

Case File Number PLN14-359

January 21, 2015

Project Name:	McDonalds Restaurant Rebuild
Location:	6623 San Pablo Avenue (APN016-1507-002-01)
Proposal:	Rebuild existing fast food restaurant
Contact Person/Phone Number:	Tom Clark (925) 278-0016
Owner:	Tom Lucas
Case File Number:	PLN14-359
Planning Permits Required:	Major Conditional Use Permit and Regular Design Review to allow rebuilding an existing Fast Food Restaurant (McDonalds), Expanding by 1,173 square feet of floor area to a total 4,270 square feet building on a 35,000 square foot parcel
General Plan:	Community Commercial
Zoning:	CC 2 Community Commercial
Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15183, 15303 & 15332
Historic Status:	Not a Potential Designated Historic Property.
Service Delivery District:	2
City Council District:	1
Commission Action to Be Taken:	Approve
Appeal:	To City Council
For Further Information:	Contact David Valeska at (510) 238-2075 or dvalueska@oaklandnet.com

SUMMARY

The Applicant proposes to rebuild an existing McDonalds restaurant building and property located at 6623 San Pablo Avenue in North Oakland. A Major Conditional Use Permit is required for a Fast Food Restaurant with Drive-through and Regular Design Review is also required.

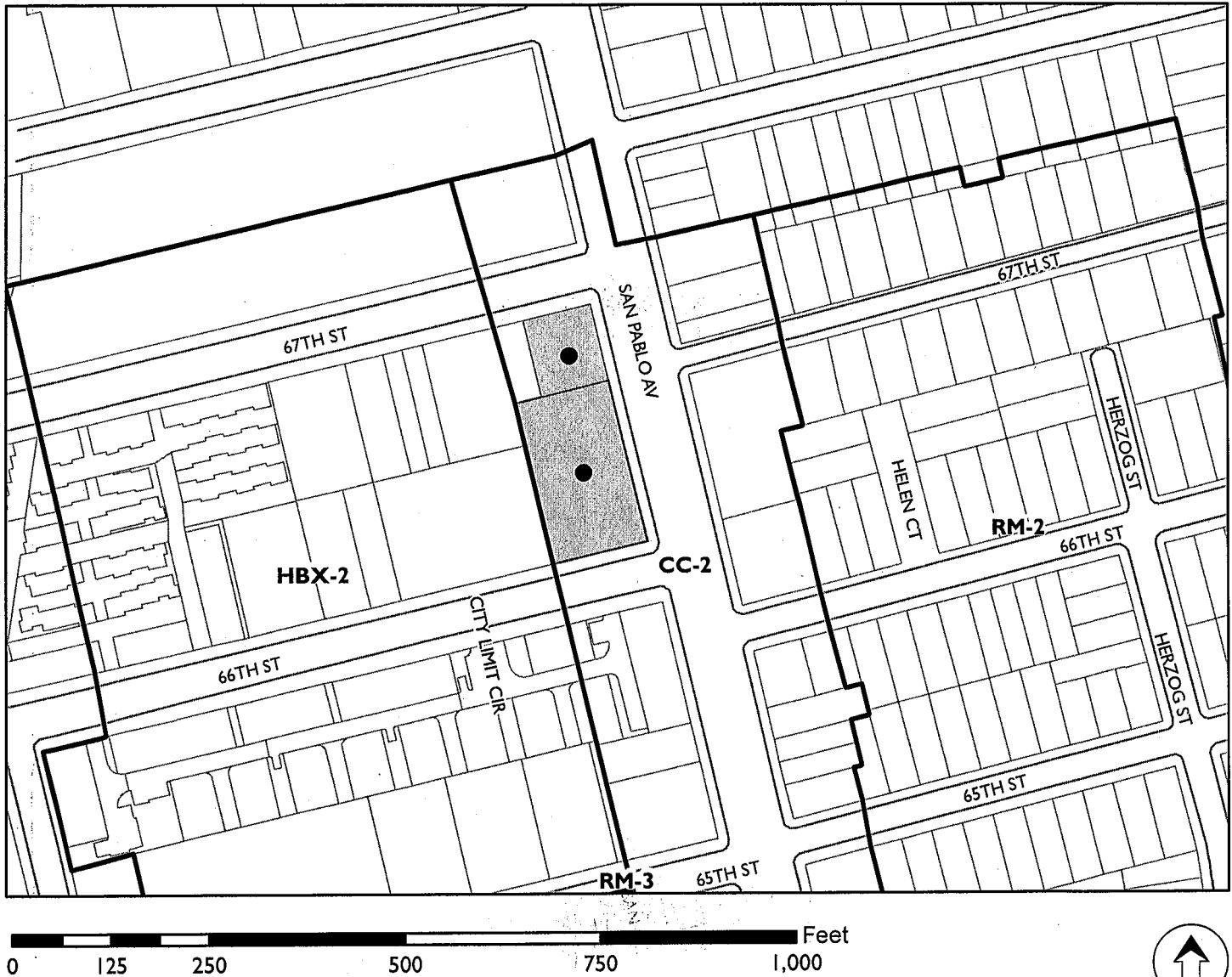
The proposal includes a new one-story 4,270 square foot restaurant building to replace a 3,097 square foot restaurant building. The proposal will also reconfigure the drive through and site circulation, repave the site, and install new landscaping. The applicant is also requesting a change to the hours of operation from 5 a.m. – 9 p.m.(existing interior) and 24 hours (drive-through) to become a maximum of 24 hours (interior and drive-through).

The benefits of the proposal include improved appearance at a visible corner to enhance the San Pablo Corridor, as well as more efficient on-site circulation and a more modern facility overall.

PROJECT DESCRIPTION

The primary objective of the project is to replace the existing McDonalds restaurant building with a 4,270 square foot one-story building on a 35,000 square-foot (3/4 acre) parcel. The new building would be 1,733 s.f. larger than the existing building. Whereas the existing building, originally constructed in 1969 is of a fairly generic design with white stucco walls, a red tile mansard roof and large “golden arches” signage, and looks like it could be located anywhere, the proposed architectural design is more in keeping with the neighborhood context with a flat roof, mostly white and red-colored tile and stucco walls, some lighter-colored accent wall areas, and more modest signage. Along San Pablo Avenue, the design details include a trellis.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN14359

Applicant: Tom Clark (MacDonalds Restaurant Rebuild)

Address: 6623 San Pablo Avenue

Zone: CC-2

The existing site has entrances/exits from San Pablo Avenue, 66th Street and from 67th Street. Parking areas are located on 3 sides of the building and a drive-through on one side. The present 39 parking spaces would be changed to 29 spaces in the new restaurant. There would be no San Pablo Avenue driveways in the new restaurant. Site circulation and parking areas would be partly repaved, and a full landscape plan would be implemented. Truck deliveries would be in the center of the lot.

Three main signs would be installed with a similar total area (approximately 110 square feet) as the existing main signs. There would be parking lot and drive-through directional signs as well, similar to existing signs. The 36 square foot freestanding sign now is at San Pablo and 67th Street, approximately 10 feet tall, would be removed. Trash dumpsters would be in enclosures in the rear/center of the lot adjacent to nonresidential uses.

PROPERTY DESCRIPTION

The site is a flat and rectangular corner lot, 0.78 acre in area, mostly paved with landscaping at the edges. Two existing parcels (016-1507-002-01, with 25,254 square feet of net area, and 016-1507-001-01 with 8,598 square feet of net area) are on the property. No lot line goes through any building in the proposed plan. Across the streets are apartments (66th Street) and commercial sites including Good Will and Actual Cafe and behind the restaurant is a large business facility (67th Street). There are no schools or parks in the vicinity. This portion of San Pablo Avenue is a transition between Uptown/West Oakland and North Oakland. The sidewalk in front of the building is approximately 12 feet wide for all three frontages.

GENERAL PLAN ANALYSIS

The property is located in the Community Commercial category of the Land Use and Transportation (LUTE) element of the General Plan. This designation "is intended to identify, create, maintain and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts." The existing and proposed activities within the property are consistent with the Community Commercial General Plan designation. While the drive-through aspect of the facility is not considered pedestrian-oriented, and would not be encouraged under the LUTE, it was approved before the LUTE was adopted and therefore it may remain part of the facility. This portion of North Oakland is a "Growth and Change" corridor under the LUTE designation. Applicable policies include:

LUTE Policy I/C1.2 states that "Existing Businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained."

Policy I/C3.4 states that "The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved."

Pages 218 to 223 of LUTE discuss North Oakland. Page 220 states that "preservation of character and strengthening community identity are key objectives for North Oaklanders...better design standards...for new development to ensure compatibility of scale and appearance with established neighborhood standards. "Page 221 states that "some locations need commercial revitalization..."

Staff finds that the proposed redesign and expansion of the existing restaurant is consistent with the intent of the General Plan. The redesign will upgrade an obsolete facility, moving the building to one end of the lot and reconfiguring parking to revitalize the site. The scale and appearance will remain appropriate to the neighborhood after rebuilding.

ZONING ANALYSIS

The property is located within the CC-2 Community Commercial Shopping District Zone. In CC-2, Fast Food Restaurants are designated as Conditionally Permitted Activities that are subject to Planning Commission review.

The existing facility has legal nonconforming status (built approximately in 1969 under C-40 zoning) and complete rebuild needs two Major Conditional Use Permits, for Fast Food and for Drive-Through; and Regular Design Review. The CUP for Fast Food is required to establish controls over operations including such matters as litter and noise. The CUP for Drive-Through is required to regulate movement of customer vehicles in order to prevent impacts on street and sidewalk traffic in the surrounding area. A Variance is not required for location since it is over 500 feet from a school or park.

Allowable signage for a corner business is one-half foot of total sign area per linear foot of frontage, up to a maximum of 200 square feet. This site has over 600 linear feet of frontage and earns the maximum total sign area per Code. The reconstructed facility would have 110 square feet of main signs, plus approximately 90 square feet of parking lot signs. New signage is similar to signage on the site in the past and to signage on two other McDonalds restaurant rebuilds approved by the City in recent years.

Regular Design Review is also required for new or remodeled facilities in such cases. The proposal includes Design Review and is consistent with these requirements. Findings required for approval are set forth in Attachment A.

ENVIRONMENTAL DETERMINATION

The request is Categorically Exempt under Section 15303 of the California Environmental Quality Act Guidelines for small new commercial facilities, Section 15332 for infill construction in an urban area and Section 15183, projects consistent with a community plan, general plan or zoning. A detailed C-3 stormwater management plan, prepared by a consulting engineer, has been provided which calls for bioswales and other protections for drainage. A 1,353 square foot bioswale stormwater area is added on the 66th Street side, adjacent to nonresidential neighbors; this connects to the offsite storm drain in existence for over 40 years. The project changes have too small a net traffic change to require a traffic study. There are no endangered plants or animals or habitat on the site, which is flat and urban.

