

Case File Number CM04-264

June 16, 2004

Location:	Concordia Park; 3000 62nd Ave.
Assessors Parcel Number:	(APN 038 –3188-001-07)
Proposal:	Proposal to renovate an existing community building and construct two portable buildings (1,980 S.F.), deck, walkway, and an arbor within Concordia Park for use by Girls Incorporated of Alameda County.
Applicant:	Girls Inc. c/o Anne Phillips Architecture
Owners:	City of Oakland
Planning Permits Required:	Major Conditional Use Permit for Community Assembly.
General Plan:	Urban Park and Open Space
Zoning:	Open Space (Neighborhood Park)
Environmental Determination:	Infill Exemption; CEQA Guidelines Section 15332
Historic Status:	Non-historic Property
Service Delivery District:	V – Central East Oakland
City Council district	6
Date Filed:	May 27, 2004
Staff Recommendation	Decision based on staff report
Finality of Decision:	Appealable to City Council within 10 days
For further information:	Contact case planner Heather Klein at 510 238-3659 or by e-mail at hklein@oaklandnet.com .

SUMMARY

Girls Incorporated of Alameda County (Girls Inc.) has submitted an application to develop a new Girls Inc. recreation center in Concordia Park along 62nd Avenue. The project will provide a clear presence for Girls Inc. within Central East Oakland while reactivating an underutilized and virtually abandoned neighborhood park. The proposal includes the renovation of an existing community building and the construction of two portable buildings (960 S.F. each), a deck, a walkway, an arbor, and landscaping. The project will provide after school programs and services for neighborhood middle school girls that include strengthening academic and life skills and promoting healthy physical and emotional development. The two 1-story portable buildings will house a technology center and group meeting space, while the existing community building will be used for girls' leadership programs and homework assistance. Frick Middle School, where many girls who are expected to participate attend school, is located directly across Brann Street from the park. A license agreement between Girls Inc. and the City of Oakland is being finalized.

The Land Use and Transportation Element (LUTE) of the General Plan designates the project site as Urban Parks and Open Space. The LUTE is silent in regards to Community Assembly activities in this designation. Pursuant to the *Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations*, if the General Plan is silent and the project is conditionally permitted by zoning then there is no "express conflict" and the project is permitted with approval of the Conditional Use Permit. The Open Space, Conservation, and Recreation (OSCAR) Element dictates the objectives regarding the management of open space, natural resources and park land. The project is consistent with OSCAR policies. The Open Space-

Neighborhood Parks Zoning permits Community Assembly activities with approval of a Major Conditional Use Permit.

PROPERTY DESCRIPTION

Concordia Park encompasses approximately 3.4 acres and is located between 62nd Ave. and 64th Ave. and between Camden Street and Brann Street. The site supports an existing community building, children’s play equipment, a baseball field, tennis courts, BBQ-pits, scattered benches, and an informal grassy field area. One story single-family houses and St. Cyril’s Church and Academy are located across Camden Street and Frick Middle School is located across Brann Street. The Spectrum Center for Learning is located directly to the west, within the same block, and a 2-story multi building apartment complex is located across 62nd Ave. Across 64th Ave. is the Evergreen Cemetery. The nearest community park, Arroyo Viejo Recreation Center, is located ¾ of a mile away near the intersection of 78th Avenue and Arthur St behind the Webster Academy school and this is the only neighborhood park in the immediate area.

Existing Conditions

The park has not been staffed for approximately 10 years and is underutilized. The only group that uses the park on a regular basis is the Babe Ruth Baseball League. The existing community building is currently locked up and typically vacant for extended periods.

