

Planning Department

TO: Chairperson and Members of the Planning Commission

FROM: Holly Smyth, Planning Director, AICP

Dennis Tagashira, Assistant to Planning Director

SUBJECT: Design Review Permit - DRP 17-03 to Install a modular restroom building and

half basketball court in Duck Pond Park

LOCATION: Duck Pond Park along the southside of Sycamore Avenue across from Willett

Street and Frog Pad Park

(Assessor Parcel Number: 407-020-022-4, 404-160-006-7 and 404-160-005-9)

APPLICANT: City of Hercules Parks and Recreation Department

1. RECOMMENDATION

That the Planning Commission:

- a. Invite the City's consultant, Callander & Associates, to make a presentation;
- b. Request planning staff present follow up information;
- c. Receive comments from the public and the Commission;
- d. Consider adopting Resolution #17-__ approving Design Review Permit No. 17-03 with attached Redlined Drawings and conditions of approval, based on findings with facts discussed in this staff report.

2. PROCESS

The Design Review section of the City of Hercules Zoning Ordinance (Chapter 42.200) defines the types of projects subject to Design Review, and includes "any public or private building, fence, structure or sign, the applicant shall secure approval of the proposed design from the Planning Commission;" exterior alteration of any structure on non-residential property be reviewed by the Planning Commission and must meet required findings prior to approval. A meeting notice for the proposed alterations to the Duck Pond Park was sent on August 23, 2017 to property owners within a 500+/-foot radius of the Park site; in addition, boundaries of Duck Pond Park and was physically posted notifying the public of the September 5, 2017 Planning Commission meeting.

3. RELEVANT HISTORY/PAST HISTORY

Approximately 6 acres of Duck Pond Park was built in 2010 by the City of Hercules and consisted of a 6,000 square foot passive park with 6 table picnic area improved with a decomposed granite surface and a drinking fountain at the entrance, a 3,376 square foot area prepared for an undetermined future use, a 3,900 square foot square foot area improved with decomposed granite, a 14 stall parking lot and a system of curvilineal concrete paving. At this time Duck Pond Park was constructed without benefit of review and approval by Planning Commission or City Council review and without benefit of any Building Department permits or inspections but plans were draft for the construction of the minimalist improvements. Additionally, several types of intensity of park development were studied, with the most minimal development being selected and preserving many natural areas included an adjacent pond.

In 2016, the City Council tasked the Parks and Recreation Department to take the lead in a Hercules Westside Park Amenity and Restroom Project. The focus was to be on existing city-owned parks on the westside of I-80 Freeway that needed additional amenities. This project surveyed residents through Survey Monkey, hired professional parks consultant Callendar and Associates, conducted workshops in the field and in a meeting setting with the Community Library Services Commission (CLSC) on October 18, 2016 and November 3, 2016, identified potential sites and amenities, and analyzed existing park sites. Formal presentations were made to CLSC regarding potential alternatives and cost estimates for improvements to be added to Duck Pond Park on December 12, 2016 and then to City Council on January 24, 2017. Five existing parks were examined and included 1) Shoreline Park in the "Victoria-By-The-Bay" neighborhood; 2) Bayside Park in the Bayside neighborhood; 3) Frog Pad Park; 4) Duck Pond Park; 5) Railroad Park in the Historic Homes District.

Survey Summary: Over 320 persons responded to Survey Monkey which gave the following results:

- Almost 80% of the public surveyed preferred to see a modular restroom facility placed in Duck Pond Park.
- Almost 80% of the public surveyed preferred to see a small, active sports amenity.
- Over 40 % of the people surveyed preferred a half basketball court, approximately 24% preferred a splash pad constructed, approximately 7% preferred a volleyball court be constructed, approximately 8% preferred a skate park/rail,ramp improvement, approximately 6% preferred a soccer goal area be constructed, approximately 4% preferred bocce ball courts be constructed.

Duck Pond Park was the preferred choice of the CLSC to receive the active sports amenities constructed out of the 5 parks because of the following characteristics:

- a. There are existing utilities improvements including water, sewer, and electrical.
- b. The proposed uses are compatible with the neighborhood.
- c. There is an existing parking area presently striped with 15 spaces.
- d. It is buffered from existing residential homes.
- e. The park is underutilized and there are no programs proposed for this park space.
- f. The park is well lit.
- g. The site will have to be regarded and retaining walls maybe required to be constructed.

4. PROPOSED IMPROVEMENTS/PROJECT DESCRIPTION

Proposed improvements at Duck Pond Park consists of the following:

- a. Convert an existing 175 square foot artificial turf area
- b. Construct a 175 square foot modular restroom building with water, sewer, and electrical connections
- c. Construct a 1,100 square foot basketball half-court
- d. Install a 4-foot high ornamental metal fence around a portion of the basketball half-court
- e. Install a new modular restroom facility and tie in with the existing sanitary sewer system.

5. ENVIRONMENTAL DETERMINATION

Staff has initially determined the project to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) per Sections 15301 and 15303. Projects adding small structures or buildings less than 2,500 square feet generally fall into this CEQA section, and therefore do not require an environmental impact report or the filing of a negative declaration. The draft resolution includes a statement of the Planning Commission's concurrence with staff's environmental determination.

6. REQUIRED FINDINGS

The Design Review section of the Zoning Code lists a total of five required findings that the decision making body must make to approve a Design Review application (Section 42.500). The Findings address a number of issues including 1) the proposed project's consistency with the City's General Plan and Zoning, 2) whether the project is in the best interests of the public's health, safety, and welfare, 3) the importance of site planning considerations such as the orientation and location of the building, 4) architectural considerations including the character, scale, quality of design, architectural relationship with other buildings on the site and other design considerations such as lighting and signage, and 5) the appropriateness and extent of the proposed landscaping.