KEY ISSUES AND IMPACTS

Issues include potential visual impacts along the streetscape, customer service benefits, neighborhood effects, security and parking/traffic. Because the request is to modernize and upgrade an existing facility without a major net increase in size or impacts, staff finds that the request resolves these issues very well. The improved restaurant would enhance the surrounding San Pablo corridor in North Oakland.

Potential Visual Impacts Along the Streetscape. The proposed changes would result in an improved appearance over the existing facility. The façade of the building would change to a more muted tone similar to nearby commercial buildings in North Oakland. Improved landscaping would be installed. The improved design proposes a moderate floorplan enlargement. By landscaping, building position and setbacks, the visual impact of drive-through automobiles in the center of the lot would be minimized.

Landscaping includes approximately 6,560 square feet (about 1/5 of the site), mainly along street frontages and in the bioswale. Trees of 15 gallon size include five acer rubrum (October glory maples), seven arbutus, and 2 platanus acerfolia (London Plane trees, like sycamores). The platanus trees would

infill the San Pablo Avenue street trees. There would also be over 250 shrubs of 5 gallon size (daylilies, new Zealand flax, blue oat grass etc.) and over 450 small 1-gallon size shrubs.

The building façade along San Pablo Avenue has been refined through interaction between staff and the architect, to divide a blank brick-colored stucco wall on the north half to become a mix of display window, change of color bands and other details. Further detailing would be completed by staff, possibly including more horizontal tile bands in this area etc. under the draft condition #43. Design suggestions from Planning Commissioners may allow this refinement to take place during the hearing, in discussions with the applicant and architect. Proposed building facades are an improvement over existing surfaces.

Customer Service Benefits. Currently, the restaurant uses decades-old internal seating and external drive-through patterns which do not optimally serve customers. To a degree even better than the existing facility, the new design helps families who depend on dining in their automobiles due to time considerations and to the effort needed to on-load and off-load small children. The new parking, circulation and drive-through make efficient use of the site and enhances customer convenience.

Hours of Operation. The applicant seeks to modify existing hours of operation which are 5 am to 9 pm inside the building and 24 hour drive-through service. The requested change is to 24 hours operation, although the applicant will be free to be open fewer hours. This will have no effect on surrounding areas.

Effects on Neighborhood. This restaurant has been a part of the neighborhood since approximately 1969. According to the applicants, there have been no reports to staff of nuisance activities on the neighborhood from the restaurant, although vagrancy nearby has been reported. A new design manages neighborhood impacts, with a more efficient drive-through lane. The new design also modernizes and enhances the appearance of the building and signs, and modifies and improves landscaping.

Noise from the restaurant is expected to be below the thresholds of the General Plan Noise Element, less than 45 cnel/ldn (decibel equivalents) measured inside nearby residences, less than the sound of classical music playing on a radio. The facility is distant from the nearest residential activities except on the 66th Street side. The distance from the electrical order box (on the opposite side of the restaurant building) to the residences is over 120 feet; the building screens the noise and effects should be minimal. There is substantial roadway and other ambient noise in the area as well near this site. Hours of operation would not substantially change. Noise from the site is anticipated to be substantially reduced by 9 pm and to remain limited before 5 am, even with continued 24 hour operation of the drive-through lane.

Lighting should not be an issue for neighbors, since new lighting would be similar to that which has existed on the site for over 40 years. The engineering photometric plan shows footcandles/lumens typically 2 to 6 per square foot, where 2 would be normal minimum and 5 would be typical of commercial parking lots. Lighting also helps to deter crime and improve safety along sidewalks.

Security. The site and building layout provide for adult supervision for all activities in such facilities. There is no outdoor playground. Security response time, including police and fire protection, is measured in minutes at this location. While North Oakland crime rates are higher than Downtown or Jack London Square, this particular site is less impacted because of constant surveillance along San Pablo Avenue and because of the layout of the facility. Crimes reported near this site on YELP website reviews are mainly vagrancy and solicitation, common to the San Pablo corridor between the Freeways. As more private and public investment comes to North Oakland in coming years, the crime rate is expected to decline. This will benefit the applicant's restaurant.

The project was referred to Police Department's Crime Prevention Through Environmental Design (CPTED) team and no adverse comments were received. As with all CPTED-reviewed commercial

buildings, the design should discourage climbing onto the roof, although for a 24-hour drive-through facility the "eyes on the street" extends to the property and helps to deter crime. Landscaping near the building should deter climbing rather than facilitate climbing. Security lighting is provided for building and parking areas. The applicant has the option but not a requirement for an on-site security guard.

Parking/Traffic. The current development has 39 parking spaces, and the proposed design would change parking to 29 spaces. The new parking area would be more than the current zoning requirement of 21 spaces. In addition, there would be drive-through spaces for 6 vehicles. While Oakland Police Department did not comment on this aspect, staff anticipates that traffic patterns would likely be safer and more convenient as designed. A flow-through of cars between 66th and 67th Streets would improve the current pattern which includes driveways on San Pablo Avenue. Careful channeling of the driving lanes and appropriate signage would be required. Plans show bike racks and bike storage to serve non-automotive arrivals.


Staff finds that the applicant's current design minimizes visual and traffic impacts and is sensitive to the context in design and landscaping, and is superior design in terms of site circulation. It is time for an upgrade to this facility. Staff therefore recommends approval, subject to conditions of approval.

- RECOMMENDATIONS:**
1. Affirm staff's environmental determination.
 2. Approve Major Conditional Use Permits and Regular Design Review subject to the attached findings and conditions.

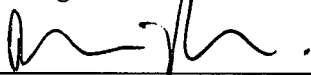
Prepared by:


David Valeska, Planner II

Approved by:


SCOTT MILLER
Zoning Manager

Approved for forwarding to the
City Planning Commission:


DARIN RANELLETTI, Deputy Director
Bureau of Planning

LEGAL NOTICE: The decision of the City Planning Commission is final and not administratively appealable. Any party seeking to challenge such decision in court must do so within ninety (90) days of the date the decision is announced (Code of Civil Procedure Section 1094.6).

ATTACHMENTS:

- A. Findings
- B. Conditions
- C. Plans and Elevations
- D. Applicant Correspondence
- E. Neighbor Correspondence

ATTACHMENT A**FINDINGS FOR APPROVAL:**

This proposal meets all the required findings as set forth below and which are required to approve your application. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

Section 17.136.070(B) Regular Design Review Criteria, Nonresidential Facilities:

1. **That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.102.030:**

The proposed design fits well into the architectural context of nearby buildings, which emphasize simple shapes and materials, including decorative panels, horizontal roof elements and details. The facilities modifications consist of converting from white walls and red roof with light bars, to a more muted façade with vertical and horizontal bands, with flat roof. The proposed texture, materials, colors and other design elements are above average for facilities of this type and the building screens the drive-through lane from portions of the street frontage.

2. **That the proposed design will be of a quality and a character which harmonizes with, and serves to protect the value of, private and public investments in the area.**

The remodeled project will enhance the North Oakland neighborhood's appearance compared to the status quo. The improvement will retain a restaurant business which draws customers to the retail area, providing an improvement in quality of materials, design and landscaping from the existing restaurant design.

3. **That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable design review guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.**

Policies I/C-1.2 and I/C3.4 of the General Plan Land Use and Transportation Element (LUTE) of the General Plan show that this project is compatible with the General Plan. The facility has been analyzed and found to be in conformity with the Zoning Code, design guidelines and the General Plan.

Section 17.134.050 General Use Permit Criteria:

- A. **That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

A McDonalds restaurant has been at this location in the North Oakland neighborhood for over three decades. Modifications planned for the facility will complement and be compatible with surrounding properties in scale, bulk, lot coverage and density. Traffic movements tend to be within the capacity of surrounding streets. Civic facilities and utilities are available for the site.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

The location of the facility in the West Oakland neighborhood provides convenient restaurant access for residents. The rebuilt facility will be better able to serve the site's function of a restaurant with enhanced design and landscaping.

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

Rebuilding and upgrading the restaurant will increase its ability to enhance basic community dining and social gathering functions in the West Oakland neighborhood.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070(B) for non-residential facilities.**

Fulfillment of design review criteria has been demonstrated above in this document. The rebuilding design reflects several revisions in order to achieve a functional yet aesthetic design.

- E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable plan or development control map which has been adopted by the City Council.**

Fulfillment of General Plan and Zoning criteria has been demonstrated above in this document. The General Plan LUTE provides for restaurant and other commercial uses in the North Oakland area as resources in the community.

Section 17.102.210(D): Fast Food Restaurant Findings

- 1. No Fast-Food Restaurant Commercial Activity shall be located within a one thousand (1,000) foot radius of an existing or approved Fast-Food Restaurant, as measured from the center of the front property line of the proposed site, except in the Central Business District..., within the main building of Shopping Center Facilities, and in the C-36 boulevard service commercial zone.**

This is not a new restaurant site, but rather an improvement replacing a long-time existing facility. The restaurant was established over three decades ago before applicable regulations of Section 17.102.210(D). As an existing restaurant, there is no need to relocate the facility over 1,000 feet from another such restaurant, although there is one nearby.

2. **Fast Food Restaurants with Drive-Through Facilities shall not be located within five hundred (500) feet of a public or private elementary school, park or playground, measured perpendicularly from the street right-of-way.**

This is not a new restaurant site, but rather a reconstruction of a long-time existing facility. The restaurant was established in before applicable regulations of Section 17.102.210(D) and modified with several Conditional Use Permits thereafter. As an existing restaurant, there is no need to relocate the facility over 500 feet from any park/school playground. However, the restaurant is over 500 feet from such facilities.

3. **Access. Ingress and egress to Fast Food Facilities shall be limited to commercial arterial streets rather than residential streets. No direct access shall be provided to adjacent residential streets which are less than thirty-two (32) feet in pavement width. Exceptions to either of the requirements may be obtained where the City Traffic Engineer determines that compliance would deteriorate local circulation or jeopardize the public safety. Any such determination shall be stated in writing and shall be supported with findings. Driveway locations and widths and entrances and exits to Fast-Food Facilities shall be subject to the approval of the City Traffic Engineer.**

As noted above, this is not a new restaurant site. Access has been from adjacent streets for over 30 years. Since 66th and 67th Streets are not residential streets with less than 32 feet of pavement, but rather are wider mostly non-residential streets, this provision does not apply. There are residential units across 66th Street. However the turning and driving movement alignments to restaurant driveways are distant from residential driveways. The office of the City Traffic Engineer has not found a need for further modifications.

