

**CITY OF ALBANY  
PLANNING AND ZONING AGENDA  
STAFF REPORT**

Agenda date: 5/11/10

Prepared by: AC

**ITEM/**      **6A**  
**SUBJECT:**    **Conditional Use Permit**  
Request to hold a live concert in the north parking lot of Golden Gate Fields on September 3, 2010.

**SITE:**            **1100 Eastshore Highway (Golden Gate Fields)**

**APPLICANT:** Rick Mueller for Live Nation Northern California F/K/A Bill Graham Presents

**ZONING:**      **WF: Waterfront**

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**STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission approve the project, subject to the attached conditions of approval.

**BACKGROUND/PROJECT DESCRIPTION**

The applicant is seeking a conditional use permit to allow a live musical concert on Friday, September 3, 2010 from 6:00 p.m. to 10:00 p.m. (doors opening at 5:00 p.m.) in the north parking lot of Golden Gate Fields (GGF). The event will be a general admission concert by the band Green Day. An estimated 15,000 to 20,000 attendees are expected pending Fire Department approval. Beer and wine would be served in beer garden areas. Parking would occur within various remaining lots on GGF property. Security and medical care will be provided. A unique feature of this concert is that Live Nation and Green Day would be donating a portion of the event revenues to benefit the Albany Unified School District (see attached letter from AUSD Superintendent).

**Additional Project Description:**

- Site Set-Up
  - Stage to be located west of the actual race track and will face toward the Bay.
  - Concert area will be enclosed by an 8' high perimeter fence, with the entrance gate located on the north side, facing the parking lot.
  - Concert area will be approx. 6.7 acres; assembly area approx. 2.2 acres
  - There will be no seating. Attendees will stand.
  - Vendors and Port-o-toilets will be located within the enclosed concert area;
  - Fire lane and stage access will be provided.
  - Audio delay towers will be used to provide even sound coverage and prevent the main stage audio system from over amplifying sound in one area in order to reach the opposite end.
  
- Transportation & Traffic Plan

- Will be prepared by applicant in conjunction with the California Highway Patrol, AC Transit, BART, and Golden Gate Fields.
- Will direct attendees to use alternative mode of transportation through event advertising, and in direct emails to ticket purchasers.
- Will work with AC Transit and/or GGF buses to run frequent shuttles to North Berkeley BART station.
- At the end of the concert, will work with AC Transit to increase frequency on heavily traveled bus lines, and increase frequency of high capacity shuttles to North Berkeley BART station.
- Will work with local taxi companies to set up marked taxi stand.
- Will work with East Bay Bicycle Coalition to set up bike and skateboard parking area.
- Event Security
  - Will be headed by National Event Service West.
  - 185 event staff (one security staff per 100 guests).
  - Will organize entry, conduct bag search, ensure orderly exiting, work with local police, etc.
- Medical care
  - Provided by Haight Ashbury Free Clinic's Rock Medicine.
  - Will care for minor illnesses, injury, referral and/or transport when necessary.
  - Will provide on-site doctors, nurses, and certified EMTs.
- Sustainability
  - Per Application item VII. *Greening the Concert*, Live Nation has instituted a sustainability program for its owned and operated venues for reducing and offsetting Greenhouse Gas emissions, and reducing its environmental footprint.
  - \$0.25 of each ticket sold to be used to purchase renewable energy credits from Native Energy to offset carbon footprint of the concert.
  - Location of venue conducive to alternative transportation choices.
  - Waste stations will include the receptacles: recyclables, composting, and landfill waste.
  - Food and beverage vendors will use compostable containers and utensils.
- Benefits to School District and City of Albany
  - Live Nation has suggested \$1.00 per ticket will be donated to the Albany School District.
  - City of Albany would benefit through sales tax revenue.

### **Environmental Analysis**

Staff has determined that the proposed concert could either be Categorically Exempt under Section 15323 (Class 23) Normal Operations of Facilities for Public Gatherings, or considered not to meet the CEQA definition of a Project per Section 15378.

Section 15378 - "Project means the whole of an action, which as has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..."

Section 15323 - "Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose...Facilities included within this exemption include, but are not limited to, racetracks, stadiums, auditoriums, amphitheaters..."

### **Summary of Key Issues**

Key issues include potential noise impacts, transportation/traffic/parking issues, and minimizing impacts to adjoining State Park lands.

### **Conditional Use Permit**

Golden Gates Fields has an approved conditional use permit from the City that allows a variety of non-horse racing related events throughout the year with limitations on the number and type of event. Musical events have typically not been considered appropriate, nor advised by GGF, because of potential noise impacts to residents east of Interstate 80. However, because the event appears unique, in that it would financially benefit the School District, a decision was made to accept the application for review and action.

Section 20.20.090 of the Albany Municipal Code, entitled *Temporary and Seasonal Uses*, allows "Live Entertainment Events. Concerts, carnivals, circuses, fairs, and other similar events. Limited to two (2) days", subject to a Temporary Use Permit. However, staff determined that a separate use Permit would be necessary since this current proposal is not included as part of the annual Use Permit for Golden Gate Fields.

### **Noise**

In order to evaluate the concert's potential impact on nearby residents, an independent Environmental Noise Study was prepared by Charles Salter and Associates. To test existing ambient noise levels, the consultant placed acoustical measuring devices at four locations within the residential area east of Interstate 80. Measuring locations included the 800 block of Hillside Avenue, 800 block of Solano Avenue, 900 block of Fillmore, and 700 block of Pierce Street. In all cases, the ambient noise level exceeded the applicable standards shown in Table I of the City's Noise Ordinance (see attached Ordinance section 8-1.4).

The consultant reviewed the Albany Noise Standards, and evaluated the expected noise levels from the concert, based on speaker, delay tower, and subwoofer locations, height, alignment, etc. using certain assumptions and site plan information.

Under Section 8-1.4d, the Ordinance states that, in the event the ambient noise level exceeds the applicable standards, the 30 minute noise standards in Table I or II shall be adjusted so as to equal said ambient noise level plus 5 dBA. The consultant concludes that Project-Generated Noise Levels will conform to the Albany Allowable Exterior Noise Standards (see Table 2 - Noise Study).

### **Transportation, Traffic and Parking**

The Project Applicant estimates that up to 80% of a capacity crowd can park on-site, and that the transportation and traffic plan will emphasize use of public transportation though advertising on the radio, in local newspapers, on event website and direct email to ticket purchasers. Assuming an average of 3.0 persons per car, about 5,300 spaces would be needed to accommodate 80% of a capacity crowd of 20,000 people (i.e. 16,000 arriving in cars). Approximately 3,100 parking spaces would be available for this event (4,132 spaces on GGF property minus about 1,000 spaces displaced for concert purposes). On heavy racing days, GGF officials state that arrangements have been made to use parking at the Berkeley marina (about 1,000 spaces) to shuttle attendees

back and forth. A condition of approval will be included to require the applicant to demonstrate to City staff that ticket sales are in line with the number of parking spaces provided based on the 3.0 persons/vehicle standard.

Golden Gate Fields often runs two buses at 10 minute intervals between GGF and the North Berkley BART station, as part of the normal racetrack operation. Conditions of Approval are attached that require the Applicant to provide frequent shuttle service between GGF and North Berkeley BART station, and work with AC Transit, BART, GGF, local taxi companies, and East Bay Bicycle Coalition, to provide transportation alternatives.

