

## G. Public Services, Parks, and Recreation Facilities

This section describes existing public services, parks, and recreation facilities in the project vicinity. It also evaluates the potential impact of the project on the delivery of public services and recreation facilities, and possible adverse physical impacts on the environment that could result from a need to provide new or physically altered facilities. As necessary, appropriate mitigation measures and/or standard conditions of approval are identified. The analysis reviews police services, fire protection and emergency medical response, public schools, and parks and recreation facilities.

### Setting

#### Police Protection Services

##### *Facilities and Staffing*

The Oakland Police Department (OPD) provides police protection services throughout the city. OPD is headquartered at 455 7th Street in downtown Oakland, and there is one sub-station located at 2651 23rd Avenue.

OPD is authorized for 739 full-time, sworn police officers and about 427 civilian (non-sworn) employees. As of September 2006, the OPD is authorized for 803 sworn police officers, 352 civilian (non-sworn) employees, and eight rangers (City of Oakland, 2006). Currently, not all positions are filled, and there are 696 sworn police officers, a civilian staff of 315, and four rangers. The ratio of police officers per 1,000 residents is approximately 2.0, based on the City's population, as of January 1, 2004, of 411,755 from the California Department of Finance (2006).

The City of Oakland is divided into six geographic areas called Police Service Areas (PSA) and 35 patrol beats. Each patrol beat generally includes an area with between 5,000 and 7,000 residents. A neighborhood services coordinator, a civilian employee that acts as the liaison between the community and OPD, is assigned to each patrol beat. The neighborhood services coordinator works with the community to set priorities and develop strategies to improve public safety and reduce crime. There are also two problem solving officers and a Lieutenant of Police assigned to each of the six geographic areas in the city. Problem solving officers do not respond to calls for service, and are responsible for conducting projects in the community that patrol police officers frequently can not handle. Projects vary depending on needs of the community.

The majority of the project site is within patrol beat 20X, which is under the jurisdiction of Police Service Area 4 (PSA 4). PSA4 oversees the area bordered by the Estuary and MacArthur Boulevard, 23<sup>rd</sup> Avenue and High Street, and the Oakland Hills from the Diamond District to Keller Avenue. Although crime occurrences for Beat 20 and PSA 4 have decreased slightly between 2003 and 2004 (see **Table IV.G-1**), the crime rate in the project vicinity is generally higher than City average (Breshears, 2005).

**TABLE IV.G-1  
 SELECTED REPORTED CRIMES IN THE PROJECT VICINITY**

Year/Crime	Murder	Assaults	Domestic Violence	Robbery <sup>a</sup>	Burglary <sup>b</sup>	Arson	Total
2003	4	23	10	64	140	10	251
2004	2	24	10	70	132	4	242

a Includes robbery, attempted robbery and residential robbery.

b Includes auto, residential, commercial and other burglary.

SOURCE: Breshears, 2005.

Patrol beat 20X has one officer assigned to it for 24 hours a day. Officers generally work ten-hour shifts four times each week. At any one time, citywide, there are 39 officers, a watch commander, and several supervising sergeants on duty – all sworn personnel. The department’s Crime Reduction Unit adds approximately 14 officers during the afternoon and nighttime hours, and the Traffic Operations Unit staffs between six to eight officers throughout the day, with additional staff available for special events and periods of special staffing needs. OPD’s response times to calls for police services, which are routed through the Department’s communications center at 1605 Martin Luther King Jr. Way, are recorded for the City of Oakland as a whole; the Department does not track response times for individual service areas.

**Service Demand**

All emergency (911) and non-emergency calls for police, fire, and medical services are received through OPD’s communications center at 1605 Martin Luther King Jr. Way. Calls for fire and medical services are routed to the fire department for dispatching. Police calls are prioritized by a computer-aided dispatch system, which may be overridden by dispatchers, and police officers are dispatched from the police communications center by radio and/or laptop computers mounted in police vehicles.

In 2004, there were about 646,883 calls received and 244,286 emergency calls dispatched. This equates to about 593 dispatched calls per thousand residents, based on the City’s population of 411,609 from the California Department of Finance. OPD’s citywide response time to calls for police services generally reflects the perceived seriousness of the call. Incoming calls for police services are prioritized as follows: Priority 1 means potential danger for serious injury to persons, violent crimes, serious public hazards, felonies in progress; Priority 2 refers to urgent but not emergency situations such as hazardous or sensitive matters, in-progress misdemeanors and crimes, etc.; Priority 3 calls are reports of incidents that do not present immediate danger to life or property. Dispatch times vary, although generally, 63 percent of Priority 1 calls are dispatched within five minutes (Grieve, 2005).

## **Fire Protection and Emergency Medical Services**

### ***Facilities and Staffing***

The Oakland Fire Department provides fire protection services and emergency medical services throughout the city. The Fire Department operates 25 fire stations, 25 engine companies with approximately four personnel per engine, and seven truck companies with four to five personnel per truck. The number of personnel actually responding to an emergency depends on the location and nature of the emergency. The Fire Department currently has a staff of 562 personnel, of which 492 are sworn personnel (Fire Suppression and Emergency Medical personnel). Over 100 of Oakland's firefighters are also trained as paramedics (Sierra, 2007).

The Fire Department is organized into four divisions, each of which focuses on department functions. The Fire Department is also organized into three battalions, each consisting of seven to ten fire stations, that provide requested fire and emergency medical services. The battalions are organized by geographic area: Battalion 2 serves West Oakland and the North Oakland areas; Battalion 3 serves the area from Seminary Boulevard, east to the city of San Leandro; and Battalion 4 serves central Oakland (there is no Battalion 1). Each battalion consists of seven to ten fire stations, and the project site falls within the response boundaries of Fire Station 13 at 1225 Derby Avenue, which would be the first engine company that would respond to an emergency at the site.