4. **Trash and Litter. Disposable containers, wrappers and napkins utilized by Fast-Food Restaurants shall be imprinted with the restaurant name or logo.**

This restaurant business has generally followed this practice at this site and other sites throughout the Nation as a corporate policy.

5. **Vacated/Abandoned Fast Food Facilities. The project sponsor of a proposed Fast-Food Facility shall be required to obtain a performance bond, or other security acceptable to the City Attorney, to cover the cost of securing and maintaining the facility and site if it is abandoned or vacated within a prescribed high risk period...The defined period of coverage is four (4) years following obtaining an occupancy permit...(additional provisions set forth at length in the Code).**

This provision is not applicable since it applies to the first four years after opening the facility, and there has been a McDonalds Restaurant here for almost three decades. A condition of this case accepts voluntary compliance in the unforeseen event of a change of use in the future.

Section 17.102.290: Drive-through Nonresidential Facilities Findings

- A.1. **The proposed facility will not impair a generally continuous wall of building facades.**

Rebuilding an existing restaurant on a ¾ acre open site at the existing location, would

continue to be set back from adjacent streets. Pedestrian entry would be provided. The drive-through would be screened and incorporated with the building design as in the past. The adjacent streets are not pedestrian-oriented shopping streets.

- A.2. The proposed facility will not result in weakening the concentration and continuity of retail facilities at ground level, and will not impair the retention or creation of a shopping frontage.**

The existing restaurant, which has been in place for over 30 years, would be redesigned in a manner which better reinforces commercial facilities at the ground level. There would be no impairment of shopping frontage. This site is at the edge of North Oakland in a transitional area characterized by vehicular-oriented businesses.

- A.3. The proposed facility will not directly result in a significant reduction in the circulation level of service of adjacent streets.**

The existing restaurant has operated driveways from San Pablo Avenue, and 66th and 67th Streets for over 30 years, without noticeable reduction in circulation levels of adjacent streets. The relatively small increase in restaurant floor area would not increase the size of the site, nor would it create a huge increase in vehicle trips to the site.

- B. Standards. A driveway serving as a vehicle stacking or queuing lane for a drive-through window shall be separated from parking areas and shall not be the only entry or exit lane on the premises. Such facility shall be so situated that any vehicle overflow from it shall not spill onto public streets or the major circulation aisles of any parking lot. Such facility shall have durable, all-weather surface; shall have reasonable disposal of surface waters by grading and drainage; and shall be permanently maintained in good condition.**

The driveways for stacking or queuing lanes for the drive-through windows are separated from parking areas and are not the only entry or exit lanes on the premises. Vehicles not using the drive-through lane can completely bypass that portion of the site and use non-dedicated driveways, as vehicles have done for decades at this site. The overflow does not spill into public streets. The surface will be durable and all-weather, well drained and maintained as required.

- C. Dimensions. Each vehicle space comprising a stacking or queuing lane for a drive-through window shall be a minimum of ten (10) feet in width by twenty (20) feet in length. Such a stacking or queuing lane shall have a maximum capacity of eight (8) vehicles.**

Since the lane is routed through an extra-large $\frac{3}{4}$ acre commercial site, a limit of eight vehicles is not necessary. However, the project design does show less than eight vehicle spaces between order stations and merchandise pickup station. This design promotes efficient drive-through operations and helps prevent impacts off-site.

ATTACHMENT B

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

STANDARD CONDITIONS:

1. Approved Use.

Ongoing.

a. The project shall be constructed and operated in accordance with the authorized use as described in this letter and the plans dated **February 1, 2013** and submitted **February 20, 2013**, **amended December 12, 2014** and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, conditions of approval or use shall required prior written approval from the Director of City Planning or designee.

b. This action by the Director of City Planning ("this Approval") includes the approvals set forth below. This approval includes:

Conditional Use Permit and Regular Design Review to

a) expand an existing 3,097 square foot Fast-Food Restaurant Commercial Activity (McDonalds Restaurant) to 4,270 square feet (1,173 square feet added);

b) rebuild walls of the building on the site and modify the architectural design;

c) replace all building and site signage;

d) re-pave and re-landscape, including a 29 space parking lot and 6-space drive-through lane; with storm drainage improvements under C-3 regulations;

e) expand the hours of operation to 24 hours per day inside the building and retain a 24 hours per day drive-through lane

f) revise circulation of the drive-through lane

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing.

Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the approval date, unless within such period all necessary permits have been issued, or 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 permit, 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 valid building permit for this project may invalidate this approval if the said extension period has also expired.

3. Scope of This Approval; Major and Minor Changes

Ongoing.

The project is approved pursuant to the Planning Code only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

4. Conformance with Other Requirements.

Prior to issuance of a demolition, grading, P-job or other construction related permit.

a. The project applicant shall comply with all other applicable federal, state, regional and/or local codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshall, and the City's Public Works Agency.

b. The applicant shall submit approved plans for project-specific needs related to fire protection including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access and vegetation management for preventing fires and soil erosion.

5. Conformance to Approved Plans; Modification of Conditions or Revocation

Ongoing.

a. The City Planning Department reserves the right at any time during construction, to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification or other corrective action.

b. Violation of any term, Conditions or project description relating to the Approvals 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 Approvals 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

6. Signed Copy of the Conditions

With submittal of a demolition, grading and building permit.

A copy of the approval letter and Conditions shall be signed by the property owner and submitted with each set of permit plans submitted for this project.

7. Indemnification

Ongoing

a. To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and their respective agents, officers, and employees (hereafter collectively called the City) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action or proceeding (including legal costs, attorney's fees, expert witness or consultant 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, (1) an approval by the City relating to a development related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the 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 Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the

obligations contained in this condition or other requirements, or other conditions of approval that may be imposed by the City.

8. Compliance with Conditions of Approval
Ongoing

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval and all applicable adopted mitigation measures set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

9. Severability
Ongoing

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions and if any 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. Job Site Plans
Ongoing throughout demolition, grading, and/or construction

At least one (1) copy of the approved plans, along with the Approval Letter and Conditions of Approval shall be available for review at the job site at all times.

11. Recycling Space Allocation Requirements
Prior to issuance of a building permit

The design, location and maintenance of recycling collection and storage areas must substantially comply with the provision of the Oakland City Planning Commission "Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas", Policy 100-28. Pursuant to Section 17.118.020 of the Oakland Planning Code, this condition shall apply to new commercial and industrial development that requires a building permit. A minimum of two cubic feet of storage and collection area shall be provided for each dwelling unit and for each 1,000 square feet of commercial space.

Ongoing.

No deviation shall be made from the approved drawings or conditions of approval that alters the project's siting, height, exterior appearance, and/or required new landscaping without prior written approval from the Oakland Planning & Zoning Department.

12. Construction Practices.
During construction.

All work shall apply the "Best Management Practices" (BMPs) for the construction industry, including BMPs for dust, erosion and sedimentation abatement per Section 15.04 of the Oakland Municipal Code, as well as all specific construction-related conditions of approval attached to this project.

13. Days/Hours of Construction Operation
Ongoing throughout demolition, grading and/or construction.

The project applicant shall require construction contractors to limit standard construction activities as follows:

- a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 AM and 4:00 PM Monday through Friday.
- b) Any construction activity proposed to occur outside of the standard hours of 7:00 AM to 7:00 PM Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of residents' preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.
- c) Construction activity shall not occur on Saturdays, with the following possible exceptions:
 - i) Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of residents' preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.
 - ii) After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- e) No construction shall take place on Sundays or Federal holidays.
- f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries and construction meetings held on-site in a non-enclosed area.

14. Noise Control

a. Ongoing throughout demolition, grading and/or construction

To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to City review and approval, which includes:

- a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g. improved mufflers, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible.
- b) Impact tools (e.g. jack hammers, pavement breakers and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this should achieve a reduction of 5 dBA. Quieter

- procedures shall be used, such as drills rather than impact equipment, whenever feasible.
- c) Stationary noise sources shall be located as far from adjacent receptors as possible and they shall be muffled and enclosed with temporary sheds, incorporate insulation barriers or other measures to the extent feasible.
 - d) If feasible, the noisiest phases of construction shall be limited to less than 10 days at a time.

15. Noise Complaint Procedures

a. Ongoing throughout demolition, grading and/or construction

Prior to the issuance of each building permit, along with submission of construction documents, the project applicant shall submit to the City Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

- a) A procedure and phone numbers for notifying the City Building Services Division staff and Oakland Police Department, during regular construction and off-hours;
- b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and whom to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers, during regular construction and off-hours;
- c) The designation of an on-site construction complaint and enforcement manager for the project;
- d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and
- e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures & practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

16. Operational Noise-General

Ongoing.

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 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 Planning and Zoning Division and Building Services.

17. Construction Traffic and Parking

Prior to the issuance of a demolition, grading or building permit

The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:

- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
- b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.

- d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.
- e) Provision for accommodation of pedestrian flow.

18. Hazards Best Management Practices***Prior to commencement of demolition, grading, or construction***

The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;
- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d) Properly dispose of discarded containers of fuels and other chemicals.
- e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
- f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

19. Construction Waste Reduction and Recycling

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

Prior to issuance of demolition, grading, or building permit

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

Ongoing

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

20. Stormwater and Sewer***Prior to completing the final design for the project's sewer service***

Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.

21. Stormwater Pollution Prevention Plan (SWPPP)***Prior to and ongoing throughout demolition, grading, and/or construction activities***

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

22. Post-Construction Stormwater Management Plan***Prior to issuance of building permit (or other construction-related permit)***

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by

the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

- a) The post-construction stormwater management plan shall include and identify the following:
 - i. All proposed impervious surface on the site;
 - ii. Anticipated directional flows of on-site stormwater runoff; and
 - iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
 - iv. Source control measures to limit the potential for stormwater pollution;
 - v. Stormwater treatment measures to remove pollutants from stormwater runoff; and
 - vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit.
- b) The following additional information shall be submitted with the post-construction stormwater management plan:
 - i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
 - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

Prior to final permit inspection

The applicant shall implement the approved stormwater management plan.

23. Maintenance Agreement for Stormwater Treatment Measures

Prior to final zoning inspection

For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

- i. The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and
- ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.

24. Announcement Sound System***Ongoing***

The project applicant shall operate any sound system to show consideration for neighboring uses after residential and work live structures are constructed on properties across perimeter streets. No sound systems louder than 45 ldn/cnel at any off-site sensitive receptor (e.g. homes) shall operate between the hours of 9 pm and 9 am. No sound systems shall operate which are louder than 65 ldn/cnel at any perimeter street.

25. Pedestrian and Driveway Crossing***Prior to issuance of building permits and ongoing***

The applicant shall install and maintain traffic signs on the property, especially near the pedestrian path from San Pablo Avenue, to the satisfaction of the Zoning Manager. This design may include flashing lights, a stop sign or other similar signals. Additional driveways may be required to be so marked if determined necessary by the Zoning Manager.

