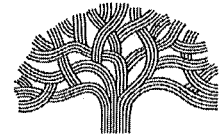


CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

(510) 238-3941
FAX (510) 238-6538
TDD (510) 238-3254

Sent via U.S. Mail and Electronic Mail

January 22 2018

Crystal Land
Head Royce School
4315 Lincoln Ave
Oakland, CA 94602

RE: Case File No. REV13-0003-R01; 4513 Lincoln Ave; 029A-1367-004-03; 029-A1367-005-02 & 029-A1367-006-01

Dear Ms. Land:

Your application, as described below, has been **APPROVED** for the reasons stated in Attachment A, which contains the findings required to support this decision. Attachment B contains the Conditions of Approval for the project. This decision is effective ten (10) days after the date of this letter unless appealed as explained below.

The following table summarizes the proposed project:

Proposal:	Minor Revision per Condition of Approval #3 for Case file REV13-0003 approved on June 7, 2016 to lease the athletic field at Ability Now located at 4500 Lincoln Ave.
Planning Permits Required:	Minor Revision per Condition of Approval #3 for Case file REV13-0003 approved on June 7, 2016 (under Original Case File PUD04-400)
General Plan:	Detached Unit Residential; Hillside Residential
Zoning:	RD-1 Detached Unit Residential -1 Zone
Environmental Determination:	Exempt per CEQA Guidelines Section 15301: Existing Facilities, Section 15332: Infill Exemption; and Section 15183: Projects consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-Historic Property
Service Delivery District:	3
City Council District:	4

If you, or any interested party, seeks to challenge this decision, an appeal **must** be filed by no later than ten calendar (10) days from the date of this letter, by **4:00 pm on February 1, 2018**. An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of **Heather Klein, Planner IV**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Zoning Manager or wherein his/her decision is not supported by substantial evidence and must include payment of **\$1,622.57** in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you, or any interested party, from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the

record which supports the basis of the appeal; failure to do so may preclude you, or any interested party, from raising such issues during the appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the Zoning Manager prior to the close of the previously noticed public comment period on the matter.

A signed Notice of Exemption (NOE) is enclosed certifying that the project has been found to be exempt from CEQA review. It is your responsibility to record the NOE and the Environmental Declaration at the Alameda County Clerk's office at 1106 Madison Street, Oakland, CA 94612, at a cost of \$50.00 made payable to the Alameda County Clerk. Please bring the original NOE related documents and five copies to the Alameda County Clerk, and return one date stamped copy to the Zoning Division, to the attention of **Heather Klein, Planner IV**. Pursuant to Section 15062(d) of the California Environmental Quality Act (CEQA) Guidelines, recordation of the NOE starts a 35-day statute of limitations on court challenges to the approval under CEQA.

If you have any questions, please contact the case planner, **Heather Klein, Planner IV** at (510) 238-3659 or hklein@oaklandnet.com, however, this does not substitute for filing of an appeal as described above.

Very Truly Yours,



ROBERT MERKAMP
Acting Zoning Manager

cc: Councilmember Annie Campbell Washington
Bijal Patel, Deputy City Attorney
Bill Quesada, Inspection Services

Leslie Werosh, Ability Now
Annie Mudge, Cox Castle Nicholson
Leila Moncharsh, Veneruso and Moncharsh

Ability Now / Head Royce Interested Parties Mailing List
Ability Now / Head Royce Interested Parties Email List

Attachments:

- A. Findings
- B. Conditions of Approval, including Standard Conditions of Approvals
- C. Final Noise Study, Wilson Ihrig, dated January 2, 2018

ATTACHMENT A: FINDINGS

Minor Revision Determination

The proposal is to lease the playing field at Ability Now at 4500 Lincoln Avenue for sports practice. Sports practice is a permitted activity at Head Royce School (School) per the PUD and the subsequent Revision to the School's PUD and is vested. Ability Now has also applied for a Minor Conditional Use Permit to allow a Recreational Assembly Activity (lease for Head Royce School) on their field via a separate permit (See Case File PLN16425). Staff concluded that the Minor Revision to the PUD per Condition of Approval #3 (Case file REV13-0003) approved on June 7, 2016 was required. This Determination is based on language in Condition #3 which notes that "Minor changes to approved plans, conditions of approval, facilities or use may be approved administratively by the Director of City Planning or designee. Major changes to approved plans, conditions of approval, facilities or use shall be reviewed by the City Planning Commission as a revision to the PUD. Major changes shall include increases in the academic or summer program enrollment, number of summer program sessions or merger of residential lots with the campus."

Since the project does not include an increase in the academic or summer school enrollment, number of summer school sessions or a lot merger, staff determined that the change to the PUD was a minor change. This determination may be appealed separately with a separate appeal fee per the appeal section above.

PUD Expansion

As the proposal involves an expansion of School's activities across the street to Ability Now, staff has also included the findings under the Preliminary Planned Unit Development Permit Criteria (Section 17.140.080) and Final Planned Unit Development Permit Criteria (Section 17.140.060) of the Oakland Planning Code (OMC Title 17) as set forth below and which are required to approve the application. Required findings are shown in **bold type**; reasons the proposal satisfies them are shown in normal type.

Section 17.140.080 Preliminary Planned Unit Development Permit

A. That the location, design, size, and uses are consistent with the Oakland Comprehensive Plan and with any other applicable plan, development control map, or ordinance adopted by the City Council.

Head Royce School has been operating since 1964 and has included playing fields and a sports program. Further restrictions were applied to the sports program hours and events as part of the Planning Commission's decisions in 2006, 2008, 2015. These activities were found to be in conformance with Oakland's General Plan policies and objectives, and the Planning Commission's decisions were not appealed.

Ability Now has been operating at 4500 Lincoln since 1956, and the site has included a playing field for its clients. The use of the field by the School would not result in a change to the location, size or design of the field. Although Ability Now has used the field lightly and the School's use would increase field usage, technically the hours of operation or number of person using the field would not change since Ability Now currently has no restrictions on its use. The minor upgrades to the field including surface material, netting, fencing and lighting are typical of any playing field. With appropriate Conditions of Approval, the School's use of the field is not expected to generate significant impacts above what would normally occur on a playing field. The use of the field by the School is consistent with Oakland's General Plan policies and objectives. Specifically:

The Head Royce site is classified as Detached Unit Residential and Hillside Residential per the City of Oakland General Plan's Land Use and Transportation Element (LUTE). The Detached Unit Residential classification is intended to create, maintain, and enhance residential areas primarily characterized by detached, single-unit structures. The desired character should remain residential with appropriate allowances for schools and other small civic institutions. The Hillside Residential classification is intended to create, maintain and enhance neighborhood residential areas that are characterized by detached, single-unit structures on hillside lots. The Ability Now site is classified as Detached Unit Residential and Institutional per the City of Oakland General Plan's Land Use and Transportation Element (LUTE). The Detached Unit Residential classification is intended to create, maintain, and enhance residential areas primarily characterized by detached, single-unit structures. The desired character should

remain residential with appropriate allowances for schools and other small civic institutions. The Institutional classification is intended to create, maintain and enhance areas appropriate for educational facilities, cultural and institutional uses, health care and medical uses as well as other uses of similar character. This project would allow an existing underutilized civic facility (playing field) to be used by another civic facility. Schools with accessory playing fields are consistent with these General Plan classifications. Specifically, the project meets the following LUTE Objectives and Policies:

Objective N2: Encourage adequate civic, institutional, and educational facilities located within Oakland, appropriately designed and sited to serve the community.

Policy N2.1: Designing and Maintaining Institutions: As Institutional uses are among the most visible activities in the City and can be a source of community pride, high-quality design and upkeep / maintenance should be encouraged. The facilities should be designed and operated in a manner that is sensitive to surrounding residential and other uses.

