



E.P.A.C.

Estuary Park Information Resource

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E.P.A.C.



Estuary Park Information Resource

August 15, 2002

You can use this information to help create Estuary Park for you, your family, and your neighbors, as promised in the 1991 Alameda Master Plan. The park was conceived to include about 10 acres in the area between Clement Avenue and the Estuary, from about Walnut to Oak streets. See [Maps of the Estuary Park Site](#) on page 25.

This information explains where the Estuary Park site is located, why the city planned to build the park, what has happened so far in the effort to create it, and what you can do to help. Answers to questions about the park and the civic process of building it will inform you about what's important, who to contact, and what's happening soon. Estuary Park can become an active park on the Estuary where you and your family can participate in organized sports and similar public activities (not merely a passive mini-park used for walking or picnicing). The struggle to make the park real isn't over yet. All of us must pull together to make it happen.

This information was gathered and assembled by members of the Estuary Park Action Committee (E.P.A.C.). They have assembled and distributed this information at their own expense.

What is the Estuary Park Action Committee?

E.P.A.C.'s members: The people who formed E.P.A.C. are ordinary citizens, not builders or bankers or developers or real estate agents. They live in Alameda. They're interested in the future quality of life there, especially as influenced by public lands developed for the use of the people who live in the island city of Alameda.

The list of E.P.A.C. member names can be found on the world wide web at <http://jwoodard.best.vwh.net/epac/>

E.P.A.C.'s mission: to make sure the City of Alameda creates an active park in Eastern Alameda along the Estuary, as promised in the City's 1991 Master Plan.

E.P.A.C.'s purpose in providing this information: This letter explains the issues and the players determining the destiny of Estuary Park, information you can use to make sure the City of Alameda creates Estuary Park.

Additional information: The EPAC web site contains a lot of information about Estuary Park.

Many quotes you'll read here are taken from transcripts of Planning Board meetings. The Alameda City Free Library keeps video tape recordings of those meetings for public viewing. Board meeting agendas and minutes are on the web at: <http://www.ci.alameda.ca.us/archive/planningdocs.html>

Useful contacts: A single point of contact for E.P.A.C. is

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You'll find other important contact information throughout this letter, especially at the end where we list names and addresses for members of the Alameda City Planning Board and the San Francisco Bay Area Conservation and Development Commission (BCDC).

Alamedans need more active park space.

Deborah Arbuckle, an advocate for open space, told the Alameda City Planning Board on April 22, 2002:

...we need some more park space. If we include all the in-law units that have been grandfathered in, we're somewhere between 2.5 and 2.2 acres per 1000 people for parks. And that is very low. It's under what the City wants to do.

Jake Mara, a young boy who lives on Eagle Avenue near the proposed site for Estuary Park and two blocks from McKinley Park, a small, passive park, spoke at the same Planning meeting. He said:

I think it would be a good idea to get a park in 'cause kids that live on our...my block and the next block play out in the street, like football, soccer, and stuff. And McKinley Park, that's like 2 blocks away; it's too small. There's only basketball, a play structure, and the Rec Center. And there's, like, not enough room for anything else.

The idea of Estuary Park is still alive.

Planning Board President Marie Gilmore concluded the April 22nd meeting, responding to developers who want to build high density housing projects there, by saying:

"I would think you would want to build a project that, not only are you proud of, but that works for the people that live there, that makes them feel like they're part of the larger community. And that means you've got to do a better job..."
President Gilmore

...My personal preference would be for an active park along the water. Realities, unfortunately, intrude. The other thing I would say about both of these conceptual ideas [presented by Bay Rock and the developer for Collins], I'm really not happy with the access to the waterfront. And both of those proposed communities look like enclaves. In other words, there's no reason to go there unless you live there or unless you know somebody there. And we've had many discussions here and in other forums in town about these sort of walled communities. I mean, there are no walls being proposed, but the effect is the same sort of thing. There's no reason to go there unless you live there.

So I don't like the access to either proposed housing development. I don't like the access to the shoreline because I don't think it's very inviting for people in the neighborhood. And I would want whatever park gets developed to be accessible not only to the residents of these new developments, but also to the rest of the neighborhood, and to the rest of the City. ...be cooperative here. And I understand you're in business to make a profit, no one doubts that, but at the end of the day I would think you would want to build a project that, not only are you

proud of, but that works for the people that live there, that makes them feel like they're part of the larger community. And that means you've got to do a better job integrating those neighborhoods, those properties into the larger community. And I know that it can be done.

Developers continue to press the Planning Board to change the zoning for the land where Estuary Park was planned from industrial (M-2) to residential (R-4) and cover it with high density housing.

Planning Board President Gilmore
Planning Board meeting, 22 April 2002

E.P.A.C. presented the Planning Board with a petition signed by almost 300 neighbors who want Estuary Park. E.P.A.C. has asked the Board to allow time to raise money to buy land along the Estuary for a park. The Board certainly appreciated the idea and E.P.A.C. efforts, but **because the same faces are always the ones who have time to attend meetings, the City Planning Board isn't sure you want a park there.**

Over the last six months, members of the E.P.A.C. have opposed plans that create high density problems, restrict access to the waterfront, and prevent an active park from becoming a reality.

At the July 22 Planning Board meeting, Board members considered, once more, a housing plan proposed by BayRock Development on part of the park site owned by Dutra Dredging at Walnut Street and Clement Avenue. EPAC members, who have time to attend such meetings, opposed the BayRock plan. They insisted that the shoreline is public, as mandated by law. They reminded the Board of the problems of unbalanced high density development, especially traffic problems. They asked the Board not to change the property zoning from open space to residential, but to allow time for the City and E.P.A.C. to apply for grant money to buy park land. In response to E.P.A.C. statements, Board Vice President Piziali concluded:

...my issue is, this was in the General Plan as open space and park space. I also probably know that, if people in Alameda really, really believed in this we would maybe have a full room tonight. You know, maybe we'd have somebody here that, it's like, some of us care. A lot of us will not do anything and bitch about it later. So I don't know what to tell you, but I'm just going to back up, and as far as I'm concerned, I don't want to deal with this until I hear back on this whole MU-5 thing. [The three parcels of land involved, referred to by a proposed zoning known as Mixed Use 5] And see, I realize we probably don't have any money to buy this property. It probably won't happen. But I just want to see how far you guys [E.P.A.C] can go with what you're trying to do, and back up and see if maybe we can get just one thing right and develop a little of our waterfront property and do a park instead of a parking lot for something that we don't need.