26. Lighting***Ongoing***

The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. All lighting shall be architecturally integrated into the site. Walkway lighting shall not exceed 10 lumens, nor building lighting exceed 30 lumens, as viewed from the nearest property line, without Planning and Zoning approval. No lighting standard shall be over 25 feet tall.

27. Encroachment Permits***Prior to Issuance of Building Permits***

The applicant shall obtain any necessary Encroachment Permits for structures placed in the Street right-of-way and comply with the conditions of such permits.

28. Odor Control***Ongoing***

The activity shall be operated so that little or no odors are discernible by the average person at the property lines. The use shall be designed and operated to contain fumes and odors within the cooking area.

29. Litter Control Plan.***Prior to Issuance of Building Permits***

A Litter Control Plan that ensures that the premises and surrounding 300 feet of the property are kept free of litter and debris shall be submitted to and approved by the Planning and Zoning Division prior to application for a building permit. The plan shall include, but not be limited to:

1. Distribution of proposed locations of litter receptacles on site and in the public right of way. The design and location of litter receptacles shall be consistent and coordinated with the City's street furniture program.
2. A management schedule for keeping the premises and surrounding area free from litter originating from the operation of the commercial activities; and
3. Daily sweeping and trash collection of the premises, the public sidewalk and the gutter area of the public street immediately adjacent to the project.

30. Right-of-way Clean-up.***Ongoing.***

The applicant shall clear the sidewalk and gutter areas along San Pablo Avenue, 66th and 67th Streets and 300 feet beyond the property lines along these streets, of litter and debris at least daily or as needed to control litter. The applicant shall sweep or mechanically clean the sidewalk with steam or equivalent measures at least once per month.

31. Imprinted Disposables.***Ongoing.***

Disposable containers, wrappers, bags, and napkins used by this activity shall be imprinted with the establishment name and/or logo.

32. Litter Receptacles.***Prior to operation.***

At least four (4) non-flammable external litter receptacles shall be installed outside of the building in a place accessible to employees and the public. The location of any permanent ashtray and litter receptacle shall be reviewed and approved by the Planning and Zoning Division.

33. Trash and Recyclables Enclosure.***Prior to issuance of any building permits.***

The applicant shall submit for review and approval by the Planning and Zoning Division, plans showing all trash and recyclables collection areas on the site. The location of the proposed collection areas shall be shown on the building permit plan set. This collection area enclosure shall be screened from the street and adjacent properties by a wall, fence, or dense landscaping with a minimum height of six (6) feet, and with an opaque covered closure. No trash shall be stored outside the designated trash area.

34. Restaurant Hours.***Ongoing.***

The hours of lobby operation and of the drive-through operation may be 24 hours. The City Planning Commission reserves the right to modify the hours of operation after holding a public hearing to consider said modification.

35. Pay Phones.***Ongoing.***

No external pay phones are permitted on the premises. The applicant shall remove any existing external pay phones prior to issuance of building permits.

36. No Loitering Signs.***Prior to issuance of building permits.***

The applicant shall post at least five "No Loitering" signs on the building façade and other strategic locations around the site. Signs shall be of a permanent nature and have letters a minimum of 2 inches in height. The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiters who refuse to leave. Persons loitering in the vicinity of the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering: Business and Community Based Solutions" may be used and are recommended by the Alcoholic Beverage Action Team.

37. Parking Lot Lighting.

Ongoing.

The exterior lighting fixtures which serve the parking area shall be equipped with daylight sensors that will automatically turn the lights on at dusk and off at sunrise, and shall be adequately shielded to a point below the bulb and reflector and shall prevent unnecessary glare onto adjacent properties. Generally at least 2 ½ lumens, with an average of at least 5 lumens, but no more than an average of 10 lumens, shall light the entire parking lot.

38. Driveways.

Ongoing.

The applicant shall complete driveways as shown on the plans and remove driveways directly onto San Pablo Avenue. The driving route for the drive-through customers shall have raised gutters to direct traffic around the building.

39. Graffiti Removal.

Ongoing.

Graffiti shall be removed within 72 hours of application. Removal can involve resurfacing of a material and/or color that matches the remaining surface.

40. Delivery and Loading.

Ongoing.

The applicant shall ensure that all goods for the facility shall be delivered during between the hours of 7 am and 10 pm. Delivery drivers shall be instructed not to block parking or driveways of neighbors and to the extent possible to use off street parking when available.

41. Waiver of Bonding for Abandonment or Vacation.

Prior to commencement of operation.

Since the business has been in operation for 28 years, the usual 4-year requirement to bond for abandonment or vacation of a fast-food restaurant is waived. However, in the event of closure of the restaurant and lack of immediate replacement tenant (within 60 days) the applicant stipulates to voluntarily following the requirements which include, but are not limited to:

1. Enclose the property with a security fence and secure the facility;
2. Post signs indicating that vehicular parking and storage are prohibited on the site (10.16.070 O.T.C. and 22658 C.V.C), and that violators will be cited, and vehicles towed at the owner's expense, and that it is unlawful to litter or dump waste on the site (Sections 374b.5 C.P.C. and 374b C.P.C.). All signs shall conform to the limitations on signs for the specific zone and shall be weatherproof and of appropriate size and standard design for the particular function;
3. Install and maintain security lighting as appropriate and required by the Oakland Police Department;
4. Keep the site free of handbills, posters and graffiti and clear of litter and debris pursuant to Section 8.38.160 of the O.M.C.;
5. Maintain existing landscaping and keep the site free of overgrown vegetation.

42. Drive-through Lane/Pedestrian Crossing

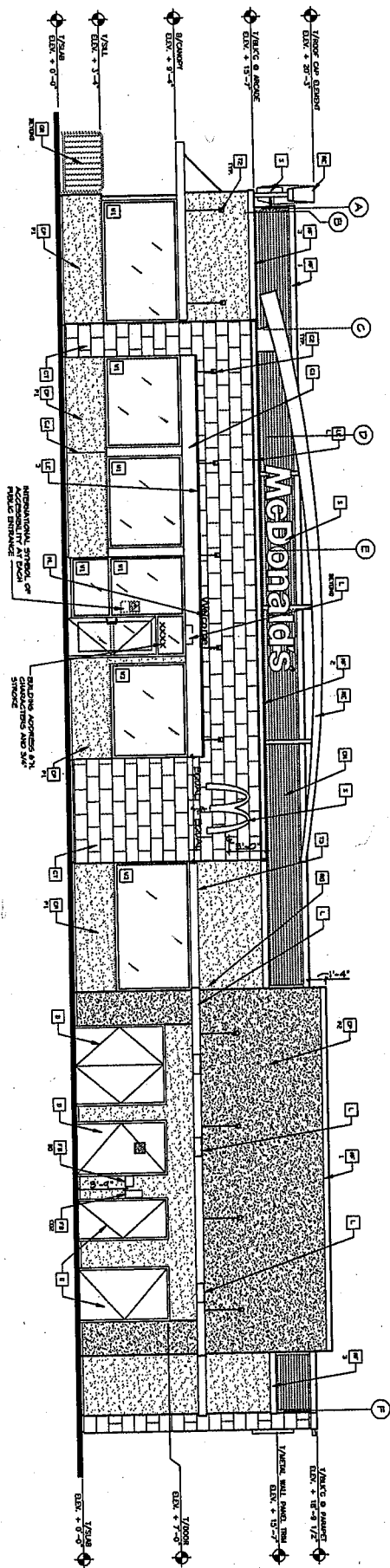
Prior to occupancy of rebuilt facility

The applicant shall submit for Zoning Manager approval a plan to improve the drive-through lane/pedestrian crossing, including but not limited to marked and raised paving surfaces for the pedestrian paths as a speed-hump. The building permits shall be modified accordingly.

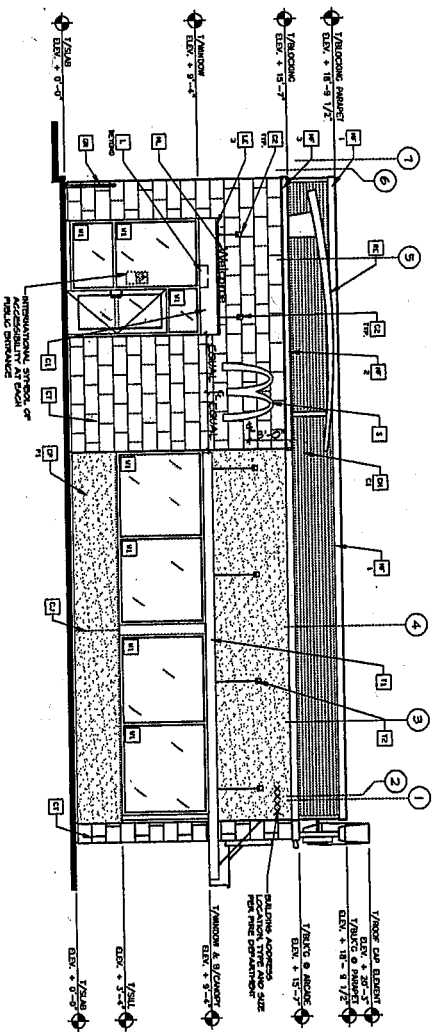
43. Building Façade Refinement, San Pablo Avenue Frontage

Prior to issuance of building permits

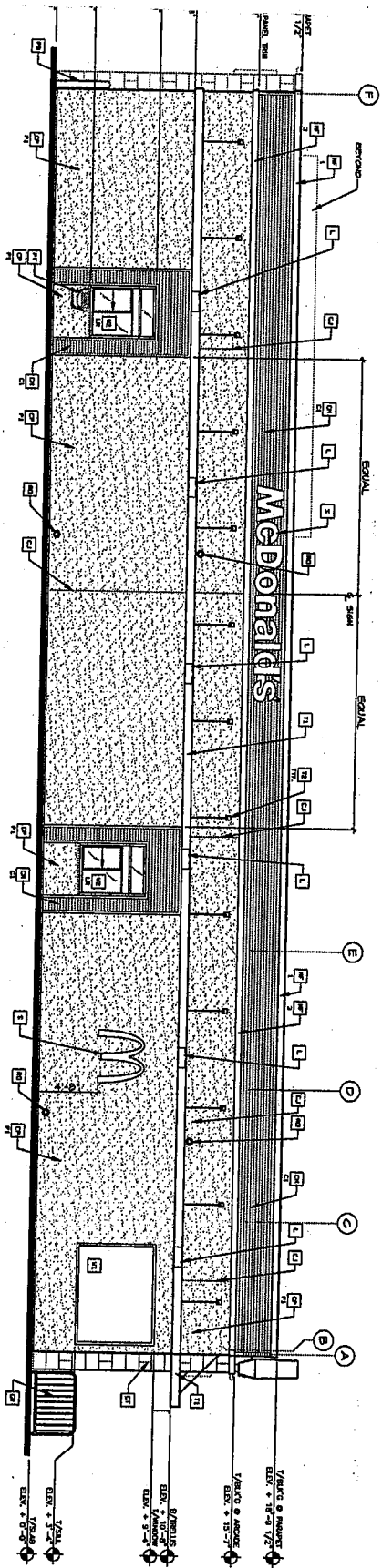
The applicant shall submit for Zoning Manager approval a refinement of the San Pablo Avenue façade (northerly half) which provides increased detail such as extension of white horizontal tile stripes over the doorways or other details which will result in north and south halves of the façade being in design balance.