### ***Service Demand***

Fire and medical emergency calls are received by the public communications center at the Oakland Police Department and then routed through a computer-aided dispatch system. In 2004, the Fire Department responded to about 59,579 calls throughout the City. The fire station serving the project area responded to approximately 1,481 calls in 2004 (Fountaine, 2005). The Fire Department's response time goal is seven minutes or less from the time a call is received in the Fire Dispatch Center, until the first unit arrives on the scene of the emergency, 90 percent of the time (Sierra, 2007). The average response time for the Fire Station 13 (Engine 2553) to the entire area they service is about 2 minutes 0 seconds, well within the Department's response time goal (Sierra, 2007). In addition to firefighting and emergency medical response capabilities, the fire department also has a hazardous materials unit that operates from Station 3, which is located at 1445 14th Street and responds citywide to emergencies involving hazardous materials.

## **Public Schools**

### ***School Facilities and Attendance***

The Oakland Unified School District (OUSD) operates public schools in the City of Oakland. The OUSD administers a total of 131 schools: 70 elementary schools, 20 middle schools, 27 high schools, and a total of 14 other schools, which include alternative schools, special education schools, continuation schools, and others. In a continually shifting environment, but primarily within facilities owned by OUSD, OUSD oversees a variety of autonomous small schools, academies, "new schools," reconstituted schools, early childhood education centers, adult schools, and alternative schools, as well as District and State charter schools. There were about

48,135 students enrolled in OUSD elementary and secondary public schools for the 2005-2006 academic year, showing a decline in enrollment from about 49,214 students in 2004-2005 and 50,437 students in 2003-2004 (California Department of Education, 2007a). OUSD recognizes that it continues to experience a decreasing student enrollment (despite existing demand levels), and thus is not planning new construction of new schools in the foreseeable future, subject to change depending on future student enrollment (Chambers, 2004).

On a statewide basis, an estimated 9 percent of all Kindergarten (K) through grade 12 students attend private school. During the 2005-2006 academic year, approximately 26,620 students in grades K through 12 in Alameda County attended private schools, an estimated 11 percent of the student population. In Oakland, there are 52 private elementary and secondary schools, attended by an estimated 8,787 students (California Department of Education, 2005b). Private school students do not necessarily live within the city where the school is located, and students living in Oakland can attend private schools in other cities. Private schools in Oakland include Montessori schools, schools sponsored by religious institutions, and college preparatory schools.

The project site is located in the attendance areas for Lazear Elementary School, Roosevelt Middle School, and Fremont Federation High School. Lazear Elementary, located at 824 29th Avenue and Hawthorne Elementary, is located at 1700 28th Avenue. Roosevelt Middle School, is located at 1926 19th Avenue; and nearby Calvin Simmons Middle School, is located at 2101 35th Avenue. Fremont Federation High School is located at 900 High Street, and is the closest high school to the project site. The Caesar Chavez Education Center, located at 2825 International Boulevard, is across East 12<sup>th</sup> Street, directly opposite the project site. The Center currently houses three schools: Think College Now, which an elementary school that serves Kindergarten through grade three; International Community School, which is an autonomous small school that serves Kindergarten through grade five; and Urban Promise Academy, which is an autonomous small school that serves grades six through eight. ASCEND is another autonomous small school, located across the street from the Fruitvale BART station at 3709 East 12<sup>th</sup> Street.

### ***Student Generation***

Two different student generation rates have been used by OUSD recently to estimate the number of students that could result from the new residential development. One rate, proposed by Lapkoff & Gobalet Demographic Researchers,<sup>1</sup> estimates 0.1 students per market-rate multifamily unit, equally distributed among elementary, middle, and high schools.

The second student generation rate, developed by the California State Department of Education and currently employed by the OUSD, estimates that one dwelling unit would generate an average of 0.79 students: 0.43 students who would attend Kindergarten through grade six, 0.12 students who would attend grades seven through eight, and 0.24 students who would attend grades nine through twelve. The State's student generation rates are used by school districts that have not developed rates for their local jurisdictions, and are a result of statewide sampling that

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<sup>1</sup> Lapkoff & Gobalet Demographic Researchers, as OUSD's consultants, proposed this rate in 2002.

incorporates varying dwelling unit types, households, and other demographic characteristics across the state and which may not reflect the actual characteristics of the local area.

### ***Senate Bill 50 (SB 50)***

The Leroy F. Greene School Facilities Act of 1998, or Senate Bill 50 (SB 50), restricts the ability of local agencies, such as the City of Oakland, to impose additional mitigation measures or deny land use approvals on the basis that public school facilities are inadequate. SB 50 establishes the base amount of allowable developer fees at \$2.24 per square foot for residential construction and \$0.36 per square foot for commercial construction, which are meant to fully mitigate any impacts. Public school districts can, however, impose higher fees provided they meet the conditions outlined in the act. Private schools are not eligible for fees collected pursuant to SB 50. Payment of these required fees is the State-mandated mitigation measure for impacts to affected public schools under CEQA.

### **Parks and Recreational Facilities**

The City of Oakland's Office of Parks and Recreation (OPR) manages the City's parks and recreation centers within the city boundaries, and Oakland's Public Works Agency maintains the parks and park facilities. The City of Oakland manages approximately 2,942 acres of park land.