PROJECT DESCRIPTION

Girls Inc. is a national non-profit organization that provides project based learning skills for girls, especially targeting those that are vulnerable and disadvantaged. The proposed project will expand Girls Inc. services and programs to Central East Oakland. It is expected that up to 45 girls from around the neighborhood will participate in the summer program 3 days a week in three groups of 15 girls each. The program will focus on Girls Inc.’s On-Track program service delivery model which includes three main areas: Multiple Opportunities through Project-based Technology, Health, Sports, and Fitness, and Academic Achievement.¹ Additionally, two days a week the facility will be open for “drop-in” participants with short activities to encourage a total of approximately 125 girls participating annually. The project will employ 2 full-time and 1 part-time staff. The program hours during the school year are from school dismissal to approximately 6 p.m., Monday through Friday. Evening and Saturday events will be held occasionally. The summer program will be held from mid-June through August, Monday through Friday from 10 a.m. to 6 p.m. beginning in the summer of 2005.

n

The existing community building will be used for girls' leadership programs and homework assistance. Renovation of the existing community building will include new flooring, lighting and kitchenette. The inside and outside will be repainted and the south entry will have a new landing and stairs with a roof above as shown on the plans². Construction associated with this

¹ See Attachment A, Girls Incorporated of Alameda County Concordia Park Program Background and Description

² See Attachment B, Site plan and building elevations for the project.

program includes two portable buildings, a deck, a walkway, an arbor, and new landscaping. Plans show the new construction situated to the east of the community building and nestled within the existing trees and surrounding the asphalt yard. An ADA-accessible wood walkway and deck will connect the two portables to the existing structure. The railings will be of galvanized metal. The portables (960 S.F. each) will house the technology center and group meeting space and will be 1-story pre-fabricated buildings. The exterior of the portables is shown as T-111 siding, painted red with cream trim, aluminum windows, and steel clad doors. A stained wood arbor with a clear resolite roof connects the two portable buildings. Plans show a screened fence closing off the back of the arbor. Stairs lead from the new deck to the existing asphalt yard. and landscaping is proposed around portable buildings.

GENERAL PLAN ANALYSIS

Land Use and Transportation Element

The General Plan Land Use and Transportation Element (LUTE) designates the project site as Urban Park and Open Space (OS). According to the Guidelines for *Determining Project Conformity with the General Plan and Zoning Regulations* (as amended July 2003), the General Plan is silent in regards to Community Assembly activities in this designation. Pursuant to the guidelines, if the General Plan is silent and the project is conditionally permitted by zoning then there is no “express conflict” and the project is permitted with approval of the Conditional Use Permit.

The General Plan states the *intent* of the OS designation is to “identify, enhance, and maintain land for parks and open space.”

The General Plan states that the *desired character* “should include urban parks, schoolyards, cemeteries, and other active outdoor recreation spaces.”

Project consistency with the General Plan is governed by objectives and policies in the *Open Space, Conservation, and Recreation* (OSCAR) Element and is discussed in more detail below.

Open Space, Conservation and Recreation Element

The OSCAR Element of the General Plan is the primary document that addresses the management of open land, natural resources, and parks in Oakland. The Planning Area Strategies Chapter contains language regarding Central East Oakland, specifically Concordia Park (page 5-25). These recommendations call for better signage, clear indication that the function of the site is a neighborhood park, community involvement in park planning and clean up, and increased activity within the park.

The proposed construction and activities are consistent with the following policies of the Open Space, Conservation and Recreation (OSCAR) Element of the General Plan:

- *Policy OS-2.1: Protection of Park Open Space: Manage Oakland’s urban parks to protect and enhance their open space character while accommodating a wide range of*

outdoor recreational activities. The new facilities will activate an underused park and provide space for Girls Inc. programs, which will provide an essential service to the community and middle school girls and their families in particular. The Girls Inc. program will provide a wide range of opportunities including academic assistance, athletic participation, as well as services that promote physical, mental, and emotional well-being.

