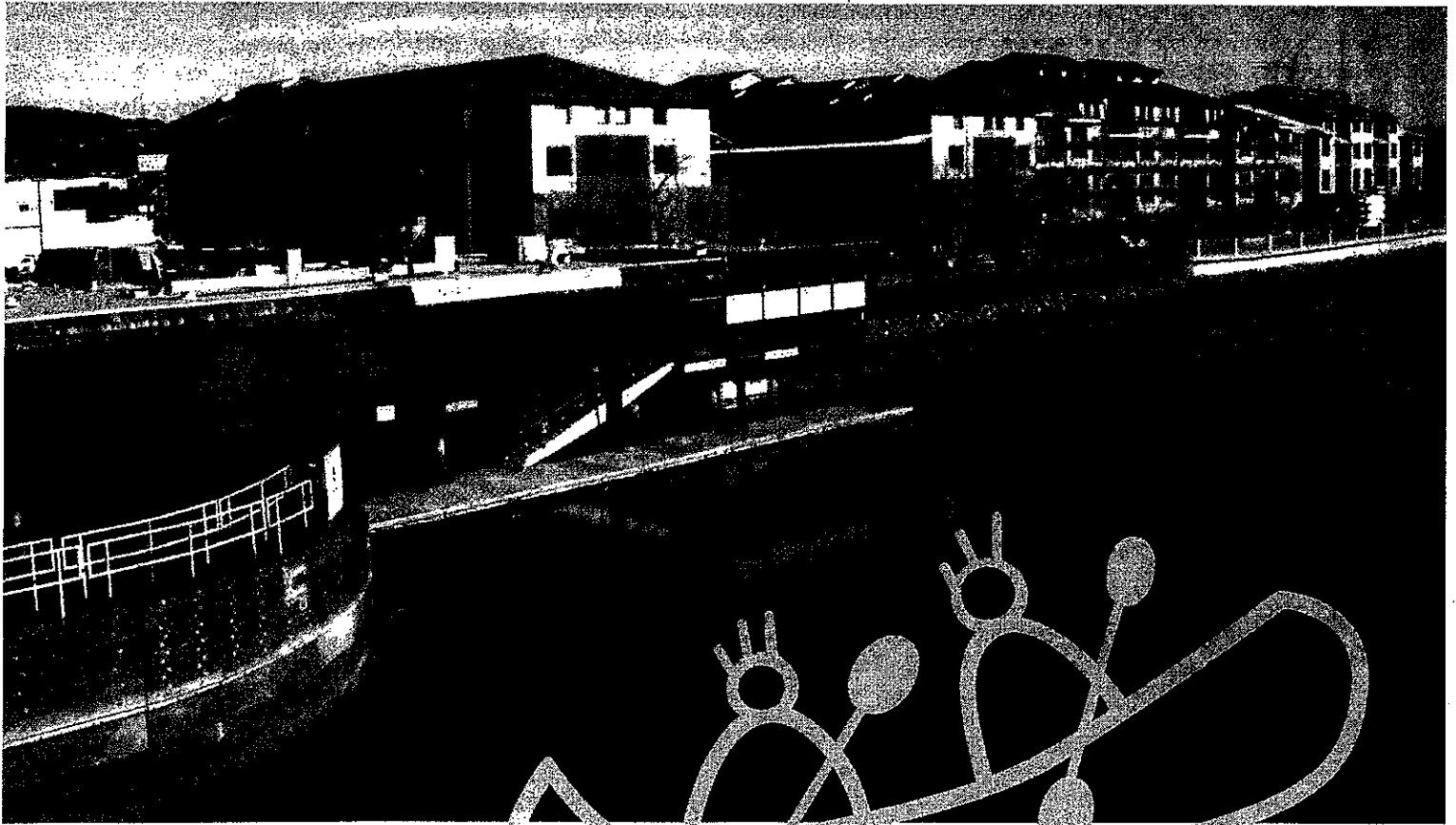




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**CREATING OPEN SPACE:  
TWO CASES OF CONFLICTS RESOLVED**

[Posted with permission by the Coastal Conservancy Association]



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**I**F YOU TAKE THE FERRY from San Francisco to Oakland—a beautiful ride—you pass under the Bay Bridge and soon enter the Oakland Estuary, a nine-mile channel that links San Francisco Bay with San Leandro Bay. Immediately to your left you'll see a row of towering white cranes reaching out over the water and huge container ships docked beneath them.