Oakland's parks are categorized by size and intended service area and defined in the Open Space, Conservation, and Recreation (OSCAR) Element of the Oakland General Plan. Generally, local-serving parks provide recreation opportunities for the local community surrounding the park, rather than the city as a whole. Region-serving parks are 25 acres or larger, and include Lakeside, Joaquin Miller, and portions of Redwood-Roberts Parks. Community parks, such as Montclair Park and Dimond Park, range in size from five to 20 acres and serve a one-mile radius in hill areas and a 0.5-mile radius in flatlands. Neighborhood parks range in size from one to 10 acres and serve a 0.5-mile radius in the hills and a 0.25-mile radius in the flatlands. Oakland also has several classifications of miniparks, which are generally less than one acre in size and serve a 0.25-mile radius in the hills and 0.125-mile radius in the flatlands. Linear parks vary in size and service area and are intended to protect and provide linear access to a natural feature, such as a creek or shoreline, and connection between two points. Special use parks also vary in size and service area (typically citywide), and generally are areas for specialized or single-purpose activities.

The East Bay Regional Park District (EBRPD) is responsible primarily for acquiring and developing regional parks, open spaces, and regional trails throughout the East Bay, and also provides open space and recreational facilities within Oakland's city limits. EBRPD parks in Oakland include the 271-acre Leona Canyon Regional Open Space Preserve; the 1,220-acre Martin Luther King, Jr. Regional Shoreline Park; the 660-acre Robert Sibley Volcanic Regional Preserve; and the 100-acre Roberts Regional Recreational Area.

The project site is within the southwestern portion of the Fruitvale Planning Area, abutting the San Antonio Planning Area to the west of the project site, as defined in the Open Space,

Conservation and Recreation (OSCAR) Element of the Oakland General Plan. The San Antonio Planning Area and the Fruitvale Planning Area, as a whole, contain two community parks, twelve neighborhood parks, seven miniparks, two linear parks, and four special use parks.

Two City of Oakland neighborhood recreational facilities are located within one-half mile of the project site: Josie de la Cruz/Sanborn Park, a 1.9-acre park located at 1637 Fruitvale Avenue that also includes the Carmen Flores Recreation Center; and Garfield Park, a 2.56 acre softball field, located adjacent to Garfield Elementary School at 2260 Foothill Boulevard. Additional neighborhood parks are located within an approximately one-mile radius of the project site: Foothill Meadows Park, a 1.6-acre park located at 3705 Foothill Boulevard; Franklin Park, a 2.05-acre park located at 1010 East 15th Street; Manzanita Park and Recreation Center, a one-acre park located at 2701-22nd Avenue, and San Antonio Park and Recreation Center, an 11.6-acre park located at 18th Avenue and Foothill Boulevard. Fruitvale Bridge Park is a 0.10-acre linear park located along the Estuary at 3205 Alameda Avenue, within one-mile of the project site. **Figure IV.G-1** identifies nearby park facilities in the project site vicinity.

Schoolyards, although not always open to the public, provide additional recreational facilities and open space. Schools in the broader area include Lazear (whose playfield is located along 29th Avenue) and Hawthorne Elementary Schools, Roosevelt and Calvin Simmons Middle Schools, Fremont Federations High School, and the Caesar Chavez Education Center.

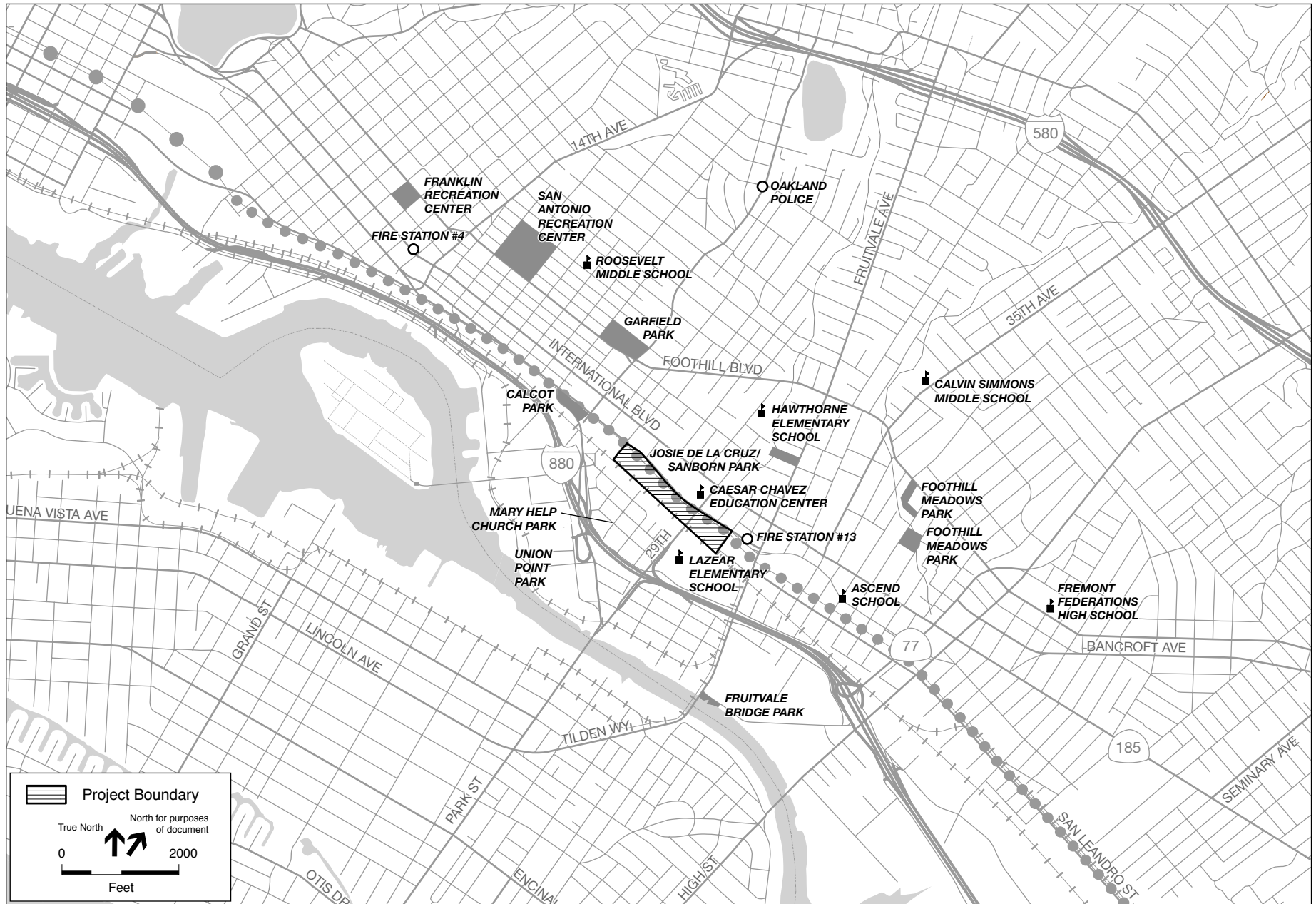
The City's OPR also operates several community-based centers located throughout city. The centers offer various public programs, including recreation, sports, arts and culture, computers, general learning, and after-school activities. Centers located within approximately 1.5 miles of the project site, include the San Antonio Recreation Center at 1701 East 19th Street in San Antonio Park, the Carmen Flores Recreation Center at 1637 Fruitvale Avenue, and Manzanita Recreation Center at 2701 22nd Avenue.