Planning Board Vice President Piziali
Planning Board meeting, 22 July 2002

His comments mean we have to show up and remind Board members that the community wants a park. Our opinions, expressed in oral statements and the petition, have saved the park idea so far. If we remind the Board how we feel, it will hold its ground against the elimination of the proposed park by high density development. City officials are working with us because they know you've said in the past that you want a park. We have to let them know we all still want it.



Historical Note

The long history of Alameda City parks and community support for them is recounted in a new book titled *Alameda at Play*, written by a city historian, Woodruff Minor. Page 13 of his book refers to a 1915 quote from the *Alameda Times-Star* that said the city's history reflects a long standing commitment to park development and recreation to mould its youth into selfless, vigorous adults.

Alameda at Play describes McKinley Park, near the proposed site of Estuary Park. McKinley is old, the second park built in the City. It was cut back to its present size as a mini-park in 1937 to make room for Thompson Field which is no longer open to the public.

We will keep the park idea alive

We're organizing an appearance by you and our neighbors at the September 9th Planning Board meeting



We're organizing an appearance by you and our neighbors at the September 9, 2002 Planning Board meeting to convince them that balanced development is vital. We'll wear green ribbons. (If you have a web browser and Internet access, see examples of the E.P.A.C. ribbon on the EPAC web site at <http://jwoodard.best.vwh.net/epac/ribbons>). We'll stand so the board will know we want the park. Those who want will speak during Oral Communication at the beginning of the meeting to explain what our presence means. Our witnessing will show the Board how important the park is to our neighborhood and all of Alameda. They will see that the people want and need Estuary Park.

You'll receive more information about plans for the September Board meeting soon.

E.P.A.C. is trying to raise money to buy a portion of the land between Clement Avenue and the Estuary that has been offered for sale. Mr. Piziali is wrong when he despairs that we can't do it.

Read on.

This document answers the questions:

- Page 10: *Where was Estuary Park planned, and what is proposed?*
(See also *Maps of the Estuary Park Site* on page 25.)
- Page 11: *What did the 1991 General Plan propose as Estuary Park?*
- Page 11: *What is the value of a General Plan, and what is the purpose of zoning laws?*
- Page 12: *What have developers proposed on the park space?*
- Page 13: *Why was E.P.A.C. formed?*
- Page 14: *How has the Planning Board responded?*
- Page 14: *How has the Planning Department reacted?*
- Page 15: *What was the surprising offer by one owner not to develop, but to sell?*
- Page 15: *What current shape and location of the park are possible?*
- Page 15: *How can balanced development of the Estuary waterfront serve living space, decent transportation, schools, and healthy neighborhoods for all the people, not just shelter for those who can afford an exclusive set of walls?*
- Page 17: *What does the community demand from housing developers?*
- Page 19: *What are possible uses of open space on the Estuary?*
- Page 19: *Why can't the waterfront be owned by developers?*
- Page 20: *Can housing be built within the Tideland Trust?*
- Page 21: *Why is the Estuary Park site safer to develop as open space than as housing?*
- Page 22: *When will be the next time that developers will bombard the Board with plans for housing on the park land?*
- Page 22: *What has E.P.A.C. been doing to raise money to buy the park land?*
- Page 23: *Why does it take time to raise money from funds already accumulated for park land?*
- Page 23: *Does the destiny of the park depend on you making your opinion known?*

This letter contains useful ammunition you'll need to fight inappropriate use of land that you, your family, and your neighbors could enjoy for mutual benefit.

Please read this information. We know it's long, but it's useful ammunition you'll need to fight inappropriate use of land that you, your family, and your neighbors could enjoy for mutual benefit. We're not advocating the elimination of housing, but asking for reasonable, balanced development of our City in a way that serves all our needs. We need active park space for team sports and access to our own waterfront. Estuary park is a wonderful vision serving that need. It was proposed by your City government in 1991.

Citizens are not asking to get something for nothing. We don't want to prevent anyone from making a living. Proposition 40 money remains. Hundreds of millions of dollars are available. Alameda can apply for a share to buy land for Estuary Park. We're also applying to other similar funds, like the Bay Area Conservancy, which has 200 million dollars. Cultural conservation funds may be available because Estuary Park is also a historical site commemorating Japanese-American baseball, played there for decades. (See pictures of the commemorative plaque the City placed in front of the APT substation on Clement near the park land, on the web at <http://jwoodard.best.vwh.net/epac/docs/atkplaque.html>)

The Fox/Wright property between Clement Avenue and the Estuary has been offered for sale. We can buy that land for the park. A 100 foot strip along the waterfront is already publicly controlled by law. By combining the two intersecting strips, we can make the park a reality. We have to remind City officials that we need time to raise the money. We have to help them remind developers why balanced development is critically important for the well-being of everyone.

This letter explains the issues and the players, information you can use to make sure the City of Alameda creates an active park in Eastern Alameda along the Estuary, as promised in the City's Master Plan.

We have convinced planners how important it is to consider all elements of development, not just the need to cram the most number of residents on the island. The housing shortage in the Bay Area is critical. But badly designed housing won't result in a better life for people who need a place to live. Inconsiderate development will only allow a few fortunate land title holders to maximize speculative profit, resulting—not from work and investment in buildings— but from our demand for housing in a limited space. Such development isn't fair to either the community or the residents of the development. Board member Rossi said to Steward Gruendl of BayRock, the developer of the Dutra property:

I come from New York City, so I know what crowding is all about. ... It's just plugged up, too many people and the space isn't big enough. That's what the issue is here. ...if you take people into consideration and recognize that when they pay their hard dollars to you in order to buy a piece of property that's going to be in the four, five, and six hundred thousand dollar range, that they really should be given something beside just living inside of a space without anything on the outside except walls, and not even cars, and in some cases not even sidewalks, you know, this kind of thing. ...But you got to take Alamedans into consideration. It's not just your land that you're putting your buildings on. You got to think about the people who are going to be there. I don't know how to get that across. We can't shoot

you. We can't line you up and say, Hey, don't do this, or, you know, you're out of here. I think you just simply have to approach it from an entirely different standpoint of view in your own head.