The ferry stops at Oakland's Jack London Square, then continues to the last stop, Alameda. Should you proceed further into the Estuary, you would see docks and small-scale boat works along both shores. Some are active and well maintained, others in disrepair or abandoned. This stretch of the Estuary is no longer an integral part of maritime commerce, for it is not accessible to the deep-draft vessels that dock at Oakland, California's fourth-largest port. The bottom is too shallow, the waterway too narrow (averaging 1,000 feet), the drawbridges too slow.

Property along the Estuary's waterfront is now coveted for a variety of new uses, especially residential and commercial, and for public open space and parks. Residential construction is being encouraged by Mayor Jerry Brown, who has pledged to build new multi-unit housing with amenities to entice people to live in the heart of the city. Homes

# Creating Open Space

## TWO CASES OF CONFLICTS RESOLVED

PAUL STANTON KIBEL

fronting on water can do that, especially if they are near public transit.

Oakland would also like to coax more visitors to its side of the Bay, to its restaurants and hotels, music clubs and shops. The Estuary's waterfront has the potential of being developed for that purpose as well. Visitors to San Francisco's Ferry Building, Crissy Field, and other shoreline landmarks could get across the bay easily via a scenic ferry ride.

Competing with proposals for luxury housing and commercial development, trails and parks are being proposed. Behind the luxury condominiums rising along the water lie some of the city's poorest neighborhoods, which are in dire need of outdoor recreational space.

The Bay Trail runs along the Waterpark Lofts (center) and the Estuary condominiums.

Back in 1888, when Oakland took up a proposal by the renowned landscape architect Frederick Law Olmsted for a "wild-wood" chain of city parks, this was a working waterfront. Parks were created around Lake Merritt, along forested creek-sides, and in the hills, but nobody considered putting green space among busy wharves and docks. Now, with the waterfront available for other uses, the challenge facing the City and Port of Oakland is how to balance a need for revenue-generating development, be it residential or commercial, with the need for open space and parks, and make the Estuary as accessible as possible to the public while acknowledging its maritime history.

In the late 1990s, the City completed the 16th Avenue overcrossing, a road with wide sidewalks, above the railway and freeway to connect the San Antonio and Fruitvale neighborhoods with the waterfront. More overcrossings are planned.

## Synergistic Benefits

THE TRANSFORMATION of the Estuary's waterfront is being shaped by the cumulative impact of many separate site-specific decisions. Plans and regulations, citizen involvement and vigilance are essential during both planning and construction.

Take the case of the Waterpark Lofts condominium project, whose developer violated permit conditions imposed by the San Francisco Bay Conservation and Develop-

ment Commission (BCDC), which regulates shoreline development along the Bay and is legally required to provide public access to the "maximum extent possible." TJ Enterprises LLC and Todd Dworman built closer to the Bay than the permit allowed, in areas reserved for the Bay Trail. BCDC imposed a penalty of \$90,000 and, to provide the required 32-foot-wide public access, amended the permit to authorize pile-supported bay fill for a boardwalk.

Inevitably, advocates for different uses at particular waterfront sites have clashed and will continue to do so. In two notable instances, however, conflicts have been worked out with synergistic benefits for all concerned. Two waterfront projects that could have become mired in controversy are now under way, at Union Point and along Glascock Street, with broad local support. These projects, and the process by which the conflicts they posed were resolved, can serve as models for builders, communities, and public officials working to revive and rejuvenate urban waterfronts.