### ***Service Standards***

The General Plan OSCAR Element, using National Recreation and Park Association guidelines, "with modifications made to reflect the fact that Oakland is a mature, relatively dense city with a limited supply of vacant land" identifies a level of service standard of ten acres of parkland and four acres of local-serving parks per 1,000 residents. This standard is generally used to determine where there is unmet needs and to prioritize future capital investments. The estimated 3,073 acres of total parkland available within Oakland's city limits (including region-serving parks managed by EBRPD) provides about 7.5 acres of parkland per 1,000 residents. Local-serving parks<sup>2</sup> provide an estimated 1.3 acres per 1,000 residents, well below the City's service standard goal. The Fruitvale Planning Area, which contains the project site, provides far less than the citywide average, and thus does not meet the citywide goal of four acres of local-serving parks per 1,000 residents.

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<sup>2</sup> Local-serving parks are parks that "meet the active recreational needs of the community" surrounding the park, rather than the City as a whole (OSCAR, p. 4-9).



SOURCE: ESA, 2007

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**Figure IV.G-1**  
Public Services Providers, Parks,  
and Recreation Facilities

Oakland's per capita standards for parks identified in the OSCAR Element are based on National Recreation and Park Association guidelines, "with modifications made to reflect the fact that Oakland is a mature, relatively dense city with a limited supply of vacant land" (City of Oakland, 1996).

The Fruitvale Planning Area, which contains the project site, and the adjacent San Antonio Planning Area, do not meet the adopted citywide goal of 4 acres of local-serving parkland per 1,000 residents (excluding regional open spaces and special purposes parks), and has an existing shortage of park space. According to the OSCAR Element, the Fruitvale Planning Area has an existing shortage of park space with the lowest open space acreage of all of the City's planning areas: approximately 0.68 acres of parkland/schoolyard per 1,000 residents, the lowest per capita ratio in the City. The adjacent San Antonio Planning Area contains about 0.78 acre of park/schoolyard area per 1,000 residents, also well below the current citywide ratio (1.33 acres per 1,000 residents) and the citywide goal of four acres per 1,000 residents. The OSCAR Element was drafted in 1995; therefore, the ratio of parkland/school yard area per 1,000 residents from the OSCAR Element may have increased or decreased as a result of changes in parkland/school yard area acreage and/or population within the planning areas that have occurred since 1995. None of the planning areas within the City currently meet the goal of four acres of parkland per 1,000 residents. The West Oakland Planning Area has the highest acreage at about 2.43 acres of parkland per 1,000 residents. In general, the project site vicinity is already underserved by parks and open spaces. To alleviate this, OSCAR's recommendations for the Fruitvale Planning Area include creating new parks below International Boulevard and along the Estuary, enhancing and upgrading existing parks, and improving access to parks within adjacent planning areas.

## Impacts and Mitigation Measures

### Significance Criteria

A project may result in a significant adverse impact on the environment if it would:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives for any of the following public services:
  - Fire protection;
  - Police protection;
  - Schools;
  - Parks; and,
  - Other public facilities (libraries and public works, etc.)

2. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or,
3. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

## Impacts and Mitigation Measures

### Police Services Impacts

**Impact PS-1: The increased population and density resulting from the project would not involve or require new or physically altered governmental facilities in order to maintain acceptable service ratios, response time, or other performance objectives for police protection services. (Less than Significant)**

The project would redevelop the site and substantially increase the daytime and nighttime population in the project area. The estimated 1,607 new residents and approximately 60 to 120 new jobs (or employees) could result in an increase in reported crimes.

Increases in the number of reported crimes could lead to an increase in response times, which depend on OPD having adequate staff. The project site would be served by police personnel who work in the main police station at 455 7th Street, approximately three miles northwest of the project site. Additionally, the increased economic base that the project would introduce could increase tax revenue and create greater financial resources for police services.

Although the Department has indicated that additional police personnel and equipment would be required in order to maintain adequate levels of service in the project area and Citywide, the Department also indicated that it could adequately meet the increased demand for policing services in the project area without the need to construct new facilities or expand existing facilities (Breshears, 2005). Assuming that OPD is provided with additional personnel and equipment, the project would not be anticipated to affect police response times (Breshears, 2005). The project would not, however, require the construction of new governmental facilities or physically altered government facilities that, in turn, would result in significant environmental impact. Therefore, the project would not result in a significant impact on the provision of police protection services.