Planning Board member Rossi
Planning Board meeting 22 July 2002

QUESTIONS and ANSWERS

Where was Estuary Park planned, and what is proposed?

Estuary Park was conceived as part of the 1991 Alameda Master Plan.

Estuary Park was conceived as part of the 1991 Alameda Master Plan.

Section 6 of the plan says, *"Parks are especially valued in Alameda because existing acreage is small relative to population, and opportunities for expansion of the park system are few. Improved shoreline access has accompanied recent development, and additional opportunities to take advantage of the island setting are available."*

Section 2.6.j says, *"The park would serve the city sector with the greatest current shortage of parkland."*

Section 3.2.i says, *"Ensure that sections of the Estuary waterfront remain visually unobstructed. Most of the Estuary waterfront not devoted to industrial use is developed as marinas which block vistas. The proposed Estuary Park will be on the most prominent viewpoint."*

Section 6.1.e says, *"Acquire and develop an Estuary Park of 10 or more acres. The General Plan Diagram [6.1] indicates a park along 1,400 feet of Estuary frontage west of Oak Street in Specified Mix Use Area 5."* [See the portion of Figure 6.1 at the end of this letter].

This park will require a major funding commitment by the City, but will probably do more than any other single project to ensure Alameda's long-term quality. It could have the character of San Francisco's Marina Green and would attract all age groups to enjoy large and small boats on the Estuary, views of the Oakland skyline and hills, and active sports. The new park would serve a sector of the City that is short of park space, and would guarantee the high quality of housing proposed for the area.

1991 Alameda City Master Plan, Section 6.1.e

In mid-July of 2002, the San Francisco Chronicle reported that Oakland will develop their side of the Estuary as part of a 160 million dollar cleanup of Lake Merritt.

The Oakland plan to improve their side of the Estuary includes Union Point Park, already taking shape opposite the proposed Estuary Park site. Union Point Park will be part of a pedestrian walkway extending from Jack London Square to Hegenberger Road.

(See a map of the proposed walkway on the EPAC web site at http://jwoodard.best.vwh.net/epac/images/oak_estuary_plan_20020718.jpg)

You can see views around the Estuary on the EPAC web site at <http://jwoodard.best.vwh.net/epac/estparkmap.html> You'll see a map with arrows, each indicating a direction of view. (You may have to scroll the map image right and left to see all the arrows.) Click on any arrow to see a view.

What did the 1991 General Plan propose as Estuary Park?

Specific dimensions and layout of Estuary Park weren't specified in the 1991 Master Plan. The City didn't make good on its promise to acquire land there and develop it as a park. During the 1990's many citizens were still associated with the military and were transient. Many citizens, especially those on the East Side, were poor renters. The area was one end of a Federal poverty zone, according the 1990 census. Those people weren't politically active. Many were not U.S. citizens. For those reasons, they had only a tenuous relation to the community. They didn't know about the promise of the park. They didn't demand the City follow through on its plan. When the military closed the Alameda Naval Base and turned that land over to the City, officials had their hands full reorganizing its usage. They allowed the Estuary Park development to slide.

What is the value of a General Plan, and what is the purpose of zoning laws?

When developers and citizens make conflicting demands, the Planning Board and the City Council turn to the General Plan as a policy for sorting out means of satisfying everyone. That makes the General Plan a political animal.

Not until the late 1990's when new homeowners began to buy and fix up houses in the East area of the City did enforcement of zoning become as important there as it is in the future of Estuary Park. Home ownership really increased during the last decade. Because new owners are interested in improving their neighborhoods, and because new construction has created housing drawing more owners, City planners must consider contradictions between planning and zoning. Contradictions exist because Alameda is a Charter City which means that its Master Plan and its zoning don't have to coincide. The Master Plan is a policy document that City officials can choose to obey if they feel that's expedient. When developers and citizens make conflicting demands, the Planning Board and the City Council turn to the General Plan as a policy for sorting out means of satisfying everyone. That makes the General Plan a political animal. If citizens say nothing, the General Plan can be easily amended by the City

Council or ignored by planners as a way of satisfying demands of developers who build for profit, not for the general good. However, if citizens make their wishes known, officials take their demands into account. Recent changes in the plan for developing the military base as a result of citizen action demonstrate that ordinary members of the community can have an effect on planning. Another example of people power is the Planning Board refusal to rezone Estuary Park land from industrial to residential after listening to citizen complaints about developer plans for that area.

Planners can change zoning. But they only insist zoning correspond with planning policy if citizens make such action important.

Zoning restricts the use of land. Land owners can't do whatever they want on private property, but may only use it for purposes allowed by the land's zoning. Zoning can't be changed at the whim of an owner or merely because they might like to use their land for some more profitable purpose not allowed under zoning in effect when they acquired the land. Such a change requires approval by the Planning Board. While zoning tends to reflect the Master Plan, it need not. Planners can change zoning. But they only insist zoning correspond with planning policy if citizens make such action important.

Planning policy supporting the park exists in the 1991 Plan. It may be in the next Master Plan if we insist. The plan can be implemented if we insist that it must be.

Zoning tends to reflect the intended use for land as planned. A new Master Plan is in the process of creation. It will be adopted soon, and may alter the plan currently in force, the 1991 Master Plan. Estuary Park could be eliminated. If so, developers will have an easier time asking for rezoning of their land along the Estuary from industrial to mixed-use or residential. The change will allow them to build high density housing there before money can be raised to buy the land for a park. Rezoning will instantly change the value of the land, making it much more expensive, because there is more demand for residential land than industrial. That change can happen if Alamedans don't tell the City what they want. Otherwise the City will respond primarily to developers. That response won't be guided by the urgent need for more housing. The island has room for additional dwellings and for Estuary Park. Houses can be built in many places and will benefit their new owners and their developers. Estuary Park can be located in only one place and will benefit everyone. Planning policy supporting the park exists in the 1991 Plan. It may be in the next Master Plan if we insist. The plan can be implemented if we insist that it must be.