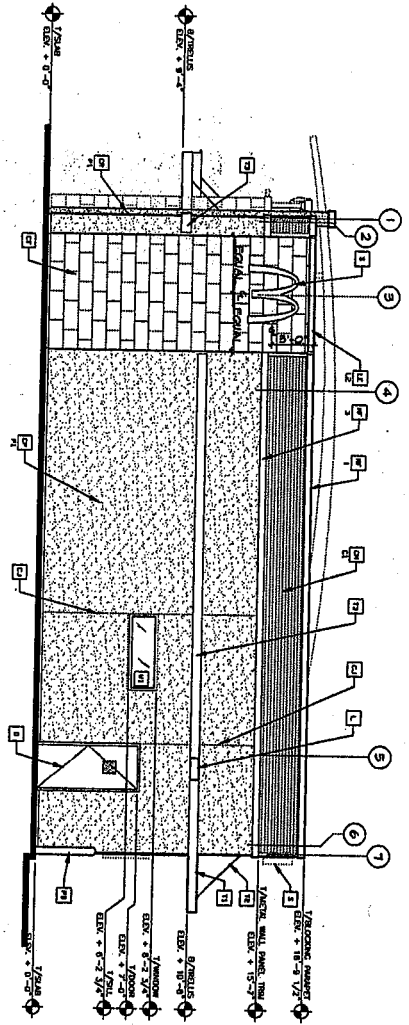
1 PROPOSED EAST ELEVATION
SCALE 3/16" = 1'-0"



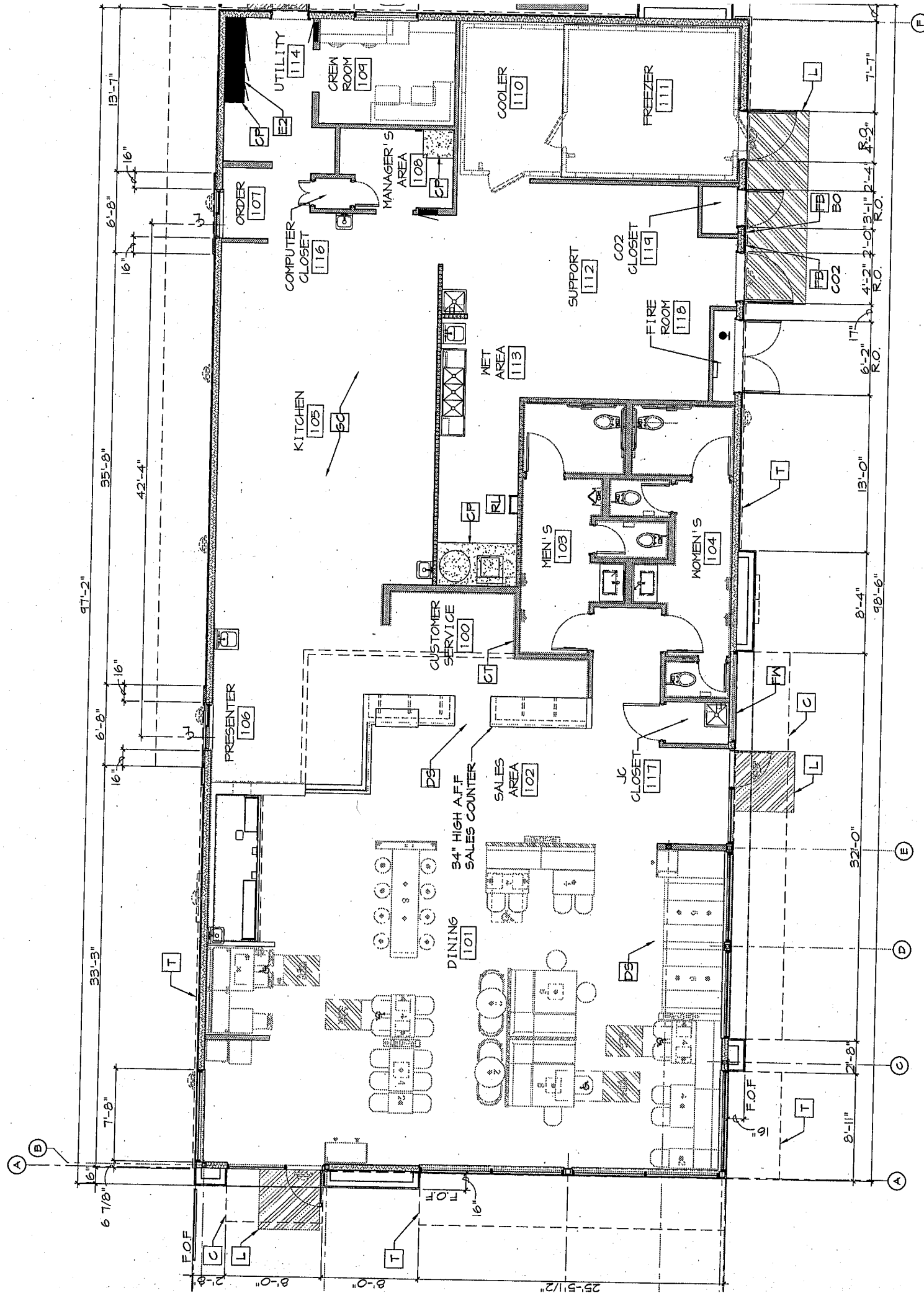
2 PROPOSED SOUTH ELEVATION
SCALE 3/16" = 1'-0"

