



PARKS AND RECREATION ADVISORY COMMISSION  
City of Oakland  
Wednesday, February 13, 2013 4:30 P.M.  
Lake Merritt Garden Center, 666 Bellevue, Oakland, CA

Agenda

1. CALL TO ORDER:
2. ROLL CALL:  
BELCHER, DU BOIS, FINLINSON, FLORES, KADERA-REDMOND, MARSHALL, MILLER, PETERSON, RICARDS, ROSENBLOOM, WU,
3. DISPOSITION OF MINUTES:  
January 28, 2013 Special Meeting Minutes
4. SPECIAL ORDERS:
5. PRAC PENDING LIST:
  1. Recreation Advisory Council Manual (RAC) Update
6. MODIFICATIONS TO THE AGENDA:
7. CONSENT NEW BUSINESS:
  - A. **Request from the Center for Early Intervention on Deafness for Permission to Collect On-site Registration Fees and Sell Raffle Tickets at their Annual Walk-A-Thon on Saturday, March 23, 2013.** The Office of Parks and Recreation received a request from the Center for Early Intervention on Deafness (CEID), a non-profit organization. The organization is seeking permission to collect registration fees and sell raffle tickets on-site at their 4<sup>th</sup> Annual Walk-A-Thon at Lakeside Park on Saturday, March 23, 2013. All proceeds will be used to benefit the organization's infants and young children who are deaf and hard of hearing.
  - B. **Request from the Oakland Running Festival for Permission to Serve and Sell Alcoholic Beverages and Food On-site at the 4<sup>th</sup> Annual Oakland Running Festival Marathon at Snow Park on Sunday, March 24, 2013.** The Office of Parks and Recreation received a request from Gene Brtalik requesting permission to serve and sell alcoholic beverages (Beer & Wine) and food on-site for the 4<sup>th</sup> Annual Oakland Running Festival Marathon at Snow Park on Sunday, March 24, 2013. City and local charities will benefit from the funds collected. A portion of the alcohol beverage sales will go to the Fire Department's Random Acts Charity.

- C. **Request for Permission to Accept On-site Registration Fees and Donations at the Rhodes Race 5k Run/Walk to Benefit the Leukemia and Lymphoma Society at Lakeside Park on Sunday, April 14, 2013.** The Office of Parks and Recreation received a request from Ms. Claire Blaney requesting permission to collect on-site registration fees and donation for the Rhodes Race 5K Walk/Run at Lakeside Park on Sunday, April 14, 2013, to benefit the Leukemia and Lymphoma Society (LLS). The fees are donated to the LLS. The minimum registration/donation fee is \$20 per person (\$5 for kids).

8. **NEW BUSINESS:**

- A. **Request to Deny Appeal by Krzysztof Izdebski and Blain Green and Require Preservation of Oak Tree Located on the Property Located at 1045 Hubert Road, Oakland, California.** On December 21, 2012, the Tree Services Division denied a tree removal application (*Attachment A*) to remove a 21" diameter black oak tree growing in the front yard of 1045 Hubert Road. The Protected Trees Ordinance (PTO) requires preservation of trees when reasonable alternatives to removal are available.
- B. **Combined Community Groups Requests Parks and Recreation Advisory Commission Endorse the Lease Application for Shared Use of St. Andrews Plaza Park Located at San Pablo Ave. and 32nd Street. The Space would be Used to Create Public Art Projects. This Community Driven Project was put Forth to Address the Illegal Activities that Plague this Small Space of 3700FT and the Continued Nuisance and Dysfunction that it Brings to the Surrounding Community Since the Late 1960's.** Attitudinal Healing Connection 'AHC' a community based organization, in partnership with San Pablo Corridor Coalition and East Bay Community Recovery Project would like to create a public art project to reinforce the collaborative spirit and change the energy, uses and activity of St. Andrews Plaza.
- C. **Request from the National Multiple Sclerosis Society Seeking Permission to Collect On-site Registration Fees, Pledges and Donations at the Walk MS East Bay Event at Lakeside Park on Saturday, April 20, 2013.** The Office of Parks and Recreation received a request from the National Multiple Sclerosis Society, a non-profit organization, requesting permission to collect on-site registration fees, pledges and donations at the Walk MS East Bay Event at Lakeside Park on Saturday, April 20, 2013. The donations and funds raised will go towards local programs, services, and research for those affected by Multiple Sclerosis (MS).
- D. **Request from Adopt a Special Kid Seeking Permission to Host a Fundraising 5K Run/Walk by Accepting On-site Registration Fees and Donation at Lakeside Park on Saturday, July 7, 2013.** The Office of Parks and Recreation received a request from Adopt a Special Kid (AASK), a non-profit organization, seeking to host a fundraising walk by collecting on-site registration fees and donation at the First Annual 5K Fun Run/Walk for AASK at Lakeside Park on Saturday, July 7, 2013. Funds raised will help support the AASK program which serves children who are placed from foster care into adoptive homes.