At Union Point, a university rowing club, California Crew, sought land that the Spanish-Speaking Unity Council, a nonprofit community redevelopment corporation, wanted for a park with sports fields, green space, and waterfront access. At Glascock Street, a housing developer faced a problem: he wanted to build on three contiguous lots, but the middle one was occupied by the Cal Crèw boathouse. Cal Crew wanted to move. The developer got what he wanted by helping Cal Crew to relocate. In both locations,

Bottom left: Coach Ky Ebright, 1951

Bottom right: The original Ebright Boathouse



PHOTOS THIS PAGE: CAL MEDIA RELATIONS

the resolution grew out of long-range city planning processes, effective citizen advocacy, and the creative integration of waterfront public access and private development.

Planning for waterfront revitalization began in the 1990s with the establishment of the Oakland General Plan Congress, a community-wide advisory committee appointed by the mayor. All key entities with stakes and responsibilities on the Estuary were represented: the Port of Oakland, the City of Oakland, BCDC, and a variety of civic, business, and environmental organizations. Much of the waterfront vision they adopted was based on an extensive League of Women Voters study of and report on the Port and Estuary, published in 1993. Financial and technical support came from nonprofit organizations and the Coastal Conservancy.

In 1996, the General Plan Congress produced a report that reaffirmed the commitment of the Port and City of Oakland to the "preservation of industrial areas which are necessary to support Oakland's port," but also advanced a broader vision for the Estuary lands held by the Port: "This area cannot be viewed as a single-purpose district isolated from the city, but rather as a diverse and multifaceted place that connects the city and the bay. . . . A series of individual parks, open spaces, and shoreline access points, connected by a continuous landscaped parkway with promenades, bikeways, and shoreline trails, is recommended."

In June 1999, these recommendations took on more specific shape in the Estuary Policy Plan, developed during 18 months of public hearings and comments. This plan recommended new shoreline open space and trails in the San Antonio-Fruitvale district and a new waterfront park at Union Point, northwest of the Park Street Bridge, which connects Oakland to Alameda. Southwest of the Park Street Bridge, the Estuary Plan proposed that a tract of dilapidated metal sheds on Glascock Street be replaced with small-scale residential buildings. The Estuary Policy Plan helped establish the conceptual land-use framework to make the Union Point and Glascock Street projects possible. Five years on, its recommendations for the San Antonio-Fruitvale District are taking shape.

## Union Point Park Emerges

THE NINE ACRES AT UNION POINT, owned and leased to the businesses by the Port of Oakland, had been the site of a boat-building facility, a brass forging shop,



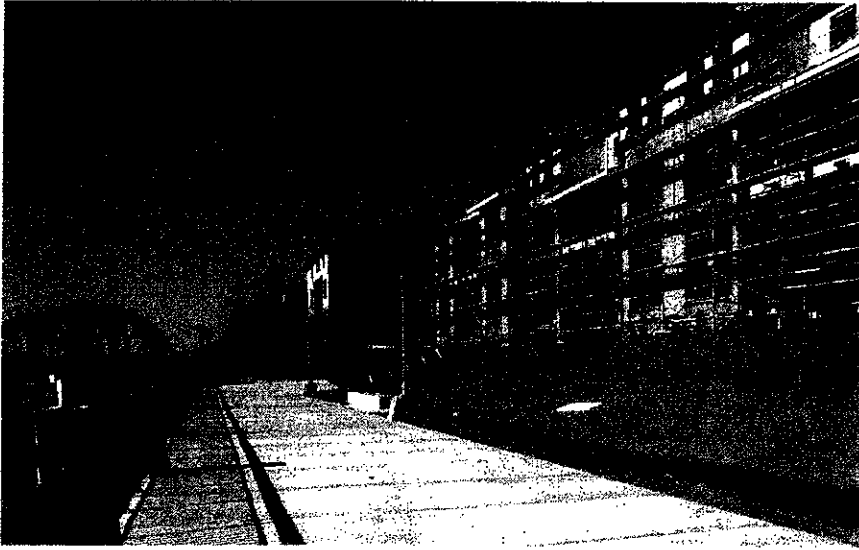
MALCOLM LUBLINER

a lumberyard, and a machine shop, but now were vacant.