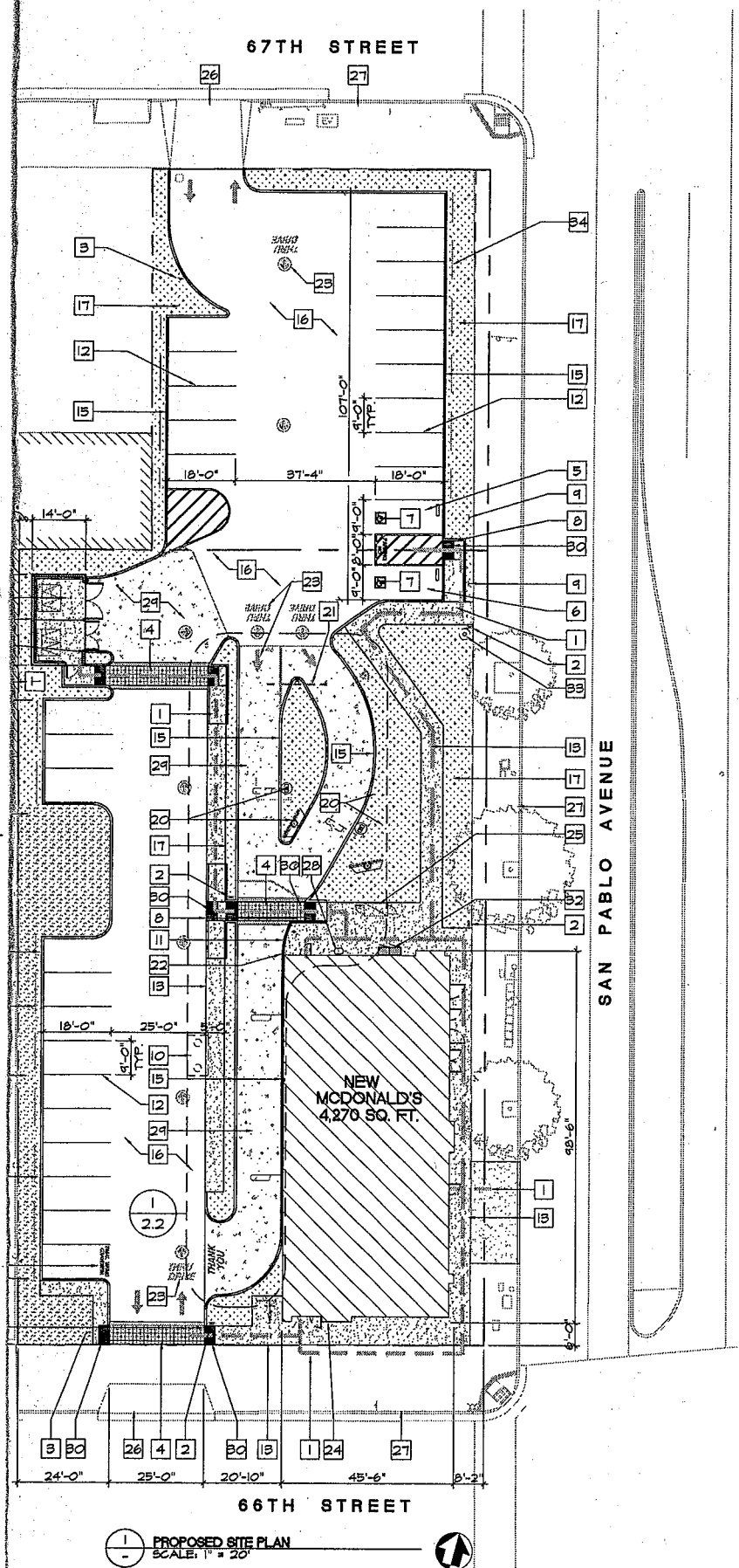


1 PROPOSED WEST ELEVATION
SCALE: 3/16" = 1'-0"



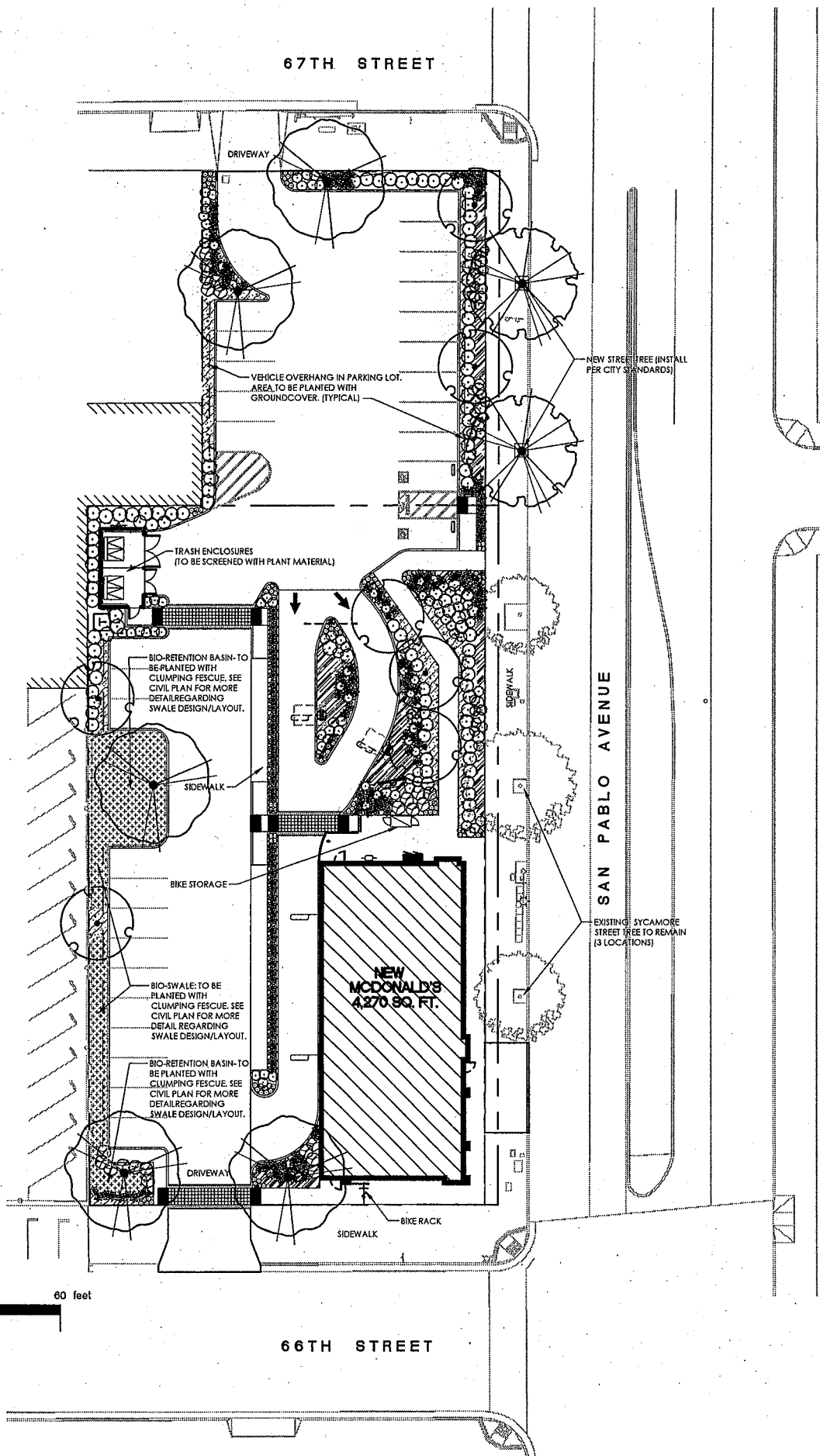
2 PROPOSED NORTH ELEVATION
SCALE: 3/16" = 1'-0"





KEYNOTES

- 1 ADA PATH OF TRAVEL SHOWN DASHED
- 2 POLE MOUNTED INTERNATIONAL SYMBOL OF ACCESSIBILITY AT ACCESSIBLE PATH OF TRAVEL.
- 3 TOWN AWAY ACCESSIBILITY PARKING SIGN.
- 4 6" THICK COLORED CONCRETE DRIVE SLAB, REINFORCE WITH BARS AT MID SLAB 24" ON CENTER EACH WAY. CROSS TO EXCEED 2%, RUNNING SLOPE NOT TO EXCEED 5%. HEAVY FINISH PERPENDICULAR TO PATH OF TRAVEL. SCORE JOINTS EACH WAY. COLOR - BENJAMIN MOORE - "EARTHLY RISSE"
- 5 VAN ACCESSIBLE PARKING STALL - 9'-0" X 18'-0" MIN. PA ACCESSIBLE LOADING ZONE WITH 4" WIDE STRIPING WITH TOP OF HIGHWAY BLUE PAVEMENT MARKING PAINT. PAINT THE "NO PARKING" IN 12" HIGH LETTERS WITHIN THE LOADING ZONE
- 6 ACCESSIBLE PARKING STALL - 9'-0" X 18'-0" MINIMUM. PA ACCESSIBLE LOADING ZONE WITH 4" WIDE STRIPING WITH TOP OF HIGHWAY BLUE PAVEMENT MARKING PAINT. PAINT THE "NO PARKING" IN 12" HIGH LETTERS WITHIN THE LOADING ZONE
- 7 INTERNATIONAL SYMBOL AT PARKING STALL (TYPICAL 2 PLACES)
- 8 FLUSH SURFACE AT TRANSITION (TYPICAL)
- 9 ACCESSIBLE PARKING SIGN. (TYPICAL 2 PLACES)
- 10 UNDERGROUND GREASE INTERCEPTOR.
- 11 1 1/2" DIA. RAILING PAINT BLACK
- 12 PARKING STRIPING PER OAKLAND STANDARDS (TYPICAL)
- 13 4" THICK CONCRETE WALK, MEDIUM BROOM FINISH PERPENDICULAR TO PATH OF TRAVEL. SLOPE NOT TO EXCEED 5% IN DIRECT TRAVEL. CROSS SLOPE NOT TO EXCEED 2%.
- 14 TRASH ENCLOSURE
- 15 6" CONCRETE CURB (TYPICAL)
- 16 A.C. PAVING
- 17 LANDSCAPING (SEE LANDSCAPE DRAWINGS)
- 18 ELECTRICAL TRANSFORMER
- 19 5 1/2" THICK MIN. CONCRETE DRIVE SLAB WITH WITH #4 BARS 24" O.C. EACH WAY. HEAVY BROOM FINISH PERPENDICULAR TO PATH OF TRAVEL.
- 20 COD & MENU BOARD PER MCDONALDS STANDARDS. (TYPICAL 2 PLACES)
- 21 HEIGHT BAR PER MCDONALDS STANDARDS. (TYP 2 PLACES)
- 22 6" CONCRETE FILLED PIPE BOLLARD (TYPICAL 5 PLACES) (BOLLARD TO BE PROVIDED AT EACH DRIVE THRU WINDOW)
- 23 PAVEMENT MARKINGS PER MCDONALDS STANDARDS.
- 24 BICYCLE RACK
- 25 BICYCLE LOCKER
- 26 EXISTING DRIVEWAY TO REMAIN
- 27 EXISTING PUBLIC CONCRETE CURB SIDEWALK AND GUTTER
- 28 GAS METER
- 29 6" THICK MIN. CONCRETE DRIVE SLAB WITH WITH #4 BARS 24" O.C. EACH WAY. HEAVY BROOM FINISH PERPENDICULAR TO PATH OF TRAVEL.
- 30 TRUNCATED DOMES
- 31 RESERVED DRIVE-THRU PARKING SPACE WITH SIGN AND PAINT
- 32 ELECTRICAL PANEL
- 33 FLAG POLE
- 34 2'-0" VEHICLE OVERHANG SHOWN DASHED (TYP)
- 35 NEW STORMWATER PRE-TREATMENT BIO-SWALE. SEE CIVIL



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 OAKLAND, CA 94608




DRAWING DATE: 10-21-14


DRAWING TITLE:
 PRELIMINARY
 LANDSCAPE PLAN




DRAWING NUMBER
 2.3



2 Platanus x acerifolia London Plane Tree 15 gal X

SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	Very Low	Low	Medium	High
	23	Abella x grandiflora 'Sunrise'	Sunrise Abella	5 gal			X	
	98	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	5 gal		X		
	84	Euonymus fortunei 'Golden Prince' TM	Golden Prince Euonymus	5 gal			X	
	182	Helictotrichon sempervirens	Blue Oat Grass	1 gal		X		
	115	Heemerocallis x 'Evergreen Red'	Daylily	1 gal			X	
	20	Leptospermum scoparium 'Ruby Glow'	Red New Zealand Tea Tree	5 gal		X		
	23	Phormium tenax 'Maori Maiden'	New Zealand Flax	5 gal		X		
	12	Phormium x 'Allison Blackman'	New Zealand Flax	5 gal		X		

VINE/ESPALIER	QTY	BOTANICAL NAME	COMMON NAME	SIZE	Very Low	Low	Medium	High
	2	Ficus pumila	Creeping Fig	5 gal			X	

GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	Very Low	Low	Medium	High
	1,389 sf	Festuca idahoensis	Idaho Fescue	sod			X		
	131	Rosa x 'Peach Drift'	Drift Rose	1 gal	30" o.c.			X	
	107	Rosmarinus officinalis 'Huntington Carpet'	Huntington Carpet Rosemary	1 gal	36" o.c.		X		

GENERAL NOTES

- All landscape areas shall receive a 2-3" layer of organic mulch top dressing
- All landscape areas shall be irrigated by drip and a smart controller.

WATER USE CALCULATION SUMMARY

HYDROZONE DESCRIPTION	TOTAL S.F.	AREA (%)	Max. Applied Water Allowance MAWA (Gal./Yr.)	Estimated Water use EWU (Gallons/Year)
LOW WATER USE PLANTS	3,412	52	(45)(.62)(.7)(6560)	(45)(.62)(.3)(3412)/(.85)= 33,598
MEDIUM WATER USE PLANTS	3,148	48		(45)(.62)(.5)(3148)/(.85)= 51,664

TOTAL 6,560 100 128,117 gal. 85,262 gal.

* Hydrozones are mixed with low and medium water use plants-- calculations reflect medium water use plants for Hydrozone.