9. CONDITIONAL USE PERMITS:
10. COMMUNICATIONS:
11. PRAC COMMITTEE REPORT:
12. ADVISORY COUNCIL REPORTS:
13. UNFINISHED BUSINESS:
14. COUNCIL REFERRALS:
15. OPEN FORUM:
16. DIRECTOR'S REPORT:
  1. Snow Park Dog Play Area Update
  2. Council Briefing
17. ANNOUNCEMENTS:
18. ADJOURNMENT:

This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the *Office of Parks and Recreation at (510) 238-7532* or **TDD (510) 615-5883** at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

*Next Meeting:                      Wednesday, March 13, 2013, 4:30 p.m.*  
*Lakeside Garden Center*  
*666 Bellevue Ave, Oakland, CA*



\*\*\*\*\*Special Meeting\*\*\*\*\*  
PARKS AND RECREATION ADVISORY COMMISSION  
City of Oakland  
Monday, January 28, 2013 4:30 P.M.  
Lake Merritt Garden Center, 666 Bellevue, Oakland, CA

MINUTES

1. CALL TO ORDER:

A Special meeting of the Parks and Recreation Advisory Commission was held on Monday, January 28, 2013 at the Lake Merritt Garden Center located at 666 Bellevue, Oakland, CA. Commissioner /Chair Miller convened the meeting at 4:32 p.m. Audree V. Jones-Taylor, Director of the Office of Parks and Recreation, conducted the roll call:

2. ROLL CALL:

Present: BELCHER, DU BOIS, FINLINSON, KADERA-REDMOND, MILLER, RICARDS, WU

Expected PETERSON

Arrivals:

Excused: FLORES, MARSHALL, ROSENBLOOM

3. DISPOSITION OF MINUTES:

January 5, 2013 Retreat Minutes

**MOTION:** Commissioner Miller entertained a motion to approve the January 5, 2013 retreat minutes pending correction to the motion regarding Roberts Rules of Order. Motion should read... motion to adopt Roberts Rules of Order with modifications and at the discretion of the Chair. **Moved by:** Commissioner Finlinson, **Seconded by:** Commissioner Ricards, **Motion: Passed**

4. SPECIAL ORDERS:

5. PRAC PENDING LIST:

6. MODIFICATIONS TO THE AGENDA:

7. CONSENT NEW BUSINESS:

8. NEW BUSINESS:

**Report Regarding the Proposed Dog Play Area at Snow Park as a Possible and Suitable Alternate Location to the Lakeview Dog Play Area.** Audree V. Jones-Taylor, Director of the Office of Parks and Recreation (OPR) provided the Park and Recreation Advisory Commission (PRAC) an overview of the staff report. The process of considering a dog play area in Eastshore/Astro Park generated new and creative thinking about the best suitable location for a dog play area in the Lake Merritt area of Oakland. The recently identified alternative site, Snow Park, presented a unique opportunity to leverage the forthcoming renovation and expansion of Snow Park and the revitalization of a portion of the park that has been derelict for some time.

Director Jones-Taylor introduced members of the recently formed Snow Park Dog Play Area Committee to the Commission. The following members were part of the presentation to the Commissioners and addressed areas of their expertise. The speakers included: Alison Schwarz, City of Oakland Project Manager; Emily Rosenberg, ODog; Bradley McCrea, Save Astro Park; Brian Carthan, City of Oakland Public Works Agency (PWA); Robert Zahn, PWA; Scott Miller, Planning, (we need his correct dept); Casey Farmer, Aide to Council District 3; Richard Cowan, Office of the Mayor and Maria Alderete, Friends of Parks and Recreation.

The proposed dog play area is located in an area of the park where an elder oak tree stands. City staff recommended that wood chips and a fence be placed around the tree to preserve and protect its bark and roots from dog urine and moisture. Dog waste removal was discussed. PWA staff, Brian Carthan, referenced Joaquin Miller Park's dog play area where every other week during the summer, approximately 500lbs of dog waste is removed. Overall, dog play areas have been successful in the city due to the support and commitment from volunteers. The same level of dedication will be needed to maintain the Snow Park project. Staff also mentioned their concern regarding grass compaction and the possible need to use wood chips.

OPR will present the Commission with a more detailed report in the spring including the proposed size of the site, concept designs and rules that will govern the play area.