Policy N2.3 Supporting Institutional Facilities: The City should support many uses occurring in institutional facilities where they are compatible with surrounding activities and where the facility site adequately supports the proposed uses.

The playing field is existing and is used by Ability Now clients. This proposal will increase the use of the field minimally by allowing Head Royce to use the field only for sports practice. With the fence and Conditions of Approval regarding time of use, number of persons using the field and area of use, the field will be appropriately designed and managed to be sensitive to surrounding neighbors.

The project also is consistent with the following Open Space Conservation and Recreation Element of the General Plan (OSCAR) Objectives and Policies:

Objective OS-3: Institutional and Functional Open Space: To retain major institutional and functional open space areas and enhance their recreational and aesthetic benefits.

Policy OS-3.1: University, College and Institutional Open Space: Retain open space at Oakland's universities, colleges and other institutions where such open space provides recreational, aesthetic, conservation or historic benefits to the community.

The School currently busses students to practice fields around the City including space at Mills College and other institutional open space. While, the Ability Now playing field would not be open for public use which is the objective of the above policies and instead be solely for Head Royce and Ability Now use, this would allow the facilities at these other institutional sites to be available for usage by other members of the public.

- B. That the location, design, and size are such that the development can be well integrated with its surroundings, and, in the case of a departure in character from surrounding uses, that the location and design will adequately reduce the impact of the development.**

The playing field's location, design and size would not be altered and is already well integrated into its surroundings. The netting, fencing, minor surface improvements and lighting are typical of playing field improvements. The netting will be largely screened by vegetation as seen from Lincoln Avenue. The fencing is setback from the property line and will be double sided. The lighting will be downcast and for safety purposes – not for nighttime field use.

- C. That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets.**

As noted above, the location, design and size of the playing field will not change. The field is already used by Ability Now. The use of the field by Head Royce will slightly increase its use but not above what could already occur as

Ability Now has no restrictions on its use. Use of the field by Head Royce will not create a significant amount of traffic in the area. A traffic study was already approved by the Planning Commission for Head Royce's enrollment increase (total of 906 students) which concluded no traffic impact. When practices occur during the day or after school these students will walk across the street to Ability Now. Since these students are already picked-up and dropped off at the Head Royce School across the street during the weekdays, no additional traffic will occur. As the traffic analysis showed no impact with a 906-student population it is unlikely that the proposal with a maximum of 25 students will generate a weekend traffic impact.

D. That the location, design, size, and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services.

As noted above, the location, design and size of the playing field will not change. The playing field is existing as an adjunct to Ability Now. The proposal is adequately served by the existing facilities and services.

E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations.

As noted above, the location, design and size of the playing field will not change. The use of the field by Head Royce with the minor improvements, will result in an attractive and efficient civic environment and in additional field space availability at other institutions. Ability Now has also applied for a Minor Conditional Use Permit for lease of the field (See Case File PLN16-425)

F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.

The field is existing and is already well integrated into the setting. The use and minor improvements by Head Royce will not require grading beyond what is customary for the installation of a new lawn, destruction of natural features, and will not be visually obtrusive or harm views.

Section 17.140.060 (Planning Commission Action for Final Planned Unit Development):

The proposal conforms to all applicable criteria and standards and conforms in all substantial respects to the preliminary development plan for Head Royce. The School already operated a sports program and the masterplan approval and subsequent revisions provided for further restrictions on events and times associated with the program. Furthermore, the School already busses students to off-site locations for practices and games and is inherently part of the School's function. Furthermore, the Planning Commission's action in 2004, which allowed the School to use space at Lincoln Child Care for parking, acknowledged the many institutions along Lincoln Avenue and the benefit of shared usages of these facilities for the community.

CEQA FINDINGS

The project includes the leasing of an existing playing field, construction of a fence and installation of temporary netting playing field improvements and lighting. Staff has evaluated the project according to the California Environmental Quality Act (CEQA) and determined it is exempt from environmental review under Sections 15301, 15332 and 15183, each as a separate and independent basis, and when viewed collectively, as an overall basis for CEQA clearance.

Section 15301 of the CEQA Guidelines exempts from CEQA review those facilities which are existing. This exemption includes projects that involve negligible or no expansion of use beyond what is existing. The project site already contains a playing field that is used by Ability Now with no restriction on number of clients, time of day, or use or activity on the

field. Only 50 Head Royce students would use the field at any one time during weekdays and 25 students on Saturdays and this is negligible given the lack of restrictions on use of the field. This exemption also includes accessory (appurtenant) structures such as fences, netting, and lighting.

Section 15332 of the CEQA Guidelines exempts from CEQA review infill development projects. The project is located within the city limits and the existing field to be used is no more than 5 acres; has no value as habitat for endangered, rare or threatened species as the field is currently in use by Ability Now; and the site is already served by utilities and public services. The project would not result in any significant effects related to traffic, noise, air quality and water quality.

A traffic analysis was completed as part of an enrollment increase at Head Royce School (total of 906 students). This analysis showed that during the week, and am and pm peak hour timeframes, the new enrollment would not result in significant traffic impacts in the surrounding area. This analysis was part of an overall CEQA determination made by the Planning Commission in 2016 and was not challenged. With this proposal, students from Head Royce will be using the Ability Now field. These children are already bussed or dropped-off or picked-up by parents and as such are existing traffic trips. Allowing use of the existing playfield across the street will eliminate existing trips currently being made to drive these same students to practice fields around the City. Having the field closer to the School will reduce the traffic trips as the students can just walk over to Ability Now after school. As such, no additional trips would result in the use of the playing field during the week. During the weekend, traffic in the area is less heavy than during peak weekday hours as the majority of the students are not arriving or leaving the School, and residents are not leaving or coming home from work. Furthermore, only 25 students will be attending practices on Saturdays. These limited trips are not expected to result in significant traffic impacts especially when the School's larger population coming during the weekdays was shown not to result in an impact.

A noise study (attached) was prepared by a noise consultant which concluded that the project would meet the City's noise ordinance, and therefore, not result in a noise impact or cumulative noise impact. The noise study also demonstrated that the project would not exceed the City's CEQA threshold of significance for noise even without a fence. In addition, though not required, the play fence does have noise reduction properties which will further reduce the noise. Finally, staff has added additional Conditions of Approval related to noise, times of use, etc. to even further reduce noise.

The project only involves minimal construction related to the ball fence and improvement of the field surface. Staff has included the standard Condition of Approval related to air quality and construction to address the fence and field surface improvement. The use of the field for sports practice will not result in an air quality impact.

The project, which involves only use of the field, will not result in a water quality impact as no or only limited water will be used. The site is an existing playfield and does not provide habitat for rare, threatened or endangered species.

Furthermore, this project doesn't meet the exceptions in CEQA Section 15300.2 to disqualify it for an exemption. The project is not located in a particularly sensitive environment. The field is currently used by Ability Now clients and was intended for playing field use. It would not result in a cumulative impact of successive projects of the same type and the same place being significant. No successive projects like this are anticipated and Ability Now and Head Royce will coordinate schedules and use. The fencing and netting are typical of field uses. The lighting is for security purposes only and not for night field use. Per the Conditions of Approval, all practice activities will cease at sundown or 7 p.m., whichever is earlier. There is no reasonable possibility that a sports practice activity on a playing field will have a significant effect due to unusual circumstances. Finally, the project is not located near a scenic highway, on a hazardous waste site or in a historic resource.

As noted above, this project is also consistent with the City's General Plan and Zoning subject to CUP and Design Review approval, consistent with CEQA Section 15183.