The proposed added physical amenities to Duck Pond Park result in an efficient use of an existing available utilities and public park space including

- 1) Construction of restroom facilities where none were available in the past,
- 2) Construction of an active sports activity, half-court basketball court, within close proximity of an existing drinking fountain,
- 3) Minimal site grading would be required with the construction of the modular restroom building and the half-court basketball by using an existing grassy mound area that was previously slated to relocate a Victorian home onto the entire area
- 4) The existing 6 table picnic area with drinking fountain and 14-stall striped parking area would be preserved.
- 5) The existing bocce ball court would be preserved.

The following is the text of the Five (5) Design Review Findings that must be made by the Planning Commission, as contained in the Municipal Code:

Fact/Finding 1 Zone and General Plan. The approval of the design review plan is in compliance with all provisions of Chapter 42- Design Review section of the Zoning Ordinance, pertinent provisions of the Zoning Ordinance and applicable zoning and land use regulations, including but not limited to the Hercules General Plan as amended and any specific plan.

The 1998 General Plan Policy 1a in the Open Space/ Conservation Element states "Expand the community's park, trail and open space system to meet the demands of future growth. The comprehensive park, trail and open space system shall provide linkages between developed and developing areas." Additionally, Program 1a.2 City Parks states "The General Plan has been designed to provide for adequate parks to serve the community. City parks include neighborhood parks, waterfront park, community parks, mini parks, picnic grounds, and bicycle and hiking trails." When this Policy was developed, the housing community around Duck Pond Park did not yet exist until shortly after the adjacent neighborhood was built.

If appears that Duck Pond Park may be classified as a "Neighborhood Park" or a "Community Park" as in the past it was anticipated that the adjacent Corporation Yard would be a school site and/or could potentially been considered park of the Waterfront Park. The General Plan states that "Neighborhood Parks are "five-acre neighborhood parks adjoining elementary schools and may include pre-school tot-lots, multi-use fields, baseball diamonds, rest rooms and storage buildings. The General Plan states that "Community Parks" are oriented towards active recreation along with passive recreation and trails." Based on these policy and program sections, the proposed restrooms and half basketball court seem to fit these General Plan definitions of how these park classification should function and are consistent with the General Plan.

"All new and expanded development and uses shall be submitted to the Community Development Director"...and "shall be subject to Chapter 42 Design Review" within the Public/Quasi Public zoning districts. The zoning for Duck Pond Park is P/QP-O Public/Quasi-Public Open Space which designate and preserve public open spaces... and allow for recreation facilities. Facilities or uses added must be directly related to the primary use of the site. Facilities must follow the P/QP-P regulations which require a 20' front setback, 20' rear, 10' side setbacks. The 2 layout alternatives locate the restrooms and half basketball court to meet these setback requirements and the Design Review process is being followed and therefore conform to Zoning requirements.

Fact/Finding 2 – Public Health, Safety and General Welfare. The approval of design review plan is in the best interests of the public health, safety, and general welfare.

The proposed additions to the existing Duck Pond Park will offer new flushable restroom facilities and a ½ court basketball area to the public participants, which will enhance and offer more choices for families and residents of Hercules. Given the amount of public input that was provided, the site constraints of other westside parks, and the locational characteristics, Duck Pond Park is the best location for a basketball facility. With the modular restroom building made of concrete walls and metal roof, the maintenance of the structure is anticipated to be minimal

Based on these facts, the approval of the Design Review application with staff recommended changes and conditions of approval are in the best interests of the public health safety, and general welfare and this Finding can be made.

Fact/Finding 3 – Site characteristics provide desirable development environment. General site considerations, including <u>site layout</u>, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development.

Only the existing grass area between the parking lot and the bocci courts will be effected by the project during construction. However, it is important for the Commission to discuss what viewsheds are wanted to be maintained at the site in regards to placement of the court and the building which are shown in Options 1 and 2 and there may be a 3rd hybrid option. Additionally, the 4' high proposed fencing may or may not be needed given the 18' setback of the court from the existing sidewalk and will partially depend on grading of the site during construction and may want to be considered as a alternate add on if needed.

Based on these facts pending further discussion at the Planning Commission, the approval of the Design Review application can be considered to provide a desirable development environment and this Finding can be made.

Fact/Finding 4 – **Architecture compatibility.** General architectural considerations, including the character, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials colors, screening of exterior appurtenances, exterior lighting and signing, and similar elements have been incorporated in order to insure the compatibility of this development with its design concept and the character of adjacent buildings.

The proposed changes to Duck Pond Park with the construction of public restroom facilities and a ½ basketball court is designed to be compatible with the architectural elements within the park and the existing adjacent residential neighborhoods. The modular building has the sample general floor plan layout regardless of exterior finishes such as siding type, wainscoting if wanted, and roof type. The attached PowerPoint presentation shows the various color selections and exterior finishes available. Callendar and Associates has recommended that the Denali building be used as it has a steeper roof pitch than the alternative using which can be viewed in an interactive 3-dimensions at the extinc.com website at http://extinc.com/denali.asp. Callendar also recommends using a Toasted Almond ribbed metal roof, Natural Honey colored Board and Batt siding in a vertical orientation (not horizontal one as shown on the black and white elevation page), and Natural Gray colored rock wainscoting. Staff has suggested that a drinking fountain is not needed as there is one within 50' of the new facilities as shown in the site plan, which will reduce costs and reduce potential new maintenance.

The appearance of the restroom facility is compatible with the existing park design components such as dark wood arbors with rock column bases and therefore this Finding that the architecture is compatible can be made.

Fact/Finding 5 – Landscape. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials at the time of planting and after a 5 year growth period, provision for irrigation, maintenance and protection of landscaped areas and similar elements have been considered

to insure visual relief, to complement buildings and structures, and to provide an attractive environment for the enjoyment of the public.

