment**

In-Person: 0

Remote: 0

Email: 0

**Motion:** Chair Barach entertained a motion to accept and file the report.

**Moved by:** Commissioner Tran

**Seconded by:** Commissioner Cervantes

**Vote:** Yes (9) Alper, Barach, Cervantes, Henderson, Kos-Read, Thomas, Tran, Watkins, Whitmore  
No (0)

Absent (1) Vice Chair Omolo

**Action:** Motion Passed.

*Com. Alper left the meeting at 6:45pm.*

- 7E. Informational report on the General Plan Update.

**Public Comment**

In-Person: 0



Remote: 0

Email: 0

**Motion:** Chair Barach entertained a motion to accept and file the report.

**Moved by:** Commissioner Cervantes

**Seconded by:** Commissioner Kos-Read

**Vote:** Yes (9) Barach, Cervantes, Henderson, Kos-Read, Omolo,  
Thomas, Tran, Watkins, Whitmore  
No (0)

**Action:** Motion Passed.

8. Planning and Conditional Use Permits (CUPs)

**None.**

9. Update from the Director, Committees, and Announcements

**Director's Update:**

- OPRYD is working with TPL (Trust for Public Land) and plans to have them present in an upcoming meeting. With TPL's guidance, the department is on track to begin park listening tours soon in communities to discuss parks and improvements.
- There is ongoing advocacy for a department strategic plan and a parks master plan to advise and guide the department and its priorities.
- The newly hired Assistant Director for OPRYD, Sarah Herbelin, will be rejoining the team. Before her transition to Finance, Sarah served the community with OPRYD for 15 years.

**Measure Q Ad-Hoc Committee Update:**

- Vice Chair Omolo forwarded commissioner comments on the parks assessment to OPW. He met with Beth Muñoz and Randall Kpoff, Kimley-Horn consultants (presented on the Parks Assessment) to discuss equity measures, MOU development and tools to measure equitable maintenance in relation to Measure Q. A meeting with TPL to discuss Oakland parks further is scheduled for the coming week.

**Announcements:**

- Vice Chair Omolo will be attending the NRPA conference in Orlando this month.
- Allendale community garden mural restoration will be Saturdays and Sundays 8 – 10a all month.
- Salsa by the Lake is partnering with Oakland is Better in Person for "Salsa on the Terrace" at the Henry J. Kaiser building, Thursday, September 18<sup>th</sup>, 5:30-9:30p.
- Oakland Parks and Recreation Foundation (OPRF) Business Breakfast is on September 26<sup>th</sup>.
- Black-Eyed Pea Festival is Saturday, September 13<sup>th</sup>.

10. Continuation of Open Forum

- Final comments on items not on the agenda are taken at this time.

**In-Person:** 0

**Remote:** 0

11. Adjournment: **7:18 p.m.**

**Motion:** Chair Barach entertained a motion to adjourn the meeting.

**Moved by:** Vice Chair Omolo

**Seconded by:** Commissioner Thomas

**Vote:** Yes (9) Barach, Cervantes, Henderson, Kos-Read, Omolo,  
Thomas, Tran, Watkins, Whitmore  
No (0)

**Action:** Motion Passed.

**Next Regular PRAC Meeting**

Date: Wednesday, October 8, 2025

Time: 4:30 PM

Location: Lakeside Park Garden Center, 666 Bellevue Avenue

Visit [PRAC's website](#) for Agendas, Meetings, Minutes, and more information.

Respectfully submitted,

A handwritten signature in black ink that reads "Jasmine S. Bellow". The signature is written in a cursive style with a large, looping 'J' and 'S'.

Jasmine S. Bellow  
Executive Assistant to the Director  
PRAC Recording Secretary

**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Marc Barach, Chair, Parks and Recreation Advisory Commission  
**FROM:** Tanya Nicholson, Public Service Representative, Central Reservations Unit  
**DATE:** August 13, 2025  
**SUBJECT: REQUEST FOR PARKS AND RECREATION ADVISORY COMMISSION (PRAC) TO APPROVE LOWER GRAND RADIO REQUEST TO COLLECT ONSITE DONATIONS, VENDOR FEES, VENDOR SALES OF WARES, SALES OF BEVERAGES, AND MERCHANDISE AT THEIR “AT THE LAKE” CRAFT AND MAKER FAIR TO BE HELD AT LAKESIDE GARDEN CENTER ON SUNDAY, NOVEMBER 2, 2025, 9:00AM-6:00PM**

---

**SUMMARY**

Oakland Parks, Recreation & Youth Development received a request from Alex Shen, Station Manager with Lower Grand Radio, an online radio platform based in Oakland since 2014, whose aim is to elevate and give a voice to aspiring DJs and music enthusiasts. Alex Shen is requesting approval to collect onsite donations, vendor fees, vendor sales of wares, sales of beverages, and merchandise at their “At The Lake” craft and maker fair to be held at Lakeside Garden Center on Sunday, November 2, 2025, 9:00am-6:00pm. Applicant is aware of the additional permits required. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

**BACKGROUND / LEGISLATIVE HISTORY**

Lower Grand Radio is an online radio platform based in Oakland since 2014. They aim to elevate and give a voice to aspiring DJs and music enthusiasts across the board, prioritizing BIPOC, LGBTQ+ and historically under-represented folks. Among providing recorded assets to DJs, they stream live radio shows, podcasts and genre-bending mixes to promote the local and wider music scene of the Bay Area. In addition to online programming, they hold DJ workshops at Oakland Public Library for youth, live events, curating music for large and small business events and merchandise design. They also provide design services for events, flyers, and products in addition to providing DJ services.

**PROJECT / PROGRAM DESCRIPTION**

“At the Lake” would be a one-day craft and maker fair with 60-80 curated vendors, selling and showcasing their wares from self-made merchandise, vinyl records, self-publications books, and art, or to promote local business. The event would also serve as a casual fundraiser for the station. Their community of local musicians and artists is wide-ranging, and this would be a way to showcase local talent and build a stronger community. Any funds collected at the door would be for their station’s rent, and basic operating costs for the next fiscal year - such as internet, audio equipment maintenance, and utilities.

The estimated attendance is 300.

### **FISCAL IMPACT**

There will be a positive fiscal impact to Oakland Parks, Recreation & Youth Development. Lower Grand Radio has paid the associated rental fees for the event in the amount of \$3,549.90.

### **PUBLIC OUTREACH / INTEREST**

Lower Grand Radio will be advertising through flyers and social media.

### **COORDINATION**

OPRYD staff works closely with the event promoter to ensure the reservation process is followed and the required permits are obtained and submitted to finalize reservations.

- Site walkthrough with event promoter and OPRYD staff
- Submit completed rental application for processing
- Submission of PRAC Proposal Letter and Post Event Report
- Pay OPRYD applicable fees
- Certificate of Insurance
- Oakland Business License from Vendors
- Fire Services Application
- After event walkthrough with OPRYD staff and event promoter
- Post Event Report is due 30 days after event

### **RECOMMENDATION**

Staff recommends that the Parks and Recreation Advisory Commission approve the request from Lower Grand Radio to collect onsite donations, vendor fees, vendor sales of wares, sales of beverages, and merchandise at their “At The Lake” craft and maker fair to be held at Lakeside Garden Center on Sunday, November 2, 2025, 9:00am-6:00pm.

Respectfully Submitted,

  
Tanya Nicholson (Sep 2, 2025 15:14:34 PDT)

---

Prepared by:  
Tanya Nicholson  
Public Service Representative

  
Zermaine Thomas (Sep 2, 2025 15:15:53 PDT)

---

Reviewed by:  
Zermaine Thomas  
Special Events Coordinator

Sarah Herblin  
Sarah Herblin (Sep 2, 2025 16:15:00 PDT)

---

Approved by:  
Sarah Herblin  
Assistant Director, OPRYD

**Identification of Support Documents:**

Attachments: Exhibit A – Lower Grand Radio Proposal Letter  
Exhibit B – Post Event Report 2024



4124 Broadway  
Oakland, CA 94611  
[www.lowergrandradio.com](http://www.lowergrandradio.com)

**07.24.2025**

Dear Parks and Recreation Advisory Commission,

On behalf of Lower Grand Radio, please accept this Proposal Letter as part of our application for the use of the Lakeside Park Garden Center on November 2nd, 2025 from 9-6pm for the purpose of "At The Lake."

### **History**

Lower Grand Radio is an online radio platform based in Oakland since 2014. We aim to elevate and give a voice to aspiring DJs and music enthusiasts across the board, prioritizing BIPOC, LGBTQ+ and historically under-represented folks. Among providing recorded assets to DJs, we stream live radio shows, podcasts and genre-bending mixes to promote the local and wider music scene of the Bay Area. In addition to online programming, we hold DJ workshops at Oakland Public Library for youth, live events, curating music for large and small business events and merchandise design. We also provide design services for events, flyers, and products in addition to providing DJ services.

### **Overview of Event**

"At the Lake" would be a one-day craft and maker fair with 60-80 curated vendors, selling and showcasing their wares from self-made merchandise, vinyl records, self-publications like zines and books, and art, or to promote a local business. The event would also serve as a casual fundraiser for the station by encouraging but not a mandatory donation at the entrance. Our community of local musicians and artists is wide-ranging and this would be a way to showcase local talent and build a stronger community.

We will be advertising through flyering and social media.

### **Request for Funds Collected**

Funds Collected would be

- Door donations (We are aiming for at least \$2000)
- Tabling fees for vendors (\$50 per table)
- Looking for possible local Beer and non-alcoholic sponsors to sell beverages to help with cost.

### **Why Funds Are Being Collected**

Any funds collected at the door would be for our station's rent, and basic operating costs for the next fiscal year - such as internet, audio equipment maintenance, and utilities.

Thank you and the OPRYD staff for their support in ensuring our event is successful.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Shen' with a stylized, flowing script.

Alex Shen  
he/him  
Station Manager





## POST EVENT REPORT

Please complete and return the Post Event Report within 30 days after event date to Oakland Parks and Recreation Central Reservations Unit at 250 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor, Suite 3330, Oakland, CA 94612. If the event was held at a Recreation Center site, return the Post Event Report to the Site Supervisor at the Recreation Center.

### I. GENERAL INFORMATION

Name of Event: Lower Grand Radio Presents: At the Lake

Location of Event: Lakeside Park Garden Center

Date/Hours of Event: March 24<sup>th</sup>, 2024 11am-5pm Permit No. \_\_\_\_\_

Event Contact Name: Alex Shen Phone No. 510-816-1708

Event Contact Address: 4124 Broadway, Oakland CA 94611

Is this a "first time" event at this location? ☒ Yes ☐ No If no, when was the event held previously?

1. Were Facility Rental/Set-up fees waived? ☐ Yes ☒ No ☐ Not Applicable

2. Check other permits required for event?

- ☒ OPD Special Events Permit ☐ Food Handler's Permit ☐ Seller's Permit  
☐ Charitable Solicitations Permit ☒ Certificate of Insurance ☐ Other - Please list

### II. ATTENDANCE/COLLECTION OF FUNDS

1. Total number in attendance: 54
2. Were registration fees, donations or other fees collected on-site? ☐ Yes ☒ No ☐ Not Applicable
3. If yes, how many people registered? 54 How many people made donations? 1
4. What was the cost for registration? \$60
5. How much was collected on site from registration fees? 1
6. How much was collected on site from donations? 1
7. How much was collected on site from other fees? 1

Tablers paid a registration fee before the event.