Current funding available for the Lake view Dog Play Area is \$18,000 from the City Capital Reserves Fund and \$20,000 from Council District (Fr. Councilmember Nadel). Council District 2 and Council at-Large are committed to supporting the project once the design is developed. Total funding to date is \$38,000. The public funding commitments for the Lakeview Dog Play Area project at Eastshore/Astro Park may be transferred to the Snow Park site once the public hearings are completed. The Dog Play Area design would include a decorative fenced area of approximately 25,000 – 30,000 square feet of open space in Snow Park at the 19<sup>th</sup> Street side of the property. This also includes separate play areas for large and small dogs, double entry ADA accessible gates, sunken waste receptacles and two ADA parking spaces.

Supporters of the Snow Park dog play area believe this location could serve as a model for future dog parks and believe the space to be more peaceful for dogs and pedestrian friendly. The community hopes the City of Oakland will save revenue by inserting the dog play area into the existing park renovation plans. Community members recommended that outreach to neighbors of Snow Park continue and were encouraged to know that the Commission is working on dog park guidelines and policies. Speakers also recommended that the Commission visit other city's dog play areas.

Ali Schwartz, Project Manager with PWA, provided a brief overview of the current project that is ready to go to bid. She shared concerns regarding possible delays and potential impact to the existing project.

Emily Rosenberg shared with the Commissioners and audience that studies show dog play areas are considered a modern amenity to communities with a dense population of high-rise residences, which often lack open space and tolerant building management policies regarding dogs. Also, crime is known to decrease in parks where dog play areas exist.

Richard Cowan, Mayor Quan's representative, mentioned that the Mayor was very pleased with the process and progress of this project. Casey Farmer noted that Council District 3 is supportive of the effort and believes the dog play area will replace illicit activity in the park.

Moving forward, Director Jones-Taylor would like the Commission and community to consider under-utilized spaces for dog play areas such as vacant lots and indoor spaces or vacant/abandoned buildings in order to avoid impacting existing parks. The Director stated that our parks are the jewels of Oakland and open green spaces offer a sense of comfort and calmness for all to enjoy. The continued chipping away at the City's parklands is not the solution to meet the growing demands of the community. While it is critical that OPR address the needs and expectations of the community, it must be done so through the implementation of a thoughtful process. As the City of Oakland and the Office of Parks and Recreation look for grants and other sources of funding, these efforts must include the ability to acquire property to build non-traditional assets including, skate board and bike parks, rugby fields and additional soccer fields. The needs are great and the resources are limited.

Commissioner Dubois would like to see lighting included in any future design for the play area.

Several community members opposed the alternative site and voiced concerns about Snow Park being used as the venue. Many of the attendees mentioned the lack of knowledge and outreach about the project, and felt the notice for the PRAC meeting was insufficient. Community members requested that large postings and or fencing be placed around the proposed site for the purpose of allowing citizens to visually see the size of the proposed play area. Some were concerned about barking and the proximity of the dog play area to their homes.

The design of the park as it relates to grass vs. wood chips was noted by Commissioner Ricards. A decisive plan for addressing dog waste was also addressed. Some residents in the immediate area of the park were not convinced that the dog park would have any effect on crime and change the quality of life in their neighborhood. Preservation of Oakland's open and green spaces was mentioned and suggested that not every park has to host an amenity.

Director Jones-Taylor apologized for any oversight regarding notification to the community and assured them that the Office of Parks and Recreation and the Snow Park Dog Play Area Committee did their due diligence in reaching out to residents and the business community. These efforts included the distribution of flyers, meetings with manager's and executive directors of area apartment buildings, retirement communities and businesses. The Director recited a list of properties contacted during the outreach efforts. She made a commitment to the members that an additional community meeting would be held prior the item returning to PRAC in the spring to ensure their voice would be heard, and to provide a platform to gain input on the design.

Director Jones-Taylor acknowledged that a great deal of work occurred during the month of January and praised the committee for their efforts in bringing the opposing groups together thereby making this a community and team project. The committee is inclusive of city staff and community members on both sides of the discussion regarding the alternative location of a dog play area. The committee members and their representation is as follows: Anne Woodell, Community and Parks Advocate OPC; Jennie Gerard, Aide to Council District 2; Mark Hall, Office of Parks and Recreation PWA (OPR); David Lau, PWA Civil Engineer; Barry Miller, Chair Parks and Recreation Advisory Commission; Dana Riley, OPR; Ann Clevenger, City of Oakland Planning in addition to those mention earlier in the report.

**MOTION:** Commissioner Miller entertained a motion to endorse the proposed dog play area at Snow Park as a possible alternate location to the Lakeview Dog Play Area at Eastshore/Astro Park, and that further design studies and community outreach be conducted for this site.