What have developers proposed on the park space?

The land where Estuary Park is proposed is divided into three parcels owned by Dutra, Fox/Wright, and Collins. [See the three maps included with this letter. The first shows the entire island city and all parks, with a green oval on the proposed location of Estuary park. The second map

shows a close view of the three properties along the Estuary where the park is proposed. The third map is part of Figure 6.1 in the 1991 General Plan and shows the approximate location of Estuary Park.

Collins has proposed 99 units, densely packed, with a narrow walkway extending from the corner of Oak Street and Clement Avenue to a small minipark on the Estuary. The plan ignores the 100 foot setback along the Estuary controlled by the San Francisco Bay Area Conservation and Development Commission (BCDC). This plan was so stubbornly pushed at City planners that staff recommended denying the project, denying any rezoning to residential, and denying the major design review of the project. The developers can resubmit, but will have to start over again.

Fox/Wright owners have withdrawn from a housing plan and, currently, have offered their parcel for sale. The City could buy it. We'll need to help raise money.

Development of Dutra's property is planned by BayRock. Their latest design shows 44 densely packed units and a small semi-circular lawn on the Estuary that doesn't even provide a bathroom. Anyone who wants to stand or sit on that patch of lawn would have to walk in from Clement, a distance of more than 700 feet. The plan includes the frontage on the water owned by the Army Corp of Engineers, and the planned waterfront walkway is setback from an imaginary line beyond that. BayRock's plan is still going through the planning process with City staff.

Why was E.P.A.C. formed?

Some current members of E.P.A.C. are home owners who attended a Planning Board meeting on September 10, 2001 examining an entirely different matter than the park. In that meeting, planning staff helped BayRock Developers present their plan for developing Dutra and Fox/Wright properties. (BayRock developers have since withdrawn their plans for the Fox/Wright plot.) Planners and the Planning Board looked favorably on the development.

We were astonished that the City could so easily consider a dense housing development in an area we thought was reserved for a future park.

We were astonished that the City could so easily consider a dense housing development in an area we thought was reserved for a future park. The 1991 Master Plan was going to be swept under the carpet and forgotten. We formed E.P.A.C. to make sure that didn't happen. We protested. We talked to neighbors and circulated a petition opposing the destruction of the park idea. Nearly 300 neighbors signed the petition. We spoke again at following Planning Board meetings, delivered the signed petitions, and made sure that Board members knew we needed time to raise money to buy Park land. We created an information web site about the park. You can see it at <http://jwoodard.best.vwh.net/epac/> We sent 'letters to the editor' to the *Alameda Journal* and the *Alameda Sun*. They're on our web site.

Our goal is to make Estuary Park a reality.

Other people joined E.P.A.C. because they were also upset that high density housing along the Estuary would create more problems that it solved and would eliminate the Park.

How has the Planning Board responded?

The Planning Board agrees with citizens who want solutions that balance housing development against the need for an active park along the Estuary.

Members of the Planning Board know that the East end of Alameda needs an active park. They have cautioned developers of the Dutra and Collins properties against high density housing development that doesn't also serve the entire community. They have listened to citizens and agreed with their statements about the difficulties that come with high density development: severe traffic and parking problems, exclusive enclaves that block citizens from the Estuary that should be open to everyone, and the loss of healthy open space.

One of the Board members said—speaking for the Board as a whole—in response to the Collins and BayRock plans discussed on April 22:

These are my criteria: public access directly to the water to accommodate the use of small boats, etc, and sufficient property for an active park which would include a ball field of some sort. And how that's configured, something that's been discussed tonight is a T-shape which also provides a visual sightline all the way from Clement to the water. I think it's very important we have that park.

Planning Board
Planning Board meeting, 22 April 2002

How has the Planning Department reacted?

The Planning Department must press ahead with the next Master Plan. A significant part of that plan is called the Housing Element. The latest version is available in the City library and in the City Planning and building Department office at City Hall. A complete copy of the Housing Element can be purchased for \$32 from the Planning Department. It is also on the web (minus important appendices) at http://www.alamedahousing.com/hsg_elements.html

A public hearing on the Housing Element will be held before the Planning Board. The hearing is tentatively scheduled for Monday, September 23, 200 at 7 PM in the City Council chambers, 2263 Santa Clara Avenue, Alameda. We must make it clear to the board that the community wants an active park on the Estuary to be contained in the plan.

What was the surprising offer by one owner not to develop, but to sell?

In the Winter of 2001, a representative for the Fox/Wright parcel announced in the April 22, 2002 Planning Board meeting that he would not develop his property. The minutes of the meeting (on the web at http://www.ci.alameda.ca.us/archive/pdf/planning_minutes020422.pdf) record that Mr. Wright, the executor of the Fox estate, indicated, "If the City had the money to purchase the 2.5 acres, they would be very happy to sell."

While the Fox/Wright plot is not big, it extends from Clement Avenue to the Estuary. It could include parking space. This makes its use as an active park feasible, if not ideal. (See *Maps of the Estuary Park Site* on page 25.)

Access could be created from Clement Avenue all the way to the Estuary and to the 100 foot wide strip there controlled by the BCDC. This 'T' shaped park is a practical possibility.

What current shape and location of the park are possible?

Fox/Wright owners have offered their property for sale. The 100 foot wide setback along the Estuary is required by law.

A 'T' shaped park is a practical possibility.

A 100 foot wide strip of the Estuary waterfront is controlled by the BCDC. That land forms a horizontal strip intersecting the Fox/Wright plot which extends from Clement to the Estuary. The resulting 'T' shape could be the form taken by Estuary Park.

Access could be created from Clement street all the way to the Estuary, Parking on the Clement Street side could be included.

How can balanced development of the Estuary waterfront serve living space, decent transportation, schools, and healthy neighborhoods for all the people, not just shelter for those who can afford an exclusive set of walls?

There is room for housing *and* the park in the 25 acres comprising the Dutra, Fox/Wright, and Collins properties. The exact proportions can be determined. The inclusion of an active park and the 100 foot walkway along the Estuary can enhance the quality of life for residents there and for all Alamedans.

