



NORTHERN ALAMEDA COUNTY GROUP
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Mayor Sheng Thao and Oakland City Council
1 Frank H. Ogawa Plaza,
Oakland, CA 94612

Dear Mayor Thao and Councilmembers,

The Sierra Club and our members express our strong support for the City's plan for renovating and expanding Estuary Park—the City's major park with access to the waterfront and the Estuary.

Recently, we learned that the developer of Brooklyn Basin is seeking City approval to construct 81 private homes on "Parcel N"—a portion of the Estuary Park site. We understand that if approved, this proposal would invalidate the \$1.4M Estuary Park Master Plan already developed by the City of Oakland, forcing a complete redesign to a smaller park without many of the features sought by the community. Such a change would be costly, wasteful of City staff resources, and disappointing to local citizens. Instead, we support the City Council's principle of "Public Land for Public Good".

We stand firmly with the Measure DD Community Coalition and The Portobello Residential Owners Association—neighbor to Estuary Park—in opposing any changes in the Master Plan. We strongly urge the City to proceed immediately with the community-approved Plan for the Park.

Sincerely

Maxwell Davis, Chair
Sierra Club Northern Alameda County Group



Oakland Measure DD Trust for Clean Water and Safe Parks Community Coalition

August 5, 2024

TO: Jestin D. Johnson, City Administrator
G. Harold Duffey, Assistant City Administrator for PWA & Parks
Dr. William Gilchrist, Director of Planning & Building
Edward Manasse, Assistant Director of Planning
Nikki F. Bas, City Council President

Request Of The Measure DD Community Coalition To Proceed With The "Expansion And Improvement Of Estuary Park," As Stipulated In The Measure DD Bond Of 2002

In March of this year, the Coalition learned that the developer of Brooklyn Basin had initiated action to obtain City approval for the construction of 80 to 90 residential units and associated constructions on "Parcel N," the parcel designated by the City and relevant agreements for the long-sought and planned expansion of Estuary Park.

After extensive inquiries and research by an Estuary Park Task Committee, the Coalition, on 15 July 2024, adopted the following resolution:

"POSITION STATEMENT" on ESTUARY PARK by the Measure DD Community Coalition

"It is the position of the Measure DD Community Coalition that the City should move forward with its established [Estuary Park Master Plan](#), and should reject emerging initiatives to convert any portion of the designated park site for private residential or commercial use -- which would also conflict with the Development Agreements for Brooklyn Basin.

We, the Measure DD Community Coalition, urge City policymakers and staff to reject any such privatization of legally defined public land. The Measure DD Coalition, various stakeholder groups, and the broader affected community will vigorously oppose administrative efforts to amend, rezone, or modify the density or land use designation of Parcel N.

Please also be informed of the Coalition's intent to diligently pursue the ultimate completion of Estuary Park, as presently designed -- a major project of the Measure DD Bond Proposition of 2002.

*The Oakland Measure DD Community Coalition
(Organizations of Attendees at the Coalition's July 15 meeting where the vote was unanimous)*

*Bike East Bay
Coalition of Advocates for Lake Merritt
East Bay Rowing Club
Essex Community Action Committee*

Lake Merritt Advocates
Lake Merritt Conservancy
Lake Merritt Institute
Lake Merritt Weed Warriors
Measure DD Community Coalition
Oakland Heritage Alliance
Oakland Parks and Recreation Foundation
Portobello Residents Association
Rotary Nature Center Friends
Waterfront Action

EAST BAY FOR EVERYONE

May 30, 2024

Oakland Planning Bureau
250 Frank Ogawa Plaza
Oakland, CA 94610

RE: Parcel N - Brooklyn Basin

Deputy Director Manasse,

East Bay for Everyone (EB4E) recently learned of plans by Signature Development to amend the Brooklyn Basin land use entitlements, including preliminary development plans and development agreement, to convert Parcel N from a dedicated park use to housing.