**Moved by:** Commissioner Belcher, **Seconded by:** Commissioner Du Bois, **Motion: Passed**

9. CONDITIONAL USE PERMITS:

None

10. COMMUNICATIONS:

None

11. PRAC COMMITTEE REPORT:

12. ADVISORY COUNCIL REPORTS:

13. UNFINISHED BUSINESS:

14. COUNCIL REFERRALS:

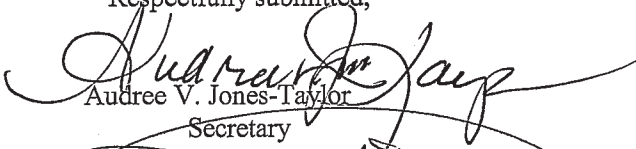
15. OPEN FORUM:

16. DIRECTOR'S REPORT:

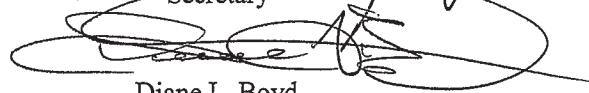
17. ANNOUNCEMENTS:

The meeting was adjourned at 6:45pm.

Respectfully submitted,



Audree V. Jones-Taylor  
Secretary



Diane L. Boyd  
Recording Secretary

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*Next meeting:* **Wednesday, March 13, 2013, 4:30 p.m.**  
**Lakeside Garden Center**  
**666 Bellevue Avenue, Oakland, CA 94612**

**CITY OF OAKLAND**  
Interoffice Memorandum



**Office of Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Gail McMillon, Central Reservation Supervisor  
**DATE:** February 13, 2013  
**SUBJECT:** **Request from the Center for Early Intervention on Deafness for Permission to Collect On-site Registration Fees and Sell Raffle Tickets at their Annual Walk-A-Thon on Saturday, March 23, 2013**

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SUMMARY

The Office of Parks and Recreation received a request from the Center for Early Intervention on Deafness (CEID), a non-profit organization. The organization is seeking permission to collect registration fees and sell raffle tickets on-site at their 4<sup>th</sup> Annual Walk-A-Thon at Lakeside Park on Saturday, March 23, 2013. All proceeds will be used to benefit the organization's infants and young children who are deaf and hard of hearing.

FISCAL IMPACT

There will be no fiscal impact on the Office of Parks and Recreation.

BACKGROUND

CEID, a non-profit organization, was established in 1980 as a federally funded model demonstration program under the name Center for the Education of the Infant Deaf. CEID offers a variety of programs and services such as Home Visits, Toddler and Preschool Classes, Parent Education and Support Programs and Speech Therapy and Auditory Training for children, parents, and family members who are both deaf and hard of hearing.

This is CEID's fourth year hosting their Walk-A-Thon at Lakeside Park. They are requesting for permission to collect registration fees and sell raffle tickets on-site. The cost of the registration fees will be \$10 per participant and the cost to sell raffle tickets will be \$1 each, 6 tickets for \$5 or 15 tickets for \$10.

Attached is the 2012 Post Event Report. There were approximately 300 attendees at the 2012 event; 100 people registered the day of the event and \$1,000 was collected on-site for registration fees.

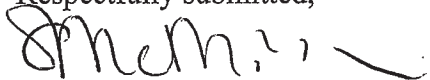


Parks and Recreation Advisory Commission  
February 13, 2013

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the request for the collection of registration fees and the sale of raffle tickets from participants at the CEID's 4th Annual Walk-A-thon at Lakeside Park on Saturday, March 23, 2013. CEID is aware that additional permits may be required for this event provided the request is granted.

Respectfully submitted,



Gail McMillon  
Central Reservation Supervisor

Attachments: Exhibit A – Request Letter  
Exhibit B – Park Use Application  
Exhibit C – 2012 Post Event Report

CITY OF OAKLAND  
Interoffice Memorandum



**Office of Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Gail McMillon, Central Reservation Supervisor  
**DATE:** February 13, 2013  
**SUBJECT:** Request from the Oakland Running Festival for Permission to Serve and Sell Alcoholic Beverages and Food On-site at the 4<sup>th</sup> Annual Oakland Running Festival Marathon at Snow Park on Sunday, March 24, 2013

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SUMMARY

The Office of Parks and Recreation received a request from Gene Brtalik requesting permission to serve and sell alcoholic beverages (Beer & Wine) and food on-site for the 4<sup>th</sup> Annual Oakland Running Festival Marathon at Snow Park on Sunday, March 24, 2013. City and local charities will benefit from the funds collected. A portion of the alcohol beverage sales will go to the Fire Department's Random Acts Charity.

FISCAL IMPACT

There will be no fiscal impact on the Office of Parks and Recreation.

BACKGROUND

This is Gene Brtalik's, Oakland Running Festival Race Director, fourth year hosting the Oakland Running Festival in the City of Oakland and his third year using a Parks and Recreation park site as a meeting point for the marathon. Mr. Brtalik came before the Parks and Recreation Advisory Commission in 2010 and 2012 requesting approval for the same request. The previous requests were granted and the events were extremely successful and went as planned.