### Traffic

September 3 presents a number of challenges and concerns in that it is the start of a three-day weekend when many Bay Area residents are leaving town or headed home after work. It is also a Race Day at Golden Gate Fields. However, GGF officials state that racing will be ended earlier than usual that day in order to clear the parking lots and nearby roadways. For parking and freeway interchange purposes, GGF officials note that last year the highest attendance on a race day was 1,000. Although formal contact has not been made with Tom Bates sports field managers (located on Gilman Street), staff assumes that most of the fields will be in use that day. Access to and from the venue site will be through the Buchanan Street and Gilman Street intersections with Interstate 80 and I-580. Unlike Buchanan Street, Gilman Street is unsignalized and controlled only by stop signs.

Conditions of Approval are attached requiring that the Applicant coordinate with Caltrans, Albany, Berkeley, and EBRPD police, and provide traffic control personnel at each interchange, with emphasis at the Gilman Street interchange. Parking attendants should also be provided.

### Adjoining Eastshore State Park lands

Staff has been in communication with East Bay Regional Park District staff, including the Eastshore Park Supervisor and Park Police Officer. Their primary concerns relate to the need to protect the Albany Beach and wetlands area, address overuse and trash that might result from concertgoers using the Plateau as a "free" concert location, and needed traffic control through the Gilman interchange. Conditions of Approval are attached that require the applicant to coordinate with EBRPD officials to ensure that these concerns are addressed satisfactorily.

### Appeals:

The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council if such appeal is filed within 14 days of the date of action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee. The City Clerk will then schedule the matter for the next available City Council meeting.

### Attachments:

1. Application for Conditional Use Permit for Green Day Concert at Golden Gate Fields
2. Findings
3. Conditions of Approval
4. May 4, 2010 letter from Marla Stephenson, AUSD Superintendent
5. Noise Study by Charles Salter & Associates

ATTACHMENT 2 - FINDINGS

**Findings for Conditional Use Permit approval (Per section 20.100.030.D of the AMC)**

<i>Required Finding</i>	Explanation
<p>1. <b><i>Necessity, Desirability, Compatibility.</i></b> <i>The project's size, intensity and location of the proposed use will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.</i></p>	<p>The General Plan designates this area for commercial recreation, and the specific site is developed with a racetrack, for which special events have been permitted with a use permit. Because of the location, short-term, and community benefit, aspect of the proposed concert, it meets City zoning provisions regarding location, intensity and type of use. The concert will provide a direct benefit to the community, by donating a portion of the ticket sales to the Albany School District.</p>
<p>2. <b><i>Adverse Impacts.</i></b> <i>The project's use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or physically injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:</i></p> <ul style="list-style-type: none"> <li>a. <i>The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;</i></li> <li>b. <i>The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;</i></li> <li>c. <i>The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;</i></li> <li>d. <i>Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;</i></li> </ul>	<ul style="list-style-type: none"> <li>a. While the proposed concert could involve up to 20,000 people, it is a one day event, with limited hours, and will take place on a 102 acre property which is developed with a racetrack and associated parking lots.</li> <li>b. As conditioned, traffic control personnel will direct traffic and parking; provisions will be made to make it convenient for attendees to use public transportation, walk and bike to the site.</li> <li>c. A noise study was prepared to evaluate the potential impact on the nearby residential area. The study concluded that project generated noise will conform to the Albany Exterior Noise Standards.</li> <li>d. This use is temporary in nature and will not require landscaping or screening. The site is currently developed with parking lots and lighting.</li> </ul>
<p>3. <b><i>Consistency with Zoning Ordinance, General Plan and Specific Plan.</i></b> <i>That such use or</i></p>	<p>The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the</p>

<i>feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan and any applicable specific plan.</i>	area and would not adversely impact property, improvements or potential future development in the area.
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## ATTACHMENT 2 - CONDITIONS OF APPROVAL

1. The applicant shall demonstrate that adequate parking is provided to meet parking needs for 80% of the attendees using the industry standard of 3.0 person/vehicle for concert events. Sixty days before the event, the applicant shall demonstrate to City staff that ticket sales are in line with the number of parking spaces provided.
2. Event date and time shall be from 6:00 p.m. to 10:00 p.m. with doors opening at 5:00 p.m. on September 3, 2010.
3. The applicant shall donate a minimum of \$1.00 per ticket to the Albany Unified School District as a charitable donation.
4. At least 60 days before the event, the Applicant shall prepare a Transportation, Traffic and Parking Plan that addresses the following:
  - a) Coordinate with BART and Golden Gate Fields to provide high capacity shuttles to the North Berkeley BART station at approximately 10 minute intervals, to be increased in number and frequency during concert departure time.
  - b) Coordinate with AC Transit to increase frequency of service at nearby bus stops during concert departure time.
  - c) Set up a marked taxi stand and work with local taxi companies.
  - d) Set up a bike and skateboard parking area for attendees.
  - e) Provide traffic control personnel and coordinate with Caltrans, City of Albany Police, City of Berkeley Police and East Bay Regional Park District Police to ensure minimal congestion at the Gilman and Buchanan interchanges.
  - f) Provide parking attendants.
  - g) Inform attendees of transportation alternatives and parking locations through advertising on the radio, in local newspapers, on the event website, and in direct email to patrons who purchase tickets via Live Nation's electronic ticket vendor.
5. At least 60 days before the event, applicant shall enter into a reimbursement agreement to cover direct costs associated with police agencies, fire departments, and local public works and Park District maintenance staffs.
6. At least 60 days before the event, the applicant shall review the assumptions in the Noise Study (e.g., height of speakers), and notify the noise consultant of any differences. If differences result in a substantial change to the noise contours, the applicant will be required to provide mitigation (e.g., installing a solid wall behind the stage).

7. At least 60 days before the event, the applicant shall coordinate with EBRPD officials to ensure that satisfactory measures are taken to protect the Albany Beach and wetlands area, to remove trash from State Park lands as a direct result of the concert, and to coordinate in general with EBRPD Park Managers and Park Police.
8. At least 60 days before the event, the applicant shall coordinate with managers of the Tom Bates Regional Sports Complex to minimize potential impacts on field usage.
9. At least 30 days before the event, the applicant shall notify nearby residents within a quarter mile of the event and fulfill items discussed in the application submittal under Section VIII. Community Outreach.
10. Following the event, the applicant shall inspect the site and surrounding area and remove any litter or debris once a day on the site resulting from the event.
11. Ensure that the City of Albany is designated as the point of sale for all sales transactions during the event.
12. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.