Revised: 04-2013



POST EVENT REPORT (Continued)  
Page 2

III. VENDOR INFORMATION

List all Vendors who participated at the event. (Attach additional sheets, if necessary):

Were all vendors in compliance per agreement? ☒ Yes ☐ No

If no, why not? \_\_\_\_\_

Name of Vendor(s) (Attach additional sheets if necessary)	Non-Profit or For Profit Orgz'n?	Food (Describe)	Craft (Describe)	Seller's Permit Y/N
Lower Grand Radio LLC	FOR PROFIT		T-shirts, Mixtapes	Y

IV. COMMENTS

List ways in which the Applicant desires to improve the event, in the future (Attach additional sheets, if necessary): (For example: changes or additional vendors, location, change of hours, etc.)

I would like to make space for additional vendors  
in the breezeway. Maybe find a food vendor for  
next time.

List any problems, concerns, or other comments about your satisfaction in the way the event turned out? (Attach additional sheets, if necessary):

Submitted by: Alex Shen Date: 8/8/25

Approved by: Tanya Nicholson Date: Sep 2, 2025  
Tanya Nicholson (Sep 2, 2025 15:14:34 PDT)  
(OPR Staff)

Comments: \_\_\_\_\_

Revised: 04-2013

**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Marc Barach, Chair, Parks and Recreation Advisory Commission  
**FROM:** Timothy Green, Planner III, Planning and Building Department  
**DATE:** September 18, 2025  
**SUBJECT: REQUEST FOR PARKS AND RECREATION ADVISORY COMMISSION TO SUPPORT CITYWIDE PLANNING CODE AMENDMENTS TO (1) ADJUST REGULATIONS FOR SECTION 17.11.060 SPECIAL PROVISIONS FOR PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES IN THE OS ZONE FOR PURPOSES OF REDUCING REGULATORY BARRIERS TO IMPROVING AND MAINTAINING PARKS; AND (2) MAKE RELATED MISCELLANEOUS AND ADMINISTRATIVE CHANGES TO CHAPTERS 17.09, 17.10, 17.11, AND 17.135.**

---

**SUMMARY**

Planning Staff are proposing amendments that will adjust regulations for permitted and conditionally permitted activities and facilities, including focused changes to Chapter 17.11 Open Space Zoning Regulations and associated sections in other chapters. Staff requests review by the Parks and Recreation Advisory Commission of the following four chapters:

- 17.11 OS Open Space Zoning Regulations
  - Reduce Conditional Use Permit (CUP) requirements for activities and facilities in the OS Zone.
- 17.09 Definitions
  - Move Special definitions for projects in the Open Space (OS) Zone from 17.09 to 17.11.
- 17.10 Use Classifications
  - Amend the definition of accessory activities associated with parks.
- 17.135 Special Use Permit Review Procedure for the OS Zone
  - Make an administrative correction to a reference in order to reflect the move of special OS definitions from 17.09 to 17.11.

**BACKGROUND / LEGISLATIVE HISTORY**

The last comprehensive update to the OS Open Space Zoning Regulations occurred in 1998 as part of the planning code amendments implementing the 1996 Open Space, Conservation, and Recreation Element.

Ordinance No. 13763, adopted on October 23, 2023, added to Section 17.11.060, Park Uses Consistent with an Adopted Master Plan or Cultural Easement. This allows any activity to be permitted by-right if it is consistent with an adopted Park Master Plan. Ordinance No. 13779, adopted on January 1, 2024, made clarifying changes to Chapters 17.11, 17.134, and 17.135 that

provide updated procedures for issuance of planning permits for Park Uses consistent with a Master Plan adopted by City Council.

### **PROJECT / PROGRAM DESCRIPTION**

The proposed Planning Code amendments reduce the requirements for Conditional Use Permits (CUPs) across a wide range of activity and facility types. While the package covers many chapters of the Planning Code, review by the Parks and Recreation Advisory Commission (PRAC) is limited to 17.11 OS Open Space Zoning Regulations and associated sections in other chapters.

Staff in the Planning and Building Department have received complaints from the Parks, Recreation and Youth Development Department as well as the Public Works Department about the permitting challenges associated with developing and maintaining Oakland's parks. The current permitting standards established in 1998 require virtually every project in Oakland's parks to go through a CUP process. This results in increased costs and delays for implementing City-sponsored projects. Recognizing these issues, the proposal focuses on making changes to sections 17.11.060 *Special provisions for permitted and conditionally permitted activities in the OS Zone*. This section assigns permitting provisions based on the nine following park classifications:

- RSP: Region-Serving Park
- CP: Community Park
- NP: Neighborhood Park
- AMP: Active Mini-Park
- PMP: Passive Mini-Park
- LP: Linear Park
- SU: Special Use Park
- RCA: Resource Conservation Area
- AF: Athletic Field Park

The permitting requirement for the following activities (within specified park classifications) would be changed from **Prohibited** to **Permitted**. These limited changes would allow for activation of parks by providing concessions and for special events to occur in any City park.

- Food service and other concessions (AMP, LP)
- Temporary uses (RCA)

The permitting requirement for the following activities would be changed from **Minor CUP** to **Permitted**. These changes would make it easier to install basic park amenities, such as paths, kiosks, and restrooms. Restrictions would also be reduced on basic utility infrastructure and on special events.

- Trails and paths (all park types)
- Electric, gas, and telephone distribution lines and poles (all park types)
- Water, storm drainage, and sewer lines (all park types)
- Food service and other concessions (RSP, CP, NP, SU, AF)
- Temporary uses (RSP, CP, NP, AMP, PMP, LP, SU, AF)
- Small benches and street furniture (RCA)

- Kiosks/map boards (all park types)
- Landscaping (RCA)
- General lighting (SU, AF)
- Rest room buildings (RSP, CP, NP, AMP, PMP, LP, SU, AF)

The permitting requirement for the following activities would be changed from **Prohibited** to **Minor CUP**. These changes would allow for installation of low-impact recreational amenities, particularly in Athletic Field Parks. However, requiring a Minor CUP would maintain thoughtful analysis of proposals, particularly in regard to limiting expansion of impervious surfaces in parks. Additionally, cafes would be allowed in most parks, which would help to activate those spaces and provide revenue for their maintenance.

- Bocce ball courts (AMP, LP, AF)
- Handball courts (AF)
- Horseshoe pits (AF)
- Lawn bowling (AMP, LP, AF)
- Skateboard play areas (AMP, LP)
- Wading pools (PMP, LP, AF)
- Limited-service restaurants and cafes (RSP, CP, NP, AMP, PMP, LP, SU, AF)
- General lighting (RCA)
- Maintenance sheds (AMP, PMP)

The permitting requirement for the following activities and facilities would be changed from **Major CUP** to **Minor CUP**. These limited changes would make it a faster process to install small service buildings in Resource Conservation Areas because it would not require the project to go to the Planning Commission for approval.

- Maintenance sheds (RCA)
- Rest room buildings (RCA)

The permitting requirement for the following activities would be changed from **Prohibited** to **Major CUP**. These changes would allow for installation of more impactful park amenities, such as water play features, restaurants, and alcohol sales, while maintaining a high level of review to ensure they don't cause negative impacts.

- Large playgrounds (PMP)
- Recreation centers (AF)
- Swim centers (AF)
- Water play features (NP, AMP, PMP, LP, AF)
- Historic residence converted for museum/recreational purposes (AMP, PMP, LP)
- Museum (NP, AMP, PMP, LP)
- Bandstand (NP, LP, AF)
- Outdoor performance areas (AMP, PMP, LP, AF)
- Stadium or sports arena (AF)
- Full-service restaurants (CP, NP, AMP, PMP, LP, AF)
- Alcoholic beverage sales (CP, NP, AMP, PMP, LP, AF)
- Athletic field lighting (NP)
- Accessory buildings (PMP)

Other changes to Chapter 17.11 include the following:

- Move *Special definitions for projects in the Open Space (OS) Zone* from Chapter 17.09 into the chapter with minor changes.
- Exempt certain types of Essential Service Activities from the CUP procedure.
- State that “Building and grounds maintenance, repair, and in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements shall not be considered a ‘change in use’.”
- Define Limited Child Care Civic Activities as those serving 14 children or less, and Community Education Civic Activities as those serving 15 children or more to be consistent with the rest of the Planning Code definition.
- Separate Stormwater Detention/Water Quality Facilities into those over 1,000 sf and those under 1,000 sf. Small facilities would be permitted in all parks. Large facilities would require a Major CUP in RSP, CP, NP, LP, SU, and RCA parks, and would be prohibited in other parks.
- Separate Fences, walls, or gates for athletic fields from those for general use. Prohibit athletic fences in AMP, PMP, LP, and RCA parks. Additionally, general use fences would now have a CUP exception if they increase safety and security or could prevent a public safety hazard or damage to an environmentally sensitive area, which brings it in line with all other park types. Athletic fences would require a Minor CUP in RSP, CP, NP, SU, and AF parks, and would be prohibited in other parks.
- Separate Public Art into that which covers over 1,000 sf and that which covers under 1,000 sf. Small facilities would be permitted in all parks. Large facilities would require a Major CUP in RCA parks and would require a Minor CUP in other parks.
- Align Permitted and Conditionally Permitted Nonresidential Facilities with the changes to Permitted and Conditionally Permitted Activities.
- Change Mini Telecommunications and Micro Telecommunications from Major CUP to Minor CUP. This would rationalize permitting requirements for telecommunications facilities by aligning with other Zones and placing the same burden of review on all telecommunication facilities.

Administrative changes would be made to chapters 17.09, 17.10, and 17.135 to maintain consistency with the aforementioned amendments.

### **FISCAL IMPACT**

Implementation of these changes will be a component of the existing approval process administered by the Department of Planning and Building, which collects fees for such review and approvals as established in the Master Fee Schedule. Staff will inform the public of the new regulations as part of all applicable inquiries and apply the new regulations as part of all applicable planning and building permit applications. Staff will also develop any application materials including summaries and guides using internal resources and staff’s time.

### **PUBLIC OUTREACH / INTEREST**

The Planning & Building; Parks, Recreation, and Youth Development; and Public Works departments have received consistent community feedback in recent years about a lack of amenities in parks. The Planning & Building Department also conducted a parks survey in summer 2024. The responses indicated strong support for improved amenities at parks, such as restrooms and increased athletic facilities. Additionally, respondents indicated a desire for specialized recreational facilities, such as roller rinks, dedicated bike trails, pickleball courts, updated play structures, and dog parks.

### **COORDINATION**

In Summer 2025, Planning staff, in consultation with the City Attorney's Office, Department of Parks, Recreation, and Youth Development, and Department of Public Works, drafted the proposed amendments.