As discussed in the Estuary Policy Plan EIR, increased employment, economic activity, and public activity resulting from the project may have a beneficial effect on the safety of the area. Existing underused areas that have low daytime and nighttime population, and that are often difficult to police, would be replaced with high-density residential uses and other daytime and nighttime activities. This would introduce more street surveillance and activity and reduce the number of underused and vacant lots. Also, the project site plan and building designs could reduce the potential for crimes such as vandalism and vagrancy.

The Oakland Police Department recommends that preventive design measures, such as appropriate exterior building materials (e.g., anti-graffiti materials at the ground levels), landscaping, lighting, and security alarms and door locks, be incorporated into final project building designs for all new development. As part of standard development practices, the project plans would be reviewed by OPD, and the project applicant would be required to incorporate OPD's recommendations into the final project design.

To ensure that the project would not adversely affect the ability of the Oakland Police Department to deliver adequate services to the project area and vicinity, the project applicant would incorporate design standards, such as adequate public lighting, landscaping and buffering that provides visual access and "safe" places (in addition to compliance with the Uniform Building Code) into project plans. These features would be required as part of the City's conditions of approval to the project.

Any large event on the project site would require an Oakland Police Department Special Event Permit which would allow event-specific police needs (i.e., traffic management, public safety, etc.) to be identified and a case-by-case basis.<sup>3</sup> Specific issues addressed by OPD Special Event Permit include the availability of onsite and offsite parking availability at the event location, estimated number and target age of attendees, and the provision of private security.

**Mitigation:** None Required.

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## Fire Protection and Emergency Medical Services Impacts

**Impact PS-2: The increased population and density resulting from the project would not involve or require new or physically altered governmental facilities in order to maintain acceptable service ratios, response time, or other performance objectives for fire protection and emergency medical services and facilities. (Less than Significant)**

Fire Station 13 is the primary station to respond to calls originating from the project site. Fire Station 13 is located at 1225 Derby Avenue, several hundred feet from the project site. Secondary assistance would be provided by Station 4, located at 1235 E. 14<sup>th</sup> Street, approximately one and one half miles from the project site. Approximate response time to the project site is estimated to be 4 to 6 minutes, within the goal of 7 minutes or less 90 percent of the response time established by the City of Oakland. (Response time is measured from receipt of the call at dispatch until the first unit arrives on the scene of the emergency.)

The approximately 1,607 new residents and approximately 60 to 120 new employees resulting from the project could increase the number of calls for fire and emergency service. However, the Fire Department indicates that it would be able to provide adequate fire suppression and emergency medical response services to the project site, with existing staff, and that the project

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<sup>3</sup> Large, public events held in public parks also require a Park Use Permit obtained from the Oakland Office of Parks and Recreation.

would not require development of new or physically altered facilities. In accordance with the California State Fire Code, the Fire Department would require that fire prevention measures, such as automatic sprinklers, smoke detectors, fire alarm systems, and fire resistant construction, be incorporated into final project plans for each building. All appropriate building and fire code requirements would be incorporated into project construction. The Fire Department would review the project, including provisions for onsite access, exits, and any necessary special equipment to assist firefighters on-site. The project applicant would be required to incorporate the Fire Department's recommendations into the final project.

The project would incorporate, as recommended by the Fire Department, onsite emergency equipment, such as Automatic Emergency Defibrillators (AED) and special equipment to assist firefighters in performing fire suppression and emergency response operations. Also, to further reduce the need for emergency response and new staff to serve the project site, the project sponsor would provide occupants (residents and non-residential tenants) with fire prevention and public education information to reduce hazards and risks. These features would be required as part of the City's conditions of approval to the project and would supplement the standard fire prevention measures required by the California State Fire Code.

**Mitigation:** None Required.

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## Public Schools Impacts

**Impact PS-3: The students generated by the project would not require new or physically altered school facilities in order to maintain acceptable service ratios or other performance objectives at local public schools. (Less than Significant)**

The project would construct 810 new residential units on the project site that would increase the on-site population, including increases in the number of school-age children on the site that could attend OUSD public schools. As discussed in the *Environmental Setting*, above, two student generation rates can be employed to estimate the number of school-aged children that would result from the proposed project: one developed by Lapkoff & Gobalet Demographic Researchers (0.1 students per market-rate multifamily unit, equally distributed among elementary, middle, and high schools) and one developed by the California State Department of Education and currently used by the OUSD (average 0.79 students per dwelling unit). Using the former rate, and assuming all 810 residential units to be market-rate, the project would generate 81 school-aged children. Using the latter rate, the project would generate a total of 640 school-aged children: 349 students who would attend kindergarten through grade six, 97 students who would attend grades seven through eight, and 194 student students who would attend grades nine through twelve.

The actual number of school-aged children attributable to the project ultimately depends on specific factors, including the density and types of multi-family housing proposed, average household sizes for project households, current shares of population represented by school-age children for comparable areas of Oakland with similar types of multi-family housing, and trends

in the age distribution of the population. The actual number of school-aged children attributable to the project is most likely between the two estimates. However, because the project would consist of new, high-density housing in multifamily development and high-rise towers, and given the distribution of unit sizes (88 percent one- and two-bedrooms, and 12 percent 3-bedrooms), the number of persons per household is estimated to be lower than average for Oakland overall and closer to the Lapkoff & Gobalet estimate. Furthermore, the project would include market-rate rates which generally appeal to two-person professional households with fewer school-aged children, compared to affordable or larger units.

As noted above, school-age children living at the project site would live within attendance areas of the following OUSD public schools: Lazear Elementary School, Roosevelt Middle School, Fremont Federation High School. Additionally, the following OUSD (and autonomous) school are located in the project vicinity: Hawthorne Elementary School, Calvin Simmons Middle School, Caesar Chavez Education Center, and ASCEND School.