- Policy REC-1.2: No Net Loss of Open Space: *Unless overriding considerations exist, allow no net loss of open space within Oakland's urban park system. In other words, the area covered by park buildings or other recreational facilities in the future should be offset in the long-run by acquisition or improvement of an equivalent or larger area of open space. Replacement open space should be of comparable value to the space lost and should generally serve an area identified as having un-met needs.* The no net loss policy is implemented by maintaining a list of all the additions and subtractions to park land. Currently the Office of Parks and Recreation "open space balance sheet" shows that the City has a surplus of land available for open space, however no new comparable land has been added in District 6. Plans show that approximately 2,320 S.F. of open space would be lost due to the construction of the project. The minor loss of open space would be offset by the net surplus of open space within the City of Oakland. In addition, the facilities being constructed fulfill many General Plan recreational objectives.
- Policy REC-1.3: Siting of Buildings in Parks: *To the maximum extent practical, accommodate new recreational buildings in city parks by expanding the park onto nearby vacant land or underutilized land rather than covering open space within existing park boundaries.* There is no vacant or underutilized adjacent land to expand these facilities onto. Per the policy, if a building is to be placed within park boundaries three exceptions must be met before the building is placed in the park: These are discussed below.
 - a. No feasible alternatives to placing the buildings within the park: Currently the park is virtually abandoned and the existing building vacant for extended periods. Although the proposed use would occur on park lands it is a community oriented activity with direct connection to the Frick Middle School where a major client base is located for this program. It would also bring people and activity to the park as a revitalization action per OSCAR recommendations.
 - b. The buildings are being developed in accordance with an overall Master Plan for the impacted park: There is currently no overall Master Plan for Concordia Park and there are no plans in the foreseeable future to develop one. The applicant will be entering into a long term license agreement with the City, however the buildings are portable not permanent. This policy further states that "in no way should this policy be interpreted as a disincentive to pursue new indoor recreational facilities...However Oaklander's should not sacrifice their limited urban open space to accommodate these facilities." Other policies in the OSCAR encourage this type of use within park land and conflict with this policy. Staff believes that there is a mitigating factor in that the placement of the new buildings will not disrupt any existing activity areas or major

- access ways. Therefore, the park can continue to function without disruption by these two small buildings.
- c. Replacement open space will be provided as specified in REC-1.2: As stated above, the loss of open space is minimal and currently the “open space balance sheet” shows that the City has a surplus of land available for open space, however no new comparable park land has been added to District 6. Staff does not see this as geographic impediment, but rather as a balance of furthering General Plan objectives and polices.
- Policy REC-2.2: Conflicts Between Park Uses: *Site park activities and facilities in a manner which minimizes conflict between park uses. In new parks arrange activities and land uses to accommodate all of the intended uses, in optimal relationship to one another and making the most efficient use of the space possible.* The siting of the two portable buildings, the deck and walkway connections to the existing building provide a more substantial recreation center within the park. This makes the most advantageous use of the site without impact and allows for more contiguous grassy open space areas.
 - Policy REC-5.1 Increased Range of Activities: *Promote an increased range of activities within Oakland’s parks as a means of introducing new users to the parks and improving safety through numbers.* Although the OSCAR does not specifically state that Concordia Park has a problem with crime, it does recommend increased activity at the park. The proposed Girls Inc. program will bring new users and their families to the park and therefore increase activity not only during school sessions but throughout the entire year.
 - Policy REC5.3: Opportunities for Youth: *Expand recreational opportunities for young people to provide viable, positive, alternatives to anti-social behavior. Consider extended hours of operation at certain recreation centers, evening sports events, and other after-hours activities oriented toward Oakland youth.* The Girls Inc. program provides valuable opportunities for girls and typically those who are vulnerable and disadvantaged. The Girls Inc. program addresses each of these goals through their program. (See Attachment B)
 - Policy REC-8.2 Teens: *Use recreational programming to promote self-esteem, responsibility, leaderships, development, and employability among Oakland teens.* The Girls Inc. program addresses each of these goals through their program. (See Attachment B)

ZONING ANALYSIS

The zoning of the site is Open Space - Neighborhood Parks (NP). The zoning requires a Major Conditional Use Permit for Community Assembly Activities such as recreations centers. The criteria for review and approval of this facility, at this location, includes the general use permit criteria in Section 17.134.050. The proposed project is consistent with the zoning regulations, as described in more detail below.