### **RECOMMENDATION**

Staff requests that the Parks and Recreation Advisory Commission:

Recommend that the Planning Commission conduct a public hearing and receive Commission and Public comments on an ordinance amending Title 17 of the Oakland Municipal Code (The Planning Code) to:

1. Adjust regulations for Section 17.11.060 Special provisions for permitted and conditionally permitted activities in the OS Zone for purposes of reducing regulatory barriers to improving and maintaining parks; and
2. Make related miscellaneous and administrative changes to chapters 17.09, 17.10, 17.11, and 17.135.

Respectfully Submitted,

Timothy P Green  
Prepared by:  
Timothy Green  
Planner III

Lakshmi Rajagopalan  
Reviewed by:  
Lakshmi Rajagopalan  
Planner IV

Laura B Kaminski  
Approved by:  
Laura Kaminski  
Strategic Planning Manager

**Identification of Support Documents:**

Attachment:

A: Revisions to OS Open space Zoning Regulations and Related Chapters



# OAKLAND

## EXHIBIT A:

### REVISIONS TO OS OPEN SPACE ZONING REGULATIONS AND RELATED CHAPTERS

The Oakland Planning Code (Title 17 of the Oakland Municipal Code) is proposed to be amended as follows. Additions are shown in underline and deletions are shown in ~~striketrough~~. Note that only the relevant code subsections being amended are included and unamended portions of tables are omitted.

---

#### Chapter 17.09 DEFINITIONS

##### **17.09.050 Special definitions for projects in the Open Space (OS) Zone:**

A. ~~"Change in use" means any activity which is not already established in the particular park or open space, or the significant expansion of any existing use. Changes in the ongoing, regularly-scheduled recreational programs offered by the City of Oakland, regional park district, and similar agencies shall not be considered "changes in use" unless they involve permanent structural changes to parks or park facilities. Conditionally permitted changes in use are listed in Sections 17.11.050, 17.11.060 and 17.11.090.~~

B. ~~"Improvement" means any project which, if proposed by a private applicant, would require issuance of a building, grading, or demolition permit by the City of Oakland. Parking lots shall also be included. Routine building and grounds maintenance where there is no change in the size, height, or external appearance of structures or grounds; and routine landscaping and/or landscape improvements, including irrigation systems, are not included. Conditionally permitted improvements are listed in Sections 17.11.050, 17.11.060 and 17.11.090.~~

C. ~~"Impervious surface" means any surface through which water does not easily pass. Impervious surface specifically includes all structures; paving materials such as brick, concrete, asphalt, or stone; swimming pools; and patios and terraces. Impervious surface does not include landscaping or furniture, play equipment, kiosks, or other individual articles used in conjunction with landscaping which individually do not cover more than ten (10) square feet and cumulatively do not cover more than one hundred (100) square feet.~~

D. ~~"Open space of comparable value" means land acquired or improved by the City that is approximately equal in its potential for recreational use to land elsewhere in the City proposed for coverage by a structure or impervious surface. For the purposes of this definition, comparable value shall be based on slope, total area, dimensions, vegetation, and proximity to water features.~~

E. ~~"Caretaker's quarters" means a single living unit occupied on a weekly or longer basis on public parkland where the primary occupant of the residence is employed to maintain the grounds and facilities of the associated park.~~

F. ~~"Street furniture" means furnishings used to enhance the aesthetic and functional value of a park or open space, including benches, tables, planter boxes, flagpoles, water fountains, decorative trash bins, ornamental fixtures, and similar features. Map boards and kiosks are~~

## OAKLAND

excluded. For zoning purposes, street furniture is classified into projects whose individual components sum to more than one hundred (100) square feet and those whose components sum to less than one hundred (100) square feet.

G. — "No net loss" means a state in which the square footage of useable parkland added to the City's park inventory since July 28, 1998, is equal to or greater than the square footage of urban parkland covered by structures since that date. Lands within the jurisdiction of the Port of Oakland and lands classified as "Resource Conservation Areas" are excluded from this calculation. Structures smaller than one hundred (100) square feet shall also be exempt from this calculation.

H. — "Urban parkland" means any parkland in the City of Oakland that is not designated a "Resource Conservation Area," excluding those lands within the jurisdiction of the Port of Oakland.

## Chapter 17.10 USE CLASSIFICATIONS

### 17.10.040 Accessory activities.

In addition to the principal activities expressly included therein, each activity type shall be deemed to include such activities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal activity; are located on the same lot as such principal activity except as otherwise provided in Subsections A., J., and K. of this Section; and meet the further conditions set forth hereinafter. Such accessory activities shall be controlled in the same manner as the principal activities within such type except as otherwise expressly provided in the zoning regulations. Such accessory activities include, but are not limited to, the activities indicated below, but exclude the sale of alcoholic beverages to the general public except at a Full-Service Restaurant, Limited-Service Restaurant and Café, or an alcoholic beverage manufacturer, as described in Sections 17.10.272, 17.10.274, 17.10.550, and 17.10.560, and subject to the standards in Section 17.103.030. (See also Section 17.10.050 for additional activities included within activity types in the case of combinations of different principal activities.)

#### [A-K OMITTED]

- L. Benches, street furniture, lighting, public art, sheds, and similar infrastructure associated with city and regional parks, the sum of which are one hundred (100) square feet or less;

#### [M-P OMITTED]

Chapter 17.11 OS OPEN SPACE ZONING REGULATIONS

**17.11.015 Special definitions for projects in the Open Space (OS) Zone.**

- A. **"Change in use"** means any activity which is not already established in the particular park or open space, or the significant expansion of any existing use. Changes in the ongoing, regularly-scheduled recreational programs offered by the City of Oakland, regional park district, and similar agencies shall not be considered "changes in use" unless they involve permanent structural changes to parks or park facilities. Conditionally permitted changes in use are listed in Sections 17.11.050, 17.11.060 and 17.11.090. Building and grounds maintenance; repair and/or in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements, including irrigation systems, shall also not be considered a "change in use"
- B. **"Improvement"** means any project which, if proposed by a private applicant, would require issuance of a building, grading, or demolition permit by the City of Oakland. Parking lots shall also be included. Building and grounds maintenance; repair and/or in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements, including irrigation systems, are not included. Conditionally permitted improvements are listed in Sections 17.11.050, 17.11.060 and 17.11.090.
- C. **"Impervious surface"** means any surface through which water does not easily pass. Impervious surface specifically includes all structures; paving materials such as brick, concrete, asphalt, or stone; swimming pools; and patios and terraces. Impervious surface does not include landscaping or furniture, play equipment, kiosks, or other individual articles used in conjunction with landscaping which cumulatively do not cover more than one hundred (100) square feet.
- D. **"Open space of comparable value"** means land acquired or improved by the City that is approximately equal in its potential for recreational use to land elsewhere in the City proposed for coverage by a structure or impervious surface. For the purposes of this definition, comparable value shall be based on slope, total area, dimensions, vegetation, and proximity to water features.
- E. **"Caretaker's quarters"** means a single living unit occupied on a monthly or longer basis on public parkland where the primary occupant of the residence is employed to maintain the grounds and facilities of the associated park.
- F. **"Street furniture"** means furnishings used to enhance the aesthetic and functional value of a park or open space, including benches, tables, planter boxes, flagpoles, water fountains, decorative trash bins, ornamental fixtures, and similar features. Map boards and kiosks are excluded. For zoning purposes, street furniture is classified into projects whose individual components sum to more than one hundred (100) square feet and those whose components sum to one hundred (100) square feet or less.
- G. **"No net loss"** means a state in which the square footage of useable parkland added to the City's park inventory since July 28, 1998, is equal to or greater than the square footage of

## OAKLAND

urban parkland covered by structures since that date. Lands within the jurisdiction of the Port of Oakland and lands classified as "Resource Conservation Areas" are excluded from this calculation. Structures equal to or smaller than one hundred (100) square feet shall also be exempt from this calculation.

H. "Urban parkland" means any parkland in the City of Oakland that is not designated a "Resource Conservation Area," excluding those lands within the jurisdiction of the Port of Oakland.

### 17.11.050 Conditionally permitted activities.

The following activities, as described in the use classifications at Chapter 17.10, and as further restricted to certain park and open space categories and specific uses as set forth in 17.11.060, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure at Chapter 17.134 and the special use permit procedure for the OS Zone at Chapter 17.135, subject to the special definitions for projects in the Open Space Zone at Section 17.09.05017.11.015 and the use permit criteria at Section 17.11.110:

- A. Residential Activities:
  - Permanent
- B. Civic Activities:
  - Essential Service, except when certain types of Essential Service Activities are permitted in the designated open space categories, as set forth in Section 17.11.060.
  - Limited Child Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Extensive Impact
- C. Commercial Activities:
  - Animal Care
  - Animal Boarding
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Alcoholic Beverage Sales (in restaurants only)
- D. Agricultural and Extractive Activities:
  - Plant Nursery

### 17.11.060 Special provisions for permitted and conditionally permitted activities in the OS Zone.

The following table shall apply to those activities that are permitted and conditionally permitted constitute a "change in use", as defined in Section 17.11.015, within the OS Zone. Building and grounds maintenance, repair, and in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and

# OAKLAND

**routine landscaping and/or landscape improvements shall not be considered a “change in use”.** The specified activities shall only be permitted or conditionally permitted in the types of parks indicated in the table. Permitted activities are noted with the letter "P." Uses requiring a Minor Conditional Use Permit are indicated with a star. Uses requiring a Major Conditional Use Permit are indicated with a solid diamond. In the event that no letter or symbol appears in the matrix cell, the use is not permitted.

USE/PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
<p><i>Legend:</i>            ♦ = Major Conditional Use Permit Required            * = Minor Conditional Use Permit Required            P = Permitted            L = Limitations or notes listed at the bottom of the table that activities are subject to            No symbol=Not Permitted</p> <p><i>RSP (Region-Seeing Park); CP (Community Park); NP (Neighborhood Park); Active Mini-Park (AMP); Passive Mini-Park (PMP); Linear Park (LP); Special Use Park (SU); Resource Conservation Area (RCA); Athletic Field Park (AF)</i></p>									
<b>PERMANENT RESIDENTIAL ACTIVITIES</b>									
<b>ACTIVITY TYPES</b>									
<b>RESIDENTIAL ACTIVITIES</b>									
Permanent (Caretaker's Quarters only)	♦(L2)	♦(L2)	♦(L2)			♦(L2)	♦(L2)		♦(L2)
<b>ESSENTIAL SERVICE CIVIC ACTIVITIES</b>									
Botanical Gardens	*	*	*	*	*	*	*		*
Community Gardens	*	*	*	*	*	*	*	*	*
Trails and Paths	*P	*P	*P	*P	*P	*P	*P	*P	*P
Electric, gas, and telephone distribution lines and poles	*P	*P	*P	*P	*P	*P	*P	*P	*P
Water, storm drainage, and sewer lines	*P	*P	*P	*P	*P	*P	*P	*P	*P
<b>LIMITED CHILD CARE CIVIC ACTIVITIES</b>									
Child Care Centers for 12-14 or fewer children	♦	♦	♦				♦		
<b>COMMUNITY ASSEMBLY CIVIC ACTIVITIES</b>									
Athletic Fields	*	*	*				*		*
Basketball Courts	*	*	*	*		*	*		*
Boathouses	♦					♦	♦		
Bocce Ball Courts	*	*	*	*		*	*		*
Carousels and Similar Amusement Rides	♦						♦		
Clubhouse, lodge, meeting hall	♦	♦	♦				♦		
Dog Play Area (fenced)	*	*	*			*	*		