An active park can host organized sports, the Bay Trail, a kayak landing, and a pedestrian ferry.

The park can become a part of the Bay Trails for pedestrians and bicycles. A current study is researching a route to nearby BART stations for bicyclists. A pedestrian/bicycle ferry could transport people back and forth to the walkway on the opposite shore where Oakland will spend 160

million dollars to create a walkway and chain of parks extending from Jack London Square to Hegenberger Road. The Bay Trail and ferry are alternate means of moving people on and off the island that will ameliorate traffic and parking problems.

As an active park, Estuary Park will become a great asset for sports and other healthy outdoor activities. That kind of public works project greatly enhances healthy lifestyles for everyone who takes advantage of it. It's much easier and cheaper to clean industrial pollution from a site used for a park instead of housing. (See the answer to the question, [Why is the Estuary Park site safer to develop as open space than as housing?](#) on page 21.) A park cleaned less expensively will likely be a cleaner area and better for everyone.

As E.P.A.C. member, Joe Woodard stated to the Planning Board on April 22, 2002:

“The park is essential.”

...The park is essential.

In itself, it's wonderful, a healthful focus in a City that works to enhance the capacity of its citizens. As a part of an entire plan for open space you have heard or will hear about tonight which includes the Bay Trail, a possible bicycle ferry link to the opposite side in Oakland, a complement to other open space in the Beltline, and a recreational area for all ages that would be sister to the proposed Golf Course. It could be a destination for kayakers, bicyclers, joggers, ballplayers. It could be an assembly and parade ground for civic display. ...

The park can be a point of relief for those needing refreshment, those needing exercise, those who want to feel that life in Alameda is not a stake in the ground to cling to, but the extension of community that makes life really worth living.

What if the land is rezoned? It can be become dense housing, in an already densely populated area on an island, blocked by thoroughfares jammed with traffic; underserved by modest schools and health care facilities. The residents of that future development may be glad to find a place to put their bags down, but a place in what kind of town?

A neighborhood is more than a collection of housing that may enrich a developer and shelter some. It includes housing along with freedom of movement, schools, churches, health facilities, and a visible sense of purpose. Great cities have that. They develop a character that's not

built by eliminating rusted warehouses and replacing them with commercial hovels. They look like the spirit that imbues them. They provide housing but in a livable, a life-giving space.

Imagine what that park could do for the Island, even a more highly populated one. In the midst of a busy city the park will be a break, a generous opening, a place to take a deep breath, a place to run. It can be a part of all the activities taking place in Alameda, if you plan for them. That can be your legacy, a city worth living in.

Joseph Woodard
Member of E.P.A.C.
Planning Board Meeting, 22 April 2002

The revenues from the housing development can help the City pay for better social services, including schools. Educators can use the park and Estuary to teach children about the unique island character of their City.

Alternatively, development of that land without Estuary Park can result in a closed community that blocks the rest of us from our own Estuary, a loss aesthetically and physically. It will close off Alameda from alternative transportation and a significant avenue of commercial exchange with Oakland.

What does the community demand from housing developers?

Witness after witness at Planning Board hearings on development of the Estuary land complain about the threat to transportation and the loss of the last place where they could enjoy open space along the Estuary. Almost 300 neighbors signed a petition asking the City to acquire and develop Estuary Park, as promised in the 1991 Master Plan. They want an active park with enough room and facilities for organized sports of all types. They want to enjoy their public lands.

Often people don't speak against high density development because the Board has told them it doesn't want to hear comments repeated. The risk of obeying such a caution is that the Board then thinks no one objects. But speaking out means going to meetings. Attending planning meetings time after time is difficult for most people.

Often people don't speak against high density development because the Board has told them it doesn't want to hear comments repeated. The risk of obeying such a caution is that the Board then thinks no one objects.

However, speaking out takes a lot of precious time that most people can't afford. At the June 24, 2002 Planning Board meeting, an ordinary citizen named Ray Bolton explained how difficult that is:

President Gilmore, members of the Board, I'm here again. I sat through the long meeting last Saturday at Kofman Auditorium [where Planning Board members solicited community comment on city planning], and it seems like we hear the same thing, and it's just a matter of time like the people said when they wanted to put the lights at Thompson Field, We'll just keep coming back and coming back. We'll wear you down and we're going to win. That's exactly what I feel about these developers. You got Dutra. You got Fox. You got this property [Collins]. And they keep coming back and coming back and coming back and eventually we in the audience get tired of giving up our time to come down and argue against this.

Ray Bolton
Citizen

Planning Board meeting, 24 June 2002

At the same Board meeting, an exasperated man felt he had to tell the Board that he agreed with other people who'd already spoken about problems of high density developments in Alameda:

My name is Albert Gasser and I've lived here for 66 years in the same house. I was born here, 1532 Morton Street.

I wasn't going to speak because my two friends spoke and they said everything I wanted to say. However, the last gentleman [a representative of Collins], and I guess he's the one that owns the property, I want to answer him.

He's talking about what you are going to allow him, OK, and you're not telling him. I don't know if this is correct or not, but I think that he ought to listen, as well as you, to what the citizens are saying. Every citizen that got up here tonight was concerned with density within the City and density within their location, such as living on Oak and Elm, etc. This project that I saw tonight, they have two parking spaces per unit. But there's no parking if I go over to visit somebody that lives there. Where the hell am I going to park? You know. Am I going to have to park two blocks away or further than that? Because there's no parking space within this unit. We have another place out on Bay Farm Island that has the same kind of thing. The density is ridiculous.

You can't park in there. OK? If the people have their cars there and it's a party or something, you can't park. That's what the citizens are actually concerned with. We're sick and tired of too many cars in Alameda.

I live two houses from Lincoln Avenue. I cannot sit in my backyard in peace. All's I hear is Kaboom, Vaboom. I don't want any more density in Alameda.

Albert Gasser
Citizen

Planning Board meeting, 24 June 2002

What are possible uses of open space on the Estuary?

Estuary Park could be the grace that helps preserve our sanity.