ATTACHMENT B: CONDITIONS OF APPROVAL

The proposal is hereby approved subject to the following Conditions of Approval:

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans **December 8, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable ("Conditions of Approval" or "Conditions"). These Conditions amend but do not supersede the Conditions for Case File REV13-0003 approved on June 7, 2016

Specifically:

- Lease and use of the field for Head Royce School on the Ability Now property only for athletic practices with restrictions on number of persons, hours and days as further described in Condition 14.

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **two-years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Building, Fire Marshal, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. Minor and Major Changes

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.
- c. Any expansion of field use by Head Royce, including but not limited to number of teams/students, times of use, field lighting and field location) will require a Revision application.

5. Compliance with Conditions of Approval

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant's expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

6. Signed Copy of the Approval/Conditions

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

7. Blight/Nuisances

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60 days of approval, unless an earlier date is specified elsewhere.

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if one or more of such Conditions is found to be invalid by a court of competent

jurisdiction this Approval would not have been granted without requiring other valid Conditions consistent with achieving the same purpose and intent of such Approval.

10. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with the Bureau of Building, if directed by the Building Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

11. Lighting

Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

12. Operational Noise

Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

13. Lease with Ability Now

Requirement: The Revision is for lease of the playing field with Ability Now only. If Head Royce wishes to sign field leases with other entities, Head Royce will need to apply for a determination so that the City can review the location of the proposed field and whether the terms are consistent with locations existing permits or a Revision application is necessary.

14. Terms of Field Use (Lease with Ability Now)

Requirement: Head Royce shall ensure compliance with the following terms of the field use through their lease with Ability Now.

- The field must remain available to Ability Now clients as the primary user of the project site.
- The daytime weekday field use for Head Royce School is from 2:30 PM-7 PM or sundown if earlier than 7 PM.
- The field will be available on Saturdays only (no Sundays or holidays) for a two-hour period between 9:00 AM - 1:00 PM.
- The field will be used for sports practices only and shall not be used for Head Royce School Physical Education (PE) classes, scrimmages or games.
- The field shall be used either by two teams at a time or up to 50 people, whichever is greater, on weekdays, or by one team at a time or up to 25 people, which is ever is greater, on Saturdays.

- During weekends, coaches will ensure that the active field use is generally located closer to Lincoln than neighbors.
- No summer use or summer-school use of the field is permitted. Use for practices may commence up to two weeks before the start of the fall athletic competition season as established by the North Coast Section of the California Interscholastic Federation or mid August (approximately August 15th) whichever is later.
- Field whistle use must be pea whistles and conform to the recommendations in the Noise Analysis. No amplified or bullhorn noise is permitted.
- No visitors such as parents, spectators or other persons that will result in cheering section which would increase noise are permitted on the field sidelines. Coaches are the exception.
- Head Royce students will walk to Ability Now and coaches shall encourage parents to pick-up or drop-off students up in the Ability Now parking lot as opposed to the street. Head Royce School and Ability Now shall actively evaluate the parking situation and manage the parking lot at Ability Now to ensure that enough parking spaces are available for Head Royce students. If there is not enough parking at Ability Now or the lot is occupied by Ability Now clients, Head Royce students shall walk to Ability Now.
- If necessary, the City may require that a noise consultant be retained to monitor the practice noise. If a violation is found of the noise ordinance, the consultant shall recommend measures to reduce the noise and Head Royce School shall implement the recommendations.

15. Fencing and Netting

The proposed netting will be green, brown or black to blend in with the existing vegetation and ensure less visibility from Lincoln Avenue. The fence shall be wood, be consistent with the recommendations in the noise report to further the fence's noise reducing properties, and shall be installed with siding on both sides to provide an attractive fence elevation to adjacent neighbors.

16. Field Surface Improvements

The field surface may include sod, turf, or other pervious material. The field will be maintained at all times.

17. Storage

All field equipment such as balls, cones, flags, etc. shall be stored in an appropriate shed or box, the design and location to be approved by the Bureau of Planning or be stored inside Ability Now. Goals shall be temporary and shall be stored when not in use in an appropriate location on the field.

18. Lighting

Lighting shall meet Condition of Approval 11 and shall be of a low wattage enough for security but not to facilitate night use of the field.

19. Traffic Improvements

Head Royce students will use the lower or upper cross walk to reach Ability Now. An additional crossing guard shall be placed at the upper school cross walk to ensure that students cross Lincoln Avenue safely.

Applicant Statement

I have read and accept responsibility for the Conditions of Approval. I agree to abide by and conform to the Conditions of Approval, as well as to all provisions of the Oakland Planning Code and Oakland Municipal Code pertaining to the project.

Name of Project Applicant

Signature of Project Applicant

Date

City of Oakland
Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

NOTICE OF EXEMPTION

TO: Alameda County Clerk
1106 Madison Street
Oakland, CA 94612

Project Title: Case File No. REV13-0003-R01

Project Applicant: Crystal Land, Head Royce School

Project Location: 4500 Lincoln Ave; 029 1009-010-05

Project Description: Lease out the athletic field for weekday and weekend use and be available from 2:30 p.m. to 7:00 p.m. for a Recreational Assembly Activity on weekdays and 9:00 to 1:00 p.m. on Saturdays; construct an 8'-10' tall solid wood fence, improve field surface and install 10' tall temporary netting along Lincoln Avenue and safety lighting mounted onto the building.

Exempt Status:

Statutory Exemptions

- ☐ Ministerial {Sec.15268}
- ☐ Feasibility/Planning Study {Sec.15262}
- ☐ Emergency Project {Sec.15269}
- ☐ Other: {Sec._____}

Categorical Exemptions

- ☒ Existing Facilities {Sec.15301}
- ☐ Replacement or Reconstruction {Sec.15302}
- ☐ Small Structures {Sec.15303}
- ☐ Minor Alterations {Sec.15304}
- ☒ In-fill Development {Sec. 15332}
- ☐ General Rule {Sec.15061(b)(3)}

Other

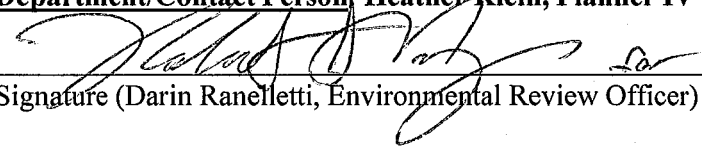
- ☒ Projects consistent with a community plan, general plan or zoning {Sec. 15183(f)}
- ☐ _____ (Sec. _____)

Reasons why project is exempt: See attached. The project which involves the leasing of an existing playing field, minor fence construction and temporary netting and lighting, with appropriate conditions of approval, will not have a significant impact on the environment and is exempt from Environmental Review.

Lead Agency: City of Oakland, Community and Economic Development Agency, Zoning Division, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612

Department/Contact Person: Heather Klein, Planner IV

Phone: 510-238-3659


Signature (Darin Ranelletti, Environmental Review Officer)


Date:

Pursuant to Section 711.4(d)(1) of the Fish and Game Code, statutory and categorical exemptions are also exempt from Department of Fish and Game filing fees.

***ENVIRONMENTAL DECLARATION**

(CALIF. FISH AND GAME CODE SEC. 711.4)

: FOR COURT USE ONLY

NAME AND ADDRESS OF APPLICANT OR LEAD AGENCY

LEAD AGENCY: CITY OF OAKLAND
Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

APPLICANT: Crystal Land
Head Royce School
4315 Lincoln Ave
Oakland, CA 94602

: FILING NO.

**CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:
(PLEASE MARK ONLY ONE CLASSIFICATION)**

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

☒ A – STATUTORILY OR CATEGORICALLY EXEMPT

\$50.00 – COUNTY CLERK HANDLING FEE

1. NOTICE OF DETERMINATION (NOD)

☐ A – NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$2,280.75 - STATE FILING FEE

\$50.00 (Fifty Dollars) – COUNTY CLERK FILING FEE

☐ B – ENVIRONMENTAL IMPACT REPORT

\$3,168.00 – STATE FILING FEE

\$50.00 (Fifty Dollars) – CLERK'S FEE

3. ☐ OTHER: _____

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PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES. IN PERSON FILINGS: PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPE.



WI #13-117.3

MEMORANDUM

January 2, 2018

To: Heather Klein, City of Oakland
From: Deborah Jue
Subject: Ability Now Sports Field

This memorandum summarizes our noise evaluation of the Ability Now (ANBA) field for sports practice use. This memorandum supersedes all previous noise analyses, and now includes (a) a noise model projecting noise levels from the proposed activities at the ANBA field and (b) field measurements taken at Head Royce School (HRS) soccer practices at the existing HRS field in September 2017. Both sets of noise data are then analyzed against the two relevant City of Oakland CEQA thresholds of significance for noise: compliance with the City's noise ordinance in the Planning Code and an assessment of whether the project would result in a permanent 5 dBA increase above ambient noise levels.

PROJECT DESCRIPTION

The current proposal is for Ability Now to lease the field to the Head Royce School (HRS) for team practices. The field is located on the opposite side of Lincoln Avenue from the Head Royce campus, as shown in Figure 1. These fields will not be used for games and thus no spectators are anticipated. The Ability Now field would only be used by Head Royce for organized school teams, for middle to high school age children (e.g., 11 to 18). The HRS soccer teams typically field teams up to 22 players and lacrosse teams up to 15 players. If teams practice concurrently, with coaches, there could thus be 50 people at the Ability Now practice field during weekday practices. The Saturday practices would only include one team (up to 25 people). The proposed layout includes netting to prevent balls from entering traffic or neighbors' homes, and a fence on the south side to shield noise, as shown in Figure 2 below. The source sound levels assumed for these calculations assume "yelling or cheering," even though such yelling or shouting is not likely on an on-going basis. More typically during a practice individual vocal effort would be less.

HRS would not use the field for PE practices, games or special events and no amplified sound would be used for any HRS athletic activities. Further, potential HRS activities would only occur from mid-August when team practices begin, through the school year, between the hours of 2:30 and 7 PM Monday through Friday, or a 2-hour period between 9 AM and 1 PM on Saturdays.

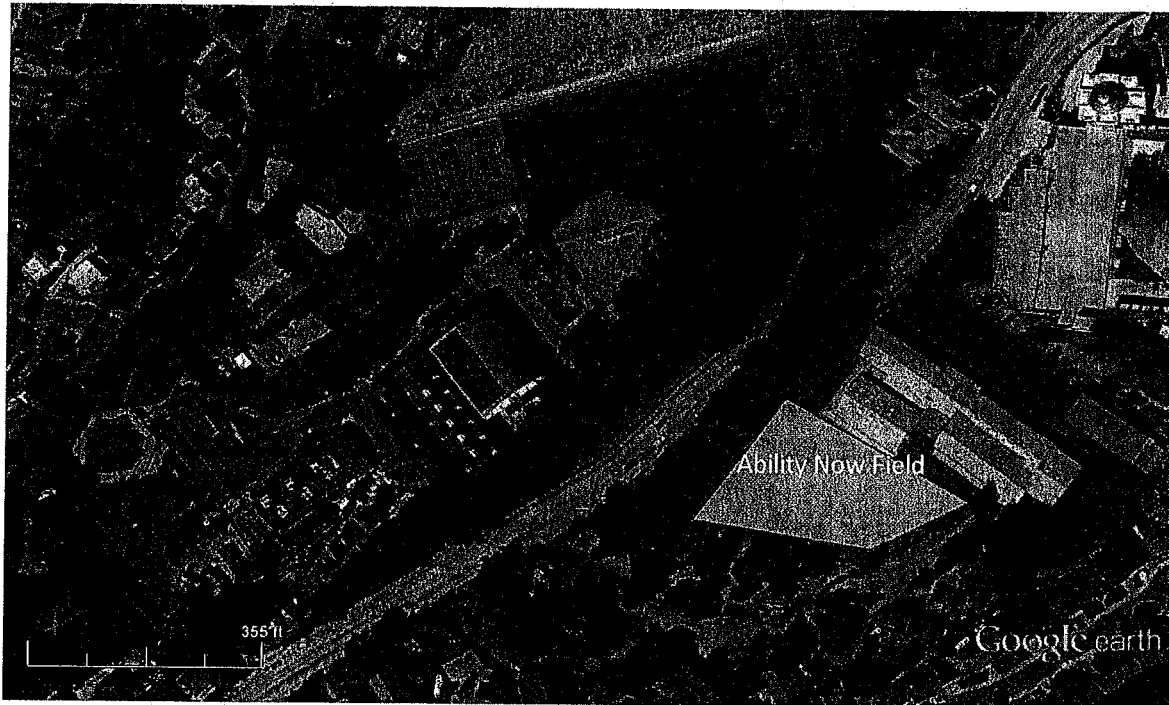


Figure 1 Aerial Photo of the Head Royce Campus and Ability Now Field

This memo first sets forth the City's thresholds of significance for noise, then presents the results of the modelled and actual noise measurements from the proposed use of the field and finally compares the modeled and actual noise levels to the two thresholds of significance. The memo concludes that:

- Based on the noise levels measured at two HRS soccer practices, the modelled noise levels likely overestimate noise generation from the project. This noise analysis is thus conservative.
- The project will comply with the City's noise ordinance without noise control measures, however, a fence is nonetheless proposed on the south side of the field.
- The project will not result in a permanent 5 dBA increase over ambient noise levels.

The overall conclusion of this memo is that the proposed use of the field for sports practices will not result in a significant noise impact.

Oakland Noise Ordinance Evaluation Thresholds

Planning Code Limits

Table 1 below summarizes the City of Oakland noise limits for residential receivers (per Planning Code 17.120.050). The City limits the cumulative number of minutes that a sound can be received at a noise sensitive neighbor, as shown in the left column; the noise limits are shown in the second from left column.



Table 1 Oakland Noise Limits (section 17.120.050.A, Table 17.120.01)

Cumulative minutes per Hour	Corresponding Statistical Noise Level, L_N	Noise Limit Daytime Hours (7 AM to 10 PM)	Noise Limit Nighttime Hours (10 PM to 7 AM)
20	L_{33}	60	45
10	L_{17}	65	50
5	L_8	70	55
1	L_2	75	60
0	L_{max}	80	65

The Code also includes a provision for noise that consists primarily of music or speech (17.120.050.E): *"Each of the noise level standards specified above in Subsections A. ... shall be reduced by five (5) dBA for a simple tone noise such as a whine, screech, or hum, noise consisting primarily of speech or music, or for recurring impulse noise such as hammering or riveting."*

Whether the intermittent sounds from sports practice, such as a kid calling for the ball or saying "I'm open," qualifies as "speech" is debatable. The fundamental reason that noise limits for music or speech are lower than for other sounds is that people tend to begin to listen more intently to music or speech to try to understand the lyrics or what is being said. This is essentially a natural reflex that people do unconsciously. The intermittent sounds from sports practice are very brief and do not contain much informational content for listeners to try to understand and thus the rationale for imposing a 5 dBA penalty does not exist in this instance. Nonetheless, this analysis concludes that the proposed activities will not exceed Oakland's noise limits, even with the 5 dBA reduction in the applicable limits.

Permanent Increase in Ambient Noise Levels

The City's CEQA thresholds of significance also include a determination of whether the project would generate noise that results in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project. This evaluation of the permanent noise increase is made on an L_{dn} or CNEL basis which has been used in other CEQA documents approved and certified.