# OAKLAND

USE/PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
Fishing Ponds	*	*	*				*		
Food Service and Other Concessions	*P	*P	*P	P		P	*P		*P
Gymnasium	◆	◆	◆				◆		
Handball Courts	◆	◆	◆				◆		◆
Horseback Riding	◆						◆	◆	
Horseshoe Pit	*	*	*	*			*		◆
Lawn Bowling	*	*	*	◆		◆	*		◆
Miniature Golf	◆	◆					◆		
Picnic Areas, the sum of which is more than 1,000 square feet	*	*	*	*	*	*	*	◆	*
Playgrounds/Tot Lots/Children's Play Equipment, (the sum of which is more than 1,000 square feet)	*	*	*	◆	◆	*	*		*
Playgrounds/Tot Lots/Children's Play Equipment, (less than the sum of which is 1,000 square feet) or less	*	*	*	*	*	*	*	*	*
Recreation Center	◆	◆	◆				◆		◆
Skateboard Play Area	*	*	*	◆		◆	*		*
Swim Centers (pools)	◆	◆	◆				◆		◆
Temporary Uses (i.e., fairs and carnivals, special events)	*P	*P	*P	*P	*P	*P	*P	P	*P
Tennis Courts	*	*	*				*		*
Wading Pools	*	*	*	*	◆	◆	*		◆
Water Play Feature (water park)	◆	◆	◆	◆	◆	◆	◆		◆
<b>COMMUNITY EDUCATION CIVIC ACTIVITIES</b>									
Child Care Centers (for 13-15 or more children)	◆	◆	◆				◆		
<b>NON-ASSEMBLY CULTURAL CIVIC ACTIVITIES</b>									
Conservatory	◆	◆					◆		
Historic Residence Converted for Museum/Recreational Purposes	◆	◆	◆	◆	◆	◆	◆		
Museum	◆	◆	◆	◆	◆	◆	◆		
Planetarium/Observatory	◆						◆		
<b>ADMINISTRATIVE CIVIC ACTIVITIES</b>									
Park Offices	◆	◆	◆				◆		◆
<b>EXTENSIVE IMPACT CIVIC ACTIVITIES</b>									

# OAKLAND

USE/PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
Auditoriums	♦	♦					♦		
Bandstand	♦	♦	♦			♦	♦		♦
Campsites (improved)	♦						♦		
Campsites (unimproved)	♦						♦	♦	
Docks/Wharves/Piers	♦					♦	♦	♦	
Driving Range	♦						♦		
Electric Transmission Lines	♦						♦	♦	
Equestrian Arena	♦						♦		
Golf Course							♦		
Outdoor Performance Area/Stage/Amphitheater	♦	♦	♦	♦	♦	♦	♦		♦
Stadium or Sports Arena	♦						♦		♦
Stormwater Detention/Water Quality Facilities, the sum of which is more than 1,000 square feet	♦	♦	♦			♦	♦	♦	
Stormwater Detention/Water Quality Facilities, the sum of which is 1,000 square feet or less	P	P	P	P	P	P	P	P	P
Reservoirs and Water Supply Tanks	♦	♦	♦			♦	♦	♦	♦
Wildlife Preserve	♦	♦					♦	♦	
Zoological Gardens (Zoos)	♦						♦		
<b>ANIMAL CARE COMMERCIAL ACTIVITIES</b>									
Horse Stables	♦						♦		
<b>GENERAL FOOD SALES COMMERCIAL ACTIVITIES</b>									
Full-service restaurant, within a publicly-owned building	♦	♦	♦	♦	♦	♦	♦		♦
Limited-service restaurant and cafe	*	*	*	*	*	*	*		*
<b>ALCOHOLIC BEVERAGE SALES COMMERCIAL ACTIVITIES</b>									
Only in General Food Sales Commercial Activities that do not qualify as Full-Service RestaurantsAlcoholic Beverage Sales	♦	♦	♦	♦	♦	♦	♦		♦
<b>AGRICULTURAL ACTIVITIES</b>									
Nurseries (Botanical)	♦						*		
Limited Agriculture									
Extensive Agriculture									



# OAKLAND

USE/PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
<b>ACCESSORY ACTIVITIES</b>									
Accessory Buildings	*	*	*	*	*	*	*		*
Benches and street furniture, the sum of which is more than 100 square feet	*	*	*	*	*	*	*	*	*
Benches and street furniture, the sum of which is less than 100 square feet or less	P	P	P	P	P	P	P	*P	P
Fences, walls, or gates (Athletic Field)	*	*	*				*		*
Fences, walls, or gates (General)	*(L1)	*(L1)	*(L1)	*(L1)	*(L1)	*(L1)	*(L1)	*(L1)	*(L1)
Irrigation Systems	P	P	P	P	P	P	P	*	P
Kiosks/Map Boards	*P	*P	*P	*P	*P	*P	*P	*P	*P
Landscaping, including hedges	P	P	P	P	P	P	P	*P	P
Lighting (Athletic Field)	◆	◆	◆				◆		◆
Lighting (General)	P	P	P	P	P	P	*P	*	*P
Maintenance Sheds	*	*	*	*	*	*	*	◆*	*
Parking for use within park	*	*	*			*	*	*	*
Public Art, the sum of which is more than 100 square feet	*	*	*	*	*	*	*	◆	*
Public Art, the sum of which is 100 square feet or less	P	P	P	P	P	P	P	P	P
Pullouts and Scenic Overlooks	P	P				P	P	P	
Rest Room Building	*P	*P	*P	*P	*P	*P	*P	◆*	*P
Commercial Kitchen Use in existing Recreation Center buildings	P	P	P				P		
<b>PARK USES CONSISTENT WITH AN ADOPTED MASTER PLAN OR CULTURAL EASEMENT</b>									
Park uses consistent with a Master Plan adopted by the City Council (pursuant to Section 17.135.050), whether or not they are listed in this table.	P	P	P	P	P	P	P	P	P
Park uses on land owned by the East Bay Regional Park District (EBRPD), consistent with a Master Plan adopted by the EBRPD Board (pursuant to Section 17.135.050), whether or not they are listed in this table.	P	P	P	P	P	P	P	P	P

## OAKLAND

USE/PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
<p>Park uses consistent with a recorded conservation easement adopted by the City Council and held by a qualified entity pursuant to California Civil Code section 815.3, whether or not they are listed in this table.</p> <p>Limitations: The uses permitted under this section must be reserved for the exclusive purpose of conserving the culture present in Oakland prior to European colonization or culture descended from said time and place. The conservation easement shall establish the development standards that apply to such uses and no further approvals shall be required under this Planning Code; provided that other approvals under the Municipal Code shall still apply, including but not limited to, the Creek Protection Ordinance, Building Code, and Fire Code</p>	P	P	P	P	P	P	P	P	P

### Limitations on Table Above in Section 17.11.060:

**L1. Exception.** Fences, walls, and gates in the designated park types may be exempted from this Conditional Use Permit requirement if the City Administrator, or their designee, determines that it will increase safety and security, or could prevent a public safety hazard or damage to an environmentally sensitive area. The City Administrator, or their designee, is hereby authorized to institute standards consistent with this subsection to guide implementation of this exception.

**L2. Permanent Residential Activities are only permitted in the designated park types upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP Procedure), and only if the extent of the activity meets the definition of “Caretaker’s Quarters” in Section 17.11.015.**

### 17.11.070 Permitted facilities.

The following facilities, as described in the use classifications at Chapter 17.10, and as further restricted to certain park and open space categories and specific uses as set forth in the following table, are permitted:

#### A. Accessory Facilities

#### **B. Nonresidential Facilities:**

**Enclosed—Permitted if the associated activity is also permitted in the designated park types set forth in Section 17.11.060; conditionally permitted if the associated activity is conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).**

**Open**—Permitted if the associated activity is also permitted in the designated park types set forth in Section 17.11.060; conditionally permitted if the associated activity is conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure)

#### 17.11.080 Conditionally permitted facilities.

The following facilities, as described in the use classifications at Chapter 17.10, and as further restricted to certain park and open space categories and specific uses as set forth in Section 17.11.090, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure at Chapter 17.134 and the special use permit procedure for the OS Zone at Chapter 17.135, subject to the special definitions for projects in the Open Space Zone at Section 17.09.05011.015 and the use permit criteria at Section 17.11.110:

A. Residential Facilities:

One-Family Dwelling

B. Nonresidential Facilities:

**Enclosed**, conditionally permitted if the associated activity is also conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).

**Open**, conditionally permitted if the associated activity is also conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).

C. Telecommunications Facilities:

Mini Telecommunications

Micro Telecommunications

Macro Telecommunications

Monopole Telecommunications

#### 17.11.090 Special provisions for permitted and conditionally permitted facilities, and facilities allowed by variance in the OS Zone.

**[A OMITTED]**

- B. The following table shall apply to certain classes of facilities that are permitted and conditionally permitted within the OS Zone. The specified facilities shall only be permitted or conditionally permitted in the types of parks indicated in the table. Permitted activities are noted with the letter "P." Uses requiring a **minor conditional use permit** are indicated with a star. Uses requiring a **major conditional use permit** are indicated with a **solid circle and star**. In the event that no letter or symbol appears in the matrix cell, the use is not permitted.

# OAKLAND

USE/PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
<p style="text-align: center;"><i>Legend:</i>            ♦ = Requires Major Conditional Use Permit            * = Requires Minor Conditional Use Permit</p> <p><i>RSP (Region-Seeing Park); CP (Community Park); NP (Neighborhood Park); Active Mini-Park (AMP); Passive Mini-Park (PMP); Linear Park (LP); Special Use Park (SU); Resource Conservation Area (RCA); Athletic Field Park (AF)</i></p>									
<b>FACILITY TYPES</b>									
<b>ONE-FAMILY RESIDENCE</b>									
Caretaker's Quarters	*	*	*			*	*		*
<b>TELECOMMUNICATIONS FACILITIES</b>									
Mini Telecommunications	♦*	♦*	♦*	♦*	♦*	♦*	♦*	♦*	♦*
Micro Telecommunications	♦*	♦*	♦*	♦*	♦*	♦*	♦*	♦*	♦*
Macro Telecommunications	*	*	*	*	*	*	*	*	*
Monopole Telecommunications	*	*	*	*	*	*	*	*	*
Tower Telecommunications									
<b>SIGNS</b>									
Residential	♦	♦	♦	♦	♦	♦	♦	♦	♦
Special	♦	♦	♦	♦	♦	♦	♦	♦	♦
Civic	♦	♦	♦	♦	♦	♦	♦	♦	♦
Business*	♦	♦	♦	♦	♦	♦	♦		♦
Advertising*	♦	♦	♦	♦	♦	♦	♦		♦

\* Limited to the circumstances outlined in 17.11.090A.

## 17.11.150 Maximum impervious surface.

The following table sets forth the maximum permitted impervious surface standards, as defined in Section 17.09.05011.015. Exceedances of the Impervious Surface limits shall require a Minor Variance, as specified in Section 17.148.020(B).