Open space on the Estuary could include an active park for organized sports. It could be part of the Bay Trail for pedestrians and bicyclists. As such, it could be an alternate route to BART. It could include a kayak landing, part of a circuit of such landings allowing water sports to circle the island. It could include a stop for a pedestrian/bicycle ferry connecting Alameda to counterpart open space that Oakland is creating on the opposite side of the Estuary. The park could be a part of a chain of open space and active areas across the City, like the Beltline project, and the new Golf Course at Alameda Point. Open space can be a beautiful addition to public life that makes living in Alameda worthwhile.

Section 3.2.i of the 1991 Master Plan said, "*Most of the Estuary waterfront not devoted to industrial use is developed as marinas which block vistas. The proposed Estuary Park will be on the most prominent viewpoint.*"

Why can't the waterfront be owned by developers?

BCDC acts to preserve the waterfront as a public trust.

As part of public planning for shoreline in the Bay Area, the Bay Conservation and Development Commission (BCDC) was formed to protect and administrate the use of a 100 foot wide strip along the entire waterfront area. BCDC acts to preserve that strip as a public trust, attempting to enforce the guarantee that the public will have access to the water and be able to enjoy it. In order to carry out their mandate, BCDC commissioners meet with developers and consider their proposals for use of that 100 foot strip. Commissioners, acting on behalf of the people, make trade-offs and compromises in the use of that land to make sure that the public good isn't injured.

BCDC was the first coastal management agency formed in the United States. It was created in California State legislation, Section 66600 of the McAteer-Petris Act. That act includes a paragraph describing the reason for creating the agency:

The Legislature hereby finds and declares that the public interest in the San Francisco Bay is in its beneficial use for a variety of purposes; that the public has an interest in the Bay as the most valuable single natural resource of an entire region, a resource that gives special character to the Bay Area; that the Bay is a single body of water that can be used for many purposes, from conservation to planned development; and that the Bay operates as a delicate physical mechanism in which changes that affect one part of the Bay may also affect all other parts. It is, therefore, declared to be in the public interest to create a politically-responsible, democratic process by which the San Francisco Bay and its shoreline can be analyzed, planned, and regulated as a unit.

Section 66600 of the McAteer-Petris Act.

BCDC must manage the Bay and shoreline for the benefit of everyone.

BCDC makes controversial decisions when it tries to balance the demand for private and public uses of the Bay shoreline. But it retains legal right of control over that perimeter and can insist that public access be preserved.

Because BCDC walks a political tightrope in balancing private and public uses, it does listen to people with something to say about Bayshore usage. We must make sure that people talking to BCDC commissioners about plans for our Estuary shoreline are not only the developers who will profit from the usage. BCDC can't simply agree to private use without corresponding benefit to the public. In the case of the shoreline on the Estuary, no exchange is possible which can compensate for the its loss. Be sure that BCDC knows that you know they must insist on your right of access. By law, they can't give it away.

Can housing be built within the Tideland Trust?

Estuary Park land may be in the TideLand Trust which would only allow a park to be created there, not housing.

An additional concern complicates the issue of building housing on the land along the Estuary. It may be part of land with the Tideland Trust. That's Federally controlled land. Housing can't be built on it. It may be the part of the land between the high tide mark in the original marshland and the Estuary. (See [Maps of the Estuary Park Site](#) on page 25.)

This issue is not easily solved. The included map showing details of the Dutra, Fox/Wright, and Collins properties shows the boundary line. No one in the Federal, State, or City government has given a clear answer to the question, Can housing be built on land bordering the Estuary? The final authority is the California State Land Commission. Though E.P.A.C. has submitted the question to them months ago, they still have not decided whether the Estuary Park site lies within the trust lands. The City can't ignore the question or it risks a lawsuit.

Contact E.P.A.C. member Jean Sweeney, also Chairperson of Alameda Open Space, for more information about this issue:

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Alameda Open Space
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Email: jean_sweeney@juno.com

Why is the Estuary Park site safer to develop as open space than as housing?

The land owned by Dutra, Fox/Wright, and Collins has been used for industrial purposes for decades. Part of the land was badly polluted by a creosote plant. Preliminary studies suggest the pollution is dangerous to health, especially to the health of anyone who might live on it.

The first indication of pollution problems were discovered by an environmental study commissioned by Stewart Gruendl, an architect for BayRock, originally developers of the Dutra and Fox/Wright property [now they are only concerned with Dutra land]. The study was conducted by the San Joaquin Company which made it's first report on June 17, 2002 in a paper titled, "*Preliminary Geotechnical Investigation, 2199 and 2229 Clement Ave, Alameda, CA.*" The study concluded the land was so badly contaminated that it would have to be cleaned by "...an extensive dig and dump operation going below the ground water level and refilling and compacting the soils every 9 inches."

Dangerous pollution can be removed by replacing contaminated soil.

The danger can be removed by removing the contaminated soil. Probably the removal will be deep and the soil would then be replaced by fill. Massive soil replacement is required for housing because the risk of contamination is high for residents.

Extensive replacement fill could be an earthquake hazard for housing.

The San Joaquin Company's study estimated that fill may be unstable in an earthquake, and could liquefy in an intense shake. Similar soils led to the collapse of the Cyprus freeway structure on I-880 and severe damage in San Francisco's Marina district during the 1988 Loma Prieta earthquake.

The San Francisco *Chronicle* reported on August 14, 2002 that recent maps published by the California State Department of Conservation show that a significant portion of Alameda County "...could be affected by landslides and liquefaction during an earthquake of 6.0 or greater magnitude. Liquefaction is a term used to describe areas of water-saturated soil that may become unstable during earthquakes..." Extensive and deep fill necessary to clean up the Dutra, Fox/Wright, and Collins properties might be the kind of ground hazard referred to in the S.F. *Chronicle* article at <http://sfgate.com/cgi-bin/article.cgi?f=/news/archive/2002/08/14/MNquakes.DTL>

It's less difficult to clean park space because not so much soil must be replaced.

Pollution reduction and removal is called remediation. It's less difficult to remediate park space because not so much soil must be replaced. The action of turf and properly selected vegetation can continue cleanup of organic toxins. This type of remediation is far less expensive than replacing the ground soil, though it takes some time. Advocates for open space on the Beltline railroad property in Alameda are studying this natural aid to pollution cleanup. For more information, contact:

Jean Sweeney, Chair
Alameda Open Space
Phone: (510) 522-1579
Email: jean_sweeney@juno.com

A park area is also cheaper to clean since less cleanup is required to protect people who visit there only occasionally. They would have much less exposure to any toxins than people who would live there.