# APPLICATION

- I. About the Producer
- II. Description of Proposed Event
- III. Site Plan Draft
- IV. Tentative Schedule
- V. Transportation & Traffic
- VI. Security / Medical
- VII. Greening the Festival
- VIII: Community Concerns
- IX. Individuals In Charge Of Event / Support Staff / Vendors

## **I. About The Producer:**

Live Nation Northern California F/K/A Bill Graham Presents is an event producer based in San Francisco who has been promoting events in the Bay Area for forty years. Producing approximately 1,000 events annually Live Nation has the experience and capacity to produce some of the largest and most challenging events in San Francisco. We have successfully produced events such as The Police at the MacAfee Coliseum and the Rock the Bells Festival at AT&T Park (both events had in excess of 45,000 attendees). Live Nation's resume includes other notable large scale events such as the Tibetan Freedom Concert in Golden Gate Park, the Warped Tour and KFOG Kaboom on Pier 30/32 and a 'T-Mobile' concert on Alcatraz Island. In addition to the larger events Live Nation also produces hundreds of arena, theatre, and club shows across Northern California and beyond. Live Nation also operates the following venues:

<b>Venue</b>	<b>Location</b>	<b>Capacity</b>
Shoreline Amphitheatre	Mountain View	22,000
Sleep Train Amphitheatre	Marysville	18,000
Sleep Train Pavilion	Concord	12,500
Nob Hill Masonic Center	San Francisco	3,500
Mountain Winery	Saratoga	1,750
The Fillmore	San Francisco	1,100
Cobb's Comedy Club	San Francisco	425
Punch Line Comedy Club	San Francisco	175
Punch Line Comedy Club	Sacramento	225

## **II. Description of Proposed Event**

The proposed event is a one day live concert in the north parking lot of Golden Gate Fields. The event will be a general admission concert by the band Green Day with an estimated attendance of 15,000 to 20,000 pending fire department capacity approval. The concert will benefit the City of Albany through sales tax revenue, and Live Nation and Green Day plan to donate a portion of event revenues to benefit the school system in Albany.

Live Nation will make best efforts to minimize the sound impact in the local community. The audio system will be configured to direct sound away from residential housing, and will be directed west towards the San Francisco Bay. Audio delay towers will be utilized in order to keep to provide even sound coverage for the entire site. This will prevent the main stage audio system from over amplifying sound in one area to compensate for sound needs on the opposite end of the site.



**Wednesday, September 1, 2010**

9:00 AM Load in begins for, dumpsters, tents, generators, stage & bicycle barricades, and perimeter gate.  
12:00 PM Stage build begins.  
6:00 PM Load in concludes. On site security beings and continues through show load out.

**Thursday, September 2, 2010**

9:00 AM Load in continues. ADA platform build begins, generators set, bike barricades set, light towers placed into position, wheelchair lift placed.  
12:00 PM Portable toilets loaded in, vendors start to load in. Signage for venue posted. Sound and lighting equipment set. Informational booths loaded in.  
6:00 PM Load in concludes. On site security beings through show load out.

**Friday September 3, 2010**

9:00 AM Band arrives and loads in touring equipment.  
12:00 PM Meetings with local fire chief and other permitting organizations begin.  
3:00 PM Sound check  
5:00 PM Doors open.  
6:00 PM Show starts.  
10:00 PM Show ends. Trash clean up begins.  
11:00 PM Egress complete.  
12:00 PM Band leaves. Security continues.  
2:00 AM Clean up finishes

**Saturday, September 4, 2010**

9:00 AM Load out starts for 90% of site equipment.  
6:00 PM 1<sup>st</sup> day load out concludes.

**Sunday, September 5, 2010**

9:00 AM Load out starts for any vendor equipment still on site.  
12:00 PM Load out finishes. Walkthrough with venue staff.

**V. Transportation & Traffic**

We are fully aware of the transportation challenges our event will present. We will be creating a transportation & traffic plan in conjunctions with the California Highway Patrol, AC Transit, BART, and the Golden Gate Fields. While we estimate we can park up to 80% of a capacity crowd on site we will put the emphasis of our plan on public transportation. We will direct concert guests to use alternative modes of transportation through our advertising on the radio, in local newspapers, on the event website, and in direct emails to all patrons who purchase their tickets through our electronic ticket vendor.

In preparation for quick an efficient guest departure we will work with AC Transit to increase the service frequency on heavily traveled bus lines and run frequent and high capacity shuttles to the North Berkeley Bart station. We will also work with local taxi companies to set up a marked taxi stand.

Finally we will work with the East Bay Bicycle Coalition will set up a bike and skateboard parking area free to all guests.

**VI. Security / Medical**

Event security will be headed by National Event Services West (NES).

We will contract for a minimum of 185 event staff for the entirety of the event, well within the industry standard of one security staff per one hundred guests. Security will be responsible for:

- Organizing guest entry and line control
- Searching bags and patting down guest for weapons
- Controlling gate checkpoints for backstage & production entrances as well as securing emergence blow through exit gates
- Controlling guest safety at the downstage end & barricade

- Ensuring a quiet and orderly exit of guests into the surrounding neighborhoods
- Working closely with local police to maintain a safe and lawful event
- Securing the field and equipment during set up and break down of the event including overnights

Local police will provide the appropriate number of Lieutenants, Sergeants, and Officers based on their evaluation of the event.

Medical care will be provided by the Haight Ashbury Free Clinic's Rock Medicine division. Rock Medicine provides medical care at concerts, community marches, fairs, circuses, and assorted other events. In recent years, its 400+ active volunteers have provided care at nearly 200 events in a single year. Rock Medicine is a mobile facility with a comprehensive assortment of supplies, medications and life support equipment. Rock Medicine acts as an urgent care center, a front line station where patients come for minor illnesses, injury, referral and/or transport when necessary. Rock medicine will provide the appropriate number of on sight doctors, nurses, and certified E.M.T.s. Their staff will be in constant radio communication with the security staff as well as roaming the crowd to ensure a quick response to any medical emergency.

## **VII. Greening The Concert**

### **A. Live Nations Greening Efforts**

In 2007, Live Nation Northern California launched a ground breaking, comprehensive sustainability program for all of its owned and operated Bay Area venues. Referred to by Allen Herschkowitz of the prominent National Resources Defense Council as "visionary work," this initiative includes reducing our environmental footprint; offsets remaining emissions from our operations, artists and our audiences; and includes numerous outreach plans. Assisted by California Environmental Associates, we engaged in a lengthy process of evaluating the operations in our venues, from amphitheatres to comedy clubs, and our offices, to establish a baseline of energy consumption, GHG emissions, waste disposal and use of environmentally friendly materials. This year we will increase our recycling efforts by 20% and reduce energy consumption by 10%. Currently, over 2,000 light bulbs have been changed to CFL's, our irrigation systems have added evapo-transmitter controllers and numerous suggestions from PG&E and local water agencies have been fulfilled. All office paper products are 95% recycled materials, organic fertilizers and appropriate custodial products are used and composting is done where possible. Numerous additional efforts are in effect as well. Our aggressive offsetting program includes purchases of offsets from Native Energy for the Owl Feather War Bonnet Wind Farm as well as Renewable Energy Credits from 3 Phases Energy services, a Bay Area company, for California specific renewable energy fuel sources. Additionally, Live Nation Northern California realizes our unique opportunity to increase awareness of this important issue. We currently are utilizing our web site, venue plazas, venue video projection screens and collateral materials to inform over one million annual patrons, and the artists of national and local organizations, as well as information on how each individual can make a difference. We have also established relationships with local organizations at both of our outdoor amphitheatres, Friends of Stevens Creek Trail at Shoreline Amphitheatre and the Mount Diablo Interpretive Association at Sleep Train Pavilion in Concord. Both organizations have received donations from us and are engaged in awareness programs through us. Having been involved in sustainability efforts as much as we have, Live Nation Northern California understands that this is just a beginning and we are omitted to a long term program for improvement.