In the mid-1990s, Friends of Cal Crew, an organization composed of alumni of University of California Berkeley's rowing club, approached the Port with a proposal to relocate the club's rowing facilities to Union Point from Glascock Street, half a mile away. Friends of Cal Crew had been raising funds to enable the club to expand and upgrade its rowing facilities. The Port was interested, and private negotiations began. As part of this move, Cal Crew was prepared to abandon its existing boathouse and build a new one at the Union Point site.

Meanwhile, the Unity Council was searching for a waterfront site for a new park. When it learned of the private negotiations taking place between the Port and Cal Crew over the Union Point site, the Unity Council moved into political high

"Sigame/FollowMe" is still under wraps at the site of Union Point Park.



The Estuary condominiums under construction, with Waterpark Lofts in the background.

gear. It secured the support of Oakland City Council member Ignacio de la Fuente and other political leaders for its cause. Then, in April 1998, on Earth Day, it sponsored a Union Point walking tour, during which signatures were collected on a petition asking for the park, and buttons were distributed reading: "Union Point Waterfront Park—Let's Dream It! Let's Build It!"

The dream began to move toward reality about five months later, during a design workshop for the proposed park. This workshop, which included a five-hour planning session for local high-school and middle-school students, was organized by the Unity Council and held in conjunction with the City of Oakland, the Port of Oakland, the Coastal Conservancy, the Trust for Public Land, and UC Berkeley's Department of Landscape Architecture and Environmental Planning.

Although Cal Crew's proposed boathouse plan was one of the uses considered, the workshop made it clear that the nearby community envisioned a park that would offer much more than just rowing facilities for university students.

At this time, the Port and City were hard at work on the Estuary Policy Plan. The Unity Council served on the Citizens Advisory Board, representing the concerns of the San Antonio-Fruitvale district. The Plan recommended a park at Union Point with two acres set aside for Cal Crew plus seven acres dedicated to informal field sports, a bicycle path, and a waterfront promenade. Representatives of Friends of Cal Crew collaborated in the design process, intent on securing the two acres

for their club's needs but also recognizing that a neighborhood park would be built around the rowing facilities.

Then, late in the planning process, the Friends of Cal Crew board of directors stepped in with a new demand that soured relations all around. The board insisted that a fence be built in front of the boathouse. This would have prevented public access to the shore. According to Rita Torres, the Unity Council's associate director, Friends of Cal Crew negotiators appeared embarrassed at having to convey and defend the sudden and late demand by the group's board. BCDC objected, saying such a fence would be inconsistent with bayfront public access requirements. The Unity Council pointed out that a fence would result in a waterfront park in which part of the waterfront would be off-limits to the local community. Acrimony escalated to such a point that Cal Crew abandoned its plans for Union Point.

Since Cal Crew's withdrawal, plans for Union Point Park have moved ahead, with support primarily from the Port and City of Oakland, the Coastal Conservancy, and the Bay Trail Project. BCDC provided \$90,000 by assigning the penalties imposed against the developers of Waterpark Lofts for waterfront access improvements at the park.

Union Point Park will have playing fields, picnic areas, interpretive art and sculpture, and a shoreline trail. This park is being built because the Unity Council set a goal and never lost sight of it, because it was skillful in marshaling support, because BCDC enforced its legal mandate to provide waterfront access, and because other public agencies and nonprofit organizations responded.

## A Creative Strategy

THE FUTURE OF THE ESTUARY waterfront is being worked out parcel by parcel. What that future will be depends on the vision expressed in planning, the creativity with which land-use conflicts are resolved, and the effectiveness of citizen watchdogs.