Only the square grass area between the parking lot and the bocci courts will be affected with the installation of the new amenities and is anticipated to temporarily impact the surround grade leading up to the improvements. However, none of the proposed changes permanently effects the project's existing landscaping or irrigation system as the irrigation will be repaired to take the irrigation out of the new facility areas and therefore this Finding can be made.

10. ISSUES FOR PLANNING COMMISSION'S CONSIDERATION

As just discussed above, the Commission must make the above five findings and environmental determination which are incorporated into the draft resolution to approve the project. After hearing the presentation from the consultant and staff and the questions by the public, the Commission may want to discuss any potential modifications to the layout, colors, materials of the proposed project shown in Options 1 and 2. Staff is of the opinion there may be some further input that may slightly modify the drawings being presented.

7. PROJECT SPECIFIC RECOMMENDED CONDITIONS

The draft resolution of approval incorporates specific conditions that should be included as part of the Design Review approval.

8. ATTACHMENTS

Attachment A - Planning Commission Draft Resolution of Approval (to include Redlined Drawings) Attachment B – Powerpoint Presentation with proposed Site Layout and Building Elevations

RESOLUTION NO. 17-03

A Resolution of the Planning Commission of the City of Hercules approving
Design Review Permit #DRP 17-03 to install a prefabricated restroom building and construct an
1,100 square foot half-basketball court with a 4-foot high ornamental metal fence at Duck Pond
Park located at Sycamore Avenue subject to the attached Conditions of Approval contained
herein

WHEREAS, #DRP 17-03 proposes to make physical improvements to an existing neighborhood park which will provide much-needed restroom facilities and an additional sports activity (basketball) to an existing improved neighborhood park which currently improved with a bocce-ball court, horseshoe pits, and a family picnic area, which under Chapter 42 –Design Review requires review and approval by the Planning Commission based on facts and findings; and

WHEREAS, Design Review Application was filed by the City of Hercules Parks and Recreation Department, in accordance with Chapter 42 –Design Review and Chapter 40 – Administration, Applications sections of the City of Hercules Zoning Ordinance; and

WHEREAS, Based on Section 40.700 of the Zoning Ordinance, mailed public hearing notices were sent to all property owners within 500 feet and published in the local newspaper at least 10 days in advance of the Planning Commission hearing on the proposed project; and

WHEREAS, City Staff utilized the Administrative Procedure process outlined in Chapter 40 of the Hercules Municipal Code Zoning Ordinance and prepared a staff report on the Design Review Permit that included defining the five (5) required findings with supporting facts therein to present to the Planning Commission; and

WHEREAS, City staff reviewed the CEQA Guidelines book and determined that the proposed project as described herein is "Categorical Exempt" from CEQA per Section 15301-Existing Facilities; and Section 15303-New Construction or Conversion of Small Structures, and

WHEREAS, the Planning Commission of the City of Hercules considered the applications, staff report and various verbal and written input provided during the public meeting at their September 4, 2017 Regular Meeting; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Hercules, after due study of the proposed project, Conditions of Approval, Redlined Drawings/elevations /photos and staff report with Findings contained therein, receipt of public comment and deliberation determine that the following findings can be made regarding approval of DRP 17-03 so long as the conditions of approval and attached redlined drawings are implemented as stated herein:

- 1. The approval of the design review plan is in compliance with all provisions of Chapter 42- Design Review section of the Zoning Ordinance, pertinent provisions of the Zoning Ordinance and applicable zoning and land use regulations, including but not limited to the Hercules General Plan as amended and any specific plan.
- 2. The approval of design review plan is in the best interests of the public health, safety, and general welfare.

- General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development.
- 4. General architectural considerations, including the character, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials colors, screening of exterior appurtenances, exterior lighting and signing, and similar elements have been incorporated in order to insure the compatibility of this development with its design concept and the character of adjacent buildings.
- 5. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials at the time of planting and after a 5 year growth period, provision for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to insure visual relief, to complement buildings and structures, and to provide an attractive environment for the enjoyment of the public.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Hercules determines that DRP 17-03 is "Categorical Exempt" from CEQA per Section 15301-Existing Facilities and 15303-Existing Facilities; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Hercules, hereby approves Design Review Permit #DRP 17-03 with the following conditions of approval in conformity with the Redlined Drawings. This approval shall expire one year from the date of Planning Commission approval (expires September 5, 2018), unless a building permit is issued and construction is commenced and diligently pursued toward completion.

- 1. The project shall be built in conformity with the attached Option 1, Option2, or a hybrid between the 2 presented drawings based on majority agreement of the Planning Commission, using the CXT Concrete Buildings color chart samples, and Stone Color Options, Wall and Roof Textures sheet submitted by Callander Associates, Landscape Architecture and shall incorporate a copy of this Resolution within the construction drawings and secure a building permit from the City Building Department due to the electrical, water, sewer and grading being done.
- 2. Grading shall be done in such a manner so that loose balls will not generally roll towards Sycamore Avenue and fencing may be an add on items as it is not anticipated it will be necessary.
- 3. The proposed restroom building shall substantially be constructed to the dimensions and exteriors proposed and submitted in the sheet identified as a "Denali" building with a "toasted almond" :ribbed metal roof, a "natural honey" board-and-batt" siding color, and a "natural gray" stone veneer color. The final design and material shall be subject to the review and approval of the Planning Director.
- 4. The drinking fountains shown in the "Denali" colored elevation may not be incorporated depending on input from the Public Works Maintenance.

5. The proposed restroom building shall comply with the 2013 Fire Code and shall coordinate with the Rodeo-Hercules Fire Protection District for inspection and emergency response information (Fire).