A park is also easier to safeguard against earthquakes because it won't include the kind of structures that would be at risk.

When will be the next time that developers will bombard the Board with plans for housing on the park land?

A hearing on the next Housing Element, to be held September 23, 2002 at 7 PM in City Council Chambers, is important. The plan must not exclude an active park along the Estuary.

The developers of the Collins and Dutra properties will likely proceed with the next step, environmental studies. Collins developers must completely rethink their plan, but they can resubmit without facing any prejudice, that is, the board would have to examine new plans without any reference to previously submitted ideas. The developers think they will probably present new and revised plans sometime between October and December of 2002. That's when BayRock can ask for rezoning to residential. The developer of the Collins property may also ask for rezoning by year end.

What has E.P.A.C. been doing to raise money to buy the park land?

E.P.A.C. is working with Alameda's Recreation and Park department to make grant applications. Agencies which will disperse and administrate grant funds from Proposition 40 have not yet been formed, but E.P.A.C. members are asking agencies that distributed Proposition 12 funds to the City for other parks if they know who will handle Prop 40 money.

E.P.A.C. is applying for Bay Conservancy funding, following the City's suggestion for pursuing grant money in Section 2.6.j of the 1991 Master Plan.

The Recreation and Park Department has supplied E.P.A.C. with a list of additional possible funders.

E.P.A.C. members will form a non-profit corporation that can accountably raise funding for the park. E.P.A.C. is working with Alameda's Recreation and Park department to make grant applications.

Why does it take time to raise money from funds already accumulated for park land?

Because agencies for distributing and administrating bond money from Proposition 40 have not yet been formed, grant applications can't be filed yet. The grant process will take a while once the agencies are in place.

The Bay Area Conservancy will accept this year's applications for grants in November. They will take some time to weigh the applications and won't be able to answer the applicant's until early next year.

Funding for cultural purposes may be granted for park purchase since the park site is also a historical site where Japanese-American baseball was played early in the last century for decades.

Application and grant processes are slow because certification takes a long time.

Does the destiny of the park depend on you making your opinion known?

As explained above, **the process of planning is a political one.** The Planning Board and City Council balance the demands of private developers against public needs. **Officials do respond to public demands.** If you let them know what you think, you can have an immediate impact on the park's future. If they only hear from the same small group of spokespeople time after time, they may think no one else can be bothered about the park. Let them know that E.P.A.C. may speak the public mind, but the people can speak for themselves. Let them know you want the park. If you do, they will be reminded that E.P.A.C presence is only the tip of an iceberg.

Don't let cynicism or fatigue convert the demands of developers into private profit. Contact BCDC. Write them. Show up at Planning Board and City Council meetings. **You do make a difference in your own town.**

Important contacts

Call, write or send email to the Planning Board.

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2263 Santa Clara Avenue
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Let BCDC know how you feel.

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Maps of the Estuary Park Site

The following three maps will help you locate the proposed site of Estuary Park in Alameda.