Noise Models

Simple Noise Model

As noted above, activities from HRS could start as early as 2:30 PM on weekdays, but they would all finish by sundown or 7:00 PM, whichever is earlier. On Saturdays the field could be used for two hours between 9 AM and 1 PM. Thus, the HRS activities would be subject to the daytime noise limits. Noise from soccer and lacrosse sports practices can include the sounds of kids' voices and coach's whistles. From similar projects we have analyzed, intermittent sounds from a few voices, whistles and all-team cheers comprise the bulk of episodically louder noises. However, the incidence of all team cheers during practices is fairly low. Such noises are much more likely to occur during competitions, which will not be allowed. (Note that the noise measurements taken from actual HRS practice discussed below confirms the absence of cheering during practice.) Much more likely are individuals raising their voices as they call out to each other. Whistles would typically sum to 5



minutes or less in an hour, and individual or group yells could aggregate to 10 to 20 minutes per hour.

From the acoustical literature, following are typical noise levels for a human voice at a distance of 50 feet (denoted as "reference levels" below):

- A single voice talking normally can generate a sound level of 36 dBA
- A single voice yelling or shouting can generate a sound level of 63 dBA
- A group of 50 people cheering or yelling together (e.g., team cheer) generates a sound level of 80 dB.

With two teams practicing during weekdays, there could be as many as 50 people on the two fields at one point. We do not believe all 50 people yelling at the same time is a likely scenario, and on-going cheering is not typical of team practices. Consider that there will only be as many as 50 people present if two teams are practicing simultaneously. When two teams practice their activities are independent, not synchronized. As such, even an all-team yell or cheer would only include up to 25 voices. More typically during team practice, several players could call out to others simultaneously, perhaps during drills a handful of those in attendance would shout or yell at the same time; if all voices originate at the same position, such a combination of six voices would generate a sound level of 71 dBA at 50 feet distance. Note that a maximum of six voices yelling simultaneously was confirmed during observations and field measurements of practices described further below.

A coach's whistle can generate a sound level of 70 to 85 dBA at 50 feet distance depending on the type of whistle and the manner in which it is used. Youth sports typically use pea whistles which are much quieter than the Fox40 classic and similar whistles used in professional sports. The coach typically blows a short tweet for an aggregate duration between 1 to 5 minutes per hour.

Thus, for our simple noise model we identified three different noise sources that could potentially be identifiable by the neighbors, whistles, single voices and group voices. Using these reference levels summarized in Table 2, and observations from soccer practices, we developed a simple model to assess the sound from soccer practice for these three noise sources using different aggregate time durations using these assumptions.

Table 2 Reference noise levels for simple model – applied at each field

Source	Reference Level at 50 ft.	Category (Minutes per hour)	Oakland Noise Limit (dBA)	Oakland Adjusted Noise Limit (dBA)
Single Voice ¹	63 dBA	10	65	60 ⁽⁵⁾
Group (loud) ²	71 dBA	10	65	60 ⁽⁵⁾
Group (quiet) ³	53 dBA	20	60	55 ⁽⁵⁾
Whistle ⁴	80 dBA	5	70	65 ⁽⁶⁾
Maximum (whistle)	80 dBA	0	80	75 ⁽⁶⁾
Note 1: single voice yelling or shouting; Note 2: up to 6 voices yelling or shouting at the same instant, typical of team practice (on either field) Note 3: 25 voices in raised conversation, which could be typical for a team warm-up period Note 4: Assumes whistle selection limits sound to 80 dBA at 50 feet. Note 5: If these activities were considered "speech", noise limit reduced 5 dBA Note 6: If one limits a whistle because it contains a tone, noise limit reduced 5 dBA				

As noted above, the reference levels in Table 2 above assume the recipient of the noise is 50 feet from the noise source. In this instance for the proposed project, the recipients would range from 165 feet to over 460 feet from the noise source on the ANBA field. Noise levels attenuate as they travel farther from the source. Figure 2 illustrates a possible field layout at the ANBA field – the center of these fields was used as the center points for the model. Table 3 summarizes the potential noise at neighboring residential properties using these specific sound source values, incorporating standard assumptions regarding the shielding effect of the existing terrain and without the proposed ball fence. This analysis provides noise estimates for receivers at the upper level decks of the homes, except for 65 Camelia (which is modelled at the first level deck and top-level patio because these areas are closer than the upper deck) and 18 Camelia (which is modelled in the front yard because this house is on the other side of Camelia from the ANBA field.). Any higher-level windows would experience the sound indoors, and with an open window that sound level is typically 10 to 15 dBA lower than the outside level. Figure 3 illustrates a representative sample of the noise estimates from Table 3.

In the interest of being conservative, the City of Oakland's five-decibel downward adjustment is included to establish the final compliance thresholds for group voice yells and shouts.

Based on these modeled results, the project would comply with the City's noise ordinance without noise control and no noise control measures or noise fence would be required.

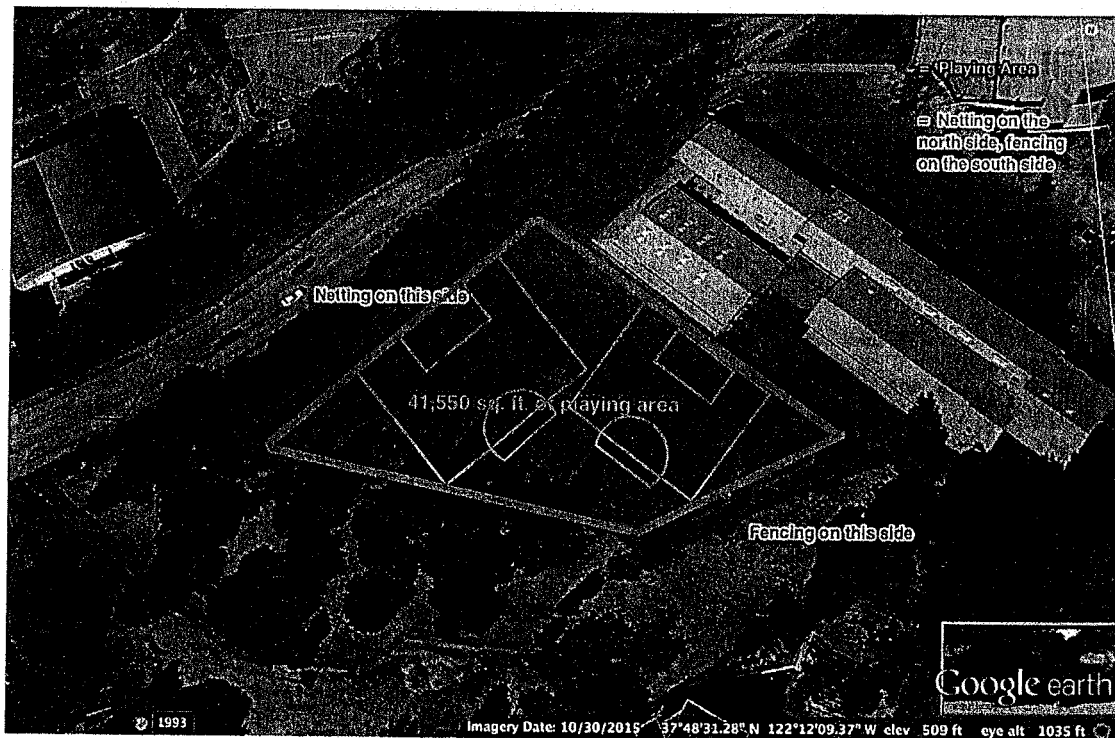


Figure 2 Ability Now Field with Example Field Layout

Table 3 Typical Noises from Soccer Practice – Noise Model (Both fields combined)

