

# Passive Desertion: An Analysis and Evaluation of Splash Pad Park's Latent Potential

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**Lake** Merritt is a tidal slough, situated in the heart of Oakland making it part of the San Francisco Bay Area, colloquially known as "The crown jewel of Oakland" due to the site's status as rich with property value, commerce, and cultural diversity cultivated over the last century.

The area currently known as Splash Pad Park was once situated adjacent to the farthest reaches of Lake Merritt, but as the marshes filled over time, it was separated from the slough and became the northernmost boundary of Lakeside Park. In the 1960s, a concrete pond was installed with a water feature, palm trees, lily pads, and other landscaping, giving the park its name. Over the years, the fountain stopped functioning and the park was neglected by the city leaving an unused space that was practically abandoned for decades. In the 1990s, councilmembers proposed the space be turned into a commercial leasing zone which was met with pushback from the community resulting in demand for a revitalization of the park. In the summer of 2000 planning began for a complete renovation of Splash Pad Park led by Architect and Oakland local Walter Hood who worked closely with his design team and the Oakland Public Works Department to create his vision.

Three years later on October, 20th 2003, the Splash Pad Park Grand Ceremony was held which consisted of a large gathering of families, community members, vendors, and municipal employees. When asked to comment on his Splash Pad Proj-

ect, Walter Hood stated: "It has transformed the space into a park that people can actually occupy with flexible spaces that support a variety of uses." Unfortunately, the flexible spaces that support a variety of uses that Hood imagined in his initial design have little to no presence in the space that I have visited over the last six months.

In this essay, I will summarize my experience observing Splash Pad Park multiple times over the last semester and detail the key examples of Urban Policy that maintain order, reinforce the transitional nature of the space, and foster an uninviting environment that fails to attract the community. I will use the photos I've taken of the space over the past few months to illustrate the story of Splash Pad Park as well as suggest improvements that could capitalize on the opportunity of the area.

## **Importance of public parks in fostering community engagement**

Pedestrianism, coined by geographer Nicholas Blomley refers to the legal practice that prioritizes uninterrupted flow, primarily focusing on urban mobility and transportation, particularly in relation to sidewalks. Pedestrianism perceives the sidewalk solely as a conveyor for individuals to travel from one point to another. Within the context of urban law, it objectifies and eliminates space to maintain order. Within the context of engineering, pedestrianism analytically and objectively considers the sidewalk as a finite resource threatened by objects that obstruct the flow of people. The engineer's perspective disregards the intended beneficiaries of the sidewalk, focusing solely on its function.

In contrast, Civic Humanism, termed by historian Hans Baron, op-

poses Pedestrianism by emphasizing placemaking and the spaces between places. Urban planners adopting a civic humanism perspective consider factors such as who utilizes the space, their purpose, and their feelings towards it. This approach recognizes the value of walking as a mode of transportation and promotes the design of public spaces to enhance the well-being, social interaction, and democratic participation of citizens. Civic humanism prioritizes pedestrians over automobiles, aiming to create walkable and livable urban environments that foster community and civic pride. In summation, while Pedestrianism focuses on unobstructed flow and the management of efficient transportation, Civic humanism prioritizes placemaking and urban environments that enhance well-being and community.

Civic Humanism is what is needed to make a successful public urban space that encourages community engagement and use, and this is what Urban Planner and Theorist Jane Jacobs argues for in her definition of 'The Sidewalk Ballet'. Jane Jacobs states that: "The sidewalk ballet through which people occupy and use the sidewalk in intricate, yet patterned forms of community-based surveillance and encounter, is characterized as a complex order. Its essence is the intricacy of sidewalk use, bringing with it a constant succession of eyes," (Blomley, P.19).

In this quote, Jacobs is arguing that for public space, specifically sidewalks, to serve its intended purpose, it needs to support and encourage complexity. She claims

that the sidewalk should be a space where people can come together, interact, and engage in a sort of community-based surveillance, where people keep an eye on their surroundings and each other. She implies that a well-designed public space should facilitate social interaction and community engagement, while also encouraging a sense of shared responsibility and awareness of one's surroundings. The idea is that the more people interact and engage with each other in public spaces, the more likely they are to build and sustain social networks, which can lead to stronger and more vibrant communities.

This implied importance of public spaces encouraging social interaction and community engagement is closely related to the concept of public parks. A park is a Private Owned Public Space that allows members of the community to come together for a purpose of their own choosing, within reason. It is a space where people from all walks of life can come together and engage in conversation, learn from one another, and break down social barriers. Looking more into the history of Splash Pad Park can illustrate the ways in which Civic Humanism could have met the desires of the community and created an ideal public space for the Grand Lake neighborhood.