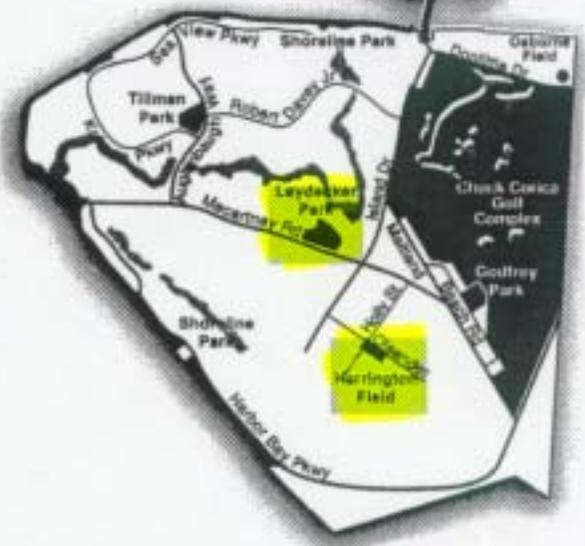


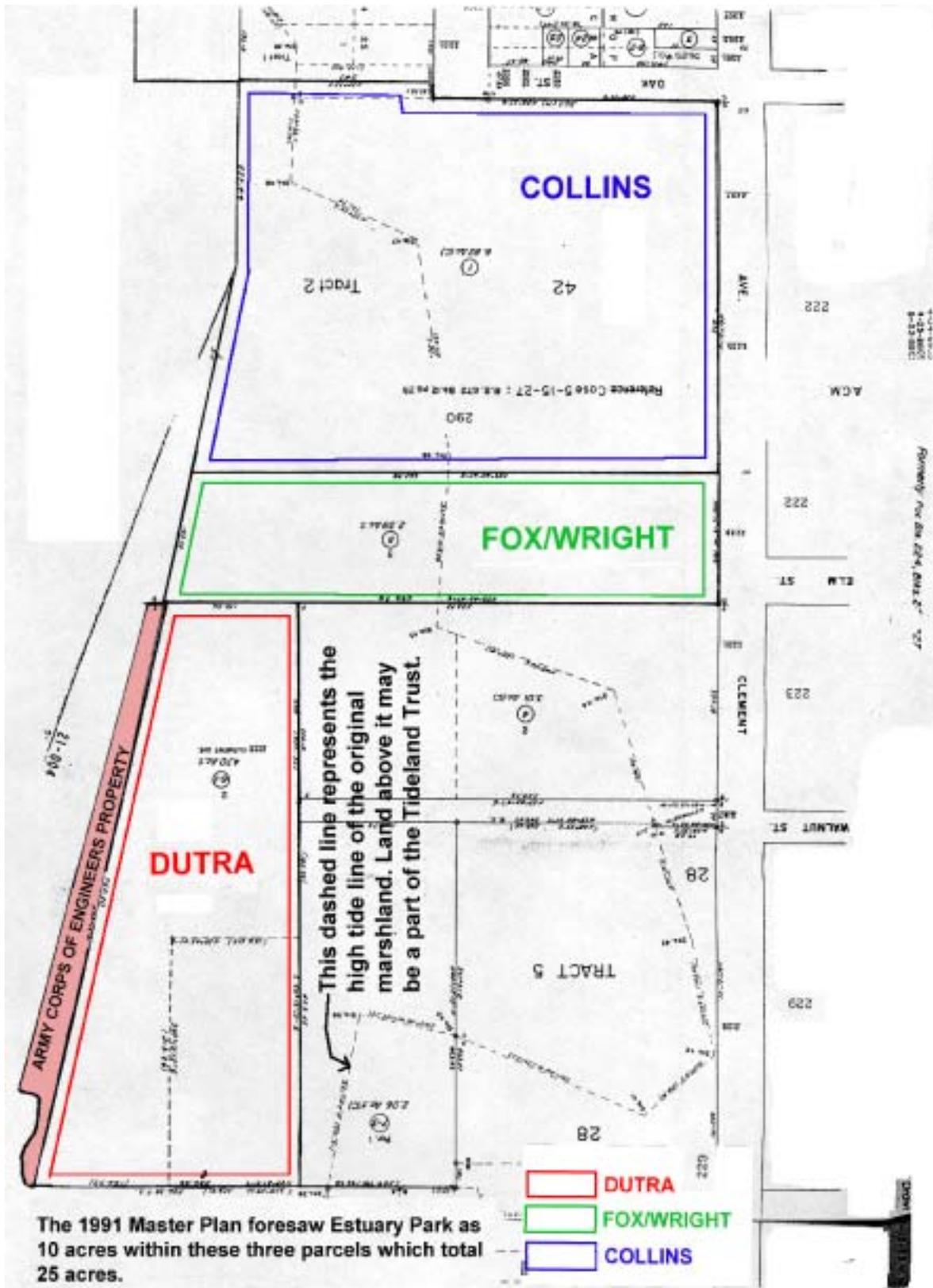
Alameda Recreation and Park Department

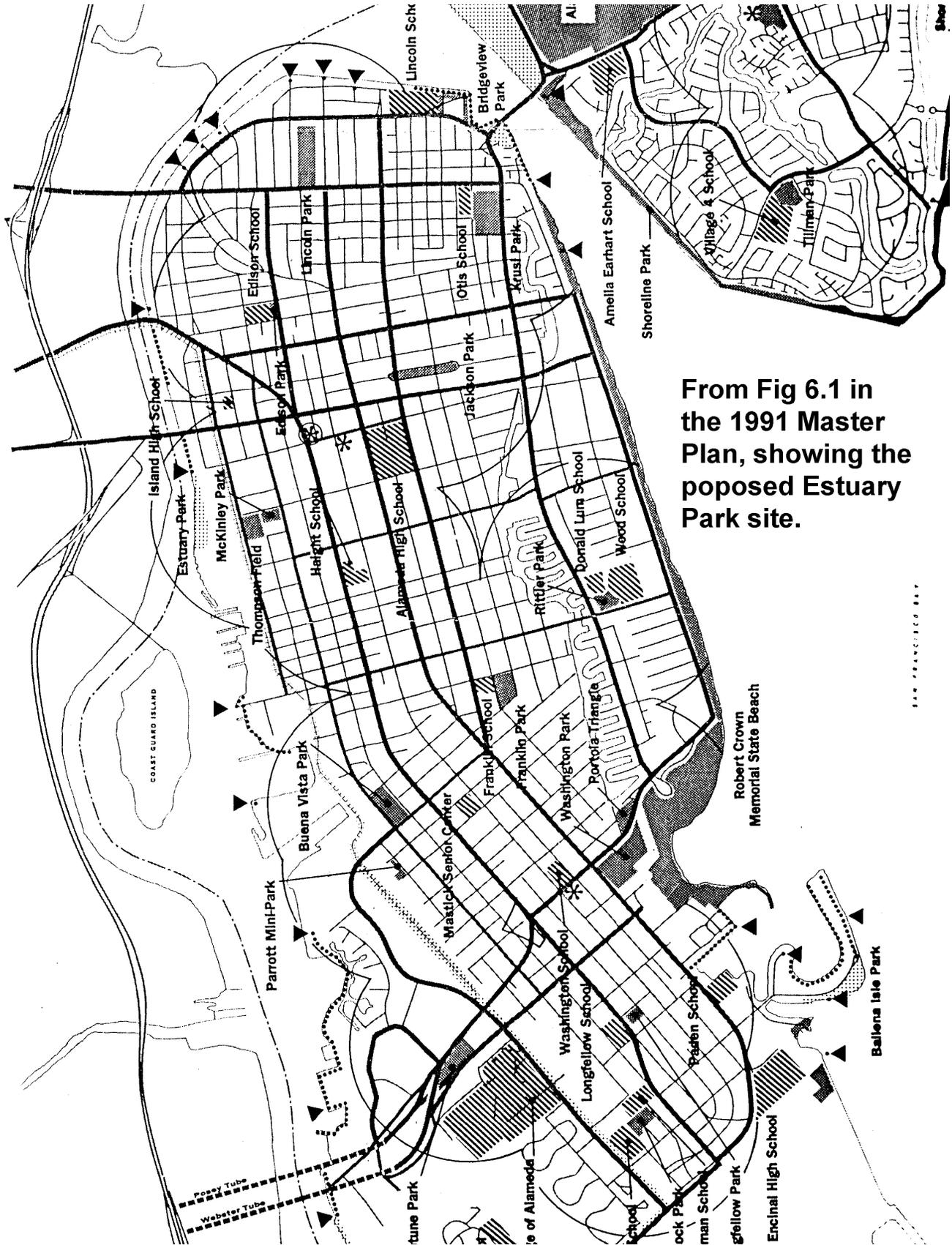


Estuary Park Site
Existing parks using Prop 12 money

- ✦ Multi-Purpose Field/AP Gym
- ✦ Washington Park
- ✦ Littlejohn Park
- ✦ Franklin Park
- ✦ McKinley Park
- ✦ Leydecker Park
- ✦ Harrington Field







From Fig 6.1 in the 1991 Master Plan, showing the proposed Estuary Park site.