In the Bay Trail Project's Oakland Waterfront Trail study, funded by the Coastal Conservancy and published in October 2003, the landscape consulting firm EDAW pointed out that "the Estuary is more like a river. It is linear in form and contained, rather than open and expansive like the broader bay. It creates an environment that is intimate in scale and character." To work

well in this environment, new buildings need to be set within the shoreline's contours and to harmonize with other structures rather than overwhelm them.

A successful example is a 100-unit, two-story residential development called the Estuary, which Signature Properties is now building next to the Waterpark Lofts condos, on Glascock Street. It demonstrates how creative thinking by a developer can lead to synergetic benefits. Signature Properties got what it wanted, contiguity for its project, by meeting Cal Crew's need to relocate. It also won public support by expanding open space next to the required waterfront Bay Trail corridor.

In the past two decades, Signature Properties, headquartered in Pleasanton, has covered many hills and valleys in the East Bay with detached single-family houses. After Mike Ghielmetti, son of founder Jim Ghielmetti, took over as the company's president in 1997, however, the company shifted to urban infill housing, which now represents more than 50 percent of its new project portfolio. Mike Ghielmetti, who lives in San Francisco, perceived a growing market for people with urban inclinations, like himself. Many prospective homebuyers are now looking to urban areas because of quality-of-life issues, such as harrowing commuter traffic. Around 2001, Signature began to plan for a condo development on three contiguous waterfront parcels on Glascock Street. On the middle parcel, however, stood Cal Crew's Ebright Boathouse, a one-story wood-frame building dating back to 1925.

Unless the boathouse was demolished or moved, Signature would have to build separate projects on the two lots flanking the boathouse—an awkward configuration. Although Cal Crew was not particularly against demolishing the building, there was a catch. The City of Oakland Landmarks Board designated the boathouse a historical resource and the Oakland Heritage Alliance, a historic preservation group, was threatening to sue the City if it approved the demolition without first preparing an environmental impact report (EIR). An EIR would delay the project by months if not years.

Ghielmetti proposed a land swap whereby the rowing club would give up rights to the boathouse property in exchange for a larger waterfront parcel along the southeastern edge of the property Signature had purchased. Signature

would pay part of the costs of moving a section of the old boathouse, just the front part of it, to the new site. Cal Crew could then build an additional, bigger boathouse near the water, reserving a shoreline strip for the Bay Trail. Cal Crew approved the deal, as did the Oakland Heritage Alliance and the City of Oakland Landmarks Board. With demolition plans scrapped, no EIR was required.

Signature complied with BCDC permit requirements by dedicating a 45-foot-wide easement along the property's waterfrontage, with a 20-foot-wide walkway along a restored bulkhead and an adjacent 25-foot-wide stretch of lawn sloping up to the residences. Almost 20 percent of the Signature project site has been dedicated to open space and public access.

Sandra Threlfall, a leading open space advocate, commented at a BCDC hearing on the landscape site plan: "The public access is incredible—we are gaining 2,600 square feet of bay access. That does not happen very often."

The waterfront green created as part of the Estuary condominium project may soon be extended by the development of a pocket park where Derby Avenue meets the shoreline. If built, Derby Avenue Park would complete a continuous stretch of Bay Trail and waterfront access from the frontage of Watertown Lofts and the Estuary complex and across the new Cal Crew parcel.

Oakland faces a difficult task: to restore its Estuary waterfront in a manner and at a pace that preserves the unique value of what is already there. It will take a willingness to consider how each property—given its particular location, terrain, and history—can best contribute to the beauty and vibrancy of the waterfront and its neighborhoods. It will also take a long-term commitment, like that shown by the Unity Council, to identify and fight for needed parkland. Finally, it will take well-conceived housing, like Signature's Estuary, which places public waterfront access front and center.

This may not be the fast track, but in the long run it's the best track. ■

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