Zoning Regulation Comparison Table

Criteria		Requirement Open Space (NP)	Proposed	Comment
Yard – Front		15’*	46’	Meets zoning requirements.
Yard- Street Side		4’*	105’ & 150’	Meets zoning requirements.
Yard – Rear		15’*	N/A	Meets zoning requirements.
Height		30’**	18’-5”	Meets zoning requirements.
Parking	Community Assembly	No Minimum***	0 spaces	Director of Development determined that 0 spaces are needed. ***
Impervious Surface		25%	21.5% total	Meets zoning requirements.

Table Notes:

* The minimum front side and rear yard setbacks shall be equal to the minimum yards required in the nearest adjacent zoning district which in this case is the R-50 Medium Density Residential Zone.

** When the NP zone abuts a zone with a more restrictive height limit, the maximum height of buildings and other facilities shall not exceed the maximum height of the abutting zone which in this case is the R-50 Medium Density Residential Zone.

*** The number of parking spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040. The Development Director determined that no off-street spaces would be required due to the minimal number of employees, close proximity to the neighborhood being served, the availability of adequate on-street parking, and adjacency of Frick Middle School which could provide accessory overflow parking.

ENVIRONMENTAL DETERMINATION

The project satisfies the in-fill exemption of the California Environmental Quality Act (CEQA), Section 15332 and minor change to an existing use 15301. The criteria for such categorical exemption follows, with a brief summary of staff’s analysis in bold print:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; **The proposed project is consistent with the General Plan designation of Urban Parks and Open space, as well as the applicable zoning requirements,**

- subject to the necessary CUP being granted. See also the General Plan Analysis, Zoning Analysis, and “Findings for Approval” sections of this report.**
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; **Concordia Park encompasses approximately 3.4 acres, however the area of work is 10,800 S.F. and is substantially surrounded by urban uses.**
 - c) The project site has no value as habitat for endangered, rare or threatened species; **The project is located in a highly urbanized neighborhood park that contains no known endangered, rare, or threatened species**
 - d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; **The client base for this program would be a maximum of 125 middle school girls from the surrounding neighborhood and the adjacent Frick Middle School. Since most participants would be within walking distance of the park, the project would not be expected to result in a significant traffic increase in an urban area with adequate road capacity. Any additional number of trips would not likely cause significant intersection impacts. The project would be expected to fall below the level that the Bay Area Air Quality Management District (BAAQMD) considers the normal minimum traffic volume that should require a detailed air quality analysis. There may be minimal localized impacts to air quality during construction, as well as temporary noise impacts. The applicant is required to comply with all applicable City regulation and operation procedures as part of the issuance of building or grading permits, including standard dust control measures. Recommended conditions (No. 14-18) specify the required construction period management procedures.**
 - e) The site can be adequately served by all required utilities and public services. **The site is located in an urbanized area and the project is of such size that is can be served by utility and public services. In addition, the existing community building on the site is currently served by such services.**

KEY ISSUES

Parks and Recreation Advisory Commission

The Parks and Recreation Advisory Commission (PRAC) reviewed the project on June 9, 2004. The Committee unanimously voted to endorse the project, however three main concerns were raised including: exclusivity to the Girls Inc group, long term maintenance, and the use of public buildings for private use.

Public Comments

According to the Procedure of Improvements or Change in Use within Oakland Parks, a predevelopment meeting would occur. The applicant held a meeting on June 12, 2004 after the staff report was finalized. Comments from the meeting will be reported at the Planning Commission hearing.

Parking/Traffic

The typical neighborhood park is located in a residential area within walking distance of its primary users. Participation in the proposed project is expected to come from the surrounding neighborhood and Frick Middle School students, therefore the impacts to parking and traffic would be expected to be minimal. The zoning regulations do not stipulate a minimum number of parking spaces, but state that the Planning Director would determine the number of needed spaces. Given the small number of employees, the proximity of the primary users and availability of on-street parking, the Director has determined that no off-street spaces would be needed for this use.