The decision of the Planning Commission is final unless appealed in accordance with the provisions of Chapter 44, "Hearings, Appeals and Judicial Review" of the Zoning Ordinance.

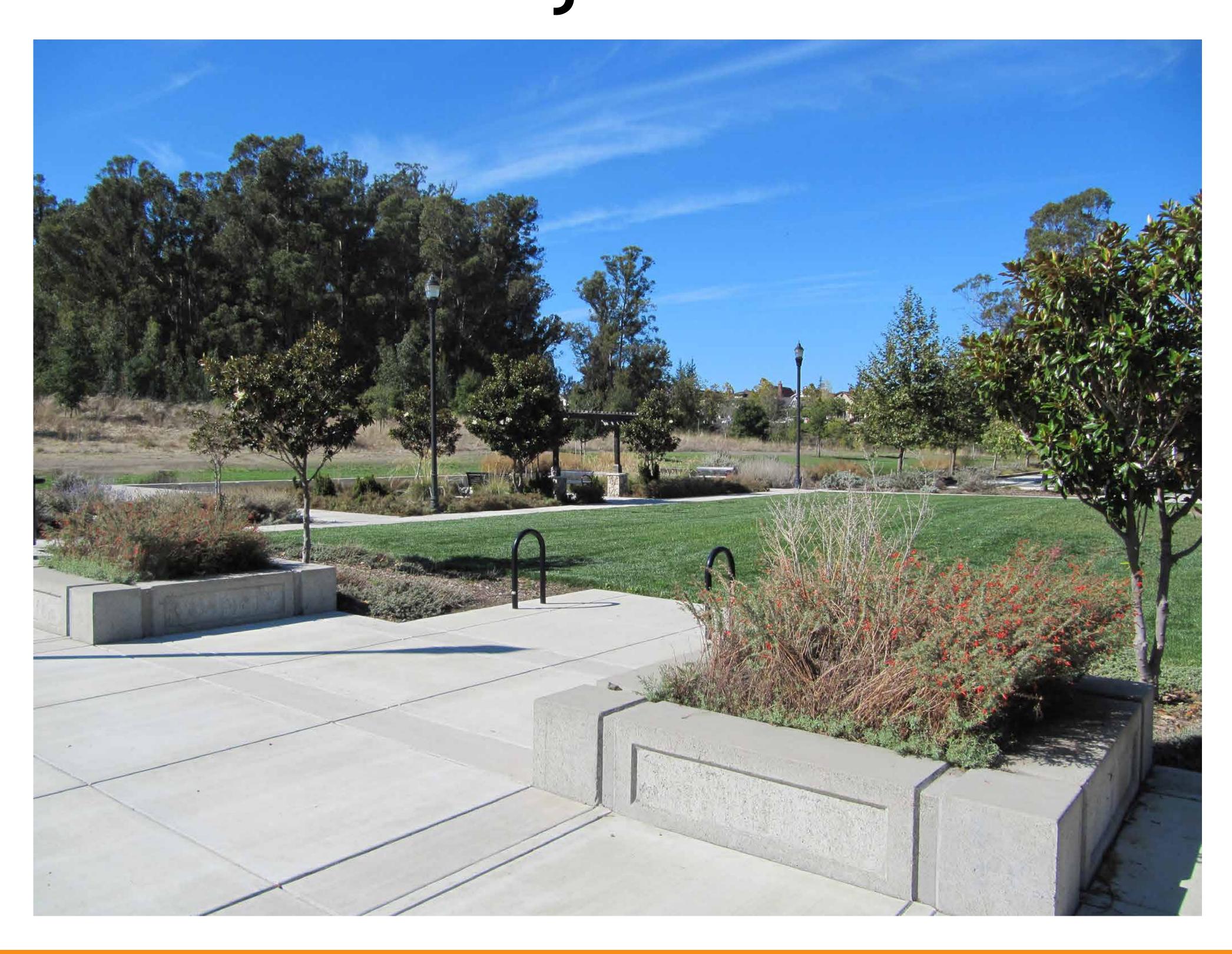
PASSED AND ADOPTED by the Planning Commission of the City of Hercules on this fifth day of September 2017, by the following vote:

	AYES:		
	NOES:		
	ABSENT:		
		Kenneth Morrison, Chair	
Holly	Smyth, AICP, Planning Director &		