While EB4E has been an advocate for increased housing options in Oakland we must respectfully oppose this proposed change to the Brooklyn Basin development plan. For reasons outlined below, the commitments made for park space as part of the planning process for Brooklyn Basin must be maintained.

- As Oakland grows denser it must continue to add open and park space, especially in non-Oakland Hills locations.
- The proposed change in use undercuts years of planning done for Estuary Park by the City and its partners in the community. It threatens the viability of the following elements considered as part of the draft Estuary Park Master Plan: dog park, multi-use lawn, festival plaza, habitat garden and water filtration systems. A change in use would force the City to reduce or eliminate these or other park uses.
- The planned change in use would likely increase permeable surface area and reduce the ability of the Estuary Park Master Plan to protect against sea level rise.

EB4E supports increased housing density in the Brooklyn Basin development project as well as more homeownership options. We are supportive of greater height and floor area as well as reductions in on- and off-street parking in order to facilitate more housing development on residential and mixed-use areas identified within the current Brooklyn Basin land use

entitlements. We are also open to other strategies to increase the financial viability of multifamily homeownership options (Cf. suburban townhome typologies).

We are interested in the full realization of Brooklyn Basin as a thriving community with mixed-income and mixed-tenure housing, commercial uses, park and open space. The short-term economic headwinds do not, however, justify abandoning the planning done for park space at Parcel N.

Sincerely,

Jonathan Singh
Co-Executive
East Bay for Everyone



Portobello Residential Owners Association

7 Embarcadero W Oakland CA 94607 portobellohoaboard@gmail.com

July 26, 2024

To whom it may concern:

The Portobello HOA Board was extremely distressed to learn that Signature Development Group, the developer of Brooklyn Basin, is seeking the City of Oakland's approval to construct 80-90 market-rate housing units on "Parcel N" land. Parcel N is a 4-acre abandoned former parking lot between the Embarcadero and Estuary Park that Signature agreed to remediate and then deed to the City as public open space. Parcel N together with Estuary Park comprise the footprint of the [Estuary Park Master Plan](#), a *voter approved and voter funded* design to turn a neglected piece of Oakland's waterfront into a world-class public gem. Over the past several years, the City expended ~\$1.4 Million in design development that included stakeholder input from four community engagement meetings. Oakland residents, overwhelmingly supportive of the plan to restore and expand Estuary Park, approved \$198M in bond funding through Measure DD. Oakland residents have been eagerly awaiting the start of Estuary Park's restoration, which was slated to begin in FY 24/25.

We learned at the July Measure DD Community Coalition meeting that Brooklyn Basin's developers are seeking to build luxury housing on Parcel N and renege on the Tideland Trust Exchange Agreement to deed Parcel N to the City, denying Oaklanders of the long-promised world-class waterfront park. Imagine our concern upon hearing that the City removed Measure DD funding from the FY 24/25 budget and is halting all work plans involving Parcel N in order to give the developer time to submit a revised development proposal.

Oakland needs a future-thinking City plan that includes safe, beautiful, dedicated waterfront open space. The developer has land *within* their planned building siting, *not* promised for public open space, on which to build 600 additional units. We are concerned that short-sighted planning decisions influenced by the current budget deficit will result in the loss of this public waterfront parkland, diminishing the quality of life for residents, destroying a potential tourist and travel destination, and decimating watershed and wildlife habitat. A block of townhomes would mean the loss of stellar views for passers-by. It would potentially limit the park's existing uses such as the Fire Department's training sessions, rowing clubs' early morning rowing camps, and the brass band that practices of an evening.