Design

Staff has reviewed the plans and elevations for the renovation and construction of the proposal. Although the portable buildings are pre-fabricated, they are simple functional structures that are fairly unobtrusive. The additional amenities including walkways, decks, and an arbor, along with the bright paint colors will contribute to an attractive recreational center. Staff is requesting additional details of the following construction or design elements as recommended conditions of approval:

- Additional planting such as ornamental vines along the walkway and the back of the arbor along the screened fence, as well as tree plantings.
- The addition of a gate in front of the arbor for security and details of the screened fence along the back.
- Removal of the chain-link fence along the back side of the community building.
- Covering of the T-111 siding with stucco to match the existing community building.

CONCLUSION

The project seeks to develop a Girls Inc. facility in a virtually abandoned neighborhood park. The project provides an essential service to the community by activating the underused park and providing after school and summer programs for young girls in the area, especially those who are vulnerable and disadvantaged. The project is consistent with and will further the objectives of the LUTE, the OSCAR, and the zoning. The Major Conditional Use Permit for Community Assembly activities in the park is warranted and is not anticipated to create adverse impacts, pursuant to the attached Findings and Conditions of Approval, therefore staff recommends approval of the project.

- RECOMMENDATIONS:**
1. Affirm staff's environmental determination for Infill Exemption.
 2. Approve the Conditional Use Permit subject to the attached findings and conditions.

Prepared by:

Heather Klein
Planner II

Approved for forwarding to the
City Planning Commission:

Claudia Cappio
Development Director

ATTACHMENTS:

- A. Girls Inc. Program Background and Project Description
- B. Plans and Elevations for the Project

FINDINGS FOR APPROVAL:

This proposal meets the required findings under Sections 17.134.050, (General Use Permit Criteria) as set forth below. Required findings are shown in **bold** type; explanations as to why these findings can be made are in normal type.

Section 17.134.050 (General Use Permit Criteria):

- A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

The project is compatible in scale, bulk, and coverage with the surrounding neighborhood. The project will contribute to the neighborhood character by improving and expanding the existing community building and encouraging increased activity levels within the park. The project is not expected to adversely affect traffic since only 2 full time and 1 part-time staff will be employed and most of the participates will come from Frick Middle School, across the street, or from the surrounding neighborhood within walking distance of the park.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

The siting of the proposed project within park land would activate a virtually abandoned and underused park, while providing essential programs and services to middle school girls. By placing the new structures adjacent to the existing community building and tying the buildings together through the use of a walkway, a deck, and an arbor, a more substantial recreation center will be established in the park and more contiguous open space will be available for community use.

Currently, the existing community building is in need of renovation. A paint job and a new landing, stairs, and roof will provide much needed physical improvements to this building. The addition of amenities such as landscaping, walkways, decks, and an arbor will increase the attractiveness of the recreation center within the park while providing a clear presence for Girls Inc. within Central East Oakland. These improvements would increase the visibility of the park and therefore increase activity within the park.

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

FINDINGS

The project will provide essential after-school and summer programs for young middle school girls in the surrounding community who are typically vulnerable at this age. Girls in the neighborhood and those attending Frick Middle School will be targeted for participation. The proposed project will activate an underused park, bringing people and vitality to the neighborhood.

D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.

The project conforms to the applicable design review criteria of Section 17.136.070B (Non-Residential Facilities Design Review Criteria). See design review findings, below.

E. That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City Council.

The proposed project is consistent with the policies and goals of the LUTE and OSCAR elements of the General Plan, including Policies REC-1.2, 1.3, 2.2, 5.1, 5.3, and 8.2. In addition, the project is consistent with the zoning regulations with the approval of a Major Conditional Use Permit for Community Assembly activities and facilities by the Planning Commission.

Section 17.136.070B (Non-Residential Facilities Design Review Findings)

1. That the proposal will help achieve or maintain a group of facilities, which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to the other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of the design which will have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.102.030.

The proposed buildings and hardscape connections to the existing building are successfully integrated and will achieve a more substantial and visible recreation center within the park. The scale, bulk, and height of the new buildings are typical of the existing community building and park structures in general. Although the new portables are pre-fabricated and not necessarily indicative of the character of the neighborhood, they are simple functional structures that are unobtrusive. The proposal will activate an underused park and will renovate a vacant community building while providing essential services to girls within the neighborhood.