Holly Smyth, AICP, Planning Director & Planning Commission Secretary

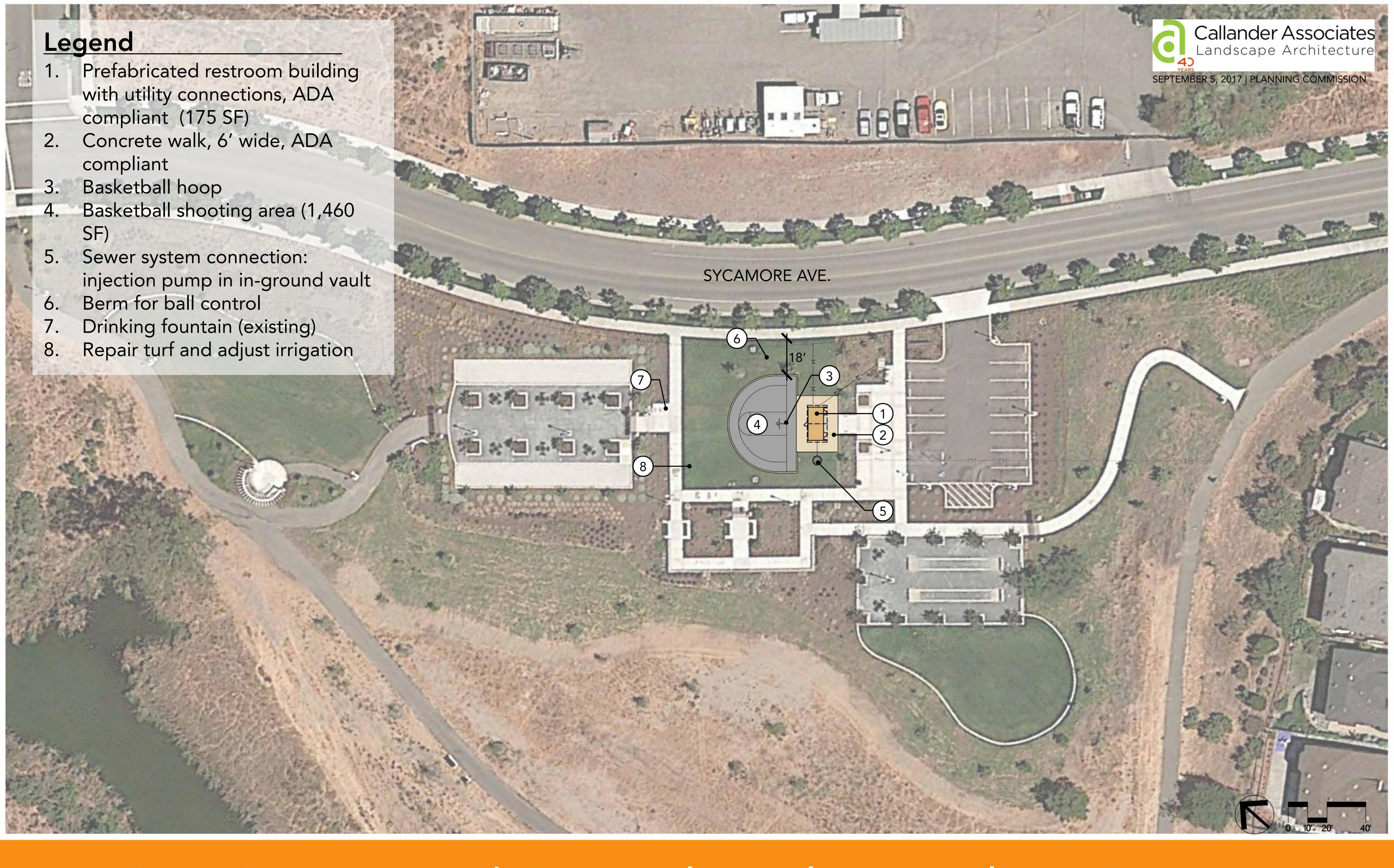
Duck Pond Park Sports Amenity and Restroom Project