### **B. Greening the Concert**

#### **Carbon Footprint:**

- \$0.25 of each ticket sold for this event will be used to purchase renewable energy credits from Native Energy to offset the carbon footprint of the concert
- The location of the venue makes alternative transportation to the concert an easy choice. We will publish a transportation section on-line and in printed materials easily guiding concert goers to bike, ride AC Transit, take BART, or carpool to the event

#### **Waste**

- All waste stations will include three receptacles. One for recyclable materials, one for composting, and one for landfill waste
- Food and beverage vendors will use compostable containers and utensils
- All event materials will be printed on recycled paper

#### Awareness

- We will be working with local and national environmental awareness groups such as Music Matters, Reverb, Friends of the Urban Forest and Global Inheritance to be involved and present at the event

#### **VIII. Community Outreach:**

Golden Gate Fields is located near residents directly east of the venue. We will reach out to all residential neighbors within a half mile radius of the park to inform them of the event. We will set up open meetings to gather and address neighborhood concerns. After the meetings we will post an information phone number and email address on the event website to address concerns and answer questions of local residents.

#### **IX. Individuals In Charge Of Event / Support Staff / Vendors**

##### Overall Event Planner

- Rick Mueller  
[rickmueller@livenation.com](mailto:rickmueller@livenation.com)  
415.281.1416
- Rose Kirkland  
[rosekirkland@livenation.com](mailto:rosekirkland@livenation.com)  
415.281.1445

##### Production (Staging, Audio, & lighting)

- Ron Bergman  
[ronbergman@livenation.com](mailto:ronbergman@livenation.com)  
415.281.9223

##### Operations (Patron Safety, Vehicle Logistics, Infrastructure Maintenance)

- Karen Schneider  
[karenschneider@livenation.com](mailto:karenschneider@livenation.com)  
415.2811451

##### Security

- Christy Feener  
[scfeener@pacbell.net](mailto:scfeener@pacbell.net)  
916-743-6477

##### Ticketing

- Randy Roffelsen  
[randyroffelsen@livenation.com](mailto:randyroffelsen@livenation.com)  
415.281.1456

##### Vendors / Support Staff

- National Event Services West - Private Security  
2003B Opportunity Drive, Suite 12  
Roseville, CA 95678  
916-782-9101
- Theatrical Stage Employees Local #107 - I.A.T.S.E. Stagehands  
8130 Baldwin Avenue suite 124,  
Oakland, CA 94621  
(510) 351-1858
- Operations Director - Rolling Stones AT&T Park, Bonnaroo Music Festival

Stephen Feener  
5393 Hidden Glen Drive  
Rocklin, CA 95677  
916-743-6488

- e.g. Power Systems - Site Power  
P.O. Box 4103  
El Dorado Hills, CA 95762  
916-539-5050
- Integrated Cleaning Solutions - Event Clean Up  
771 Capp Street  
San Francisco, CA 94110  
415-821-6757
- Golden Gate Debris Box Services - Waste Management  
900 7<sup>th</sup> St.  
San Francisco, CA 94107  
415-621-3841
- National Construction Rentals – Portable toilettes & Sinks, Fencing, Traffic Barricade  
P.O. Box 4503  
Pacoima, CA 91333  
510-887-6942
- Rock Medicine -Medical Services  
P.O. Box 756  
Roseville, CA 95661  
415-487-3681  
Wes Fifield - Director
- Stages Unlimited - ADA Platforms  
P.O. Box 578  
Gilroy, CA 95021  
408-847-6202
- Sound On Stage - Sound  
3182 Diablo Ave.  
Hayward, CA 9454  
510-782-7000
- Mobile Stage Rentals - Stage  
2800 West Oakland Park Blvd. Suite 101  
Fort Lauderdale, FL 33311  
877-882-8889



# City of Albany



## SUPPLEMENTAL QUESTIONNAIRE

### CONDITIONAL USE PERMIT (e.g., commercial, institutional, assembly uses & non-administrative home occupations)

The City of Albany Municipal Code has certain requirements for approving Conditional Use Permits. Your answers to these questions will help staff assess how to process your application. Please understand that this supplemental questionnaire will help staff to further work with you. Thus, we may have additional questions based on your responses below. Additionally, after your application is accepted for processing, staff and Planning and Zoning Commissions (if applicable) will likely make at least one field visit to the Site and neighborhood.

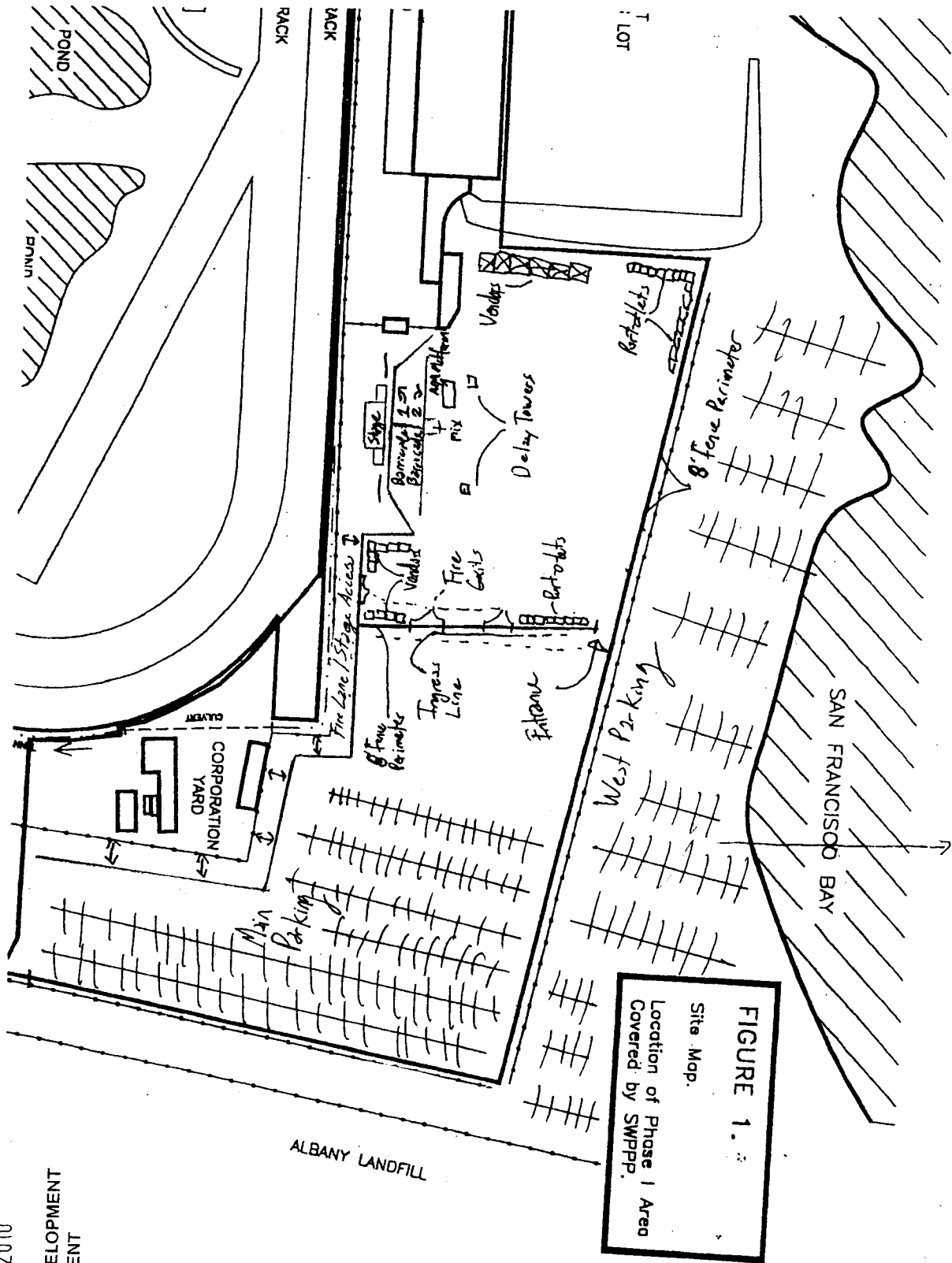
1. What is (was) the use in this building/tenant space prior to your proposal?  
1100 Eastshore Highway, Berkeley, CA 94710
  