2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of private and public investments in the area.

FINDINGS

Currently, the park is virtually abandoned, not staffed, and the existing building locked up and vacant. The proposed project will renovate the existing building providing much needed physical improvements while adding two portable buildings to further establish a visible center within the park. New amenities such as a walkway, a deck, an arbor and new landscaping will increase the attractiveness of the recreation center. Siting Girls Inc. programs within the park, will activate the park during the entire year and enhance the surrounding neighborhood area.

3. **That the proposed design conforms in all significant respects with the Oakland Comprehensive Plan and with any applicable district plan or development control map which has been adopted by City Council.**

The proposed project is consistent with both the LUTE and the OSCAR elements of the General Plan. Many OSCAR policies encourage this sort of programming within city parks including policies REC-1.2, 1.3, 2.2, 5.1, 5.3, and 8.2.

CONDITIONS OF APPROVAL

STANDARD CONDITIONS:

1. Approved Use.

a. Ongoing.

The project shall be constructed and operated in accordance with the authorized use as described in this staff report and the plans submitted May 27, 2004 and supplementary and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and approved plans, will require a separate application and approval.

2. Effective Date, Expiration, and Extensions

a. Ongoing.

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire on **May 27, 2006**, unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits by this date. Upon written request and payment of appropriate fees submitted no later than the expiration date, the Zoning Administrator may grant a one-year extension of this date, with additional extensions subject to approval by the City Planning Commission.

3. Scope of This Approval; Major and Minor Changes

a. Ongoing.

The project is approved pursuant to the Planning Code only and shall comply with all other applicable codes, requirements, regulations, and guidelines imposed by other affected departments, including but not limited to the Building Services Division and the Fire Marshal. Minor changes to approved plans may be approved administratively by the Zoning Administrator; major changes shall be subject to review and approval by the City Planning Commission.

4. Modification of Conditions or Revocation

a. Ongoing.

The City Planning Commission reserves the right, after notice and public hearing, to alter Conditions of Approval or revoke this conditional use permit if it is found that the approved use or facility is violating any of the Conditions of Approval, any applicable codes, requirements, regulation, guideline or causing a public nuisance.

5. Recording of Conditions of Approval

a. Prior to issuance of building permit or commencement of activity.

The applicant shall execute and record with the Alameda County Recorder's Office a copy of these conditions of approval on a form approved by the Zoning Administrator. Proof of recordation shall be provided to the Zoning Administrator.

6. Reproduction of Conditions on Building Plans

a. Prior to issuance of building permit.

These conditions of approval shall be reproduced on page one of any plans submitted for a building permit for this project.

7. Indemnification

a. Ongoing.

The applicant shall defend, indemnify, and hold harmless the City of Oakland, its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside, void or annul, an approval by the City of Oakland, the Office of Planning and Zoning Division, Planning Commission, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

8. Waste Reduction and Recycling

a. Prior to issuance of a building or demolition permit.

Prior to issuance of any building permits including the grading and/or demolition permit the project applicant will submit a demolition/construction waste diversion plan and operational waste reduction plan for review and approval by the Public Works Agency. The plan will specify the methods by which the development will make a good faith effort to divert 50% of the demolition/construction waste generated by the proposed project from landfill disposal. After approval of the plan, the project applicant will implement the plan. The operational diversion plan will specify the methods by which the development will make a good faith effort to divert 50% of the solid waste generated by operation of the proposed project from landfill disposal. After approval of the plan, the project applicant will implement the plan.

PROJECT CONDITIONS

9. Enrollment and Hours of Operation

a. Ongoing

Participation in the Girls Inc. program within Concordia Park will be limited to 125 girls annually. A new Conditional Permit shall be required to exceed this maximum enrollment number.

As indicated on the application for the approved project, the hours of operation for the proposed activity shall be limited to between the time of school dismissal to approximately 6 p.m., Monday through Friday, during the school year. During the summer from June through August, the activity shall be limited to 10 a.m. to 6 p.m. Monday through Friday/ Evening and Saturday events may be held periodically, however these events will be limited to the normal park hours of operation.