### History of Splash Pad Park

After Splash Pad Park fell into disrepair in the mid-century, Council member John Russo proposed that the space be leased for commercial purposes as it had become an unused pedestrian barrier. This proposal was met with opposition, garnering more than 7,000 signatures from concerned community members who had created The Splash Pad Neighborhood Forum (SPNF), initiated by community member Ken Katz. The SPNF presented findings that there was a strong desire from the community to preserve the space as a park but also to make necessary improvements to pedestrian access.

In November of 1999, Russo announced that he was willing to consider other options for park improvements and successfully lobbied his fellow council members for initial park funding. A Design Team consisting of Donald Wardlaw, Edith Robertson, Chiye Azuma, Liz Pulver, Leo Lozano, Daniel Galvez, and Jeanette Sayre was established as an SPNF subcommittee. Jerry Cauthen, the chair of the SPNF Traffic and Pedestrian Committee, was drafting recommendations alongside committee members Bruce de Benedictis, David Bolanos, Ken Pratt, Chris Pederson, Lou Grantham, Bob Moorhead, Jack McCoy, and Jon Barrileaux.

In July of 2000, SPNF presented its Final Report to the City, which paved the way for the hiring of Landscape Architect Walter Hood.

The Hood design team also included Sarah Raube, who oversaw the day-to-day construction, and

Rich Seyfarth, who played a significant role in the drafting and implementation of the park design. As the project required the removal of Lake Park Way and other pedestrian and traffic improvements, the Public Works Department was designated as the lead agency. Jadia Wu supervised the design process, while Randy Mach supervised on-site construction. Oakland native Greg Gruendl, who owns Ray's Electric, served as the primary contractor for the park project. Luke Middleton was the construction foreman. District 2 Council Member Danny Wan played a significant role in ensuring the success of the park project as his advocacy for Measure DD demonstrated his strong commitment to park improvements, and he provided ongoing support and encouragement throughout the process. Pat Kernighan, Wan's Chief of Staff, also played a crucial role in the project's success, working skillfully with city staff, architects, and the community. Despite working quietly, Kernighan's contributions were pivotal.

Three Years after initial planning began, the day finally came on October 20th, 2003 when the grand opening ceremony was held. The entire community, particularly the vendors and patrons of the weekly Farmers' Market who had been relocated to the parking lot under the freeway for a year during construction, gathered for a day in the sun for all. As the fountain was switched on, a horde of children rushed towards it, while speaker after speaker expressed awe at the weather and the turnout. They outdid each other with superlatives, praising the new park and the process that led to its creation.



**Figure 1:** "Name of Lights" dedication plaque.

Although some funding for the park came from city sources, the bulk of it was raised through donations for the "Names in Lights" panels, an idea conceived by Walter Hood.

Over 300 businesses, individuals, and families donated to have their names, logos, and messages placed into the ground of the park as a form of gratitude.

## Location of Splash Pad Park

Located at 746 Grand Ave in Oakland, California, Splash Pad Park is nestled between the intersection of Grand Avenue and Lakeshore Avenue and the I-580 overpass. The park has an area of roughly 5,200 square meters and is designed in a sort of right-angle triangle shape due to the sharp intersection between Grand Avenue and the I-580 freeway, with the northernmost edge of the park following the curved shape of Lake Park Avenue.



Figure 2: Google Satellite image of Splash Pad Park



Figure 3: Image of Walter Hood's proposed design for Splash Pad Park



## Tour of the Park

After the re-design in 2003 by architect Walter Hood, this patch of land got a complete facelift and is pretty aesthetically pleasing. The ground area is a mixture of green space, concrete, asphalt, gravel, wood, and metal. The organic environment of the park consists of palm trees, oak trees, common bushes and foliage, and planters of colorful flowers.



**Figure 4:** Image of Splash Pad Park by Chris Abeel

The amenities include Trees, Flowers, A grass hill, A water fountain, public seating, and decorative metal floor panels in the center of the park including names of donors.

The park's main feature is the central water feature, a fountain that constantly sprays thin streams of water from a concrete wall, which also serves as public seating.

There are permanently fixed chairs and benches sparsely placed across the park, both on the interior under trees and the exterior facing the street.