## OAKLAND

### **Chapter 17.135 SPECIAL USE PERMIT REVIEW PROCEDURE FOR THE OS ZONE**

#### **17.135.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the Special Use Permit Review Procedures for the OS Zone. The purpose of these provisions is to prescribe the procedure for reviewing projects which are proposed in the OS Zone, including provisions for public participation. This procedure shall apply to all improvements or changes in use, as defined in Section 17.09.05011.015.

#### **17.135.030 Procedure for consideration.**

No change in use or improvement, as defined in Section 17.09.05011.015, shall occur on land designated OS unless the following process has been followed:

**[A-D OMITTED]**

**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Marc Barach, Chair, Parks and Recreation Advisory Commission  
**FROM:** Christopher Tan, Planner IV, Development Planning Division  
**DATE:** October 8, 2025  
**SUBJECT: REQUEST THE PARKS AND RECREATION ADVISORY COMMISSION  
PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL REGARDING  
AN APPLICATION FOR A GENERAL PLAN AMENDMENT, REZONING,  
AND AMENDMENTS TO THE APPROVED ESTUARY PARK MASTER  
PLAN TO ALLOW RESIDENTIAL DEVELOPMENT ON PARCEL N**

---

**SUMMARY**

In July 2024, the Brooklyn Basin Developer, Zarsion-OHP I, LLC (Developer) filed a land use entitlement application with the City of Oakland (City) to permit residential development on Assessor Parcel Number 018 043000110, referred to in the Brooklyn Basin land use entitlements as “Parcel N”.

Under the Development Agreement between City of Oakland, Redevelopment Agency of the City of Oakland, and Oakland Harbor Partners, LLC (as assigned and amended, the “DA” or “Development Agreement”), Parcel N is a vacant 2.8-acre parcel owned by the Developer adjacent to Estuary Park that was originally proposed for development, then as part of the original project approvals, offered to the City for incorporation into Estuary Park. As part of the current application and pertinent to the Parks & Recreation Advisory Commission’s (PRAC) purview, the Developer is requesting a land use planning entitlement package, including a General Plan Amendment and Rezoning of Parcel N, as well as a Development Agreement amendment, to permit a residential project on Parcel N (Parcel N project).

Currently, the approved Estuary Park Master Plan (EPMP) includes both the existing Estuary Park land area owned by the City of Oakland and the adjacent Parcel N owned by Developer. If the proposed Parcel N project is ultimately approved by the City Council, amendment of the approved EPMP would also be required to exclude Parcel N from the EPMP. With this in mind, City staff from the Planning and Building Department request that the PRAC provide recommendations to the City Council regarding the application to approve: (1) a General Plan Amendment for residential use on Parcel N, (2) Rezoning of Parcel N for residential use, (3) an amendment to the approved EPMP to exclude Parcel N, and (4) direct staff to process an amendment to the EPMP to redesign Estuary Park and contain all future park improvements and renovation within the Estuary Park land area as its boundaries exist today.

After the PRAC’s review of the proposed Parcel N project, the Planning Commission will review and be asked to likewise make recommendations on the proposed entitlement application. Ultimately, City staff will request the City Council to make a decision regarding the Parcel N project. Public notices will be sent out for both the Planning Commission and City Council hearings. The PRAC and members

of the public are encouraged to participate in all public hearings regarding the Parcel N project moving forward.

## **BACKGROUND / LEGISLATIVE HISTORY**

### **Brooklyn Basin Planned Unit Development (PUD) Brief History**

The City Council approved the Brooklyn Basin Planned Unit Development (PUD), associated land use entitlements, and Development Agreement in 2009. The approved project included the construction of up to 3,100 residential units, 200,000 square feet of ground-floor commercial space, a minimum of 3,950 parking spaces, 32.17 acres of parks and public open space, two renovated marinas (with a total of 170 boat slips), and an existing wetlands restoration area. The original Brooklyn Basin proposal included Parcel N as a residential development parcel. However, in 2009, the City Council ultimately approved Brooklyn Basin with Parcel N designated for open space.

Currently, approximately 1,231 market rate housing units and 465 affordable units are constructed (for a total of 1,696 housing units) and 10 acres of open space are completed. Phase One has been fully constructed, and Phase Two is in development. The first public park, Township Commons, is open and operational.

More recently, in 2023, City Council approved amendments to the Brooklyn Basin land use entitlements to allow for construction of up to 3,700 residential units throughout the existing development parcels in the Brooklyn Basin PUD, an increase of 600 units over the original entitlements.

In July 2024, the Developer filed an application for a set of entitlements to rezone a vacant, 2.8-acre parcel within Brooklyn Basin, known as Parcel N, to allow residential development. As noted above, under the existing Development Agreement, Parcel N is designated as public open space, and ownership of Parcel N is to be transferred from the Developer to the City of Oakland (if the City accepts ownership following the site's remediation), so the City can incorporate it into Estuary Park. The adopted EPMP assumes satisfaction of this DA term and includes an expanded and remodeled park.

Notably, the Development Agreement states that the City shall not accept the dedication of Parcel N until the Developer has completed remediation of the site. Additionally, the Development Agreement also states that the City is not obligated to accept dedication of Parcel N regardless of whether the remediation work is completed. **Section 9 of Exhibit D**, entitled "Open Space Acquisition/Hazardous Materials of the Development Agreement", details specific language regarding remediation work and dedication of Parcel N:

***Parcel N/Estuary Park.*** *The City will not accept the dedication of Parcel N until the Developer has completed the Remediation of Parcel N as provided in this Exhibit D and in Section 4.4.1.1 of the Development Agreement. City shall have the right to participate in any discussion with DTSC or any other Environmental Regulatory Agency regarding any liability limiting tools that Developer intends to use, including AB 389, on Parcel N and the Affordable Housing Parcels to ensure that all risk and liability protections are transferable to City. Developer shall have the obligation to maintain and secure the unoccupied portions*

*of Parcel N until the City accepts the dedication. Nothing herein obligates the City to accept the dedication of Parcel N.*

### Estuary Park Master Plan History

The EPMP is an approved City project to remodel and enlarge Estuary Park (approved in 2025). The EPMP is managed and implemented by the Capital Improvement Projects Group (CIP) in the Oakland Public Works Department on behalf of the Oakland Parks, Recreation and Youth Development Department (OPRYD). In September 2022, the City's CIP group filed an application with the Bureau of Planning for a Major Conditional Use Permit (CUP) for a Park Master Plan, consistent with Section 17.135.050 of the Oakland Planning Code. As part of the review process prescribed in the Planning Code, the EPMP and CUP were subject to public outreach/community participation and went before the Parks and Recreation Advisory Commission (PRAC), Landmarks Preservation Advisory Board (LPAB), Planning Commission, and then finally City Council for a final decision on the EPMP. The City Council unanimously approved the EPMP in January of 2025.

The EPMP includes the following goals and features:

- **GOALS**

- 1. Foster Civic Life**

- Create a major open space of citywide and regional significance;
    - Provide places to observe major civic celebrations and water related festivals;
    - Create a welcoming, inclusive, and accessible space to increase civic collaboration, participation and mutual accountability among diverse users;
    - Activate the park with new recreational opportunities, responding to the needs of the community;
    - Provide opportunities for engaging public art; and
    - Prioritize long-term efforts to manage the park in ways to make it public, safe, and clean.

- 2. Improve Public Health**

- Improve public health through access to high-quality open space and recreational programs;
    - Provide inclusive and accessible amenities and a comfortable outdoor environment to encourage regular use of the park and a variety of activities and uses;
    - Create a park that serves all of Oakland's people equitably;
    - Foster connection to nature;
    - Provide safe and accessible circulation throughout the park and along the shoreline, including improvements to the San Francisco Bay Trail, to encourage walkability and exercise;
    - Provide clear way-finding signage and site lines, and provide a sense of safety and security for park users;
    - Ensure the park is well-maintained over time;
    - Maintain and improve operation of the Jack London Aquatic Center for its recreational boating programs; and
    - Improve service & emergency vehicle access.

- 3. Celebrate Site History and Increase Environmental Awareness**

- Connect park visitors with the Estuary and maritime uses, in keeping with the



requirements of the State Lands Trust and Bay Conservation and Development Commission (entities with jurisdiction over shoreline development);

- Preserve and enhance existing cultural resources suitable for reuse; and
- Improve environmental awareness through enhanced views to the estuary, low water-use habitat planting, improved shoreline access, and informational signage.

#### **4. Enhance Resiliency and Adaptation**

- Create a resilient and adaptive shoreline that responds to sea-level rise and improves opportunities for wildlife habitat; and
- Create a sustainable and resilient park that responds to its regional climate, can be sustainability operated and maintained, and is adaptive to future change.

- **Key Features:**

- Entry Plaza
- Picnic Areas
- Multi-Purpose Lawn
- Dog Park
- Restroom And Shower Building W/ Boat Storage Yard
- Festival / Gathering Plaza
- Playground With Play Features
- Renovated Existing Pergola
- Waterfront Promenade W/ Resting Nodes
- Resilient Shoreline Improvements
- Water-Wise / Habitat Garden
- Upgraded (E) Wood Pier
- Parking
- Bay Trail
- Sea-Level-Rise Mitigation
- Emergency Vehicle Access
- Bicycle Access and Parking
- Site Lighting and Security

#### July 9, 2025 PRAC Meeting

At the July 9, 2025 PRAC meeting, the Developer presented three alternatives to the approved EPMP to show how elements of the approved EPMP could be accommodated in a smaller park footprint without Parcel N included, and how residential buildings on Parcel N would interface with Estuary Park in general. The Developer sought feedback from the PRAC and community on the three conceptual alternatives to Estuary Park. In response, the PRAC and community members had several questions and comments on the overall proposal. The comments and questions from that meeting are provided below, alongside responses from the City's various departments and the Developer:

#### **Public Comments/Questions:**

##### Development Agreement

- To renegotiate the Development Agreement (i.e., changing Parcel N from a future part of Estuary Park to housing) is a “bait and switch” from the Developer to the community.
  - **Response:** The Developer has submitted a proposal for the City's consideration to modify the original entitlements, which it is legally allowed to do. That proposal is

being reviewed now, including by the PRAC, and is also subject to public review and comment prior to the City Council's final decision.

#### Access to Estuary Park

- The goal of the Open Space, Conservation, and Recreation (OSCAR) Element is to increase access and visibility to the waterfront. This building development does not achieve the goals outlined in the OSCAR.
  - **Response:** Per City staff, all relevant OSCAR policies and their associated findings are provided within this staff report. The Developer is requesting a General Plan Amendment and Rezoning for Parcel N, which would legally render OSCAR policies non-applicable to the project site if approved by the City Council.
- The 134-unit building blocks view to the park. The Parcel N project de-densifies the overall Brooklyn Basin PUD by redistributing housing units from other development parcels to Parcel N. The Developer should build higher and denser units on the other parcels already approved for housing.
  - **Response:** Per the Developer, the current market conditions have made higher density buildings such as those on parcels G, B and C infeasible. A lower-density build-out will be analyzed in the financial report(s) submitted to City staff.
- It is unequitable to devote the Parcel N space to private housing development at market rate when the space is intended for all to have access to the expansion and remodel as detailed in the approved EPMP.
  - **Response:** Per City staff, the Parcel N property is currently owned by the Developer. It is within the Developer's rights to make any land-use entitlement request to the City for review. City staff is legally required to process that land-use request. The City Council will ultimately make a legislative determination on the Parcel N entitlement application package.
- Climate issues are being exacerbated. Sea-level rise in this area means that additional housing should not be placed here.
  - **Response:** Per City staff, City staff has notified the Developer that development at Parcel N will require the preparation of a Sea Level Rise Adaptation Plan (SLRAP) as outlined in the Downtown Specific Plan. The SLRAP will be submitted to City staff for review and comment. Such a plan would require raising parcel N to an elevation that will allow for the development project to withstand future sea level rise.

