



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: MARCH 18, 2008

ITEM NUMBER: \_\_\_\_\_

**SUBJECT:** REQUEST OF THE COSTA MESA BARK PARK FOUNDATION FOR EXPANSION OF THE SMALL DOG AREA, EXPANSION OF THE GENERAL DOG AREA, AND RELATED IMPROVEMENTS AT THE COSTA MESA BARK PARK

**DATE:** MARCH 7, 2008

**FROM:** PUBLIC SERVICES/ADMINISTRATION

**PRESENTATION BY:** PETER NAGHAVI, DIRECTOR OF PUBLIC SERVICES

**FOR FURTHER INFORMATION CONTACT:** DONNA THERIAULT, 714-754-5024

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## **RECOMMENDATION:**

1. Approve the temporary expansion of the Costa Mesa Bark Park small dog area into the TeWinkle Park area between the north boundary of the existing small dog area and the south boundary of the Tennis Center (Attachment 1).
2. Direct staff to return to the Parks and Recreation Commission (Commission) for a rehearing of the expansion of the general dog area and an amendment to the TeWinkle Park Master Plan, which is part of the Open Space Master Plan of Parks and Recreation, to reflect the permanent expansion of the small dog area and for the expansion of the general dog area into the TeWinkle Park space located between the Tennis Center and the Air National Guard facility.

## **BACKGROUND:**

The Costa Mesa Bark Park Foundation (Foundation) recently submitted 3 reports to the Costa Mesa Parks and Recreation Commission (Commission) requesting the approval of the expansion of the small dog area into the general dog area; extension of the existing concrete sidewalk in the small dog area to the recently installed back gate and into the newly expanded small dog area, construction of wheelchair turnout areas; and expansion of the general dog area into an area in TeWinkle Park between the Tennis Courts and the Air National Guard facility.

On January 23, 2008 a report was presented to the Parks and Recreation Commission providing all pertinent information as well as staff's recommendations regarding the Foundation's requests (Attachment 2). At this meeting, the Parks and Recreation Commission approved to recommend to the City Council all 3 of the Foundation's requests. The Commission further recommended that the City fund all ADA **required** improvements. They also recommended that the Foundation's request for expansion of the general dog area be extended to the most northerly edge of the tennis courts and that the newly expanded general dog area be fenced off and locked during dark/evening hours. Minutes of the Commission meeting are provided as Attachment 3.

The Commission's recommendation included the following conditions to be fulfilled by the Foundation if the proposed expansions were to be implemented:

- 1) All improvements involving sidewalk and wheelchair access must be designed by a licensed landscape architect, meet Americans with Disabilities Act (ADA) requirements, be approved by the Public Services Director, and provide the least amount of impact to the existing irrigation and lighting systems.
- 2) All design and construction work must be performed by the Costa Mesa Bark Park Foundation or their licensed contractor through a no-fee permit with the City. The contractor must provide insurance meeting all City requirements.
- 3) The work must be inspected by Maintenance Services staff during construction to insure all work meets City Standards.
- 4) At the completion of all approved work, the irrigation and turf must be fully restored to provide full irrigation coverage and established turf grass of a variety approved by the Maintenance Services Manager.
- 5) All damage caused by construction of the improvements by the Bark Park Foundation's selected contractor shall be repaired to the satisfaction of the Director of Public Services at no cost to the City prior to the re-opening of the Bark Park.
- 6) The Costa Mesa Bark Park Foundation must fund the design, construction, and associated fees for all approved improvements. ADA required improvements may be paid by the City.

### **ANALYSIS:**

The Foundation states that the use of the Bark Park in general, and the small dog area in particular, has increased and there is now a need to enlarge both the small dog and the general dog areas. They also feel there is a need to provide wheelchair turn around areas in the existing small dog area and the proposed expansion area.

#### **Expansion of the Small Dog Area**

As noted in the Foundation's report, the small dog area encompasses less than 10 percent of the total Bark Park area. The Foundation states that other dog parks typically provide between 20 and 25 percent of the total dog park for segregated small dog areas. Their report also states that overcrowding and high use leads to unsanitary and unsafe conditions in the small dog area due to the increased amount of dog urine and feces, and the inability of dog owners to pull their dogs to a neutral area to avoid a confrontation with other dogs. The Foundation proposes to pay for the cost of the expansion and is requesting approval to begin the expansion immediately.