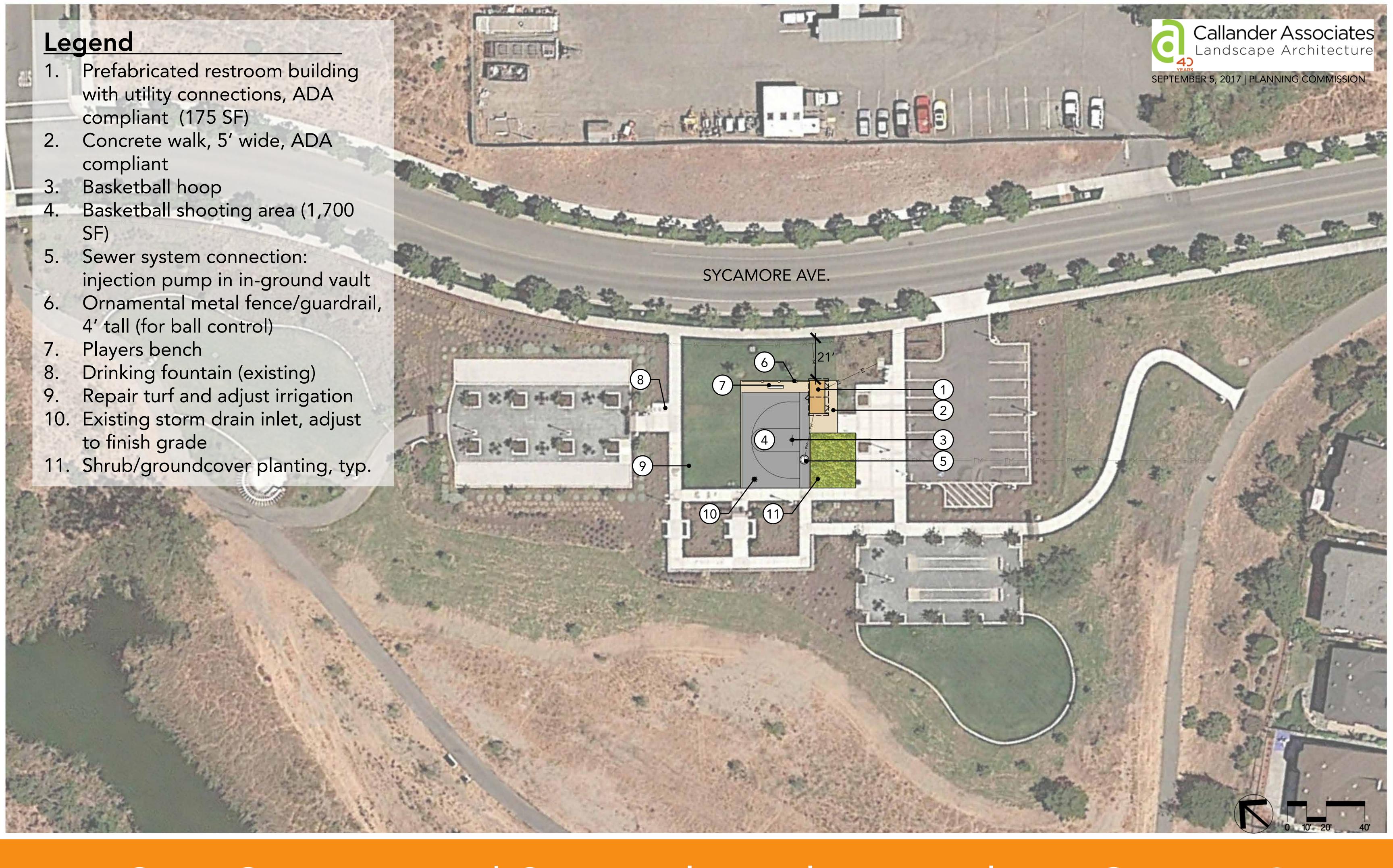




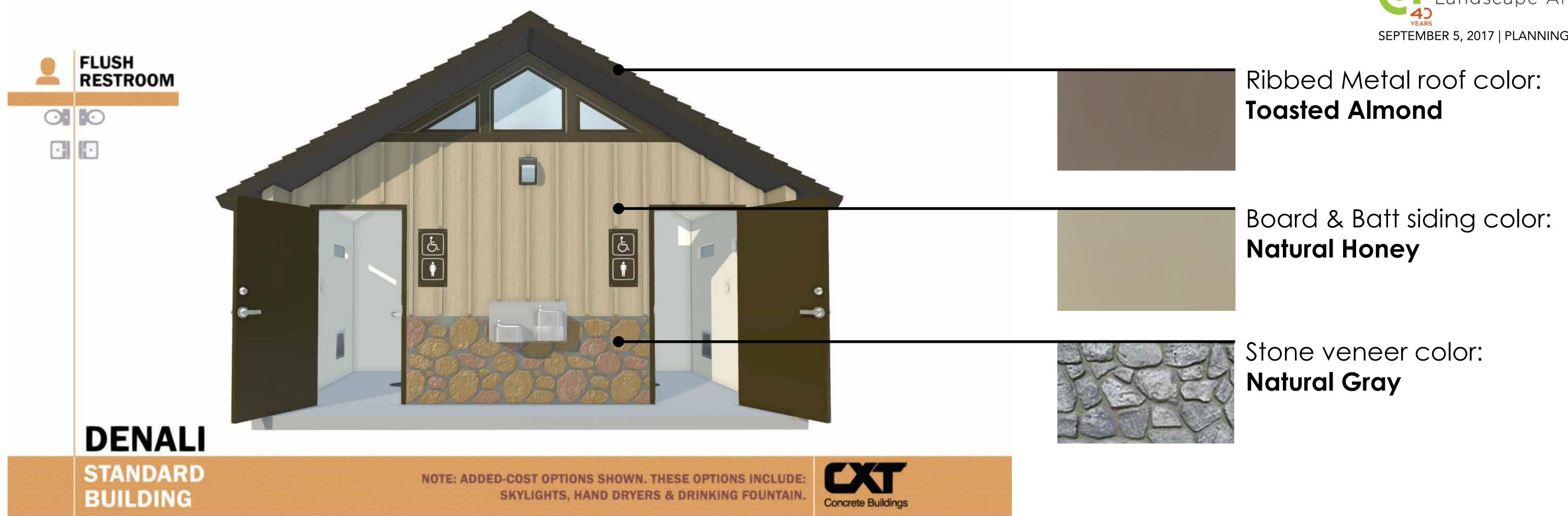
DUCK POND PARK | Site Context



DUCK POND PARK | Site and Landscape Plan - Option 1







Dimensions and Amenities

- Approx. 10' x 17'
- Two ADA accessible unisex stalls
- Utility chase

Includes:

- Photo control exterior light
- Motion control interior lights
- Stainless steel plumbing fixtures
- Electric hand dryers
- Exterior ADA drinking fountain
- VandlShield XT
- Doors with Best IC compatible hardware

DPTIDIONAL WASTE PAPER BASKET MDUNT BTM 12' OFF FINISHED FLIDIN ADA DRINKING GOUNTAIN ADA DRINKING GOUNTAIN

SEPTEMBER 5, 2017 | PLANNING COMMISSION



3808 N. Sullivan Road, Building #7

Spokane, WA 99216

Toll Free: 800.696.5766 509.921.8766 509.928.8270

COLORS

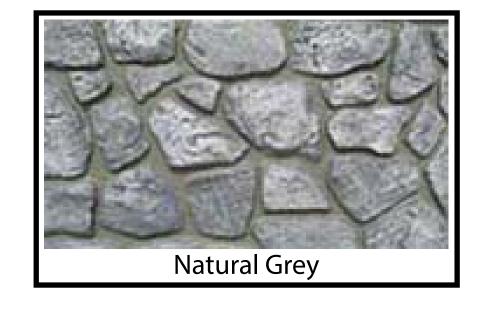
Color Chart



Stone Color Options



Mountain Blend





Basalt





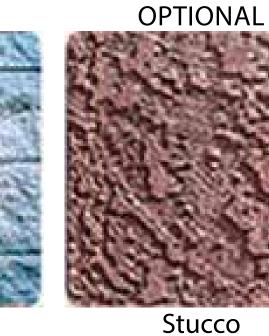
3808 N. Sullivan Road, Building #7 Spokane, WA 99216 Toll Free: 800.696.5766 509.921.8766 509.928.8270