#### Financial Issues

- ZOHP is going bankrupt and will sell Parcel N to another developer. There is no guarantee that the residential units will be delivered if they have not built the other units to which they are already entitled on the other vacant development parcels.
  - **Response:** According to the Developer, the proposed changes to Parcel N are necessary to support the overall financial feasibility of the Brooklyn Basin project and ensure there is revenue available for the Developer to meet its obligations under the DA, such as completing all remediation, including at Estuary Park, constructing future open space, completing other public infrastructure and providing other community benefits. At the direction of City staff, ZOHP has engaged a third-party economic consultant to conduct a financial analysis of the Brooklyn Basin project and current market conditions--detailing project costs, revenues, and losses to date as well as analyzing future costs, revenues, and shortfalls--to assess and confirm the financial necessity of the proposed

changes to Parcel N. A summary of that report will be made available in a report to the City Council and the public.

#### Estuary Park Amenities

- The rowing club needs more space in the park for boats and secured space for parking trailers. The rowing club is an important asset to the community.
  - **Response:** Per the Developer, the proposed design matches the boat and trailer space shown in the approved master plan. In fact, the secured space for parking trailers and the parking areas sized for boats are all maintained at the same size and configuration and location. (This was not previously presented clearly but was one of the baseline assumptions for unchanged elements.).
- The storm water treatment components are not shown on the EPMP alternatives provided by the Developer.
  - **Response:** Per City staff, the current EPMP alternatives are at ~25% conceptual design so these details have not been fleshed out. If any one of the alternatives were approved by the City, final construction documents would be required to include stormwater treatment facilities (green stormwater infrastructure) and a Developer agreement for the treatment of stormwater and maintenance of stormwater facilities.
  - **Response:** Per the Developer, the project plans that were presented at the July 9<sup>th</sup> PRAC meeting were at a conceptual level. Local regulations and State law require that all stormwater treatment measures be implemented as part of the project's final approvals. The stormwater treatment details will be included in the construction plan set as required. By law, Stormwater treatment is required for this project, which includes compliance with Provision C.3 (C3) of the Municipal Regional Stormwater NPDES Permit (MRP).) Stormwater treatment will be called out in the conceptual design plan set with labels for clarity going forward.

#### Project Processing:

- Why is the City pursuing this application for Parcel N?
  - **Response:** The Developer has formally submitted a development application to the Bureau of Planning to request residential development be allowed on Parcel N. The City is legally required to review and process all requests once the Developer has provided all the required documentation and paid the associated application fees. The Developer submitted an application package for a bundle of entitlements and permits, seeking the City of Oakland permit residential development on Parcel N where it is currently prohibited. Submitting an application and paying the associated permit fees does not guarantee approval of the request but does require City staff to review and take the project through the application process. Ultimately, the City Council will make a decision on the application.
- The Parcel N and Estuary Park parcels should be remediated now. Why has it not been remediated per the Development Agreement?
  - **Response:** The Development Agreement (DA) does not cite a deadline by which the Developer must remediate Parcel N and Estuary Park. Rather, the DA requires the Developer to offer Parcel N to the City to include it in Estuary Park and describes a process for the remediation. The process, which is included in Exhibit D, entitled Public Open Space Acquisition/Hazardous Materials, Section 9, includes placing a three-foot

cap on Parcel N and parts of Estuary Park. But it does not include a specific date when the remediation must be completed or when the site must be delivered to the City. As such, remediation of these areas depends, in part, on the success of the Brooklyn Basin development project.

- **Response:** Per City staff, it is in the interest of the City that the Developer complete the remediation work and any associated grading work in a way that accommodates the City's specific and final park design and grading needs for Estuary Park. Therefore, the timing and remediation will need to occur through close collaboration between the City and the Developer to ensure the City's needs are met. As part of its review of the Parcel N project, the City will propose language for the DA Amendment that requiring coordination between the Developer and City regarding Estuary Park, including a completion date for its remediation, as determined by the City.
- The recent 134 dwelling unit building as proposed in the latest Final Development Plan (FDP) submittal to the City, blocks view to the park. The Parcel N project reduces density across the overall Brooklyn Basin PUD by redistributing housing units from other development parcels to Parcel N. The Developer should build higher and denser on the other parcels already approved for housing.
  - **Response:** Per the Developer, the current real estate market conditions have made higher and denser buildings such as those on parcels G, B and C and those proposed on future parcels no longer financially feasible. A feasible, lower density construction type, as is being proposed on Parcel N, is needed for the project to remain viable and to ensure there is revenue available for the Developer to meet its obligations under the DA, including completing all remediation, such as the remediation of Estuary Park, and constructing all future parks and open space. As mentioned above, a third-party economic consultant is confirming this analysis.
- How would the construction of Phase 1 of the Estuary Park Project move forward given the Parcel N Application with respect to remediation?
  - **Response:** Per City staff, until the City Council makes a determination on the Developer's application to build housing on Parcel N, the soil remediation on Estuary Park and on Parcel N will not be completed. Remediation could take at least eighteen (18) months after the remediation planning work starts up again. Also, if the housing development is approved by City Council, the Estuary Park Project design will need to be revised, and it will take time to complete 100% design and construction documents. City staff is evaluating impacts to 2017 Measure DD funds appropriated for the Estuary Park project. If the Developer is unable to complete remediation work of Parcel N and Estuary Park, the City will not be able to proceed with construction on the renovation of Estuary Park, as the City would need to seek additional funding for the remediation work on Parcel N.

### **Commissioner Comments:**

#### **Financial Issues**

- The PRAC would like to see the cost-benefit analysis outlined for the Parcel N project and how the project would help contribute to the overall delivery of the Brooklyn Basin PUD the other public benefits, such as the additional open spaces required as part of the original Brooklyn Basin approval.
  - **Response:** According to the Developer, the proposed changes to Parcel N are necessary to support the overall financial feasibility of the Brooklyn Basin project and ensure

there is revenue available for the Developer to meet its obligations under the DA, including completing all remediation and constructing future parks and open space. The high-density housing approved under the original project is no longer financially feasible. The lower-density construction proposed for Parcel N is more feasible. Per the Developer, at the City's direction, the Developer has engaged a third-party economics firm to conduct a financial feasibility analysis of the Brooklyn Basin project detailing project costs, revenues, and losses to date as well as analyzing future costs, revenues, and shortfalls. A summary of that report will be made available in a report to the City Council and the public.

- What is the cost of remediation and when will it be done? The cost of remediation would need to be compensated by the Developer to even consider the project. This should be demonstrated clearly to the public.
  - **Response:** Per the Developer, the anticipated cost for the Estuary Park remediation is approximately \$2,000,000. The estimated remediation time frame is eighteen (18) months.
- The Project N project proposal was filed in July of 2024. The amount of staff time focusing on this project should be accounted for considering that same time could be used to process other projects that the community supports.
  - **Response:** The Developer has applied for land-use entitlements to allow residential development on Parcel N, and paid permit fees in order for their application to be processed, which addresses staff time for this project. Specifically, the applicant has paid for applications for a General Plan Amendment, Rezone, Preliminary Development Plan Amendment, DA Amendment, an FDP, and a VTPM. Each of these application types have their own associated fees which takes into account the average time it takes staff to process each permit type. The Planning & Building Department utilizes an enterprise fund for permitting and does not receive funds from taxpayers. Permit fees are set in accordance with Proposition 26 (2010), which requires local municipalities to establish fees that are generally cost covering with respect to processing time for any permit type. The Planning & Building Department conducts fees studies via a third-party consultant on a regular basis to ensure that all fees are cost-covering with respect to staffs' time.
  - The details of the permit application can be found under case file number **PUD06010-R02-R01** at the City's online permit center via the link: <https://aca-prod.accela.com/OAKLAND/Default.aspx>
- What are the costs for the City to update the EPMP and start all over again?
  - **Response:** Per City staff, the scope of work for Revising EPMP and Construction Documents would include:
    - Redesign overall park master plan to accommodate the Parcel N development.
      - Community and stakeholder engagement to determine park program adjustments
      - Revise Master Plan document, including Schematic-Design-level plan
      - Coordination with City agencies
      - BCDC & other regulatory agency coordination
      - Update CEQA documentation
    - Construction Documentation for Phase 1.
      - Phase 1 Scope Definition

- 90% CD's
- Regulatory Agency Permitting (Shoreline)
- 95% CD/Permit Set
- 100% CD/Bid Set
- Estimated Cost:
 

▪ Consultant Task 1	Master Plan Redesign	\$125,000
▪ Consultant Task 2	Ph 1 CDs and Permitting:	\$650,000
▪ City Staff	Project Management	\$250,000
▪ Permit Fees		\$150,000
▪ <b>Total:</b>		<b>\$1,175,000</b>
- What costs have come from delaying this project until a decision is made on the Parcel N project? How far into the future does this Parcel N project delay the implementation of the EPMP?
  - **Responses:** Per City staff, the cost of construction continues to increase at yearly rate of 5-6% due to market forces such as inflation, tariffs, and other supply chain issues. Delaying the work will increase construction costs and impact the City's ability to fully fund the entirety of EPMP.
  - Re-Design and Permitting of EPMP can resume following a decision on Parcel N and will take approximately a year to complete. However, construction cannot proceed until site remediation work is completed by developer.
  - The City has spent approximately \$2.98 million in Measure DD funds on planning and design of the EPMP.
- The public should be able to see an executive summary detailing the financial distress of the Developer and what they need to deliver with respect to public infrastructure outlined in the DA.
  - **Response:** Per the Developer, at the City's direction, the Developer has engaged a third-party economics firm to conduct a financial analysis of the Brooklyn Basin project detailing project costs, revenues, and losses to date as well as analyzing future costs, revenues, and shortfalls. A summary of that report will be made available in a report to the City Council and the public.

#### Development Agreement

- How will the City be made whole if this project is to be approved? Have considerations been taken as to the amount of staff time that has been allocated to processing these projects (EPMP and Brooklyn Basin) and how much taxpayer dollars have funded the EPMP project thus far?
  - **Response:** Per the City, all of these questions are being taken into account and the terms for the DA are still in negotiation. The comment is noted. Any staff time related to permit processing is compensated in the fees paid by the Developer, as noted above.