Maximum Applied Water Allowance (MAWA). MAWA= (Annual Et) (Conversion factor)(Et adjustment)(Landscape Area)
Estimated Water use (EWU). EWU= (Annual Et) (Conversion factor)((plant factor) (Hydrozone Area) /(Irrigation efficiency))

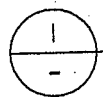
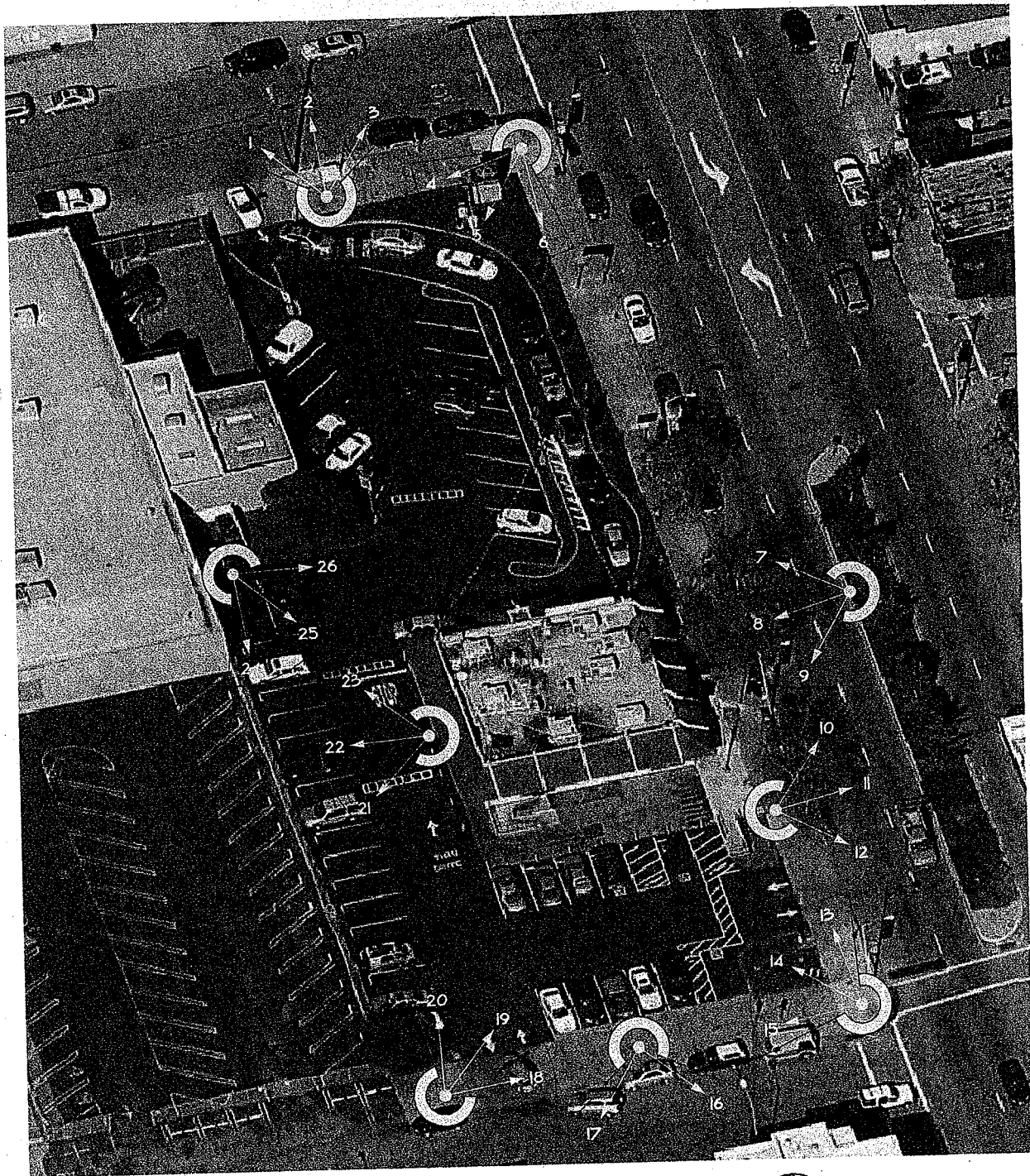


PHOTO SITE PLAN
NO SCALE

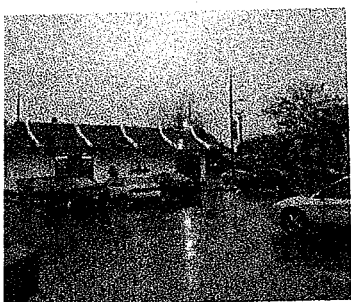


PHOTO 19

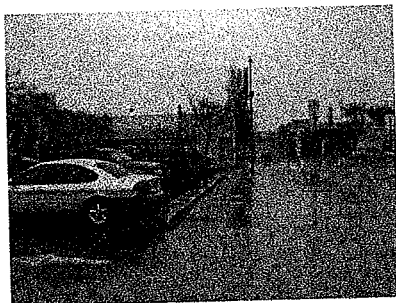


PHOTO 18

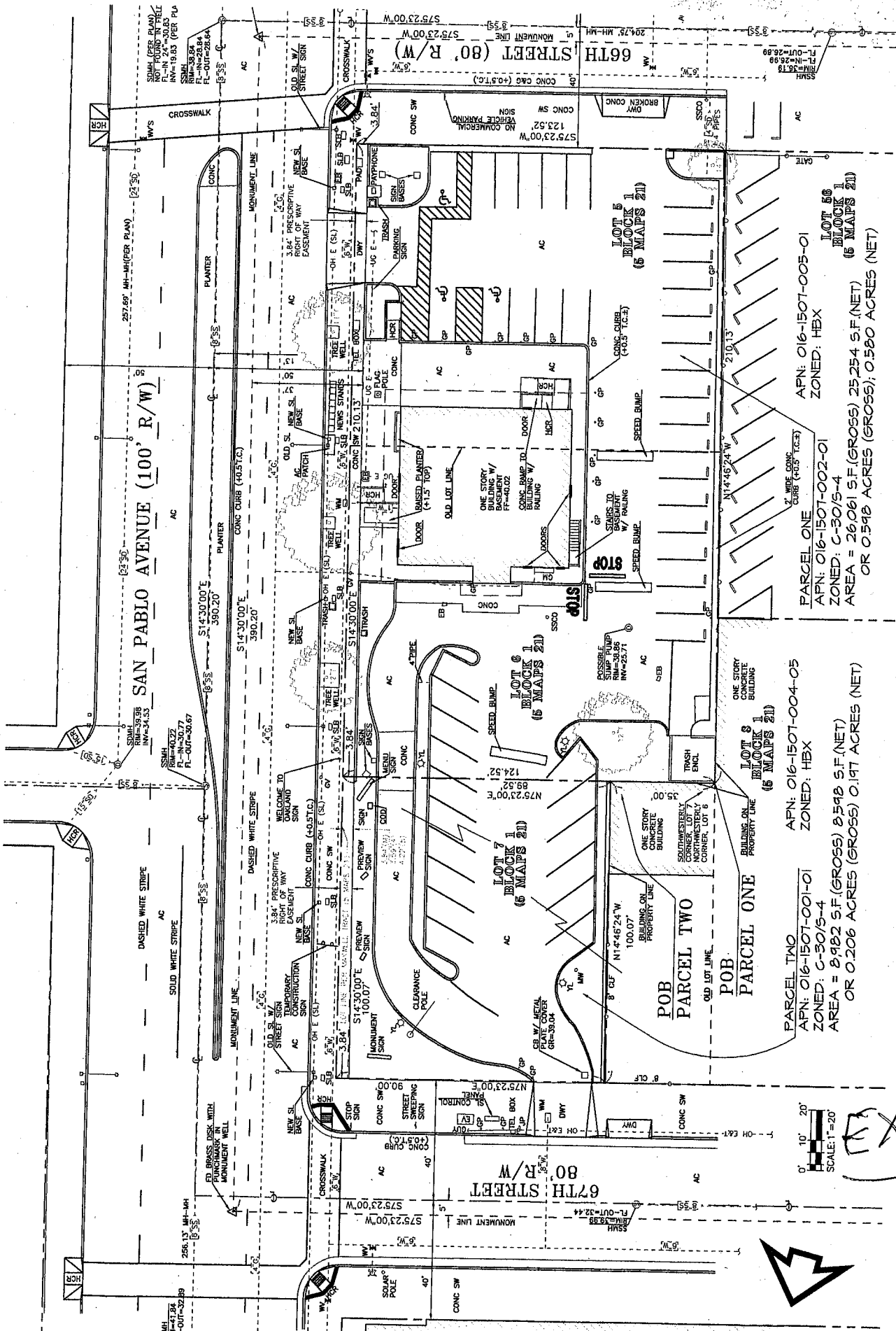


PHOTO 17



PHOTO 16

1. ANY
 2. CITY
 3. COUNTY
 4. STATE
 5. FEDERAL
 6. OTHER
 7. PRIVATE
 8. PUBLIC
 9. OTHER
 10. OTHER
 11. OTHER
 12. OTHER
 13. OTHER
 14. OTHER
 15. OTHER
 16. OTHER
 17. OTHER
 18. OTHER
 19. OTHER
 20. OTHER
 21. OTHER
 22. OTHER
 23. OTHER
 24. OTHER
 25. OTHER
 26. OTHER
 27. OTHER
 28. OTHER
 29. OTHER
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 31. OTHER
 32. OTHER
 33. OTHER
 34. OTHER
 35. OTHER
 36. OTHER
 37. OTHER
 38. OTHER
 39. OTHER
 40. OTHER
 41. OTHER
 42. OTHER
 43. OTHER
 44. OTHER
 45. OTHER
 46. OTHER
 47. OTHER
 48. OTHER
 49. OTHER
 50. OTHER



EXISTING
 SCALE: 1"=20'
 0' 10' 20'

18'-5"

2'-0"

McDonald's

LED ILLUMINATED CHANNEL LETTERS

Quantity: Two (2) Required

92.8 Sq. Ft.

Scale: 3/8" = 1'-0"

SPECIFICATIONS:

LETTERS: INJECTION MOLDED WHITE POLYCARBONITE
 RETURNS: SILVER
 ILLUMINATION: WHITE LED'S
 POWER REQ: 1.6 AMPS

Scale: N.T.S.

4'-6"

8"

Welcome

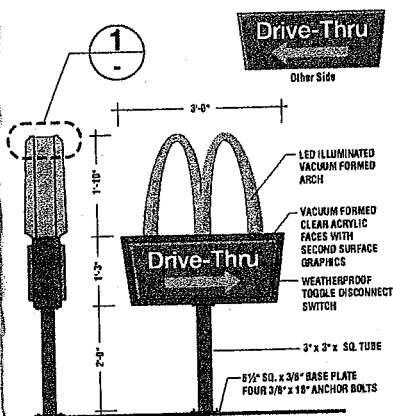
NON-ILLUMINATED FREESTANDING FLAT CUT OUT LETTERS

Quantity: Two (2) Required

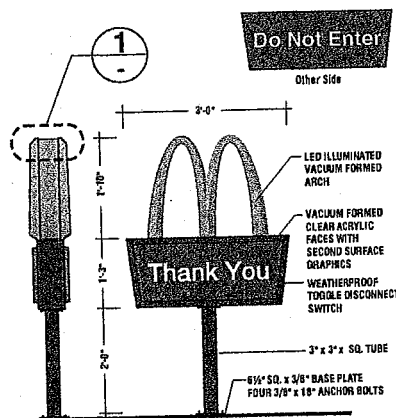
3.0 Sq. Ft.