**Table IV.G-2** presents location, class size, enrollment and capacity information for the schools mentioned above. As indicated in the table, most school in the area and meet or exceed student capacity thresholds and would be strained by the proposed project.

If introduced over a short period of time, the capacity of elementary schools in the project vicinity may be exceeded by the possible addition of 349 additional elementary school age students and may result in a need for a new elementary school, the construction of which could result in potentially significant environmental impacts. Since the project is proposed to be built in multiple phases, the increase in the number of students generated from the project and the impact on OUSD schools would occur incrementally.<sup>4</sup> Furthermore, according to the California Department of Education, in Alameda County approximately 11.8 percent of all students attended private schools during the 2003-2004 school year. The 2000 U.S. Census estimates this rate to be approximately 13.6 percent for all elementary and high school students in Oakland. Thus, it could be assumed that a similar percentage of the students generated by the project would attend private schools. This would further decrease the impact on public schools in the project vicinity.

Students living at the project site would be able to attend nearby autonomous schools and other nearby schools if sufficient capacity exists at the time of their enrollment. In addition, the school environment for OUSD is somewhat uncertain. OUSD is currently under State administration, and is faced with continuing budget problems, declining enrollment, and the impact of the current No Child Left Behind federal law, passed in 2002, all of which make it difficult to assess future school capacity or the configuration of schools in the future. OUSD is currently in the process of revising its student enrollment system, which may result in further changes to how OUSD assigns students to schools throughout the city (OUSD, 2005).

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<sup>4</sup> The project is anticipated to be developed in six phases over a 15- to 20-year period. The developer would initiate each phase only after the preceding phase is completed and occupied.

**TABLE IV.G-2  
ENROLLMENT AND CAPACITIES OF OUSD SCHOOLS IN PROJECT VICINITY**

Name of School	Address	Grades	Average Class Size	2005-2006 Enrollment	School Capacity <sup>a</sup>
Lazear Elementary School	824 29th Avenue	K - 3 4 - 8	16 30	352	-1
Hawthorne Elementary	1700 28th Avenue	K - 5	30.5	123	+5
Calvin Simmons Middle School	2101 35th Avenue	6 - 8	27.6	718	+5
Roosevelt Middle School	1926 19th Avenue	6 - 8	27.9	811	+5
Fremont Federation High School <sup>b</sup>					+5
• College Preparatory and Architecture Academy	4610 Foothill Boulevard	9 - 12	20.2	363	-
• Mandela High School	4610 Foothill Boulevard	9 - 12	23.1	354	-
• Media College Preparatory	4610 Foothill Boulevard	9 - 12	22.2	377	-
• Roberson School of Visual and Performing Arts	4610 Foothill Boulevard	9 - 12	23.1	390	-
Caesar Chavez Educational Center <sup>b</sup>					0
• Think College Now Elementary	2825 International Boulevard	K - 4	19.6	208	-
• International Community Elementary School	2825 International Boulevard	K - 5	18.7	244	-
• Urban Promise Middle School Academy	3031 East 18th Street	6 - 8	26.7	231	+2
ASCEND Elementary School <sup>b</sup>	3709 East 12th Street	K - 8	23.1	270	0

<sup>a</sup> Number reflects the status of the school's capacity and enrollment. The rating ranges from -5 (highly underutilized campus) to +5.

<sup>b</sup> The campus is part of the New Autonomous Small Schools (NASS) program.

SOURCE: Ed-data, 2007; Nakadegawa, 2007. OUSD Long Range Facilities Master Plan, 2007

Pursuant to Senate Bill 50 (SB 50), the project sponsor would be required to pay school impact fees established to offset potential impacts on school facilities. Therefore, although the project could result in additional students and overcrowding within OUSD facilities, payment of the fees mandated under SB 50 is the mitigation measure prescribed by the statute, and payment of the fees is deemed full and complete mitigation. Therefore, no mitigation is required.

**Mitigation:** None Required.

## Parks and Recreation

**Impact PS-4: The proposed project would increase the onsite resident population, and has the potential to increase the use of existing neighborhood and regional parks or other recreational facilities, resulting in substantial new or accelerated physical deterioration. (Less than Significant)**

### Usable Open Space Proposed with the Project

#### Planning Code Requirements

The project proposes to rezone the project site from the existing designation of M-30 General Industrial Zone) to C-45 Commercial Thoroughfare Commercial Zone. In the C-45 Zone, minimum usable open space requirements are prescribed in accordance with the R-80 High-Rise Apartment Residential Density Zone regulations (Oakland Planning Code Section 17.30.180). Also, in the C-45 Zone (as required by the R-80 Zone), a project may provide a mix of private (“individual”) and group (“shared”) usable open space areas at a ratio of 1:2 (one square foot of private usable open space equals two square feet of required group usable open space) (Oakland Planning Code Section 17.126.020).

The C-45 Zone (as required by the R-80 Zone) requires that 150 square feet of usable group open space shall be provided per regular dwelling unit. Alternatively, a minimum of 75 square feet (or 50 percent of the required group space standard) of individual private open spaces per regular dwelling unit, could be provided per Section 17.126.020. As discussed in Chapter III (Project Description), the proposed project would provide a mix of private and group usable open space areas for project residents and tenants, as well as usable open space areas onsite that would be accessible to the public.