2. What are you proposing?  
A 4 hour general admission concert with the artist Green Day.
  
3. Proposed hours/days of operation?  
September 3, 2010. 6PM to 10:30 PM
  
4. Maximum number of employees expected on site at any one time?  
500
  
4. For instructional uses/assemblies of people/classes, etc. what is the maximum number of participants expected on site at any one time?  
N/A 15,000 - 20,000
  
6. For restaurants and cafes, will beer/wine/liquor be served?  
Yes, beer & wine will be served in beer gardens.

CITY OF ALBANY

APR 19 2010

COMMUNITY DEVELOPMENT  
DEPARTMENT

III. Site Map Draft



PARKING WILL NOT ENCROACH INTO THE ALBANY BEACH AND EASTSHORE STATE PARK LAND.

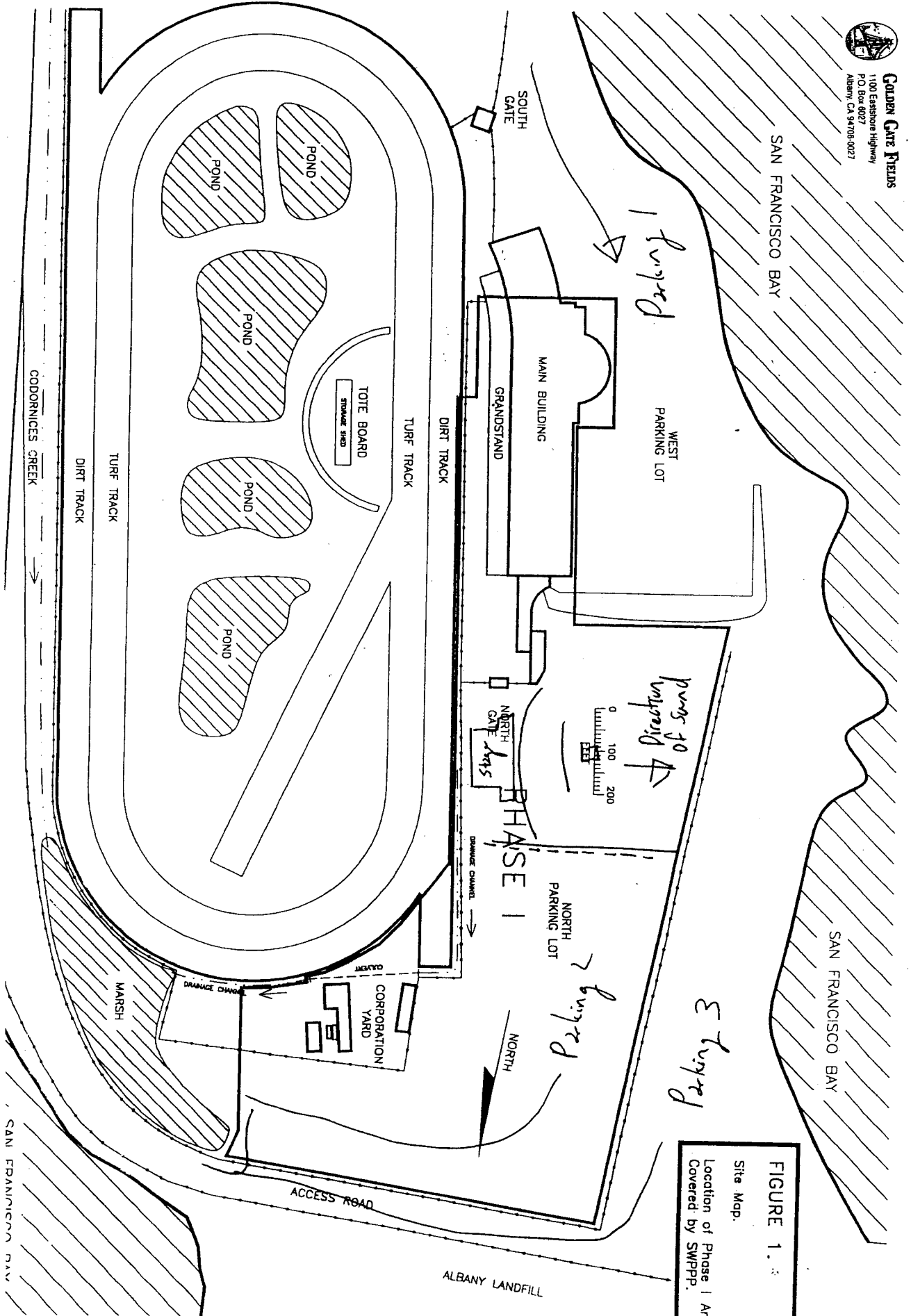


**Golden Gate Fields**

1100 Eastshore Highway  
P.O. Box 6027  
Albany, CA 94708-0027

SAN FRANCISCO BAY

SAN FRANCISCO BAY



**FIGURE 1.1**  
 Site Map.  
 Location of Phase I Area  
 Covered by SWPPP.

STABLE AREA

SAN FRANCISCO BAY

**DISTRICT  
ADMINISTRATION**

Marla Stephenson  
Superintendent

Laurie Harden  
Assistant Superintendent



**ALBANY UNIFIED SCHOOL DISTRICT**

904 Talbot Avenue • Albany, CA 94706  
(510) 558-3750  
FAX: (510) 558-6560  
[www.albany.k12.ca.us](http://www.albany.k12.ca.us)

**BOARD OF  
EDUCATION**

Ronald Rosenbaum  
*President*  
Dr. Patricia Low  
*Vice President*  
Paul Black  
David Glasser  
Miriam Walden

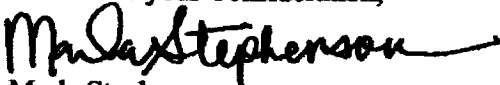
May 4, 2010

Ann Chaney  
Community Development Director  
City of Albany  
1000 San Pablo Avenue  
Albany, CA 94706

Dear Ann,

I received a call from Rick Mueller, of Live Nation Northern California F/K/A Bill Graham Presents. He is interested in doing a live band concert in one of the Golden Gate Fields parking lots. He hopes to attract 15,000-17,000 concertgoers. The band that will be performing is Green Day. They are local to the Bay area and have asked that part of the ticket sales go to a charitable organization. Rick has suggested that \$1.00 per ticket be donated to AUSD. As you know, funding for public schools has been cut by the State of California. This contribution would go a long way in helping AUSD provide a comprehensive education to Albany students. Please consider this letter as support for this event.