TEXTURES

Wall Textures



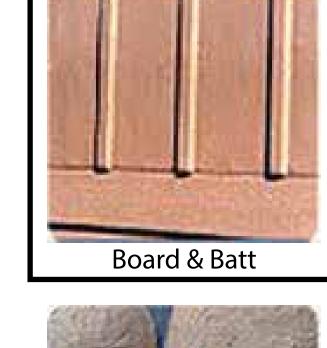




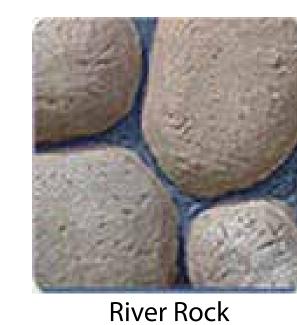


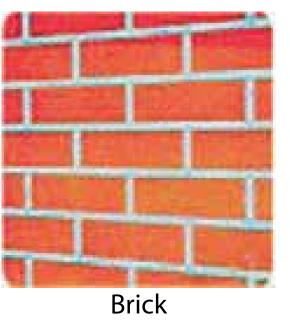


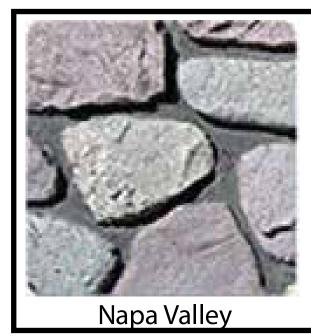
Field Stone



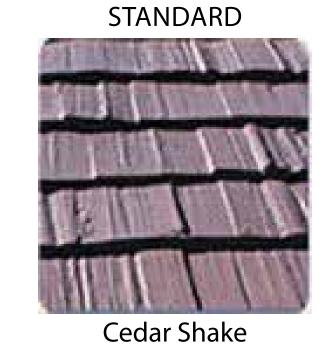
SPECIALITY

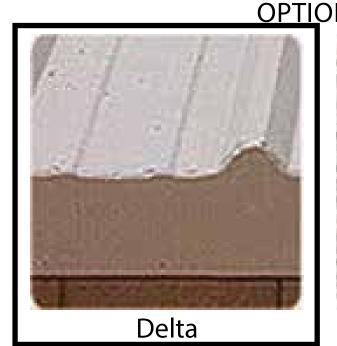






Roof Textures







SPECIALITY

DUCK POND PARK | Restroom Building Finishes

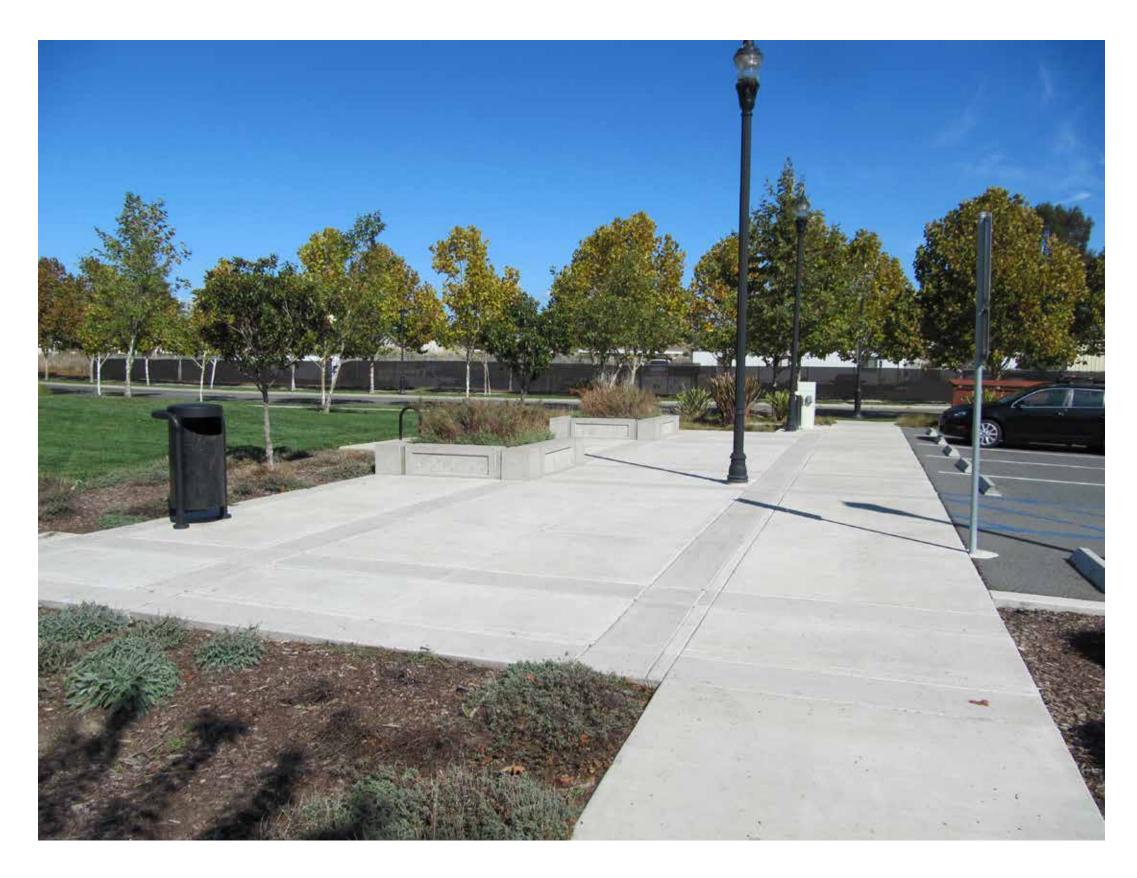


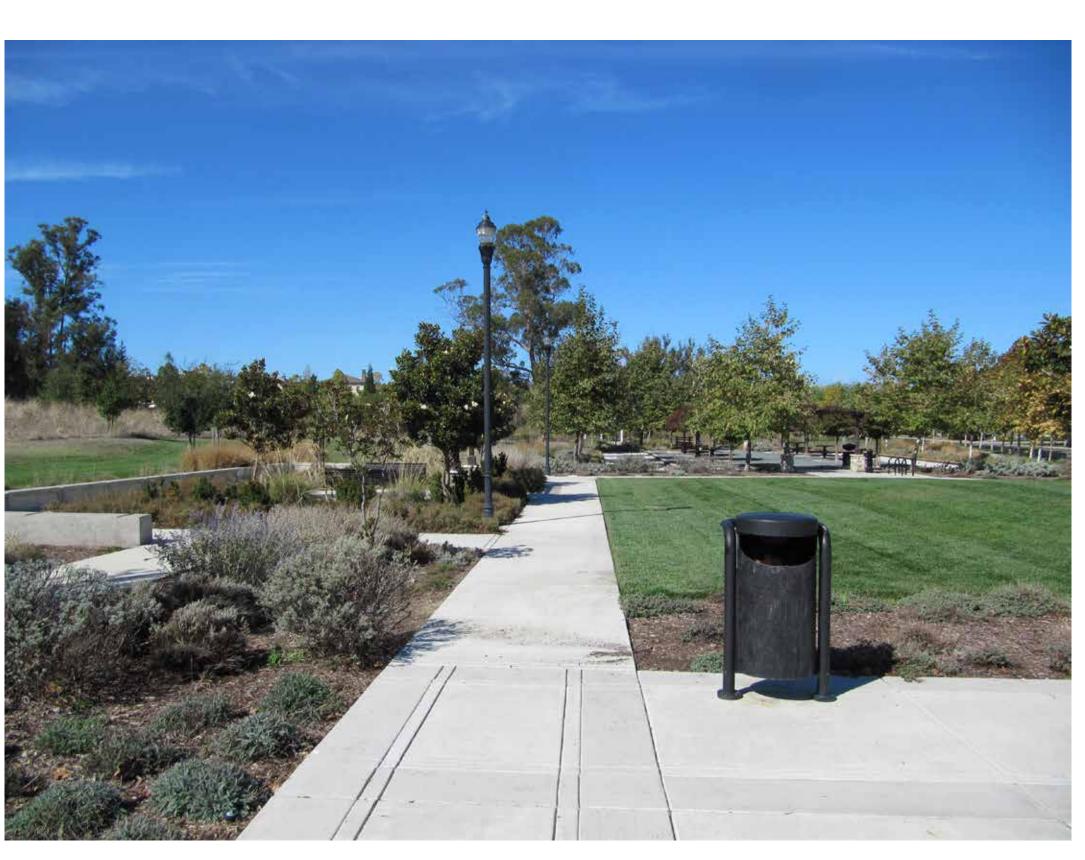


Basketball Court Surfacing