- Group Usable Open Space. The project would provide approximately 150 square feet of group open space for the 366 units (approximately 45 percent) that would not have private decks or yards. This would total 165,911 square feet of group open space onsite, which is more than three times the 54,900 square feet required for 366 units. As depicted in **Figures III-8a and 8b**, Open Space Calculation, in Chapter III (Project Description), these spaces would be provided at grade of all proposed buildings and on the third floor podium (“plaza”) levels of each building.
- Private Usable Open Space. The proposed project would provide approximately 75 square feet (pursuant to the allowance in Section 17.126.020 of the Oakland Planning Code) of private open space for the remaining 444 (approximately 55 percent) of the project units. The individual private spaces would be in the form of private yards at grade for the proposed townhouses and private decks for the multifamily units above grade. This totals 33,300 square feet of private space onsite.
- Publicly-Accessible Open Space Onsite. The project would provide an approximately 8,000 square-foot, linear open space and small children’s park would be located between Sites II and III. Although proposed as part of the project and located within the project

site boundaries, this area would also be accessible to the public as well as project residents and tenants.

In summary, the project proposes to satisfy the Planning Code requirements by providing 150 square feet of common space designated for 366 units (150 square feet each or 157,911 square feet total) and by providing 75 square feet of private open space areas for 444 units (33,300 square feet total). The project will supplement its Code-required space with the approximately 8,000 square-foot publicly-accessible open space and small children's park on the site.

### Provision of Public Open Space in the Project Area

The project site is located in the Fruitvale Planning Area which is underserved by parks and open space, providing well below the adopted citywide goal of 4.0 acres of local-serving parkland per 1,000 residents. According to the 1995 OSCAR Element of the General Plan, the Fruitvale Planning Area has the lowest per capita parks and open space acreage of all of the City's planning areas, providing about 0.68 acres of local-serving parkland per 1,000 residents. The 1995 OSCAR Element also estimated the citywide ratio of local-serving parkland as 1.33 acres per 1,000 residents.<sup>5</sup> Using estimated 2005 population for the Fruitvale Planning Area and assuming local-serving park acreage in the Area did not change substantially between 1995 and 2005, the 2005 baseline service ratio is approximately 0.57 acres per 1,000 residents.

The "4.0 acres per 1,000 residents" park standard identified within the OSCAR Element is a policy goal, but not a mandate for new development. Therefore, for comparative purposes, **Table IV.G-3** presents the change in the service ratio in the Fruitvale Planning Area over time.

**TABLE IV.G-3  
PARK SERVICE RATIO IN THE FRUITVALE PLANNING DISTRICT**

	1995 OSCAR Element	2005 Baseline	2010 w/ Project Population	2010 w/o Project Population	2025 w/ Project Population	2025 w/o Project Population
Population	35,700	42,843	46,610	45,003	49,010	47,403
Local-Serving Parkland Acreage <sup>a</sup>	24.4	24.4	24.4	24.4	24.4	24.4
Parkland Service Ratio <sup>a,b</sup>	0.68	0.57	0.52	0.54	0.49	0.51
Citywide Service Ratio (Actual) <sup>b</sup>	1.33	1.33	1.33	1.33	1.33	1.33
Citywide Service Goal <sup>b</sup>	4.0	4.0	4.0	4.0	4.0	4.0

<sup>a</sup> Assumes no change in parkland acreage over time, including improvements proposed by the project.

<sup>b</sup> Assumes no change through 2025.

SOURCE: OSCAR Element of the Oakland General Plan, 1995. Table IV.K-2 in Section IV.K, *Population, Housing, and Employment*, in this EIR.

<sup>5</sup> Service ratio is calculated by total local-serving parkland acreage by 1/1000 population.

The proposed project would increase the permanent on-site daytime and nighttime populations at the site, thus increasing the demand for parks and recreation facilities. At build-out, it is anticipated that the project would result in a resident population of approximately 1,607 to the Fruitvale Planning Area and provide approximately 49 net new jobs (i.e., non-residents employees and visitors that could use nearby facilities).<sup>6</sup> With the proposed project assumed in place at 2010 (consistent with the Near-Term 2010 scenario analyzed in this EIR), the service ratio in the Planning Area would be approximately 0.52 acres (compared to 0.54 acres with the project) in 2010. This assumes that no new public or publicly-accessible acreage, including that proposed by the project, is added to the Planning Area prior to 2010. The service ratio in 2025 with the project would be approximately 0.49 acres (compared to 0.51 acres without the project).

To illustrate the magnitude of shortfall that exists in the Planning Area, without the project, approximately 165 acres of local-serving parkland would need to be added to the Planning Area to attain the citywide goal of 4.0 acres per 1,000 residents by 2025 within the Planning Area; however, approximately 2.6 acres would needed to maintain the 2005 baseline service ratio of 0.57 through 2025 within the Planning Area. Because the Fruitvale Planning Area is largely built out, opportunities for acquiring the acreage necessary to attain these levels would not be feasible, as recognized in the OSCAR Element. Similarly, the narrow configuration of the project severely limits opportunities to provide sizeable new public or publicly-accessible open space within the project site. As indicated above, the project proposes an 8,000 square-foot (0.18 acres) of publicly-accessible open space onsite.

#### **Proposed Improvements to Park and Recreation Facilities**

Pacific Thomas Capital, the project sponsor, proposes to implement the following park and recreation-related components (in addition to others that may be implemented) as part of the proposed Development Agreement that the project sponsor and the City of Oakland intend to enter into, as described in Chapter III of this EIR:

- **Caesar Chavez Educational Center** - Long-term funding for the Caesar Chavez Education Center Open Gym/ Playfield (approximately 16,500 square-foot gymnasium and 2.6-acre outdoor playfield), directly north of the project site, across East 12th Street ; and
- **Publicly Accessible On-site Park** - Development of a publicly-accessible children's park onsite (implemented with Site III).