Noise Limit		60dBA	65 dBA	65 dBA	70 dBA	80 dBA
Adjusted Noise Limit (speech/ tone)		55 dBA	60 dBA	60 dBA	65 dBA	75 dBA
		Modeled Noise Level ² (dBA)				
	Distance Range ¹	Group (quiet) – 20 min./hr.	Group (loud) – 10 min./hr.	Single Voice – 10 min./hr.	Whistle 5 min./hr.	Any sound, 0 min./hr. ³
15 Camellia	165-405 ft.	26	44	36	48	65
25 Camellia	165-405 ft.	30	48	40	52	65
35 Camellia	165-405 ft.	37	54	47	59	65
18 Camellia	285-525 ft.	25	43	35	47	60
45 Camelia	165 to 405 ft.	37	54	47	59	65
55 Camelia	210 to 450 ft.	38	56	48	60	64
65 Camelia lower deck	270-510 ft.	38	56	48	60	63
65 Camelia top	270-510 ft.	38	56	48	60	62
Exceeds either noise limit threshold?		No	No	No	No	No
<p>Note 1: Total distance range from near edge of the near field to the far edge of the far field. The model assumes that the center of the near field would be about 240 to 345 ft from the neighbors and the center of the far field would be about 340 to 460 ft away.</p> <p>Note 2: Except for the whistles evaluated for “any sound 0 min/hr”, the values assume the noise from each source occurs on each field always occurs simultaneously with the other field. As discussed above, this simple noise model addresses three identifiable noise sources and the noise limit with the assumed aggregate time per field.</p> <p>Note 3: While whistles could be sounded at either field, the maximum sound from any whistle use is most likely to occur at the nearest field, at the nearest edge of the field (assuming no ball fence). These values were calculated to include the maximum sound of a single whistle used simultaneously at both fields.</p>						

Figure 3 shows where the nearby residences are located, along with the noise levels from Table 3.

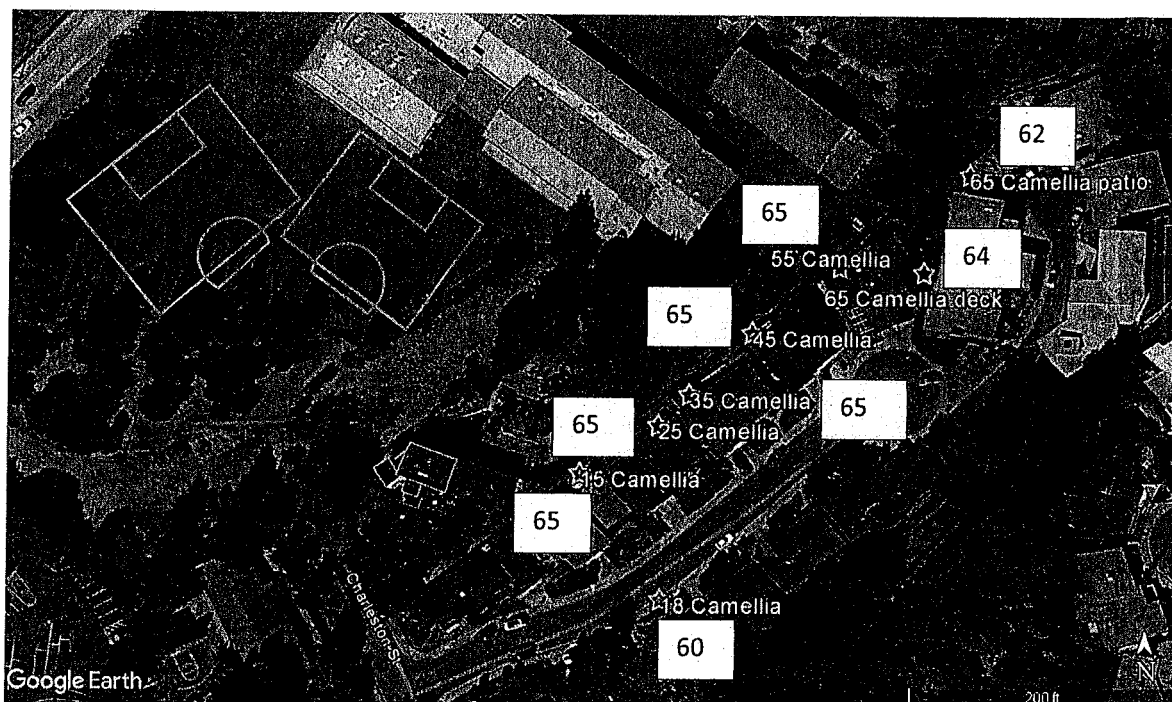


Figure 3 Simple model results – Any sound generated 0 minutes/hour (dBA) from Table 3

HRS soccer practice - field measurements

To verify these modeled results, Wilson Ihrig conducted field measurements at the existing HRS athletic field from boys Middle School and JV/Varsity soccer practices (approximately 1.5 hours duration) on September 6 and 27, 2017, respectively. A sound monitor was set up at the east end of the field at the edge of the parking lot, which is approximately 110 feet from the center of the existing HRS field. The slight elevation of the noise monitor above the field (about 10 feet) allowed full exposure of the microphone to sounds generated on the field also simulates conditions existing at the ANBA field with respect to those homes at the top end of Camellia Place, some of which are about 35 feet above the field. Approximately 25 players were on the field for the Middle School practice and approximately 22 players were on the field for the JV/Varsity practice. Results for each practice are summarized in Table 4.



Table 4 Soccer practice results – with other noise sources¹

Category	Event/ Statistical Descriptor	Noise Level (dBA)	Comment
Minutes/ hour	Middle School – 110 ft. center distance		
20	L ₃₃	54	Mostly ambient, not soccer
10	L ₁₇	56	Soccer, traffic and parking lot
5	L ₈	59	Soccer, traffic and parking lot
1	L _{1.7}	63	Soccer, traffic and parking lot
0	L _{max}	73	Loud yell at 40 ft. from the microphone (soccer)
	L ₉₀	48	Background from non- HRS sources
	L _{eq}	55	Combination of all HRS and background sources
Minutes/ hour	JV/Varsity 110 ft. center distance		
20	L ₃₃	61	Mostly ambient, not soccer
10	L ₁₆	64	Soccer, traffic and parking lot
5	L _{8.3}	66	Soccer, traffic and parking lot
1	L _{1.7}	70	Soccer, traffic and parking lot
0	L _{max}	82	Loud yell at 15 ft. from the microphone (soccer)
	L ₉₀	54	Background from non- HRS sources
	L _{eq}	62	Combination of all HRS and background sources
Note 1: Other noise sources included other after school activities, traffic on Lincoln Boulevard and cars and other noises in the HRS parking lot			

The simultaneous occurrence of loud voices during practice was consistent with model expectations discussed above: at any given moment, fewer than 6 strong voices were measured at the same time from any distance. And, as expected, at no time were all players on the field vocalizing simultaneously. Furthermore, during these soccer practice measurements, additional noise from activities in the parking lot, tennis courts and other sports practices could be heard, as well as noise from traffic on Lincoln Avenue and aircraft overflights. The results in Table 4 above conservatively include all HRS activities, including the parking lot and school sports activities, that occurred during the measurements, and non-HRS activities that could not be easily filtered out of the analysis. These other HRS activities would not be heard by the Camelia Street residents but are included in the results to be conservative. Results from the measurements shown in Table 4 were then applied to the conditions at the Ability Now field, and they are shown in Table 5 with the assumption that both fields would be in use simultaneously (for a total of 50 players). If only one field is in use, the noise levels would be less.