**Figures 5 & 6:** Images of the water fountain and fixed benches at Splash Pad Park by Chris Abeel



This section of the park is where the weekly Farmer's Market is held, as you can see by the large roadways of asphalt through the greenspace for trucks to drive through and set up their stalls. This space has little to offer, no coverage from the sun, and no public seating. This area is the largest fault of Splash Pad Park. This area has no bike lanes, no trash cans, and dogs are not allowed.



**Figure 7:** Roadway where weekly Farmers Market is held at Splash Pad Park by Chris Abeel.

### My Observations

Before beginning my observations, I hoped to gain a greater understanding of changing demographics, the establishment of urban law in public spaces in Oakland, and how individual actions relate to settler colonialism. I planned to make note of ethnographic variables such as ethnicity, age, race, gender, sexuality, affluence, and career during my observation.

Of the four times I visited Splash Pad Park for observation, one of the times was on a Saturday during the Grand Lake Farmer's Market. This is a time when the park is typically its busiest. Farmer's markets are intended to create a space full of potential where people of all backgrounds can come together and engage in the vibrant social interactions that Jacobs believed were essential for creating strong and healthy communities. The population I observed at Lake Merritt farmer's market was not incredibly diverse, with a majority of Caucasian or white-passing individuals, but with at least 20-30% of Asian or Hispanic individuals. The common age range of visitors was from 20 to early



**Figure 8:** OUSD protest fliers posted around the park. By Chris Abeel.

50s, with many young couples with small children and larger families with parents in their mid-30s to early 40s with children ranging in age.

There were few elderly individuals observed, possibly due to difficulties with navigating the crowded market or uneven sidewalk. Younger individuals mostly appeared to be there socializing with friends or significant others, while older individuals were more utilitarian in their visit, purchasing groceries and keeping to themselves. I concluded that the market had a mixture of working-class middle-income individuals and upper-middle-class high earners, with the latter group typically dressed fashionably.

### Who are the social actors missing from the market?

The market's advertised inclusivity and diversity do not make it a welcoming space for everyone. There are social actors missing from the Grand Lake Farmers Market, most notably the original Black population of Oakland, and the unhoused population. Both times that I observed the market, I noted that the population

at the market was relatively diverse, with a majority of Caucasian or white-passing individuals and a significant minority representation of Asian and Hispanic populations. However, despite the location of the market in “the heart of Oakland”, there was a massive lack of representation of the black population in the area.

The Grand Lake neighborhood was once home to a thriving Black community, but decades of systemic racism and gentrification have displaced many Black residents. Truly taking hold in the 1950s, the expansion of the freeway and the rapid investment and urban revitalization of Downtown Oakland and the area surrounding the lake resulted in the Grand Lake neighborhood becoming majority affluent and white. This displacement of the original communities of Oakland is still very present today because despite the market toting cultural diversity and representation it attracted almost no local black visitors. In my hour there I legitimately only took note of two black attendees, and I did not even know if they were Oakland natives or not.

The unhoused population was missing from the market area, with those individuals residing in tents under the nearby freeway overpass. splash pad park and the adjacent I-580 overpass are frequently home to tents and small encampments any other day of the week but on the day of the market, they are nowhere to be seen, forced from the ‘public’ space to make room for the market.

On the average weekday, an unhoused individual experiences ‘Negative Freedom’ at splash pad park; this negative freedom is defined by Waldron as, “(...) negative freedom is freedom from obstructions such as someone else’s forceful effort to prevent one from doing something. In exactly this negative sense (absence of forcible interference), the homeless person is unfree to be in any place governed by a private property rule (unless the owner for some reason elects to give him his permission to be there).”

It is on the weekends when this farmer’s market is held on Grand Avenue that the negative freedom the unhoused population possesses is ripped from them, being asked, forced, or otherwise suggested to vacate the space which they temporally occupy.

Waldron goes on in his paper to explain the dependence on common property of the unhoused, “There are places where the homeless may be and, by virtue of that, there are actions they may perform; they are free to perform actions on the streets, in the parks, and under the bridges. Their freedom depends on common property in a way that ours does not. Once again, the homeless have freedom in our society only to the extent that our society is communist.” (P.7)

This quote suggests that the homeless population is in a unique position in society because they

rely on common property to exercise their freedom. Waldron notes that the homeless have the freedom to perform actions in public spaces such as streets, parks, and bridges, and this freedom is dependent on the availability of these spaces for public use. In contrast, individuals who are not homeless do not rely on these common spaces to exercise their freedom. This is important in relation to the area of Splash Pad Park because this is a space for public use that some unhoused people depend on for shelter and stability and it is made unavailable every weekend by circumstance.