The effect of these proposed improvements would relieve to some degree the increased demand for park and recreational facilities in the severely underserved Fruitvale Planning Area. In particular, commitments to long-term funding at the Caesar Chavez Educational Center Open Gym/Playfield, would allow this actively-used, high-quality facility at the northwest corner of 29<sup>th</sup> Avenue and East 12th Street to continue to operate as a quasi-public use during nighttime and weekend daytime hours. Funding would target the approximately 16,500 square-foot indoor

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<sup>6</sup> As indicated in Section IV.K, Population, Housing, and Employment, in this EIR, there are approximately 48 existing jobs onsite and 97 new jobs anticipated with the proposed project.

gymnasium and the nearly 2.6-acre outdoor playfield. Both the City of Oakland and OUSD, which currently co-fund the operation and maintenance of the facility, have indicated the exhaustion of funding for the facility in the near future, thus, the project will ensure the ongoing use of this community facility by the public during certain non-school hours. As part of the Development Agreement, the project sponsor has proposed similar commitments that would enhance other existing nearby parks and/or recreational facilities by improving physical access and conditions, amenities, and characteristics that affect real and perceived safety. As a result, the proposed project would not provide substantial new publicly-accessible park and recreation space (except for the proposed 8,000 square-foot, on-site park and children's play area) within the densely-populated Fruitvale Planning Area; however, the beneficial components of the project would ensure that impact to park and recreation services and facilities would be less than significant. In addition, the proposed improvements would occur to existing local-serving facilities and would not result in any significant secondary effects not previously identified in this EIR.

Without implementation any one of the components described above as part of the Development Agreement, the project would result in a "potentially significant" impact by exacerbating low parkland-to-population ratio in a highly-impacted Planning Area. Therefore, the following mitigation measure shall apply and reduce that potential environmental effect is to less than significant:

**Mitigation Measure PS-4 (*Provisional, to be implemented if changes to project result in significant impacts*): If for any reason the foregoing project components that address existing park and recreation needs in the Fruitvale Planning Area are not implemented with the proposed project, the project sponsor shall pay to the City of Oakland in-lieu fees in an amount adequate to address the resulting effect of the project (without implementation of the foregoing components) on park and recreation facilities within the Fruitvale Planning Area.**

Implementation of Provisional Mitigation Measure PS-4, if required as a result of the proposed project components not being implemented, would reduce the impact to park and recreation services and facilities to less than significant.

**Mitigation:** None Required.

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## Cumulative Impacts

**Impact PS-5: The increased population and density resulting from the project, in conjunction with population and density of other foreseeable development in the city, would result in a cumulative increase in the demand for public services, parks, and recreation facilities. However, the project's contribution to such impacts would not be cumulatively considerable. (Less than Significant)**

### **Police Services and Fire Protection/Emergency Medical Services**

The increased population and density resulting from the project, in conjunction with population and density of other foreseeable development in the city, would result in a cumulative increase in demand for police services and fire protection/emergency medical services. This cumulative increase could result in the need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives. However, future development would occur pursuant to General Plan policies and mitigation measures adopted for the Land Use and Transportation Element (LUTE) EIR that reduce the potential impact on fire and police services to less-than-significant levels.

For the project, the Oakland Police and Fire Departments do not anticipate the need for any new physical facilities to adequately service the resulting increase in daytime and nighttime population on the project site. Additionally, the project would incorporate design measures aimed to heighten safety (through lighting, access, and visibility) to public spaces and would provide administrative space for onsite police activities and would develop and emergency response and security plans in coordination with the relevant City departments. Therefore, the project's contribution to the significant cumulative impact on police services and fire protection/emergency medical services would be less than significant.

### **Public Schools**

School-aged children generated by the project, in conjunction with those generated by other foreseeable development in the city, would result in a cumulative increased demand that could require new or physically altered school facilities in order to maintain acceptable service ratios or other performance objectives at local public schools. However, pursuant to Senate Bill 50 (SB 50), the project sponsor of all future projects would be required to pay school impact fees established to offset potential impacts on school facilities. Therefore, although the project could result in additional students and overcrowding within OUSD facilities, payment of the fees mandated under SB 50 is the mitigation measure prescribed by the statute, and payment of the fees is deemed full and complete mitigation.

### **Parks and Recreation Facilities**

As stated in OSCAR and noted above, the recommended ratio of local serving parks in the Fruitvale Planning Area is 0.68 acres per 1,000 residents, well below the citywide ratio of 1.33 acres per 1,000 residents, which is a Assuming minimal future change in the amount of local-serving park acreage in the Planning Area in the cumulative year (2025), and using the estimated 2025 population for the Planning Area, the ratio for the Planning Area in 2025 (*excluding* the proposed project) would be approximately 0.51 acres per 1,000 residents. The proposed project would introduce approximately 1,607 new residents to the Planning Area at build-out (Year 2021), in which case the ratio would be approximately 0.49 acres per 1,000 residents (*including* the proposed project).<sup>7</sup>

The proposed project, in conjunction with other planned and foreseeable development under the cumulative scenario, would contribute to the need for new or expanded park and recreational facilities citywide and further decrease the ratio of local-serving parkland to residents. Since cumulative development would potentially result in the need for new or expanded park and recreation facilities, and since the City does not currently meet the adopted citywide goal of four acres of local-serving parks per 1,000 residents, the effect on parks and recreational facilities could be considered a significant cumulative impact citywide. However, the proposed project would exceed the required usable open space area per the zoning requirements and, as part of the proposed Development Agreement, would fund substantive park off-site improvements to existing facilities in the Planning Area. Additionally, the project would not substantially degrade, or represent a considerable contribution to, the future ratio of the local-serving parkland acreage per 1,000 residents within the Fruitvale Planning Area. Therefore, the project's contribution to the significant cumulative impact would be less than significant.

**Mitigation:** None Required.

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