#### Estuary Park Amenities

- Based on the comments heard by the public, parking seems to be a critical component of Estuary Park based on the number of activities that take place there.
  - **Response:** Per the Developer, the proposed conceptual design alternative illustrates the same number of off-street parking for vehicles and similar boat and trailer storage accommodations to the approved EPMP. The flexible gathering plaza space shown in the conceptual design allows the potential for the same number of parking spaces as the approved EPMP. Should the City Council direct staff to amend the approved EPMP,

the priorities of the amended park master plan and the amenities provided for Estuary Park will be dictated through the design and public engagement process similar to how the approved EPMP came to be.

- All components of the original EPMP should be carried over to the EPMP Alternatives.
  - **Response:** Per the Developer, all the original components from the EPMP except for the dog park have been carried over. The Developer claims that a dog park within State Lands jurisdiction is prohibited.

## **PROJECT / PROGRAM DESCRIPTION**

The Parcel N site is a 2.8-acre vacant lot located adjacent to and northwest of Estuary Park. Parcel N is vacant and has a concrete pad and was most recently the site of an enclosed retail facility (now demolished). Under the current Development Agreement, Parcel N is designated as public open space, and the Developer must offer Parcel N to the City of Oakland to become part of Estuary Park. However, the Developer is currently requesting to retain Parcel N under their ownership for conversion to a development parcel under the Development Agreement for residential development. The full set of entitlements requested by the Developer to allow residential development on Parcel N includes:

- **Amendment to the Estuary Policy Plan** (i.e., General Plan) to change the land use designation of Parcel N from Parks to PWD-4 (Planned Waterfront Development 4).
- **Amendments to the Downtown Oakland Specific Plan** to modify all maps and diagrams which illustrate Parcel N as park space to residential space.
- **Zoning Map and Text Amendments** to change Parcel N's zoning from OS (RSP) to D-OTN to be consistent with the entirety of the Brooklyn Basin PUD.
- **Amendments to the Brooklyn Basin/Oak to Ninth Preliminary Development Plan** to modify all maps, diagrams and language indicate residential development is permitted on Parcel N.
- **Amendments to the Brooklyn Basin/Oak to Ninth Design Guidelines** to modify all maps, diagrams and language to indicate that residential development is permitted on Parcel N.
- **Amendment of the Development Agreement** to modify several terms, including but not limited to, allowing Parcel N to be converted from public open space to a development parcel under the Development Agreement and to allow the Developer to retain Parcel N for housing development.
- **Final Development Plan** which is required for the proposed residential buildings on Parcel N.
- A new **Vesting Tentative Parcel Map** and condominium plan specific to Parcel N that would accommodate the proposed site planning and residential development as well as the ability for the sale of the units. The proposed parcel map would also convey that the ownership of Parcel N would remain with the developer.
- **Amendment to the approved EPMP** to exclude the Parcel N property.
- A **request to the City Council to direct staff to process an amendment to the EPMP** to redesign Estuary Park and contain all future park improvements and renovation within the Estuary Park land area as its boundaries exist today.

### **Proposed Parcel N Project**

The applicant submitted a revised proposal for residential development on Parcel N in July 2025; the current proposal is changed from what was included in the July 2025 staff PRAC report. As of the date of this Staff Report, the Developer is proposing a total of 134 units across two (2) mid-rise

multifamily buildings, both with a proposed maximum height of 64 feet. Each building is proposed to have enclosed parking facilities on the ground floor with one parking space per unit for a total of 134 parking spaces. The plans for the Parcel N project are included as **Attachment D** of this report.

The land use entitlement application and proposed plans, along with all submittal documents for the Parcel N project can be found under case file **PUD06010-R02-R01**. Interested parties can utilize the City’s online permit tracking system to review the project details via the following link: <https://aca-prod.accela.com/OAKLAND/Default.aspx>.

### Proposed EPMP Conceptual Alternative

At the July 9, 2025 PRAC meeting the applicant presented three conceptual alternatives to the EPMP to the PRAC and members of the public. Based on the feedback heard at that meeting, the Developer has refined the three (3) EPMP alternatives into one (1) alternative for the City to review and understand how the Parcel N project could fit in context with a revised EPMP. The latest conceptual alternative to the EPMP is provided as **Attachment A** to this report. The Developer submitted and revised the Conceptual Alternative to demonstrate the feasibility of accommodating the highest priority facilities within a reduced Estuary Park footprint from what is included in the approved EPMP.

### ANALYSIS

City staff has conducted analysis of the proposed project against key City policies, including Open Space Conservation and Recreation (OSCAR) Element, Estuary Policy Plan (EPP), Downtown Oakland Specific Plan (DOSP), Zoning compliance, and the approved EPMP. The compliance analysis is provided in the subsections below:

#### *Open Space Conservation and Recreation (OSCAR) Element*

Parcel N is currently zoned Open Space (OS (RSP)) and is, thus, subject to the policies detailed in the OSCAR. However, the applicant is requesting a General Plan Amendment and Rezoning of the Parcel N property to allow residential development. If the City Council approves the Parcel N project, the project site would no longer be subject to the policies outlined in the OSCAR.

The matrix below lists the applicable policies from the OSCAR in the left column along with the associated findings in the right column.

Relevant OSCAR Policy	Finding
<b>OS-1.2: Open Space Protection Priorities for Private Land.</b> Conserve privately-owned areas with important natural resource values through a combination of land acquisition and development controls. Use the following criteria when developing priorities for acquisition or protection:	<ul style="list-style-type: none"> <li>(a) Non-applicable.</li> <li>(b) Non-applicable.</li> <li>(c) Parcel N is adjacent to Estuary Park and is to be offered to the City of Oakland for ownership after soil remediation work is complete per the active Development Agreement between the Developer and the City. The Parcel N project proposes</li> </ul>



<ul style="list-style-type: none"> <li>(a) Steep hillside parcels over 10 acres in size;</li> <li>(b) Parcels with significant biological resources, including endangered species habitat and native plant communities;</li> <li>(c) Parcels which can potentially link together or expand existing open space areas;</li> <li>(d) Visually prominent properties, including ridgelines and other areas with high scenic value ; and</li> <li>(e) Properties where the use of eminent domain is not required.</li> </ul>	<p>an amendment to the Development agreement to allow the developer to retain ownership of Parcel N and not have it incorporated into the approved Estuary Park Master Plan which proposes to expand and remodel the existing Estuary Park area.</p> <p>(d) Eminent domain is not proposed by the City to obtain Parcel N. As mentioned previously, the active Development Agreement, between the Developer and the City, requires the Developer to offer Parcel N to the City. The City is not required to accept ownership of Parcel N.</p>
<p><b>OS-2.5: Urban Park Acquisition Criteria.</b> Increase the amount of urban parkland in the seven flatland planning areas, placing a priority on land with the following characteristics (not in priority order):</p> <ul style="list-style-type: none"> <li>(a) Land in areas with limited public open space, as identified in the Recreation Chapter of OSCAR;</li> <li>(b) Land adjacent to existing parks which has the potential to accommodate park expansion or to link together existing parks;</li> <li>(c) Land with potential to provide creek or shoreline access;</li> <li>(d) Land with visual or historic significance;</li> <li>(e) Land that can be acquired at no cost or at reduced cost, or land where matching funds for acquisition are available;</li> <li>(f) Land in areas with dense concentrations of people, especially children; and land in areas with large concentration of workers or pedestrians;</li> <li>(g) Land that is highly visible from major streets, or that is adjacent to existing public buildings, particularly police and fire stations.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Non-applicable</li> <li>(b) Parcel N is located adjacent to Estuary Park. The Estuary Park Master Plan was adopted by the City Council in January of 2025. The Estuary Park Master Plan incorporates Parcel N into the expansion of the park and remodel efforts outlined in the master plan.</li> <li>(c) The existing land area of Estuary Park already provides shoreline access as it wraps around the Parcel N property and is adjacent to the waterfront.</li> <li>(d) Parcel N, if incorporated into Estuary Park, would continue provide unobstructed views to the waterfront from Embarcadero West.</li> <li>(e) Under the current Development Agreement, Parcel N is to be offered to the City by the Developer.</li> <li>(f) Estuary Park is an existing park that is open to the public and serves the immediate neighborhood.</li> <li>(g) Parcel N is adjacent to the Jack London Aquatic Center which is a public building and site that is owned by the Port of Oakland.</li> </ul>
<p><b>OS-7.3: Waterfront Appreciation.</b> Promote a greater appreciation of the Oakland waterfront by preserving and enhancing waterfront views,</p>	<p>If the Parcel N project is approved and the proposed residential buildings are built, the public access to the waterfront will remain the</p>

promoting its educational value and exploring new and creative ways to provide public access to the shoreline without interfering with transportation and shipping operations or endangering public safety.	same as currently. Public access to the waterfront is provided through Estuary Park.
<b>OS-7.4: Waterfront Park Enhancement.</b> Expand and enhance the City’s waterfront park areas. Signage and access provisions to the existing waterfront parks should be improved. Opportunities for new shoreline parks and depicted in Figure 7 (Shoreline Access) should be pursued as redevelopment along the waterfront occurs. A variety of park environments should be created including active recreation areas, fishing piers and boating facilities, natural areas, and small “pocket” parks with landscaping and benches, all linked by linear parks or pedestrian paths emphasizing shoreline views and access.	Parcel N is not owned by the City of Oakland. If the Parcel N project is approved by the City, the existing park area would not be expanded, but remodeling the existing park area is still possible.
<b>OS-10.1: View Protection.</b> Protect the character of existing scenic views in Oakland, paying particular attention to : (a) views of the Oakland Hills from the flatlands; (b) views of downtown and Lake Merritt; (c) views of the shoreline; and (d) panoramic views from Skyline Boulevard, Grizzly Peak Road, and other hillside locations.	<ul style="list-style-type: none"> <li>(a) Non-applicable.</li> <li>(b) Non-applicable.</li> <li>(c) The Parcel N project, if built, will decrease visibility to the shoreline from the Embarcadero, but not from Estuary Park.</li> <li>(d) Non-applicable.</li> </ul>
<b>OS-10.2: Minimizing Adverse Visual Impacts.</b> Encourage site planning for new development which minimizes adverse impacts and takes advantage of opportunities for new vistas and scenic enhancement.	The site planning of the Parcel N project does not create new vistas, nor does it provide scenic enhancement due to the design of the two residential buildings proposed.
<b>OS-10.3: Underutilized Visual Resources.</b> Enhance Oaklands underutilized visual resources, including the waterfront, creeks, San Leandro Bay, architecturally significant buildings or landmarks, and major thoroughfares.	The Parcel N project partially blocks views to the waterfront from the Embarcadero, but not from Estuary Park.
<b>REC-1.1: Protection of Park Open Space.</b> Use a variety of measures, including zoning and park	The Developer proposes a general plan amendment and a rezoning of the Parcel N