### **What are the Bad Flows at Splash Pad Park?**

Apart from Soliciting and Trespassing OMC signs, the park also posted multiple signs that prohibited dogs and pets from entering the park. The City of Oakland making splash pad park not welcome to dogs greatly decreases the number of individuals who can spend time there.

This ordinance making dogs illegal in splash pad park has the potential to make unhoused individuals illegal here as well, as many homeless individuals have dogs as pets. Oakland has determined that dogs in this area are a bad flow and that those who loiter and solicit in the parking lot are another bad flow so they are both prohibited.

The sidewalk on the perimeter of Splash pad park displays the flow of pedestrianism, and the walkway through the middle of the park is clearly reserved for movement, vehicles, and not much else. The peripheral sidewalks are the same story, conveying pedestrians from one place to another there are very few public seats and little shade to encourage stopping. The middle of the park has the majority of seats next to the water feature, but this periphery near the parking structure emphasizes the feeling of movement and individuals flowing out of the space.

Through my experiences, I’ve come to the conclusion that on days when the market is not running, all good flows stop completely, and it becomes nothing more than a transitional space. This is an incredibly Pedestrianism-focused perspective of what this park could be.

### **What is the Municipal Action to maintain order?**

When it comes to maintaining order in this area the municipality is doing that through the Oakland Municipal Code, dictating what is an infraction and a nuisance, and enforcing this through the threat of the full extent of the law. It uses the municipal code to explicitly define the behaviors and activities that are welcome in that environment, and what is disallowed, and by extension it excludes individuals based on their behaviors and actions. The OMC maintains order in splash pad park by defining certain actions and social

actors; such as solicitors, the homeless, and dog owners as disorderly.

### Concluding Thoughts on Observations

Everything I've observed at splash pad park displays to me an intentional underinvestment in certain elements that could increase social interaction and usage of the park and it is being criminally underutilized, despite the community's earlier vision. Oakland Municipal Code is used to determine who can exist at splash pad park and what they can do there, including codes that prevent solicitation, trespassing, loitering, and dogs. The present infrastructure of the park includes; the lack of shade, a sparse amount of seating, a large area of concrete with no seating or coverage, and no regularly operating businesses outside of the farmer's market.

All of these factors result in locals and tourists rarely visiting this location outside of the walk to and from their parked cars, this area is purely transitional and no more than a sidewalk with some trees and a fountain when the market is not running.

On the opposite side of the I-580 overpass, there is a much larger and more populous greenspace attached to Moon Rock park and Lake Merritt. Here you'll see dog owners and dogs playing in the sun, outdoor gymnasts working out on the public pull-up bars, drum circles, vendors, and informal settlements of tents along the perimeter of the lake. All of this interaction is non-existent at splash pad park, and I believe this is completely intentional.

This park is hardly a park at all and has been intentionally districted as commercial land that only serves a purpose once a week. The current design of the park aims to make it unwelcoming to the public outside of the weekly farmer's market. Despite its walkable location, ample parking, and transit access, Splash Pad Park appears to be significantly underutilized. I think there are a lot of changes that could be made to this area for the better to make it more friendly to the community and even beneficial to the formal and informal economy of Oakland.

### Recommendations

It is clear to me that the local government and community had great intentions and a lot of hope for the future of this area, with a large amount of funding being collected through donations and fundraising, that shows the community saw a lot of potential in the area, enough to put their own finances on the line for the future of the neighborhood.

Walter Hood's quote where he said "it has transformed the space into a park that people can actually occupy with flexible spaces that support a variety of uses." stood out to me during my research as this

quote to me holds a lot of irony now.

The park I've observed over the last 6 months has been nothing close to flexible. In fact, the use of nuisance code and the lack of infrastructure have reinforced the rigidity of the space and reduced it to nothing but a placeholder lot for the local farmer's market.

### Recommendation 1: Remove the Anti-Dog Ordinance

A fix that could be done in a matter of months through the Oakland City Council could be the re-evaluation and eventual removal of the Oakland Municipal Code at Splash Pad Park that does not allow dogs.

This code presents a lot of growth and community engagement in the park, as well as possibly prohibits unhoused individuals from using the space if a complaint is made against them and they own a dog,

If the reasoning for this code is Sanitary for keeping the space clean the city could install Dog Bags and Dog trash cans as well as signs that encourage owners to clean up after their pets. This to me is a simple fix that could bring a lot of good to the park.



Figure 9: No Pets sign at Splash Pad Park

### Recommendation 2: Bulletin Board

During my time observing Splash Pad Park, I noticed fliers for community events, businesses, and in support of the Oakland Unified School District Teacher's strike posted on poles, electrical boxes, and shoved in the bus map display, as shown by the photo below.