10. Signage

- a. Prior to issuance of a building permit
The project applicant shall submit a master signage plan for review per the Planning and Zoning regulations, including but not limited to location, dimensions, materials and colors.

11. Final Design Review

a. *Prior to issuance of building permit.*

As the design of the buildings and other structures are further detailed, the design elements listed below shall be revised and shall be submitted along with the final plans for review and approval by the Director of Parks and Recreation and Planning Director prior to issuance of the building permit.

- a. Additional planting such as ornamental vines along the walkway and the back of the arbor along the screened fence, as well as tree plantings.
- b. Details of the screened fence.
- c. Removal of the chain-link fence along the back side of the community building
- d. T-111 to stucco

These design details shall be reviewed and approved by the Director of Planning and Zoning prior to the issuance of a building permit.

12. Lighting Plan

a. *Prior to issuance of building permit*

A lighting plan for the project shall be submitted to and approved by the Director of Planning and Zoning, with referral to other departments or divisions as appropriate, and shall include the design and location of all lighting fixtures or standards; and said lighting shall be installed such that it is adequately shielded and does not cast glare onto adjacent properties, while providing sufficient lighting for safety and security purposes.

13. Irrigation Plan and landscape maintenance

a. *Prior to issuance of building permit*

An irrigation plan shall be prepared by a licensed landscape architect or other qualified person and submitted in conjunction with the building permit submittal. All landscape and irrigation shall be installed prior to final building permit inspection.

b. *Ongoing*

All project landscaping shall be permanently maintained in a neat, safe, and healthy condition.

CONSTRUCTION PERIOD MANAGEMENT

14. Construction Hours for Minor Projects.

a. *During all construction activities.*

Construction shall only take place between 7:30AM and 6:00PM, on Monday through Friday; 9:00AM to 5:00PM on Saturdays. No construction shall occur on Sundays or Federal holidays.

15. Construction Staging and Phasing Plan (General).

a. Prior to issuance of demolition, grading or building permit.

The applicant shall submit a Construction Staging and Phasing Plan for review and approval by the Building Services Division. The following information as well as any additional detailed information or conditions required by the Building Services Division shall be included in the plan and be consistent with all related conditions attached to this project:

1. Identification of construction staging areas.
2. Designation of main access routes to the site for construction equipment and materials, including truck routes that will be used for delivery or hauling away of materials.
3. Designation of construction worker parking areas and designation of specific on-street parking areas, if required.
4. Description of how construction equipment and materials will be protected against vandalism and theft.
5. Designation that no construction vehicles, materials, and other related equipment shall block the road or pedestrian access-ways to ensure vehicular and pedestrian access to neighboring homes or businesses.

16. Site Maintenance.

a. During all construction activities.

The applicant shall ensure that debris and garbage is collected and removed from the site daily.

17. Dust Control Measures.

a. During all construction activities.

Dust control measures shall be instituted and maintained during construction to minimize air quality impacts. The measures shall include:

1. Watering all active construction areas as necessary to control dust;
2. Covering stockpiles of debris, soils or other material if blown by the wind;
3. Sweeping adjacent public rights of way and streets daily if visible soil material or debris is carried onto these areas.
4. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
5. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas;
6. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
7. Install sandbags or other erosion control measures to prevent silt runoff onto public roadways; and
8. Replant vegetation in disturbed areas as quickly as possible.

18. Construction-Related Noise Control.

a. During construction

The applicant shall ensure that all construction equipment shall utilize the best available noise control techniques (improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) in order to minimize construction noise impacts. All stationary noise sources, to the greatest extent practical, shall be located as far away as possible from sensitive receptors, (i.e., residential or schools uses). All noise-generating construction activities shall conform to the Construction Management Plan or all construction-related conditions attached to this project.

APPROVED BY: City Planning Commission: _____(date)_____ (vote)

City Council: _____(date)_____ (vote)