Thanks for your Consideration,

  
Marla Stephenson  
Superintendent of Schools

cc: Rick Mueller, President of California



**GREEN DAY AT GOLDEN GATE FIELDS**

**ALBANY, CALIFORNIA**

**ENVIRONMENTAL NOISE STUDY**

**6 May 2010**

**Prepared for:**

**Ann Chaney  
Community Development Director  
City of Albany  
1000 San Pablo Avenue  
Albany, CA 94706**

**D R A F T**

**Prepared by:**

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**CSA Project No. 10-0175**

## **INTRODUCTION**

This report provides an environmental noise study for the proposed outdoor Green Day concert at Golden Gate Fields in Albany. The concert is a one-day event planned to occur on Friday, September 3, 2010 from 5pm to 10pm. The purpose of the study is to quantify the existing noise levels in the residential areas closest to and least acoustically shielded from the proposed concert venue, calculate the expected noise impact from the project, and determine whether the project complies with the applicable standards. This report summarizes the acoustical criteria, noise measurements, estimated facility noise levels, and noise reduction measures. Those readers not familiar with the fundamental concepts of environmental acoustics can refer to Appendix A enclosed with this report.

The Project site, Golden Gate Fields, is located in the City of Albany, near the Berkeley-Albany border, West of Interstate 80. The concert is planned to occur on the Northwest corner of the Golden Gate Fields site, just West of the North end of the racetrack. The proposed general admission concert has an estimated attendance of 15,000 to 20,000.

Golden Gate Fields is located in an area generally consisting of industrial land uses bordering both sides of I-80. The nearest noise-sensitive land uses to the project site are the residential neighborhood located about 2000 feet to the East and the Albany Mudflats, bird feeding grounds located about 3000 feet to the Northwest. Additionally, hillside residential neighbors located about 3000 feet to the Northeast are most affected by noise from the concert due to the lack of acoustical shielding.

## **EXECUTIVE SUMMARY**

Ambient noise levels in the hillside residential areas described above range from 57 to 65 dBA. Ambient noise levels in the flat residential areas described above range from 58 to 73 dBA. At all measurement locations, highest ambient noise levels occurred from 7pm to 9pm. Our analysis indicates that the concert will generate up to 58 dBA at the closest noise-sensitive receivers (i.e., the flat residential areas). At hillside residential areas, the concert will generate up to 57 dBA. At the Albany Mudflats, the concert will generate 60-70 dBA. Noise levels in the residential areas are in compliance with the City of Albany's Noise Ordinance, which allows noise sources that do not increase the ambient noise by more than 5dBA.<sup>1</sup>

## **ACOUSTICAL CRITERIA**

Chapter VIII of the Albany City Code outlines exterior noise standards. Per 8-1.4.d., the maximum allowable exterior noise level for residential zones from 8a.m. to 10p.m. is 5dBA above the measured ambient.

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<sup>1</sup> We were not able to conduct acoustical measurements at the Albany Mudflats due to access issues, but would expect noise levels from the concert at this location to also be in compliance with the Albany Noise Ordinance.

## AMBIENT NOISE ENVIRONMENT

To quantify ambient noise levels at sensitive residential receivers during the concert, that is, on a weekday from 5p.m. to 10p.m., we conducted acoustical measurements at four locations during the concert time frame on Monday, May 3, 2010. A summary of the acoustical measurement results and locations is listed below in **Table 1**. Measurement locations are also shown graphically in **Figure 1**.

<b>Location</b>	<b>Description</b>	<b>Measured Ambient<sup>2</sup> (dBA)</b>
1	846 Hillside Avenue, 12 feet above the road grade.	59-64
2	845 Solano Avenue, 12 feet above road grade	57-65
3	938 Fillmore Street, 12 feet above road grade.	60-70
4	755 Pierce Street, 12 feet above road grade.	58-73

Traffic noise from the Interstate 80 dominates the noise environment at Locations One and Four. Traffic noise from Interstate 80 and local roads dominate the noise environment at Locations Two and Three.

<sup>2</sup> In accordance with the definition of ambient noise level outlined in 8-1.2.a. of Chapter VIII of the Albany City Code, the measured noise levels were averaged in 15-minute intervals throughout the measurement period.

**PROJECT-GENERATED NOISE**

If our assumptions for speaker locations and sound level at the mixing board are correct, then project generated noise will conform to the Albany Exterior Noise Standards. Below we state our assumptions<sup>3</sup> and outline expected project noise levels relative to allowable noise levels in Table 2 below. For clarity, noise contours for project-generated noise are presented graphically in Figure 2.

*Assumptions*

1. Line arrays will be installed to the right and left of the Stage. Loudspeakers will be 12 feet above grade.
2. Two subwoofers will be installed, one near each line array (right and left of Stage). Subwoofers will be located at grade.
3. Delay towers will be located as shown in the application sketch, at 12 feet above grade.
4. The A-weighted sound level at the mix position will not exceed 100dBA.

<b>TABLE 2: PROJECT GENERATED NOISE LEVELS COMPARED TO ALLOWABLE NOISE</b>			
<b>Location</b>	<b>Description</b>	<b>Project-Generated Noise Levels (dBA)</b>	<b>Allowable Exterior Noise Levels (dBA)</b>
1	846 Hillside Avenue, 12 feet above the road grade.	57	62
2	845 Solano Avenue, 12 feet above road grade	57	60
3	938 Fillmore Street, 12 feet above road grade.	58	63
4	755 Pierce Street, 12 feet above road grade.	58	61

2008\_05\_09\_Raley Field Entertainment Facility Noise Study (07-0372).doc

<sup>3</sup> We were not able to confirm these assumptions with the project sponsor.