classification, to protect the basic function of parks as public open spaces and to evaluate and review future park projects. Use the park classification system outlined in Table 8 (Oakland Park Classification System) and illustrated in Figure 16 (Oakland Parks by Category) as the bases for determining the kinds of facilities that are appropriate in each park.	property from Open Space (OS (RSP)) to D-OTN Zoning, which is consistent with the rest of the Brooklyn Basin PUD.
<b>REC -1.2: No Net Loss of Open Space.</b> No Net Loss of Open Space Unless overriding considerations exist, allow no net loss of open space within Oakland’s urban park system. In other words, the area covered by park buildings or other recreational facilities in the future should be offset in the long run by acquisition or improvement of an equivalent or larger area of open space. Replacement of open space should be of comparable value to the space lost and should generally serve an area identified on Figure 18 (Parke Deficient Areas) as having an un-met need.	Parcel N is currently a vacant lot and not a park even though it is included in the EPMP. Therefore, Parcel N is not included in the City’s park inventory as it has not been converted to a park yet. The Brooklyn Basin PUD approvals included a total of 32 acres of public park and open space. If the Parcel N project is approved, the Developer will be providing a reduced amount of open space for the overall PUD however, this will still result in a net increase of open space for the City of Oakland overall.
<b>REC-1.4: Park Improvements or Change In Use.</b> Require any improvement or change in use within a City of Oakland park to be subject to a formal review and approval process. Provide potential park users and local residents with opportunities to participate in this review process.	The Parcel N project involves a General Plan Amendment, Rezoning and an amendment to the EPMP. As such, the Bureau of Planning has brought the Parcel N project to the PRAC a total of two times as part of the public review process in order to gather public comments and to gather comments and seek a recommendation from the PRAC.
<b>REC-1.5: Park Master Plans.</b> Use master plans as a tool for making long-range decision for park land use, determining needs for capital improvements and funding sources, and soliciting community opinion on how parks should be managed.	The EPMP was adopted in January of 2025. The EPMP includes Parcel N in the expansion and remodel of the existing park. If the Parcel N project is approved, the EPMP will need to be amended. An amended EPMP will be contained to the existing boundaries of Estuary Park as it sits today.
<b>REC-2.1: Park Conversions to Other Uses.</b> Protect parks from conversion to other uses, except for minor boundary changes which would improve their value or usefulness. IN any case, as prescribed by Policy REC-1.2, replace whatever land and facilities are given up with	Under an existing Development Agreement between the Developer and the City, Parcel N is designated as public open space that is to be offered to the City to be incorporated into the EPMP which includes expanding and remodeling Estuary Park.

land and facilities of at least equal value and capacity.	
---	--

### General Plan (Estuary Policy Plan) Compliance

According to the Estuary Policy Plan (General Plan), the land use designation for Parcel N is EPP Parks. The Developer is proposing a General Plan Amendment to change Parcel N from EPP Parks to Planned Waterfront District 4 (PWD-4). The entirety of the Brooklyn Basin PUD has the PWD-4 land use designation. Therefore, Developer is proposing modifying the land use designation for Parcel N to be PWD-4 to be consistent with the rest of the Brooklyn Basin PUD. The intent of the PWD-4 land use designation is to provide for the transition of underutilized industrial land to public parks and open space, commercial/retail, multifamily residential, cultural and civic uses. Improve public access to the waterfront by providing additional public parks and open spaces and a waterfront trail.

### Downtown Oakland Specific Plan (DOSP)

Parcel N is included in the DOSP plan area and is shown as park space in all diagrams and maps throughout the final document. If the City Council approves the Parcel N project, the DOSP will need to be amended to show Parcel N as residential use in all diagrams and maps.

### Zoning Compliance

Parcel N is currently zoned Open Space - Region Serving Park (OS-RSP). The applicant is proposing to rezone Parcel N to Oak-to-Ninth District Zone (D-OTN) consistent with the rest of the Brooklyn Basin PUD area. The regulations for the D-OTN zoning district are captured in Chapter 17.101B of the Oakland Planning Code. The applicant is proposing residential development on Parcel N. As detailed in Table 17.101B.01: *Permitted and Conditionally Permitted Activities* of the Planning Code, permanent residential activities are permitted by right in the D-OTN zoning district. If the City Council approves the Rezone request associated with the Parcel N project, the proposed residential development would be permitted by right on Parcel N.

### Estuary Park Master Plan (EPMP) Consistency

The CIP group of Oakland Public Works along with OPRYD staff have conducted their analysis of the Developer's EPMP Alternative against the City approved EPMP. That analysis is provided as **Attachment F** of this report.

## **EQUITY ANALYSIS**

In 2023, the City of Oakland adopted updated Housing and Safety Elements and created a new Environmental Justice Element, as part of Phase 1 of the General Plan Update. The guiding principle of the General Plan Update is to further the City's mission to "integrate, on` a Citywide basis, the principle of 'fair and just' in all the City does in order to achieve equitable opportunities for all

people and communities.” In service of that mission, each of the new and updated General Plan Elements was supported by a thorough racial equity impact analysis to guide its development. Both the Safety and Environmental Justice Elements prioritize policies to reduce the risks and harmful impacts to the city’s most vulnerable and frontline communities face, whether the risks are from daily exposure to pollution or from structural disasters. The Housing Element includes racially equitable housing policies that protect tenants, address patterns of segregation by fostering inclusive neighborhoods, and provides housing options for Oaklanders of all incomes, prioritizing preservation and production for those with the greatest need.

- **SAF-5.3 Site Contamination.** Through enforcement of standard conditions of approval, ensure buildings and sites are or have been investigated for the presence of hazardous materials and/or waste contamination before development or if there is reason to believe an existing building or site may contain hazardous materials that pose a threat to possible users. Continue to require remediation and construction techniques for adequate protection of construction workers, future occupants, adjacent residents, and the environment are adequately protected from hazards associated with contamination.
  - The Parcel N property is a vacant lot that has contamination on site that requires soil remediation. As part of the active development agreement between the Developer and the City of Oakland, the Developer is required to remediate the Parcel N site regardless of the City Council’s decision on the Parcel N project. Additionally, the City’s Standard Conditions of Approvals for all housing development projects require remediation of site contamination prior to construction commencing.
- **SAF-4.3 New Development and Sea Level Rise.** Develop sea-level rise standards/horizon that will guide adaption and resiliency planning as part of the updated Sea Level Rise Roadmap, including consideration of recommendations and regulations for a suite of shoreline protection measures that prioritize ecologically friendly adaptation options, protective setbacks, and other adaptation strategies, to be incorporated into future development projects.
  - The Parcel N property is subject to the City’s sea level rise adaptation plan requirements. As part of the final approvals for the Parcel N project, the Developer will need to provide a Sea Level Rise Adaption Plan, prepared by a licensed professional, for the City to review and approve prior to building permit issuance. The developer will be required to raise the proposed residential buildings above adjacent grade to address sea level rise concerns to ensure the safety of the buildings’ residents and the longevity of the housing development in general.
- **EJ-1.12 Construction Site Impacts.** Through standard conditions of project approval, code enforcement, and other regulatory mechanisms, require new development to minimize disturbances of natural water bodies and natural drainage systems caused during construction and to implement measures to protect areas from road dust, erosion, and sediment loss.
  - If approved, the Parcel N project will be subject to all the City’s updated standard conditions of approvals that address disturbances to natural bodies of water, natural drainage systems, road dust, erosion, and sediment loss during construction. While the Parcel N property is located near the waterfront, it is not immediately abutting a

natural body of water. Therefore, construction impacts to the estuary and basin are expected to be very minimal if not, nonexistent.

## **FISCAL IMPACT**

The potential fiscal impact of the project is under review by the City. The full extent of the fiscal impacts will be determined as the Parcel N project is solidified and by the time the project is ready for City Council review. At this moment, there is a potential reduction in City costs to Estuary Park if the existing park area is not expanded as the operational and maintenance costs would be lower for the existing park area compared to an expanded park as envisioned in the approved EPMP. If the City Council approves the Parcel N project proposal, directing staff to amend the EPMP may create additional costs for the City. The City is negotiating with the Developer regarding costs. Regardless of whether the Developer's Parcel N Project proposal is approved, the Developer will remain responsible for the remediation obligations.

However, if the Brooklyn Basin Project becomes infeasible from an economic standpoint and is unable to proceed, the master developer will not be able to deliver obligations and community benefits under the original agreements. The remediation of Estuary Park would not proceed and much of the open space yet to be built would not proceed. Other public infrastructure such as roadways and streetscape improvements would not move forward, and other community benefits such as resources for job training would be lost.

## **PUBLIC OUTREACH / INTEREST**

The proposed Parcel N project will be subject to multiple public hearings as part of the City's review process. At a minimum, the project will be reviewed at the PRAC, Planning Commission, and finally, City Council for decision. The public will have several opportunities to participate in the review process and provide comments and feedback to the Developer and review bodies. Public notices will be made available for all public hearings. All public hearings will be subject to 17-day noticing, including newspaper notice, notice to property owners within 300 feet of the affected site, and notices provided to subscribers of City of Oakland Brooklyn Basin webpage (link: [City of Oakland | Brooklyn Basin \(formerly "Oak to Ninth Mixed Use..."\)](#)).

## **COORDINATION**

The Planning and Building Department's Bureau of Planning distributed the proposed EPMP conceptual alternatives an interdepartmental team of city departments including the City Attorney, OPRYD, Public Works Department, Economic and Workforce Development, and OakDOT for review and feedback of the project components. The "City Staff Analysis" portion of this report above includes questions from the City's interdepartmental team for the PRAC, members of the public, and the developer to consider as the project moves forward in the public review process.

## **ENVIRONMENTAL REVIEW**

The City is currently conducting environmental review of the proposed Parcel N project, compliant with the California Environmental Quality Act (CEQA). Staff will provide a CEQA analysis and findings to the Planning Commission (as the recommending/advisory body) and City Council (final legislative decision-maker) as part of any future decision-making process related to the proposed Parcel N project.

## **RECOMMENDATION**

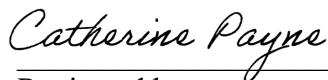
Staff requests that the PRAC consider making the following recommendation:

- Support the proposed General Plan Amendment of Parcel N from EPP Park to PWD-4 to be consistent with the entirety of the Brooklyn Basin PUD.
- Support Rezoning of Parcel N from OS (RSP) to D-OTN to be consistent with the entirety of the Brooklyn Basin PUD.
- Support an amendment to the approved EPMP to exclude the Parcel N property.
- Support a request to the City Council to direct staff to process an amendment to the EPMP to redesign Estuary Park and contain all future park improvements and renovation within the Estuary Park land area as its boundaries as exist today.

Respectfully Submitted,



Prepared by:  
Christopher Tan  
Planner IV, Development Planning Division



Reviewed by:  
Catherine Payne  
Development Planning Manager



Approved by:  
Edward Manasse  
Deputy Director of the Bureau of Planning

## **Identification of Support Documents:**

Attachments:\*

- Attachment A** – *Proposed Estuary Park Master Plan Amendment Alternatives (Dated 8/28/25)*
- Attachment B** – *Approved Estuary Park Master Plan (January 2025)*
- Attachment C** – *Public Correspondences Received*
- Attachment D** – *Parcel N Final Development Permit Plan Set (Dated 8/28/25)*

**Attachment E** – *Development Agreement between City of Oakland, Redevelopment Agency of the City of Oakland, and Oakland Harbor Partners, LLC and Subsequent Amendments (2006)*  
**Attachment F** – *City Staff Analysis of EPMP Alternative with City-Approved EPMP*

\*Attachments are hyperlinked due to the size of the files. Click on the desired attachment to see the document.