



# **Community & Economic Development Agency**

Department of Engineering and Construction Project Delivery Division

# Memorandum

To:

Jeffrey Taylor, Chair

Parks and Recreation Advisory Commission

From:

David Lau, Manager

Date:

January 20, 2008

Re:

Conditional Use Permit - Cesar Chavez Park

#### **SUMMARY**

Staff recommends the Park and Recreation Advisory Commission (PRAC) endorse an application for a minor conditional use permit for Cesar Chavez Park. The park has a zoning designation of "Neighborhood Park". In accordance with City of Oakland Open Space Zoning Regulations, a minor conditional use permit is required for the **addition** of restrooms, picnic areas, separate play area and structure for 5-12 year olds, enclosed soccer practice court, hopscotch/four-square play court, drop shot basketball hoop, community gardens, and entry plaza at 38<sup>th</sup> Avenue to be installed as a part of the park renovation project. Other improvements include **replacing** the existing play equipment and safety surface for 2-5 year olds, swings, basketball court, lighting, wooden deck with an accessible concrete deck/seating platform, pathway paving, and benches. Also, turf play field, landscaping, and irrigation systems will be renovated.

## FISCAL IMPACT

The renovated park will require long-term maintenance based on the above listed play elements. The entry plaza at 38<sup>th</sup> Avenue, concrete deck/seating platform, renovated basketball courts, pathway paving, and new play courts would require minimal maintenance. The rehabilitated turf play field, new landscaping and trees, new practice court, and lighting will require on-going maintenance. The rubber safety surfacing at the play areas has a life expectancy between 7-10 years depending on the level of use and vandalism, and it has a significant replacement cost. The new restroom will require additional custodial services and periodic maintenance and repairs. The new community garden will require periodic repair and maintenance by City staff though this may be mitigated by the community's expressed intent of maintaining the garden. The new play equipment (consisting of new backboards and drop shot basketball hoop, swings and separate play equipment for 5-12 years olds and 2-5 years olds) will require annual maintenance and repair as necessary. No significant maintenance costs are anticipated for the benches, picnic tables and barbeques.

Park maintenance is funded by a variety of sources. Landscape maintenance is primarily funded through the Landscape and Lighting Assessment District (Fund 2310) with approximately 34%

coming from Comprehensive Cleanup (Fund 1720). Custodial services, building maintenance, park lighting, plumbing, graffiti abatement and repairs are funded by the internal Facilities Fund (Fund 4400). Currently, the LLAD fund is balanced while the Comprehensive Cleanup Fund and Facilities Fund are in a deficit. Therefore, no additional funds are available to maintain the new infrastructure.

The maintenance for the new Cesar Chavez infrastructure is estimated to cost \$25,000 per year (custodial and vandalism repairs). If additional maintenance resources are not provided for Cesar Chavez Park, maintenance will be delayed and diluted as existing staff will be assigned to perform this work without additional resources.

#### BACKGROUND

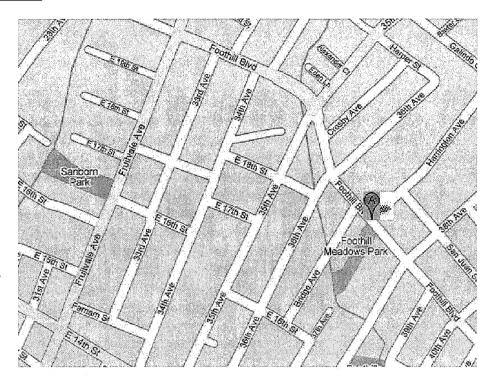
Cesar Chavez Park is located in the 3700 block of Foothill Blvd, at the intersection of Foothill and Harrington Ave. in the Fruitvale District of Oakland, CA. The park, formerly known as Foothill Meadows Park, has been used as a children's playground for the adjacent community for decades. The Fruitvale neighborhood is one of the most densely populated districts in the City of Oakland with the highest concentration of children under 18, but the smallest amount of open space acreage. In 1995 the Spanish Speaking Unity Council created the Fruitvale Recreation and Open Space Initiative (FROSI) to address the lack of open space and recreation resources in East Oakland. Partnership was established between the Spanish Speaking Unity Council, the Trust for Public Land, the City's Office of Parks and Recreation, and Cultural Arts and Marketing Division. In 2000 improvements were made to the park at Peralta Creek and to the Park Annex (between 38<sup>th</sup> and 39<sup>th</sup> Streets across from E. 18<sup>th</sup> St). In May 2002 the Oakland City Council approved renaming the park to Cesar Chavez Park. Later that year restoration of the 350 foot segment of Peralta Creek was completed to provide a more organic meandering waterway, stabilized banks with various bioengineering techniques and improved visibility to reduce illegal activities. The proposed capital improvements will enhance and augment the recreational opportunities in the park and it will continue to serve community needs.