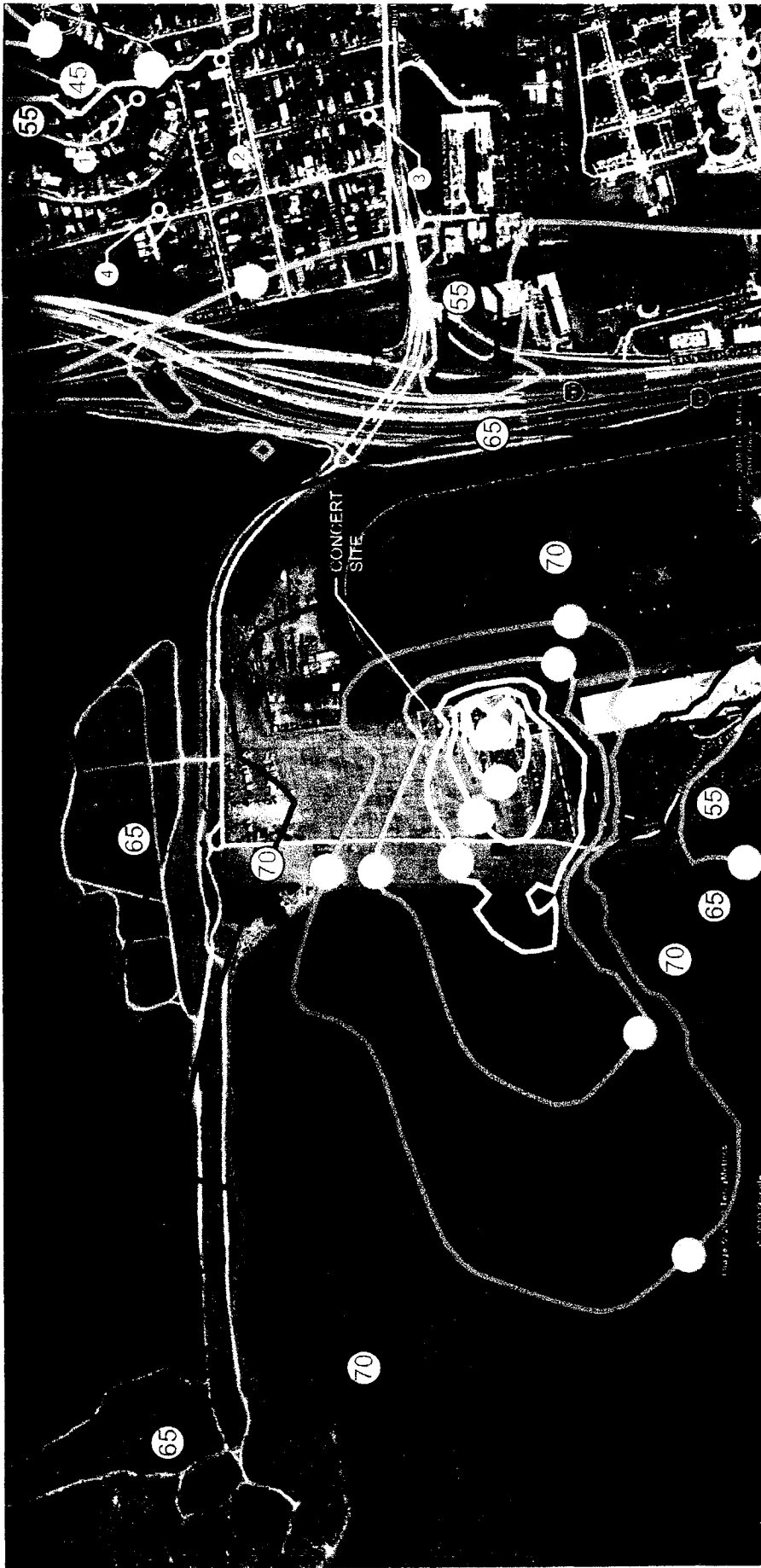


**GREEN DAY AT GOLDEN GATE FIELDS:  
NOISE MEASUREMENT LOCATIONS**

**FIGURE 1**

CSA #  
10-0175

CLM  
05.06.10



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 FOR ACOUSTICAL DESIGN INFORMATION ONLY

# GREEN DAY AT GOLDEN GATE FIELDS: PROJECT-GENERATED NOISE CONTOURS

**FIGURE 2**

CSA #  
 10-0175

CLM  
 05.06.10

## A P P E N D I X A

### FUNDAMENTAL CONCEPTS OF ENVIRONMENTAL NOISE

This section provides background information to aid in understanding the technical aspects of this report.

Three dimensions of environmental noise are important in determining subjective response. These are:

- The intensity or level of the sound
- The frequency spectrum of the sound
- The time-varying character of the sound

Airborne sound is a rapid fluctuation of air pressure above and below atmospheric pressure. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing.

The "frequency" of a sound refers to the number of complete pressure fluctuations per second in the sound. The unit of measurement is the cycle per second (cps) or hertz (Hz). Most of the sounds, which we hear in the environment, do not consist of a single frequency, but of a broad band of frequencies, differing in level. The name of the frequency and level content of a sound is its sound spectrum. A sound spectrum for engineering purposes is typically described in terms of octave bands, which separate the audible frequency range (for human beings, from about 20 to 20,000 Hz) into ten segments.

Many rating methods have been devised to permit comparisons of sounds having quite different spectra. Surprisingly, the simplest method correlates with human response practically as well as the more complex methods. This method consists of evaluating all of the frequencies of a sound in accordance with a weighting that progressively de-emphasizes the importance of frequency components below 1000 Hz and above 5000 Hz. This frequency weighting reflects the fact that human hearing is less sensitive at low frequencies and at extreme high frequencies relative to the mid-range.

The weighting system described above is called "A"-weighting, and the level so measured is called the "A-weighted sound level" or "A-weighted noise level." The unit of A-weighted sound level is sometimes abbreviated "dBA." In practice, the sound level is conveniently measured using a sound level meter that includes an electrical filter corresponding to the A-weighting characteristic. All U.S. and international standard sound level meters include such a filter. Typical sound levels found in the environment and in industry are shown in Figure A-1.

Although a single sound level value may adequately describe environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise is a conglomeration of distant noise sources, which results in a relatively steady background noise having no identifiable source. These distant sources may include traffic, wind in trees, industrial

activities, etc. and are relatively constant from moment to moment. As natural forces change or as human activity follows its daily cycle, the sound level may vary slowly from hour to hour. Superimposed on this slowly varying background is a succession of identifiable noisy events of brief duration. These may include nearby activities such as individual vehicle passbys, aircraft flyovers, etc. that cause the environmental noise level to vary from instant to instant.

To describe the time-varying character of environmental noise, statistical noise descriptors were developed. " $L_{10}$ " is the A-weighted sound level equaled or exceeded during 10 percent of a stated time period. The  $L_{10}$  is considered a good measure of the maximum sound levels caused by discrete noise events. " $L_{50}$ " is the A-weighted sound level that is equaled or exceeded 50 percent of a stated time period; it represents the median sound level. The " $L_{90}$ " is the A-weighted sound level equaled or exceeded during 90 percent of a stated time period and is used to describe the background noise.