The Oakland Running Festival now in its fourth year, is a five race event which attracts people from all over the world to run through the streets of Oakland. In three years, the race has generated almost \$8 million for the City and raised \$750, 000 for local charities.

The Oakland Running Festival is a citywide event with the City Council Office, OPD Special Events Unit, City Administrator's Marketing Department and the Office of Parks and Recreation as supporters of the event.

Parks and Recreation Advisory Commission  
February 13, 2013

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the request for the Oakland Running Festival to serve and sell alcoholic beverages and food on-site at Snow Park on Sunday, March 24, 2013. Gene Brtalik is aware that additional permits are required provided the request is granted.

Respectfully submitted,

Gail McMillon  
Central Reservation Supervisor

Attachments: Exhibit A – Request Letter  
Exhibit B – 2012 Post Event Report  
Exhibit C – Park Use Application

**CITY OF OAKLAND**  
Interoffice Memorandum



**Office of Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Gail McMillon, Central Reservation Supervisor  
**DATE:** February 13, 2013  
**SUBJECT:** Request for Permission to Accept On-site Registration Fees and Donations at the Rhodes Race 5k Run/Walk to Benefit the Leukemia and Lymphoma Society at Lakeside Park on Sunday, April 14, 2013

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SUMMARY

The Office of Parks and Recreation received a request from Ms. Claire Blaney requesting permission to collect on-site registration fees and donation for the Rhodes Race 5K Walk/Run at Lakeside Park on Sunday, April 14, 2013, to benefit the Leukemia and Lymphoma Society (LLS). The fees are donated to the LLS. The minimum registration/donation fee is \$20 per person (\$5 for kids).

FISCAL IMPACT

There will be no fiscal impact on the Office of Parks and Recreation.

BACKGROUND

This is Ms. Blaney's sixth year hosting the Rhodes Race 5k at Lakeside Park. Ms. Blaney has come before the Parks and Recreation Advisory Commission in the past for approval to collect on-site registration fees. The requests were granted and the events were successful and went as planned.

Attached is the 2012 Post Event Report. In 2012, 30 people registered on-site and with donations and registration fees, \$300 was collected on-site.

As in the past, Ms. Blaney will encourage participants to register and make donations in advance. They would like to accept donations/registration fees on the day of the event for those participants who have not already pre-registered.

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the request for permission to collect on-site donations/registration fees at the Rhodes Race 5k Walk/Run that will benefit the Leukemia and Lymphoma Society at Lakeside Park on Sunday, April 14, 2013.

Respectfully submitted,

Gail McMillon  
Central Reservation Supervisor

Attachments: Exhibit A – Request Letter  
Exhibit B – 2012 Post Event Report  
Exhibit C – Park Use Application

**CITY OF OAKLAND**  
Interoffice Memorandum



**Public Works Agency**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Vitaly B. Troyan, P.E., Director, Public Works Agency  
**DATE:** February 13, 2013

**SUBJECT:** Request to Deny Appeal by Krzysztof Izdebski and Blain Green and Require Preservation of Oak Tree Located on the Property Located at 1045 Hubert Road, Oakland, California

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**SUMMARY**

On December 21, 2012, the Tree Services Division denied a tree removal application (*Attachment A*) to remove a 21" diameter black oak tree growing in the front yard of 1045 Hubert Road. The Protected Trees Ordinance (PTO) requires preservation of trees when reasonable alternatives to removal are available. The permit was denied because (a) the current condition of the driveway did not affect its usefulness, (b) the concrete can be repaired and the tree preserved, and (c) tree removal to solve an insect problem is not an option because there are reasonable treatments to address the insect problem.

The tree permit decision was appealed by the tree owner, Krzysztof Izdebski, and Blaine Green (adjacent neighbor at 1049 Hubert Road) and referred to as "Appellants." The Appellants felt the tree was, (a) growing too close to a driveway, (b) tree removal was warranted in order to solve the tree's insect problem, (c) driveway repair plans should not have to be modified to accommodate the tree, (d) solving the insect problem would not solve damage to the driveway that will worsen over time and (e) a new replacement tree planted at least five feet from the driveway would avoid future damage to the driveway and provide a tree the whole neighborhood could enjoy. The PRAC is the hearing body for tree removal permit appeals per Chapter 12.36.110 of the Oakland Municipal Code.