Estuary Park's restoration would ensure that Oakland is a place where people *want* to live and that Jack London Square becomes a destination location. Consider this week's reporting by the [SF Chronicle](#) and [SF Gate](#) on the "world-class" park redesign and restoration of Embarcadero Plaza along the San Francisco waterfront, creating "...a waterfront destination that embraces iconic views and contributes to the City's ongoing revival." San Francisco is in the process of redesigning public spaces "to make downtown a place where people want to be." Oakland has already created the plans for its own waterfront destination, funded the plan's execution, and secured public support. We need the City's commitment to honoring and action toward realizing the Estuary Park Master Plan.

The Portobello HOA Board represents 200 homeowners. We strenuously oppose the development of Parcel N. We stand behind the Measure DD Community Coalition's position statement in calling for City policymakers and staff to reject any privatization of the legally-defined public land known as Parcel N and we urge the City to *move forward with the Estuary Park Master Plan as designed for and approved by the Oakland community*.

Respectfully,

Jeremy Laurin, Board President

on behalf of the full Portobello Residential HOA Board

cc: Mayor Sheng Thao
Chief of Staff Leigh Hanson
City Council President Nikki Fortunato Bas
City Councilmember Carol Fife
PRAC Chair Tam Tran
OPRF ED/CEO Mandolin Kadera-Redmond
City Administrator Jestin Johnson
Assistant City Administrator Betsy Lake
Assistant City Administrator LaTonda Simmons
Assistant City Administrator Harold Duffey
EWD Director Ashleigh Kanat
EWD Project Manager Kelley Kahn
OPRYD Director Fred Kelley
OPRYD Capital Improvements Coordinator Quincy Williams
OPW Interim Director Michael Kashiwagi
OPW Manager Christine Reed
OPW Watershed Program Supervisor Terri Fashing
Planning & Building Deputy Director Ed Manasse
Planning & Building Director William Gilchrist
Planning & Building Manager Catherine Payne
Planning & Building Planner Christopher Tan

350 Bay Area
350 East Bay
1000 Grandmothers Bay Area
Alameda County Interfaith Climate Action Network
Alliance of Californians for Community Empowerment – Oakland
Asian Pacific Environmental Network
Audubon California
Bay Area Climate Action Mapping Project
Bay Area Regional Collaborative
Bay Conservation and Development Commission
Bay Planning Coalition
Bike East Bay
California Coastal Conservancy
California Environmental Justice Alliance
California Foundation on the Environment and the Economy
East Bay Alliance for a Sustainable Economy
EcoCity Builders
Greenbelt Alliance
Oakland Climate Action Coalition
Protect the Bay Coalition
San Francisco Bay Restoration Authority
Sierra Club
Sunflower Alliance
Urban Creeks Council

Artemis Rowing
California Rowing Club
East Bay Rowing Club
Friends of California Crew
Golden State Rowing Club
Lake Merritt Boating Center Advisory Committee
Lake Merritt Rowing Club
Marcia's Enthusiastic Masters of Oakland
Oakland Athletic Rowing Society
Oakland Barracuda Aquatic Club
Oakland Strokes Rowing
Oakland Triathlon Club
Odyssey Open Water Swimming
The Embarcadero Rowing Club
West Grand Brass Band

Broke Ass Stuart
East Bay Times
KALW
KQED
KTVU
San Francisco Chronicle
SF Streets Blog
SFGate
The Oaklandside

Re: September 18, 2024 Planning Commission Agenda item 4.

From: William Threlfall (wthrelfall@pacbell.net)

To: sshiraziopc@gmail.com

Date: Sunday, September 15, 2024 at 06:36 PM PDT

Commission Chair Shirazi,

Re: September 18, 2024 Planning Commission Agenda item 4.

The presentation under agenda Item 4 is expected to include mention of the Brooklyn Basin developer's initiative seeking to place housing on a portion of the Estuary Park site known as "Parcel N". I am writing to provide background and evidence that may persuade you to oppose that initiative.

Background

"Parcel N" is an "open space" parcel that like all other parcels in the Brooklyn Basin development was purchased by the developer from the Port of Oakland. It is zoned OS (RSP).