An addition of a Community Bulletin Board in Splash Pad Park would be a simple, easy, and cost-ef-



fective step in the right direction. situated in this regularly unused portion of space in the center of the park. A mock-up to the right that I made crudely in a few minutes is an example of what it could look like in the park.



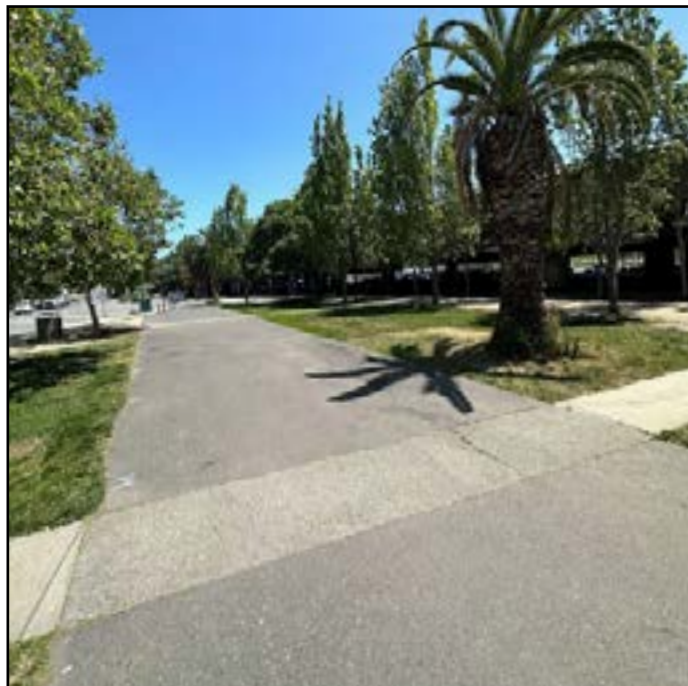
**Figure 10:** Fliers for book fairs and youth leader groups are shoved between a bus stop map and the glass so that community members can advertise businesses and events in the area.



**Figure 11:** Authors mock-up of community board

**Recommendation 3: Remove portion of Asphalt from Roadway and Replace with Sod.**

Replacing this portion of the road with grass would allow for more recreational space for dogs, athletes, and families alike. It would also give a purpose to the seating which is randomly placed in this area, and bring more organic material to the space.



**Figure 12:** Before



**Figure 13:** After, Authors mock-up of recommendation 3



**Recommendation 4: Add Bike Lane Sharrows to the Park's asphalt**

Figure 14 shows the Sharrow on Grand Avenue indicating to drivers that they have to share the road with Cyclists. Grand Avenue is a very busy multi-lane street that connects to the I-580 Freeway, and I can say from experience that biking along it is not a pleasant experience. In the photo above the gap between the red-painted curb is the driveway that vendors use to enter and setup for the farmer's market. That driveway connects to this paved road in Figure 15. By adding Sharrows to this road and adjusting the Oakland City Bike Route Map, this pathway could be an outlet for cyclists heading towards Lakeshore riding on Grand Avenue to cut through Splash Pad Park and enter onto Lake Park Avenue, a much slower and less populated road. This could prevent traffic collisions between cyclists and vehicles and also increase the use of the park on weekdays.



**Figure 14: Sharrow on Grand Avenue**



**Figure 15: Driveway that connects to the paved road**

**Recommendation 5: Encourage more Live Events to be held at the park**

The space pictured in Figure 16 in the southeastern corner of the park is the perfect venue for a live event, be it music, performance art, spoken word, etc. It has ample exits and walkways to the sidewalk and arterial streets, a large amount of standing room, and a good amount of seating space on the grass hill directly facing this corner.

If the City of Oakland allows for this space to be rented out to performers and other organizations this space could become a popular social gathering spot on weekday evenings. Vendors from the farmers market could come here more frequently to sell food and drinks to people attending the event, with would benefit the informal economy here as well.



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## Conclusion

My experience observing Splash Pad Park over the last six months has been nothing short of eye-opening. I have lived in the Bay Area for more than a decade, and I have visited this area many times as a kid growing up in Oakland, but I had never dedicated this much time to focusing on a single location to understand how it works. Spending the time I did analyze every single detail of a location that would normally slip my mind without a second thought was incredibly fascinating and genuinely really interesting. By the end of this assignment, I actually wanted to keep observing the space and the recommendations I have created above are ones that I genuinely think could be implemented by the city with little effort and could make a big change.