As shown in Table 5 (below) the estimated combined noise levels based on actual sound measurements are less than or similar to the simple model presented above and still within the Oakland noise limits, even accounting for the -5 dBA “speech” or tonal penalty. Thus again, based on measured results, no sound barrier would be required for the case of two teams practicing simultaneously (2 fields); with only one team practicing on the field, the noise levels would be even less.



Table 5 Estimated soccer practice noise – both fields (dBA)

Noise Category (minutes per hour):		20	10	5	1	0
Statistical Category		L ₃₃	L ₁₆	L _{8.3}	L _{1.7}	L _{max} ²
	Noise Limit (dBA)	60	65	70	75	80
	Adjusted Noise Limit – speech/tone (dBA)	55	60	65	70	75
Receptor						
15 Camellia	both fields	41	44	46	50	47
25 Camellia	both fields	45	48	50	54	50
35 Camellia	both fields	51	54	56	60	57
18 Camellia	both fields	40	43	45	49	45
45 Camelia	both fields	51	54	56	60	57
55 Camelia	both fields	53	56	58	62	58
65 Camelia lower deck	both fields	53	56	58	62	58
65 Camelia top	both fields	53	56	58	62	57
Exceeds either noise limit threshold?		No	No	No	No	No
<p>Note 1. The model assumes that the center of the near field would be about 240 to 345 ft from the neighbors and the center of the far field would be about 340 to 460 ft away, as was done in Table 3.</p> <p>Note 2. Maximum calculated from edge of each ANBA field, 165 to 460 ft., assuming combined effect from both fields</p>						

Figure 4 shows where the nearby residences are located, along with the noise levels from Table 5.

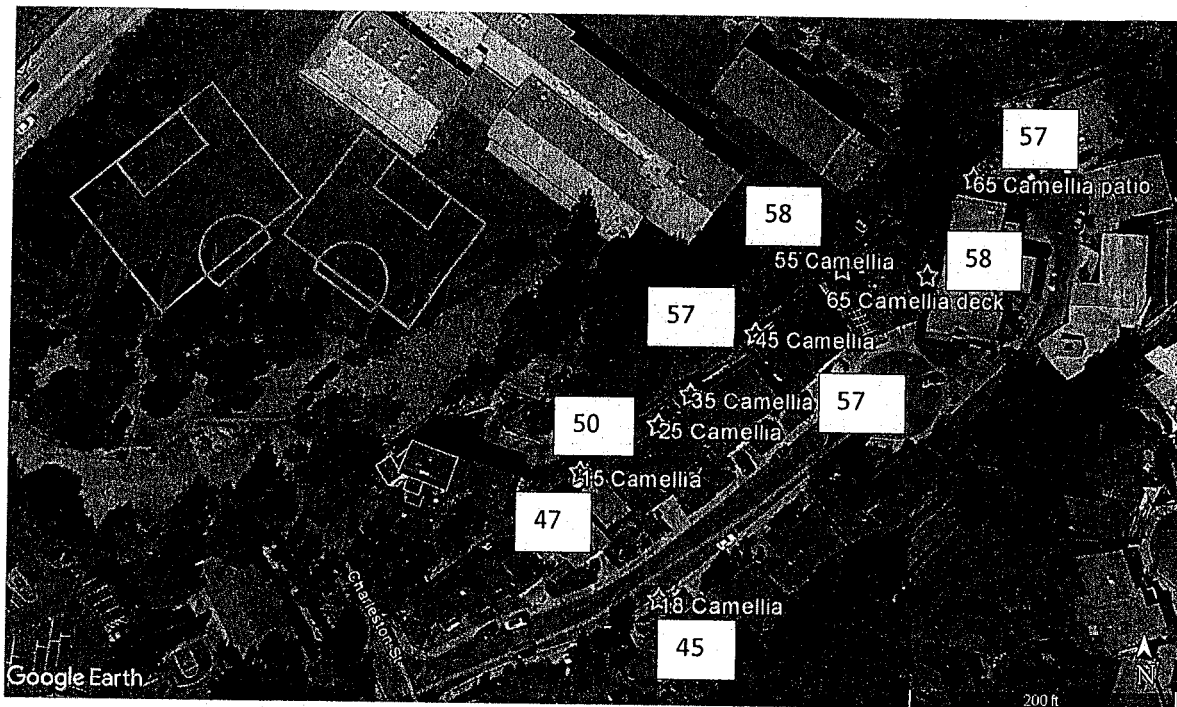


Figure 4 Model from measured results – Any sound generated 0 minutes/hour (dBA) from Table 5

Increase Above Ambient Noise Levels

As noted above, the City of Oakland also uses a significance threshold of a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project. It is standard practice to conduct an evaluation of whether a project will have a permanent noise increase on an L_{dn} or CNEL basis. L_{dn} is an equivalent noise level for a continuous 24-hour period with a 10-decibel penalty imposed during nighttime and morning hours (10:00 PM to 7:00 AM). The Community Noise Equivalent Level (CNEL) is the equivalent noise level for a continuous 24-hour period with a 5-decibel penalty imposed in the evening (7:00 PM to 10:00 PM) and a 10-decibel penalty imposed during nighttime and morning hours (10:00 PM to 7:00 AM).

Existing Ambient Noise Levels

The nearest noise-sensitive receptors are residences on Camellia Place. The homes include single-story over garage and multi-story buildings on a slope from the east to the west ends of the street. To document the existing noise environment, Wilson Ihrig measured the noise at two locations on Camellia Place because the street elevation changes by about 50 ft, while the ANBA field is relatively level. Location N1 was placed on a light standard at the east end (top) of Camellia Place, and Location N2 was placed on a light standard towards middle of the block. Both units were placed at a height of about 10 to 12 feet above the ground for security purposes. These locations are shown in Figure 5. To measure ambient noise levels, the loggers were placed farther away from the main source of ongoing permanent noise for that area, which comes from traffic on Lincoln Avenue.



The noise loggers measured noise from August 31 to September 12, 2017, documenting noise exposure values of 49 to 55 CNEL at N1 and 51 to 55 CNEL at N2 as indicated in Table 6 below. The average Monday-Saturday noise environment was 52 CNEL at N1 and 54 CNEL at N2. The existing noise environment is in the category of "Normally Acceptable" for residential use, per the Oakland General Plan and Noise Element.