(see – [2006 Vesting map, annotated](#))

(see – [2006 Zoning map, annotated](#))

The PLANNED WATERFRONT ZONING DISTRICT (PWD-4) for Brooklyn Basin, under 17. .110, shows the number of housing units allowed by parcel. From the inception of the project until the present, the Council-approved allowance for Parcel N was zero housing units.

(see – [Zoning regs excerpt](#))

Under the original 2006 Development Agreement and all subsequent approved amendments, the developer is obligated to convey title to Parcel N to the City after performing remediation of the site. This same obligation has applied to other open-space parcels throughout Brooklyn Basin. However, Parcel N's remediation and conveyance has not occurred. Around 2016, the developer expressed readiness to proceed with remediation, but the City requested a delay, noting that its planned Measure DD Estuary Park Renovation and Expansion project would not be ready to begin for some time. The delay was intended to ensure that public access to Estuary Park would not be compromised for an extended period. The timing of the required remediation became a subject of negotiation and remains unresolved.

After 2016, the City undertook planning for the park's renovation and expansion. In light of the provisions requiring the developer to convey title to Parcel N to the City, the plan included Parcel N. The process was lengthy, halting, and entailed a series of public workshops and a change of consultants mid-stream. In May of 2023, the City released its final [Draft Estuary Park Plan](#) at a cost of \$1.4M. Parcel N lies within planned park footprint and is integral to the park plan.

Last year, the Brooklyn Basin developer won City approval of its third set of amendments to the project's development agreement, zoning, and other entitlements, and yet none of these entitlements allow residential development on Parcel N.

Problem

Now the Brooklyn Basin developer wishes to do something entirely different. In February of 2024, the developer publicly declared an intention to retain ownership of Parcel N and develop private housing on it. (see [Signature floats plan to trade park for homes in Oakland's Brooklyn Basin The Real Deal Feb 13, 2024](#)).

Current documents filed with the City reveal a plan for a series of multi-story buildings and related paving covering almost all of Parcel N.

Of course, none of the developer's proposal conforms to existing entitlements and regulations. Accordingly, the developer has submitted a sweeping package of proposed amendments that will be before you in the months ahead.

Requested Action

I urge you to reject these proposed amendments for four key reasons:

1. The developer's proposal would ruin the City's park plan. Replacing the 2.8 acre Parcel N area of the planned park site with private housing would invalidate the \$1.4M [Estuary Park Master Plan](#) already developed by the City of Oakland, forcing a complete redesign to a smaller park. This costly redesign would lack many of the features sought by Oakland residents during a series of interactive community design sessions. The developer's plan would sacrifice the park's new landscaped entry, expanded parking with food truck plaza, family picnicking adjacent to a water-wise/habitat garden, and enclosed dog park, among other features. The proposed multi-story residential building would impede public access to the park and obstruct views from the Embarcadero. (see - [Housing overlay on park plan](#))

Further, the opportunity for effective redesign of the park is limited by many site constraints including easements, anticipated sea-level rise, historic preservation, public trust law, and public access requirements.

2. The housing proposal does not benefit Oakland or its citizens. This is a developer-initiated proposal reflecting no community input. No new benefits to the City or citizens are proposed. It does not address the need for housing in Oakland. It merely relocates up to 120 already approved housing units from Brooklyn Basin Parcel M to the site of the City's Estuary Park project. The total number of Brooklyn Basin housing units would remain unchanged at 3,700.

3. It is too late. The developer knew of the City's long-standing plan to renovate and expand Estuary Park since at least 2016. Stakeholder workshops began in 2018 when the City published its Estuary Park Project website and [Estuary Park Fact Sheet](#) with contact information for the OPW Project Manager. The final adopted Estuary Park Master Plan Draft was published as early as June 10, 2023.