The Foundation's initial request for expansion of the small dog area into the general dog area was recommended for City Council approval by the Commission. However, following the Commission's consideration of this matter, staff has conducted further surveys of TeWinkle Park and is recommending a temporary, lower-cost option to respond to the needs of the Foundation. The Foundation approves of the following alternate option presented by City staff:

Currently, an approximately 5,000 square feet of area exists immediately to the south side of the Tennis Center and adjoins the northern boundary of the small dog park area (Attachment 4). In addition to grass areas, a wide concrete walkway and a concrete

seating area is available within this space that provides necessary ADA required access as well as all other needed features. This area could easily, and at a much lesser cost to the Foundation, be added to the small dog park area. There would be no need to redesign or reconfigure the irrigation lines with the relocation of the fence. Another short fence could also be installed to protect the existing mature landscaping on the south side of the Tennis Center that provides a reasonable buffer between the two uses. Adequate lighting from the existing small dog area as well as the tennis courts is also available.

This option would be temporary until a formal amendment to the TeWinkle Park Master Plan, which is a part of the Open Space Master Plan of Parks and Recreation, is approved by City Council.

#### Extension of the Concrete Walkway and Related Americans with Disabilities Act (ADA) Improvements in the Small Dog Area

The Foundation also requests to extend the existing concrete walkway in the small dog area to allow patrons in wheelchairs to enter the small dog area from the newly installed back gate.

The existing main gate entrance into the Bark Park meets the requirements and standards of the Americans with Disabilities Act (ADA). Accordingly, the existing concrete walkway in the small dog area currently meets all ADA requirements and allows patrons in wheelchairs to enter the park from the main front gate and access the small dog area to the dog watering station. At the time when the back gate was installed, the Foundation was made aware that the back gate entrance would not meet ADA standards without extensive improvement. Therefore, the main gate entrance into the small dog park is required to be open for ADA accessibility and the subject back gate directly into the small dog park is a secondary entrance.

The Foundation has requested this item be delayed until a future date after the expansion of the small dog area and the general dog area has been addressed and/or implemented.

#### Expansion of the General Dog Area

The third request from the Foundation is to enlarge the general dog area into the space located between the Tennis Center and the Air National Guard facility (Attachment 5). Due to the deletion of a second dog park from the Fairview Park Master Plan in November 2002 and in November 2007, the Foundation feels the TeWinkle Bark Park is the only off-leash facility that will be available in Costa Mesa for the near future. The Foundation also feels that the Bark Park is experiencing a heavier use due to the recent installation of the lights.

At their meeting of January 23, 2008 the Parks and Recreation Commission recommended that the City Council approve the Foundation's request to enlarge the general dog area to the northerly end of the tennis courts and that the expanded area be closed and locked during the evening/dark hours.

Following the Commission meeting, staff provided the Commission's recommendation to the Tennis Center Concessionaire for his information. Staff subsequently received correspondence indicating the Concessionaire's concern with expansion of the general dog area into the space between the tennis courts and the Air National Guard facility. A copy of this correspondence is included as Attachment 6.

The proposed expansion of the general dog area presents possible impacts to the Tennis Center and requires more extensive improvements to a greater extent than the small dog area expansion. Therefore, staff recommends this item be brought back to the Parks and Recreation Commission to present this item in more detail. Once the Commission has considered the item and made a recommendation to City Council, the item will be brought to the City Council for final approval and a public hearing to amend the TeWinkle Park Master Plan (Attachment 7).

**ALTERNATIVES CONSIDERED:**

City Council could deny any or all of the Foundation’s requests for the proposed alterations to the Bark Park, or direct staff and the Foundation to work together to identify other options.

**FISCAL REVIEW:**

The City currently has no funding to provide for the requested design and construction of the proposed changes to the Bark Park.

**LEGAL REVIEW:**

There is no legal review required for this item.

**CONCLUSION:**

The Foundation has made a request for several changes to the TeWinkle Bark Park to resolve issues of overcrowding, wheelchair accessibility, and lack of space. The Parks and Recreation Commission recommends that City Council approve the Foundation’s proposed changes to the small dog and general dog areas with certain conditions. City staff has provided alternate options for the expansion of the small dog area for City Council consideration, and is recommending the expansion of the general dog area and the possible amendment to the TeWinkle Park Master Plan be brought back to the Parks and Recreation Commission and then to a future Council meeting.

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DONNA THERIAULT  
Management Analyst

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PETER NAGHAVI  
Public Services Director

DISTRIBUTION: City Manager  
City Clerk  
City Engineer  
Staff

- ATTACHMENT:
- 1 [Map of Small Dog Area Expansion Option](#)
  - 2 [Parks and Recreation Commission Agenda Report with Attachments.](#)
  - 3 [Action Minutes of the January 23, 2008 Parks and Recreation Commission Meeting](#)
  - 4 [Photos of Existing Site for the Small Dog Park Expansion Option](#)
  - 5 [Map of the Proposed General Dog Area Expansion](#)
  - 6 [E-mail from Tennis Center Director](#)
  - 7 [TeWinkle Park Master Plan](#)