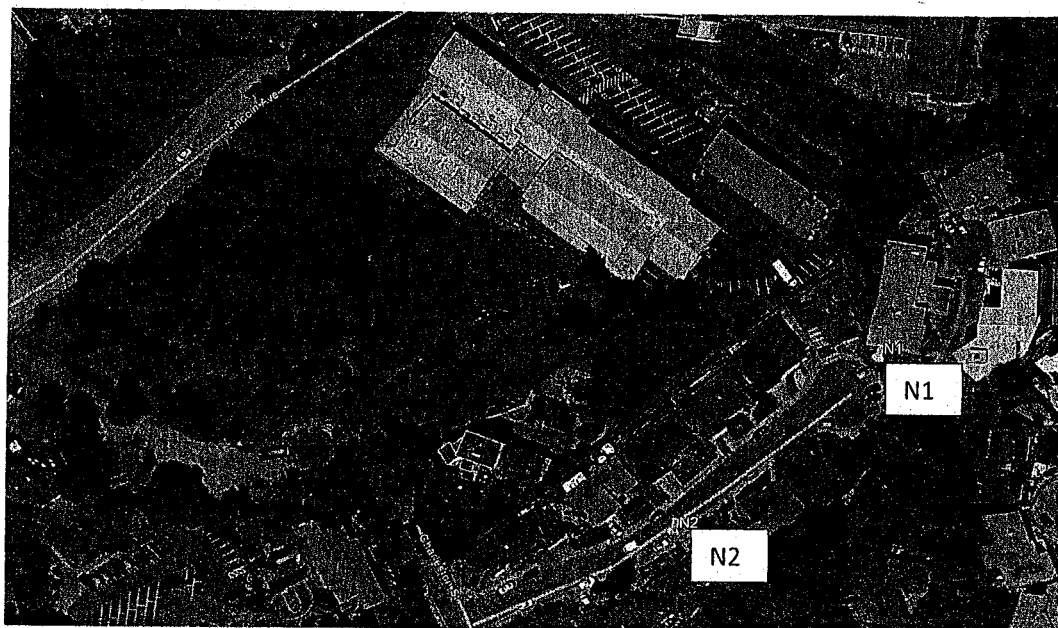


Figure 5 Project Area and Noise Measurement Locations

Table 6 Ambient Noise Measurement Results

Date	Day of the week	Community Noise Equivalent - Level (CNEL)	
		N1	N2
1-Sep	Fri	52	55
2-Sep	Sat	51	53
3-Sep	Sun	52	53
4-Sep	Mon holiday	52	53
5-Sep	Tue	52	54
6-Sep	Wed	51	53
7-Sep	Th	55	55
8-Sep	Fri	49	51
9-Sep	Sat	50	52
10-Sep	Sun	52	53
11-Sep	Mon heavy rain	53	54
Ave Mon-Sat excl holiday and weather		52	54

Future Permanent Noise Levels

Over a 24-hour period, without a sound barrier the contribution from 4.5 hours of soccer activities on both fields would generate 47 CNEl or less on weekdays. On the weekends when only one field would be used for 2 hours the noise from practice would contribute 41 CNEl or less on weekends at nearby homes on Camellia Pl.¹ The existing CNEl and the project-generated CNEl are added logarithmically to determine the Project+Existing CNEl². Thus, the resulting permanent increase would be 1 dB or less at all residences, less than the CEQA threshold limit of 5 dB as shown in Table 7.

Table 7 Future Permanent Noise Increase with the Project (CNEl) - Weekday

Receptor	Representative Existing Noise Measurement	Existing CNEl	Soccer Weekday – without sound barrier (CNEl)	Project + Existing Total CNEl	Increase over Existing
15 Camellia	N1	52	35	52	0
25 Camellia	N1	52	39	52	0
35 Camellia	N1	52	45	53	1
18 Camellia	N1	52	34	52	0
45 Camelia	N1	52	45	52	1
55 Camelia	N2	54	47	54	1
65 Camelia lower deck	N2	54	47	55	1
65 Camelia top	N2	54	47	55	1

Figure 6 shows where the nearby residences are located, along with the noise levels from Table 7.

¹ A constant noise level of 45 dBA generates a CNEl of 52.

² When two numbers are greater than 10 dBA apart, the sum of the two numbers increases the larger number by less than a half-decibel. If the two numbers are the same, the sum is 3 dBA greater than either number.

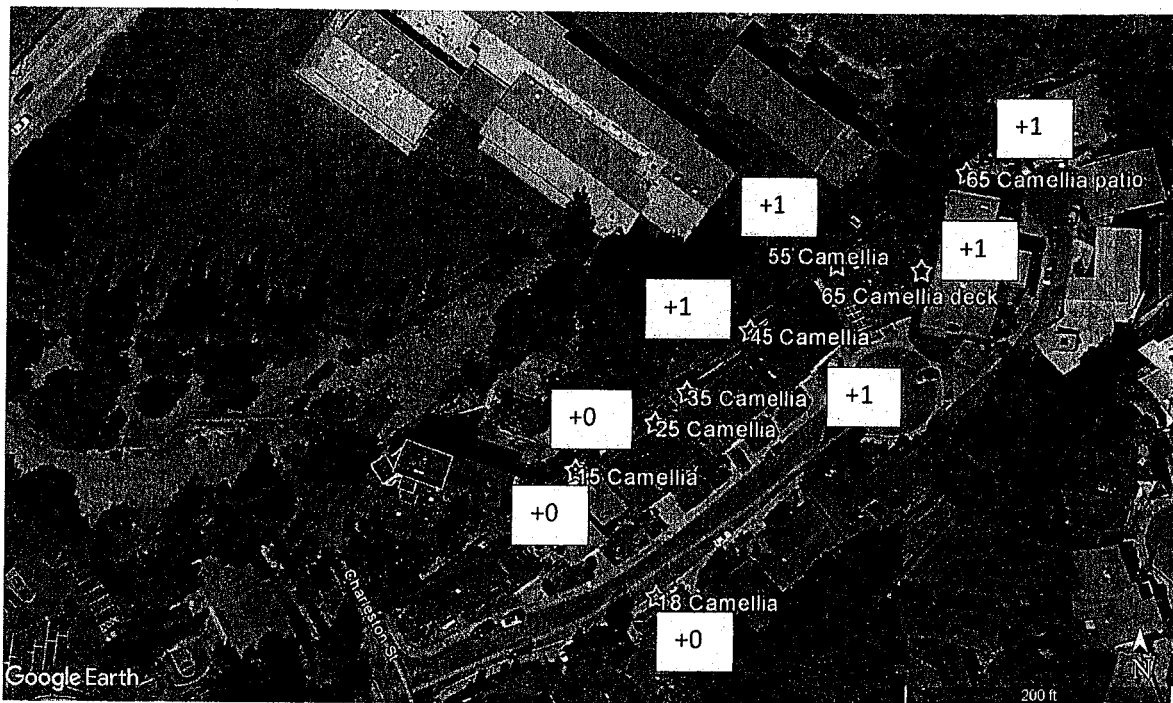


Figure 6 Future Permanent Noise Increase (CNEL) – weekday condition (worst case) from Table 7



Conclusions and Recommendations

The proposed use is expected to comply with the Oakland Noise Ordinance and the proposed use will not result in a permanent increase over ambient noise levels of 5 dBA or more. To reach this conclusion, this analysis used industry-standard modelling techniques and field-tested the reliability of that model by taking noise measurements of HRS team practices. The analysis incorporates several conservative assumptions:

1. The 5-dBA threshold reduction for speech is not likely applicable due to the short duration of spoken words, and yet the threshold reduction was used anyway.
2. The analysis models assumed that up to 50 people could be present if both fields are in use. When only field is in use, the noise levels would be less than those shown above.
3. The modelled results suggest the proposed use would be fully compliant without any noise control measure. The applicant nonetheless proposes constructing a ball fence with sound attenuating properties as part of the application. Such a fence typically would be constructed of $\frac{3}{4}$ " thick wooden boards in a tongue-in-groove or board-and-batten manner to avoid gaps in the fence that appear as the wood weathers over time. Often the wood is treated to minimize warping, and the wood type and thickness selection are made to provide a surface density of at least 3 or 4 pounds per square feet.
4. The reference sounds used in the model include "cheering", though the proposed use excludes competition. "Cheering" is common at games but rare at practices.
5. Observations made during field-testing at practices reveal that HRS coaches do not use whistles often - usage was far less than the 5 minutes per hour model. HRS coaching staff typically use the commercially available whistles that generate 10 to 20 dBA less noise than those used by professional referees in noisy stadiums.
6. The voices from each team are not synchronized and thus are unlikely to be coincident, and yet Table 3 and Table 5 assume the worst-case scenario at all times by combining the sounds at each practice field as if the sounds of two separate teams were perfectly synchronized.

Both the modelled sounds and actual noise measurements are below the applicable significance standards for noise. Wilson Ihrig thus concludes that the proposed use complies with the Oakland noise ordinance and will not result in a permanent increase of more than 5 dBA.