**BACKGROUND**

The Quercus velutina (black oak) tree is growing in the front yard and adjacent to the neighbor's driveway. (*Attachment B*). The Appellants applied for a Tree Removal Permit because the "tree roots are uplifting and cracking neighbor's (at 1049 Hubert Road) driveway. Also, tree is infested with aphids and sooty mold, covering the leaves, and dropping on sidewalk, driveway and fence." The tree is healthy but has been adversely affected by aphids and the leaves are discolored due sooty mold. Sooty mold is a fungi that thrives on the sugary exudates from aphids but does not adversely affect the tree.

## DISCUSSION

Tree Services denied tree removal application ND12-163 on December 21, 2012. The denial was based upon Chapter 12.36.050(B)(1) "removal of a healthy tree of a protected species could be avoided by a reasonable redesign of the site plan, prior to construction or (b) trimming, thinning, tree surgery or other reasonable treatment. (*Attachment C*)

The Appellants' appeal form listed several reasons that they felt City staff made an error or the City staff decision is not supported by the evidence in the record. (*Attachment D*) The Appellants' statements are listed below followed by staffs' response.

1. Appellants: Removal is warranted for each of two independent reasons:
  - a. The tree is in immediate proximity to our driveway. The tree roots are lifting and cracking the driveway and curb.

*Staff response: Chapter 12.36.050(A)(1) allows tree removal for "proximity to existing structures". The protected oak tree is adjacent to the neighbor's driveway but there is sufficient room to preserve this tree. Depending on the tree's vigor and future root growth, this may have to be revisited in the future.*

- b. The tree is chronically infested with sooty mold, resulting in sticky black deposits on fences, cars and other property underneath.

*Staff response: Insect control is considered a maintenance activity, along with sweeping leaves and occasional pruning. The PTO does not allow tree removal as a way to eliminate tree maintenance. A private arborist or pest control advisor could provide a reasonable treatment for insect control and including the trimming of affected branches.*

2. Appellants: The City's grounds for denying the permit are improper.
  - a. First, the City says: "Removal could be avoided by reasonable redesign of the site plan, prior to construction." This ground for permit denial is inapplicable. Here, the requested tree-removal is not part of a larger construction project, and there is no site plan to be modified.

*Staff response: The "site plan" refers to the materials and construction method that will be used to repair the driveway with the intent of preserving the black oak tree. Demolition of existing concrete, grading, forming and pouring new driveway concrete are considered "construction" by Tree Services. Instead of duplicating the existing driveway, alternate treatments are available that allow tree root growth without damaging or minimizing future damage to the load bearing surface. For example, pavers laid on a sand base or the use of geotextile fabric base layers with various porous surfaces could be installed instead of concrete. Also, the curb next to the tree could be*

*eliminated or modified. It may be possible to install root control panels along the driveway border during repair. These are reasonable options to accommodate tree roots and result in the tree preservation.*

- b. Second, the City says: "Removal could be avoided by trimming, thinning, tree surgery or other reasonable treatment." This ground for permit denial is also inapplicable. Here, "trimming", "thinning" or other "treatment" of the tree will not stop the cracking/lifting of the driveway. The only "treatment" mentioned in the Decision is treatment for sooty mold. Even if treatment for sooty mold was 100% successful (which is doubtful), such treatment would not stop damage to the driveway, which will only worsen over time.

*Staff response: "Other treatment" means insect control (and, therefore, control of sooty mold) and since insect control methods are available, it is reasonable to deny the tree removal. Staff comments only referred to the tree health issue, not the driveway damage.*

3. Appellants: We like big, mature trees. This is not "removal for removal sake," or removal to make way for a new development or structure. In fact, we intend to replace the tree with a new, mature tree (10-feet or higher), that is set back from the sidewalk and driveway by a least 5 feet. The objective is to avoid damage to our driveway – and the need for repeated repairs – while also having a tree the whole neighborhood can enjoy. (We have received an estimate that the driveway repair will cost in excess of \$1,000 and future repairs would likely be needed so long as the tree roots continue to grow and expand.)

*Staff response: Providing a 10-foot tall replacement tree is not justification for removal of a large, 21" diameter oak tree using the tree removal criteria in Chapter 12.36.050(A). Replacement trees can be required by the PTO, but only as a Condition of Approval. Mature oak trees in urban areas are highly valued resources and efforts should be made to retain them.*

The PTO requires staff to consider public opinion when making a tree permit decision. Mr. Stephen Morse lives at 1044 Hubert Road, across the street from the tree. In a letter dated December 7, 2012 (*Attachment E*) Mr. Morse objected to the proposed tree removal, stating (a) there is insufficient justification for removing one of the few large trees on the block, (b) the uplifting is not evident and does not represent a danger or inconvenience, (c) the tree is attractive and healthy and (d) removing the tree would detract from the attractiveness of the block and impair property values. Staff considered Mr. Morse's comments when making the tree permit decision. Mr. Morse had standing for an appeal.