- Asphalt pavement with concrete mow band, width to match existing
- White line paint







Concrete Pavement

To match existing



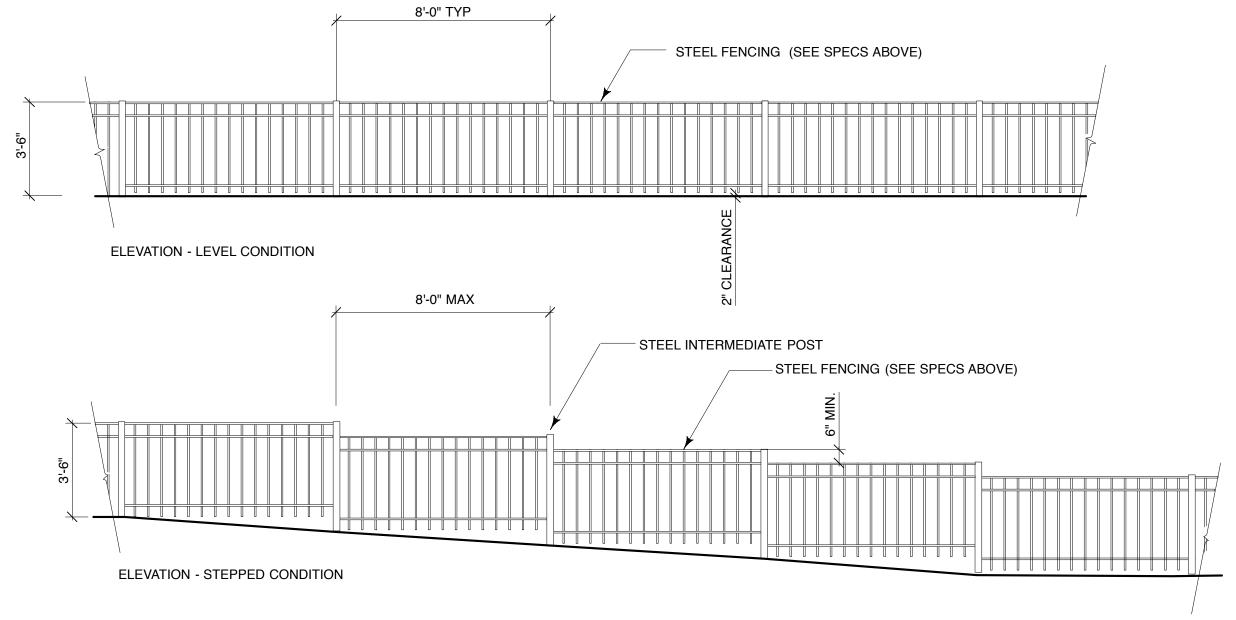




Players Bench

- 15" wide, 10'-0" long
- Same furnishing line as existing picnic benches
- Finish to match existing





Ornamental Metal Fence

3'-6" OPEN METAL FENCE
1/4" = 1'-0"

- 4'-0" height
- Similar to fence shown at Muir Pointe
- Powder coated black metal to match existing site furnishings, nearby parks