Last year, in the 2023 Marina Expansion Project, the developer won approval of extensive Brooklyn Basin amendments including authorization of 600 additional housing units. That would have been the time for the developer to bring forth this Parcel N housing initiative. However, at that time, the developer expressed no hint about a wish to replace parkland with housing on Parcel N, even though it was widely known that the City was planning the park project.

Now in 2024, the amendment cycle has been restarted to address the developer's recently expressed desire to change part of the City's park plan to a commercial housing project. Coming at this time, this initiative has introduced Estuary Park project uncertainty and delays, disrupted construction planning, and created problems for Measure DD bond expenditure management.

4. The proposal makes fundamental changes. The developer's proposed sweeping amendments are not mere technical updates. They would make fundamental changes to land use. They would modify all the current agreements, abrogating key provisions of the approved Development Agreement and its three amendments approved by this Commission and Council over many years. They seek to change zoning regulations to delete provisions limiting housing density per parcel and propose revision of the development agreement, vesting map, Estuary Policy Plan, etc.

If adopted agreements and regulations are to contribute meaningful guidance to the planning process, they must have a measure of stability. Now, barely months after the presentation of the Marina Expansion Project, the developer is back again with an entirely new set of proposed amendments. It should be recognized that these cycles entail significant City costs and time of staff, Commissions, and Council.

If this entire process ensues anytime a developer has a new idea, then the adopted agreements become so malleable that they provide no enduring planning guidance. Instead, they merely represent a procedural inconvenience to be managed through repeated amendment cycles initiated by the developer.

I urge you to oppose the developer's initiative.

William Threlfall
11 Woodside Glen Ct.
Oakland CA 94602

From: James E Vann <jamesevann@aol.com>

To: officeofthemayor@oaklandca.gov <officeofthemayor@oaklandca.gov>; officeofthecityadministrator@oaklandca.gov <officeofthecityadministrator@oaklandca.gov>; hduffey@oaklandca.gov <hduffey@oaklandca.gov>; mkashiwagi@oaklandca.gov <mkashiwagi@oaklandca.gov>; wgilchrist@oaklandca.gov <wgilchrist@oaklandca.gov>; emanasse@oaklandca.gov <emanasse@oaklandca.gov>; fkelly@oaklandca.gov <fkelly@oaklandca.gov>;

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Sent: Wednesday, November 6, 2024 at 08:10:55 PM PST

Subject: Critical Concerns Regarding Estuary Park Following Recent Master Plan Public Hearings

Mayor Sheng Thao

City Administrator Jestin D Johnson

G Harold Duffey, Asst. City Administrator for Public Works & Parks

Michael Kashiwagi, Interim Director, Public Works Department

William Gilchrist, Director of Planning & Building

Edward Manasse, Deputy Director of Planning

Fred Kelley, Director of Parks, Recreation & Youth Development

Subject: Critical Concerns for the Long-Planned Expansion of Estuary Park

As a founding member of the Coalition of Advocates for Lake Merritt (CALM), an original member of the City-sanctioned Measure DD Community Coalition and its Estuary Park Task Committee, As an urgent matter, I feel compelled to express to City Administrators and Managers the dire status of the community's long-planned and highly anticipated recreational resource on the waterfront ... Estuary Park.

In recent public hearings, the Parks & Recreation Advisory Commission (PRAC), the Landmarks Preservation Advisory Board (LPAB), and the Oakland Planning Commission (OPC) all voted unanimous approval of the recently completed Expanded and Improved Estuary Park Master Plan."

Notable Comments at the Planning Commission's Public Hearing

At the September 18 meeting of the Planning Commission, seven of 10 public attendees spoke passionately in favor of the Estuary Park Master Plan and against the Brooklyn Basin developer's proposal to be granted the vacant "Cash & Carry" parcel (Parcel N) that fronts on The Embarcadero roadway. This request for Parcel N would repurpose rare public open space and divert it to private residential development.