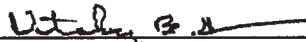
Chapter 12.36.110(C) of the PTO states, "In considering the appeal, the Park and Recreation Advisory Commission shall determine whether the proposed tree removal conforms to the applicable criteria. It may sustain the decision of the Office of Park and Recreation or require such changes or impose such reasonable conditions of approval as are, in its judgment, necessary to ensure conformity to said criteria."

## RECOMMENDATION

The Public Works Agency recommends that the Park and Recreation Advisory Commission:

- Deny the appeal by Krzysztof Izdebski of 1045 Hubert Road, tree owner and Blaine Green of 1049 Hubert Road, adjacent neighbor.
- Require preservation of the oak tree. Instruct staff to amend and re-issue tree removal application ND12-163 for 1045 Hubert Road, adding a Condition of Decision that requires the Appellants to work with a Certified Arborist or a Registered Consulting Arborist to repair the hardscape in order to insure that damage to the oak tree is minimized.

Respectfully submitted,

  
VITALY B. TROYAN, P.E.  
Director, Public Works Agency

For questions please contact Robert Zahn, Senior Forester, at 510-615-5852

### Attachments

- A--Tree Removal Permit Application, #ND12-163
- B--Tree Permit Decision and Photo Page, 12-21-2012
- C--Chapter 12.36.050, Protected Trees Ordinance
- D--Letter from Mr. Morse, dated 12-7-12
- E--Tree Appeal Claim Form, 1-18-2013





## OFFICE OF PARKS AND RECREATION

**TO:** Barry Miller, Chair, Parks and Recreation Commission  
**FROM:** Karis Griffin, Recreation Supervisor  
**DATE:** February 13, 2013

**SUBJECT: Combined Community Groups Requests Parks and Recreation Advisory Commission Endorse the Lease Application for Shared Use of St. Andrews Plaza Park Located at San Pablo Ave. and 32nd Street. The Space would be Used to Create Public Art Projects. This Community Driven Project was put Forth to Address the Illegal Activities that Plague this Small Space of 3700FT and the Continued Nuisance and Dysfunction that it Brings to the Surrounding Community Since the Late 1960's.**

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### SUMMARY

Staff recommends Park and Recreation Advisory Commission endorse an application for a lease for shared use for the St. Andrews Plaza located on San Pablo Ave and 32<sup>nd</sup> Streets. Attitudinal Healing Connection 'AHC' a community based organization, in partnership with San Pablo Corridor Coalition and East Bay Community Recovery Project would like to create a public art project to reinforce the collaborative spirit and change the energy, uses and activity of St. Andrews Plaza. The project will integrate current public art projects in the community creating a cohesive look and will reinforce the collaborative spirit while building and enhancing the San Pablo corridor.

### FISCAL IMPACT

OPR does not anticipate any extra maintenance costs for the St. Andrews Plaza Community Art Project. The Attitudinal Healing Connection, Inc 'AHC', has agreed to sponsor the St. Andrews Plaza Community Art Project along with the support of the San Pablo Corridor Coalition. The San Pablo Corridor Coalition will continue cleaning litter and providing tools required for the maintenance of St. Andrews Community Art Project.

### BACKGROUND

The community outreach effort was conducted by San Pablo Corridor Coalition in combination with Attitudinal Healing Connection, East Bay Asian Local Development Corporation, West Oakland Green Initiative, and Keep Oakland Beautiful where 5000 flyers were distributed throughout West Oakland. Over 150 community members showed up to learn about funded projects that would impact the San Pablo Corridor and gave feedback on all of the plans submitted of which the St. Andrews Plaza plan was included. The illegal activities that plague this small space have long been a nuisance and brought dysfunction to the surrounding community since the late 1960's. The St. Andrews Plaza Community Art Project is driven by

### KEY ISSUES

A key issue in regards to St. Andrews Plaza would be the safety and upkeep of it. The San Pablo Corridor Coalition (SPC2) plans to maintain the St. Andrews Plaza Community Art Project through routine inspection and care of artwork, such as cleaning, technical and structural maintenance and applying protective coatings as necessary. SPC2 will organize and schedule local community members with skill and expertise to assess, make recommendations and fix the plaza as needed.

St. Andrews Plaza is approximately 3500 to 4000 square. Surrounded by residents, seniors, businesses and community based organizations. St. Andrews Plaza will serve several purposes and would enhance the immediate community.

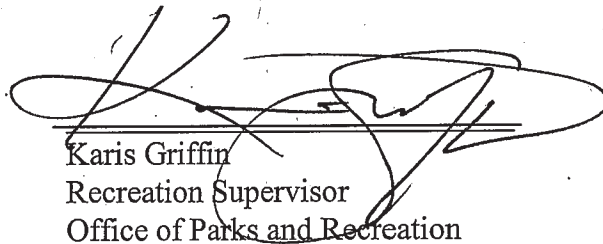
SPC2 has also agreed to continually work with the City in the upkeep of St. Andrews Plaza at all times. SPC2 will work with the community to oversee the upkeep of St. Andrews Park.