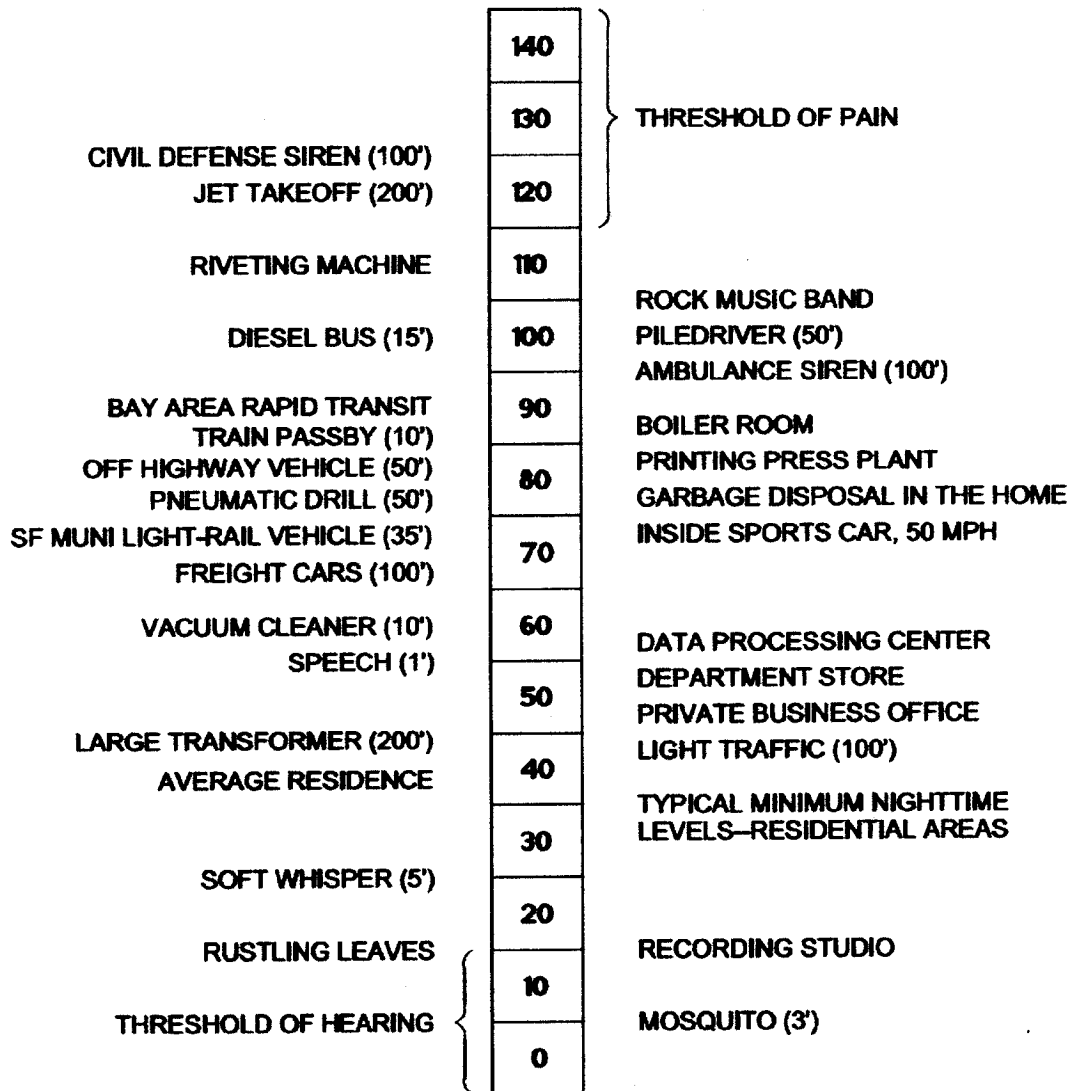
As it is often cumbersome to quantify the noise environment with a set of statistical descriptors, a single number called the average sound level or " $L_{eq}$ " is now widely used. The term " $L_{eq}$ " originated from the concept of a so-called equivalent sound level that contains the same acoustical energy as a varying sound level during the same time period. In simple but accurate technical language, the  $L_{eq}$  is the average A-weighted sound level in a stated time period. The Albany City Code defines ambient noise and allowable noise levels in terms of the  $L_{eq}$ .

An important factor in assessing a person's subjective reaction is to compare the new noise environment to the existing noise environment. In general, the more a new noise exceeds the existing, the less acceptable the new noise will be judged. With regard to increases in noise level, knowledge of the following relationships will be helpful in understanding the quantitative sections of this report:

Except in carefully controlled laboratory experiments, a change of only 1 dB in sound level cannot be perceived. Outside of the laboratory, a 3 dB change is considered a just-noticeable difference. A change in level of at least 5 dB is required before any noticeable change in community response would be expected. A 10 dB change is subjectively heard as approximately a doubling in loudness, and would almost certainly cause an adverse community response.



**A-WEIGHTED  
SOUND PRESSURE LEVEL,  
IN DECIBELS**



(100') = **DISTANCE IN FEET  
BETWEEN SOURCE  
AND LISTENER**

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FOR ADDITIONAL TECHNICAL INFORMATION, CONTACT:

**TYPICAL SOUND LEVELS  
MEASURED IN THE  
ENVIRONMENT AND INDUSTRY**

**FIGURE A1**

11/02 11/02/03

c. The noise level limits for Waterfront Zoned (WF) areas of the City shall be as follows: During the period from 8:00 a.m. to 10:00 p.m. the noise limits shall be as stated in Table II, above. After 10:00 p.m., the limits shall be as stated in Table I, above.

d. In the event the measured ambient noise level exceeds the applicable standards, the thirty (30) minute noise standards in Table I or Table II shall be adjusted so as to equal said ambient noise level plus 5 dB(A), with the fifteen (15), five (5), one (1) and zero (0) minute standards adjusted upwards in 5 dB(A) increments, based on the ambient noise level measured. In no case shall the ambient level standard exceed a 100 dBA standard for the zero (0) minute measurement.

e. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the applicable noise level standards in Table I or Table II.

(Ord. #91-08, §1)

### 8-1.5 Interior Noise Limits.

a. No person shall operate or cause to be operated within any single-family house, apartment, townhouse, duplex or multiple dwelling unit, in any zoning district, any source of sound or allow the creation of any noise which causes the sound level when measured inside a neighboring receiving dwelling unit to exceed the limits shown in the following table:

**Table III—Interior Noise Limits  
Noise Level Standards, dB(A)**

Cumulative Number of Minutes in Any One Hour Time Period	Daytime	Nighttime
	8:00 a.m.— 10:00 p.m.	10:00 p.m.— 8:00 a.m.
30	45	40
15	50	45
5	55	50
1	60	55
0	65	60

**8-1.4 Exterior Noise Standards.**

a. It is unlawful for any person at any location within the City of Albany to create any noise or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which does not comply with the provisions of this section unless the provisions of subsection 8-1.13 have been met.

b. Exterior noise levels when measured at any receiving single or multiple family residential or public facility zoned property situated in the City of Albany do not conform to the provisions of this section when they exceed the noise level standards set forth in Table I or Table II following:

**Table I—Receiving Land Use:  
Properties in All \*Residential and Public Facilities Zones**

Cumulative Number of Minutes in Any One Hour Time Period	Daytime	Nighttime
	8:00 a.m.— 10:00 p.m.	10:00 p.m.— 8:00 a.m.
30	55	50
15	60	55
5	65	60
1	70	65
0	75	70

\*Includes R-1 (Residential Low Density Single-Family), R-2 (Residential Moderate Density), R-3 (Residential High Density), R-4 (Residential Towers) and HD (Hillside District).

**Table II—Receiving Land Use:  
Properties in All Other Zones\* Not Covered in Table I**

Cumulative Number of Minutes in Any One Hour Time Period	Daytime	Nighttime
	8:00 a.m.— 10:00 p.m.	10:00 p.m.— 8:00 a.m.
30	65	60
15	70	65
5	75	70
1	80	75
0	85	80

\*Includes C-1 (General Commercial), C-2 (Highway Commercial), and C/S/LI (Commercial, Service, Light Industrial).