In discussion before the Commission's unanimous approval of the Estuary Park Master Plan, several commissioners made comments that:

- evidenced their awareness of plans and aspirations in City documents dating to 1999, that called for the expansion of Estuary Park to provide needed visibility and entry to the park from The Embarcadero.
- expressed the need for, and strong agreement with the expansion of Estuary Park as soon as possible.
- disfavored alternate use of the currently zoned "**Open Space - Region Serving Park (OS-RSP)**," Parcel N, for housing of any kind.
- agreed with the critical need for additional parkland to serve the growing population in the Jack London Square to Naval Island geographic area.
- expressed concern for increased costs due to having to phase work while stalling for time to receive and process the developer's application regarding "Parcel N."
- made notice of a review process that could require 2 to 5 years to modify and process the many complex entitlements affected by the developer's Parcel N application for residential construction..
- expressed concern for the complicated efforts required of already reduced staffing being further stretched to deal with an unanticipated application that requires significant staff effort in researching and preparing complex entitlement modifications ... an application that violates several clauses and amendments of executed Development Agreements.
- complemented the public speakers and encouraged the speakers to continue showing up to relevant meetings and to advocate for the Park.

Public Hearings at Parks & Rec and Landmarks Preservation Commissions

Earlier in the week, members of the public and the Measure DD Community members appeared and spoke at the Parks & Recreation Advisory Commission (PRAC) and at the Landmarks Preservation Advisory Board (LPAB) in favor of the Estuary Park Master Plan and urged its rapid implementation. Both Boards gave unanimous approval for the Estuary Park Master Plan including the directed expansion of the Park.

Overriding Questions and Concerns

There remains an overriding and puzzling question: With the many Contract Affirmations, conflicts, and contradictions with the Development Agreements, Amendments, EIRs, analytical reviews, and several reports: Why is the Brooklyn Basin developer not being told clearly and boldly that: "A proposal to renege on the years of complex Agreements cannot be accepted, nor considered because it violates all the contracted terms of Brooklyn Basin's legally approved development ?"

Serious consideration of the developer's proposal requires voluminous research, endless legal reviews and coordination, composing necessary modifications of numerous historical documents, reports, and Agreements; several Planning and Rezoning hearings, and imposed delays and re-phasing of the Park's implementation. These unplanned burdens,

on a reduced and badly stretched staff, will be extremely costly with harmful impacts on resources, personnel, and workloads. Urgent projects now scheduled, waiting, or in the pipeline will be disrupted by the inordinate time-consuming and extravagantly costly preparatory tasks.

Even After the mandated tasks, if the City Council declines to consider exchanging long anticipated and contracted "public open space" for "private housing development," the monumental effort will require about 2 years of concentrated work. hundred of thousands of dollars, and years of community interaction in the Park design, together with an extended construction delay, will all have been in vain.

Unlikely Approval of the Developer's Proposal by the City Council

Admittedly, the public is radically opposed to private housing on public parkland and is unanimously supportive of Estuary Park's expansion, the chances that the City Council will discard its oft-repeated motto -- "Public Land for Public Good" -- and throw out 4 years of community involvement and completed plans costing over \$1.4 Million are, at best, nil to none.

If the City's administrators and managers are so emboldened as to proceed with such an ill-conceived proposal and concomitant destruction of Departments' processes, timelines, and budgets, the City's administrators and managers, at minimum, have the responsibility of exposing, informing, and educating the City Council -- in open sessions -- as to how and why such a nonsensical hare-brained scheme justifies consuming 2-plus years of preparation at the cost of millions the City does not have to subsequently be found "Not Feasible."

Unless it is first determined that the City Council is amenable to the dozens of document changes, filings, CEQA reviews, legal recordings, and State coordination that would be required to throw out the many years of planning, \$1.4 million for design, community interactions, and formal approvals of the envisioned Estuary Park. staff should be instructed to not spend time or money evaluating such a contrary and ill-founded proposal.

James E Vann AIA, Founding Member
Coalition of Advocates for Lake Merritt