This collaboration, will allow us to bring resources and funding to revitalize and beautify one of our parks, as well as create a community friendly environment. OPR will be able to bring people together in this space that may not have otherwise done so.

This information has not been announced or publicized regarding this request for partnership with OPR for the use of St. Andrews Plaza.

### RECOMMENDATION

Staff recommends the Park and Recreation Advisory Commission endorse the application for a Lease for Shared Use for a Community Art Project at St. Andrews Plaza.



Karis Griffin  
Recreation Supervisor  
Office of Parks and Recreation

#### Attachments:

1. Power Point for St. Andrews Plaza Community Art Project

**CITY OF OAKLAND**  
Interoffice Memorandum



**Office of Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Gail McMillon, Central Reservation Supervisor  
**DATE:** February 13, 2013  
**SUBJECT:** **Request from the National Multiple Sclerosis Society Seeking Permission to Collect On-site Registration Fees, Pledges and Donations at the Walk MS East Bay Event at Lakeside Park on Saturday, April 20, 2013**

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SUMMARY

The Office of Parks and Recreation received a request from the National Multiple Sclerosis Society, a non-profit organization, requesting permission to collect on-site registration fees, pledges and donations at the Walk MS East Bay Event at Lakeside Park on Saturday, April 20, 2013. The donations and funds raised will go towards local programs, services, and research for those affected by Multiple Sclerosis (MS).

FISCAL IMPACT

There will be no fiscal impact on the Office of Parks and Recreation.

BACKGROUND

This is the National Multiple Sclerosis Society's second year hosting the Fundraising Walk at Lakeside Park. There is no cost to register for the walk. On the day of the event, friends, families, co-workers and other participants will show their support of those living with MS by turning in pledges raised and participating in the walk.

The National Multiple Sclerosis Society (NMSS) came before the Commission in 2012 for permission to collect pledges and donations only. The 2012 Post Event Report is attached. The NMSS collected approximately \$9,700 through on-site donations. This year they are requesting to collect registration fees, pledges and donations on-site.

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the National Multiple Sclerosis Society's request to collect on-site registration fees, pledges and donations at the Walk MS East Bay Event at Lakeside Park on Saturday, April 20, 2013.

Respectfully submitted,

Gail McMillon  
Central Reservation Supervisor

Attachments: Exhibit A – Request Letter  
Exhibit B – 2012 Post Event Report  
Exhibit C – Park Use Application  
Exhibit D – NMSS 2011 Annual Progress Report

CITY OF OAKLAND  
Interoffice Memorandum



**Office of Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Gail McMillon, Central Reservation Supervisor  
**DATE:** February 13, 2013  
**SUBJECT:** Request from Adopt a Special Kid Seeking Permission to Host a Fundraising 5K Run/Walk by Accepting On-site Registration Fees and Donation at Lakeside Park on Saturday, July 7, 2013

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SUMMARY

The Office of Parks and Recreation received a request from Adopt a Special Kid (AASK), a non-profit organization, seeking to host a fundraising walk by collecting on-site registration fees and donation at the First Annual 5K Fun Run/Walk for AASK at Lakeside Park on Saturday, July 7, 2013. Funds raised will help support the AASK program which serves children who are placed from foster care into adoptive homes.

FISCAL IMPACT

There will be no fiscal impact on the Office of Parks and Recreation.

BACKGROUND

AASK was founded by nationally celebrated parents Dorothy and Robert DeBolt who adopted 14 children with special needs. Dorothy and Robert DeBolt was the subject of an Academy award-winning documentary "Who are the DeBolt's and Where Did They Get 19 Kids?" The organization serves children and families all over the State of California with primary focus on its home county of Alameda. AASK's foster care and adoption services are available free of charge. Since they were founded 40 years ago, AASK has placed over 3,400 children in homes.

This is the AASK's First Annual Fun Run/Walk Event to be held at Lakeside Park. The event is a non-competitive family focused event. The majority of the participants will pre-pay through on-line registration, but some participants may arrive the day of the event and either pay the \$25.00 registration fee or make a donation.

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the request from Adopt a Special Kid for permission to collect on-site registration and donation fees at the First Annual Family Fun Run/Walk for AASK at Lakeside Park on Saturday, July 7, 2013.

Respectfully submitted,

Gail McMillon  
Central Reservation Supervisor

Attachments: Exhibit A – Request Letter  
Exhibit B – Non-Profit Status Letter  
Exhibit C – Park Use Application