Cesar Chavez Park is situated between Foothill Boulevard and Peralta Creek, in a predominantly residential neighborhood. The main park occupies approximately 1.6 acres and is composed of a series of five narrow parcels, with the main portion accessible from Foothill, 38<sup>th</sup> Avenue and 37<sup>th</sup> Avenues. An additional 0.27 acres "Annex" is located across 38<sup>th</sup> Avenue connecting through to 39<sup>th</sup> Avenue. The "Annex" and portions of the park near Peralta Creek are on Alameda County Flood Control District land (ACFCD). ACFCD is aware of the project and has seen preliminary plans. The adjacent residential properties create a sense of enclosure and intimate scale.

The proposed park improvement plan builds on a landscape master plan undertaken by Hood Design for the Spanish Speaking Unity Council (undated plan). Through a series of community brainstorming sessions and field trips to other area parks the Hood master plan process identified goals and objectives and developed five distinctive areas in the park. The areas adjacent to Foothill Blvd was envisioned as a garden and plaza. The play yard was envisioned with a play structure for younger children, a play structure for older children and a play field for a variety of informal games. The play courts were envisioned in the section of the park that connects to 38<sup>th</sup>

Avenue. The fifth area was the *wilderness* located along Peralta Creek. The creek rehabilitation project in 2002 included a bridge connecting the park to 37<sup>th</sup> Avenue providing an additional entrance to the park. The master plan included picnic tables and improved lighting to help transform this area from a place to hide to a place for socializing and environmental interpretation.

## VICINITY MAP



#### **KEY ISSUES**

The addition of restrooms, picnic areas, separate play area and structure for 5-12 year olds, enclosed soccer practice court, hopscotch/four-square play court, drop shot basketball hoop, and community gardens to be installed as a part of the park renovation project require a minor conditional use permit. Existing park elements that will be replaced and upgraded include play equipment and safety surface for 2-5 year olds, swings, basketball court, lighting, wooden deck with new accessible concrete deck/seating platform, pathway paving, benches, turf play field, landscaping, and irrigation system. A copy of the proposed park plan is attached as Exhibit A. Listed below is a comparison table of the existing park elements and the new park plan.

Before Capital Improvement

After Capital Improvement

Basketball court

Renovated basketball court and drop shot

basketball hoop for younger players

Tot play equipment

Separate & expanded play areas for 2-5 and 5-12

year olds

Undeveloped ACFCD property

Community Garden

Enclosed soccer practice court

Paved play court 38<sup>th</sup> Ave entry plaza

No restrooms

New restrooms

Minimal seating area

Additional seating throughout park

Minimal landscaping

New trees and renovated turf and landscaping

There is no net loss in open space. The project is the result of a community-led process with Spanish Speaking Unity Council assisting the community in the park plan development. Additional outreach was coordinated through Councilmember De La Fuente's office with a community workshop in October 2008.

#### RECOMMENDATION

Staff recommends the Park and Recreation Advisory Commission endorse an application for a minor conditional use permit for the addition of restrooms, picnic areas, separate play area and structure for 5-12 year olds, enclosed soccer practice court, hopscotch/four-square play court, drop shot basketball hoop, community gardens, and entry plaza at 38<sup>th</sup> Avenue. Staff also recommends endorsement of the park renovation proposal which includes replacing existing play equipment and safety surface for 2-5 year olds, swings, basketball court, lighting, wooden deck with accessible concrete deck/seating platform, pathway paving, benches, turf play field, landscaping, and irrigation system.

Respectfully submitted,

David Lau

Manager

Project Delivery Division

Department of Engineering and Construction

DWL/ch

Enclosure Exhibit A, Cesar Chavez Park Improvement Plan, issued for PRAC