SPECIFICATIONS:

- LETTERS: FLAT CUT OUT ALUMINUM PAINTED SILVER (TO MATCH AWNING SUPPORT)
- RAIL: ALUMINUM PAINTED BLACK MOUNTED TO AWNING SUPPORT WITH 1/4"-20 SELF DRILLING SCREWS FOUR (4) PLACES



DOUBLE FACE LED ILLUMINATED DIRECTIONAL SIGN
 One (1) Unit Required
 9.3 Sq. Ft.
 Scale: 1/2" = 1'-0"



DOUBLE FACE LED ILLUMINATED DIRECTIONAL SIGN
 One (1) Unit Required
 9.3 Sq. Ft.
 Scale: 1/2" = 1'-0"

CRM Architects & Planners, Inc.
 2999 Oak Road, Suite 900
 Walnut Creek, CA 94597

OWNER

LC# 4-0426



McDonald's

2999 Oak Road, Suite 900
 Walnut Creek, CA 94597

ADDRESS

6623 SAN PABLO AVE
 OAKLAND, CA. 94608

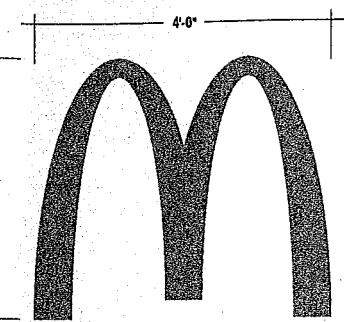
DRAWING DATE: 10-29-14

DRAWING TITLE:

SIGNAGE
 REFERENCE ONLY
 UNDER SEPARATE PERMIT

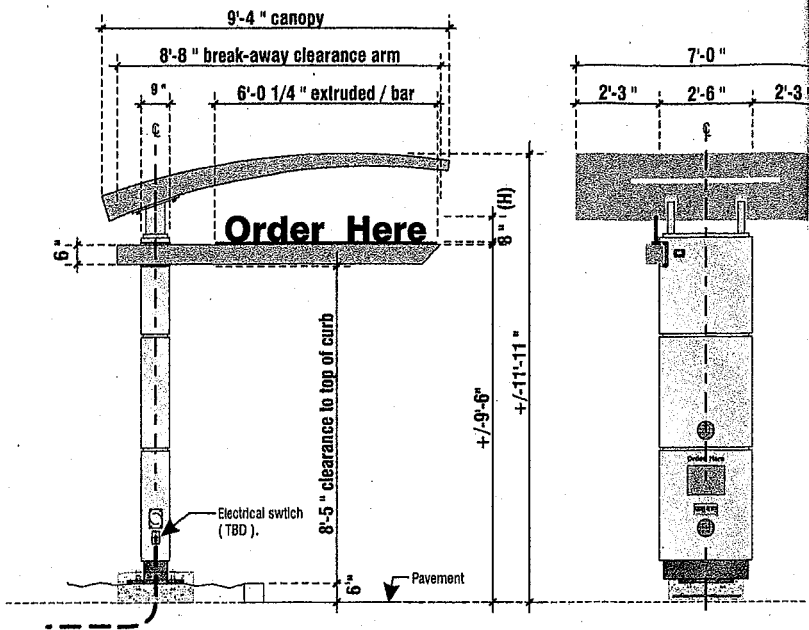
DRAWING NUMBER

5.1

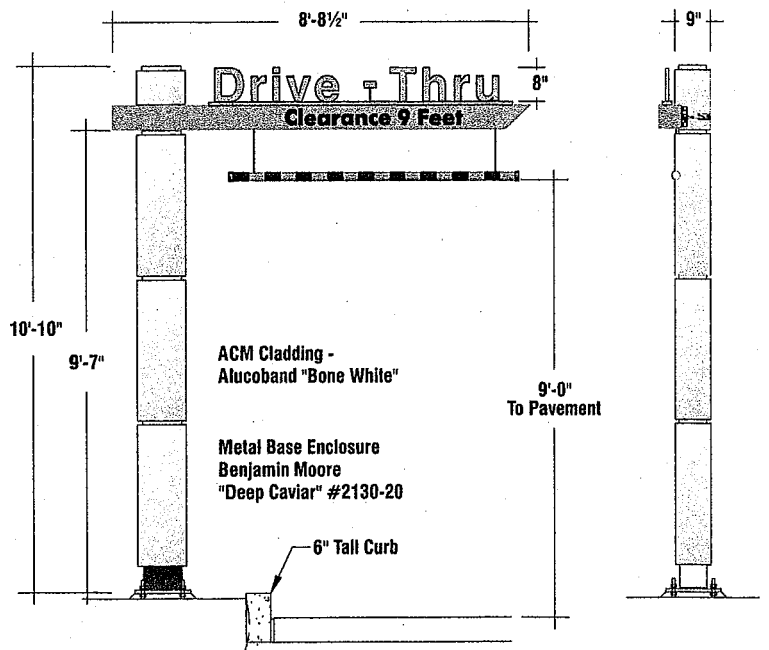
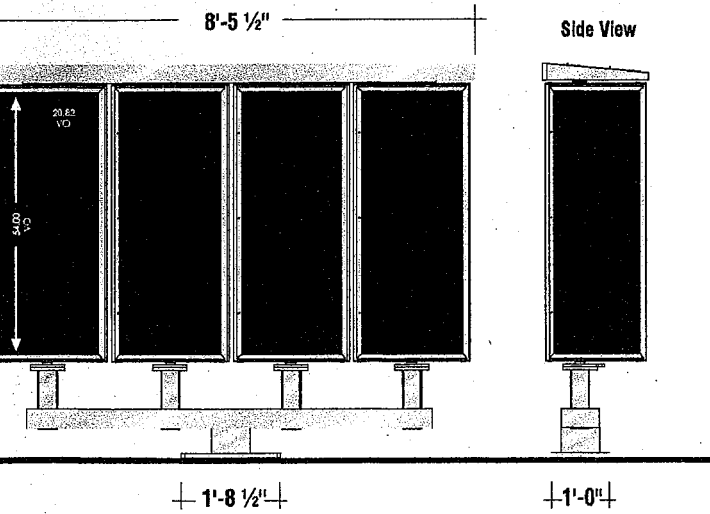


ILLUMINATED CHANNEL LOGO
 Quantity: Two (2) Required
 14.0 Sq. Ft.
 Scale: 3/4" = 1'-0"

NOTIFICATIONS:
 COLOR: INJECTION MOLDED SABIC YELLOW LEXAN YW6G039X (.118)
 FINISH: WHITE LED'S
 ELECTRICAL REQ: 1.3 AMPS
 E:

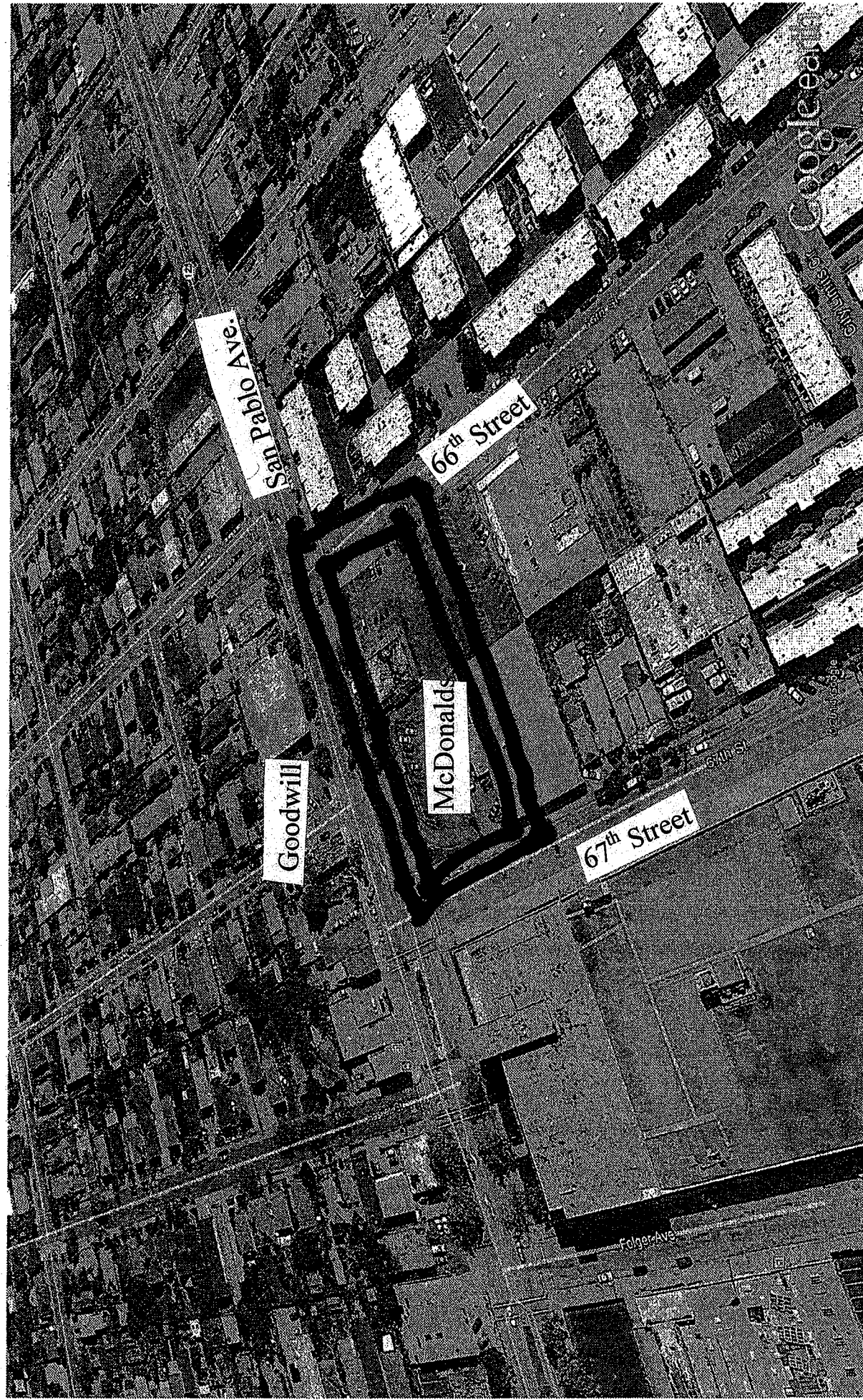


"ORDER HERE" CANOPY WITH INTEGRATED COD
 One (1) Unit Required



CLEARANCE SIGN
 One (1) Unit Required
 Scale: N.T.S.

FOR REFERENCE ONLY

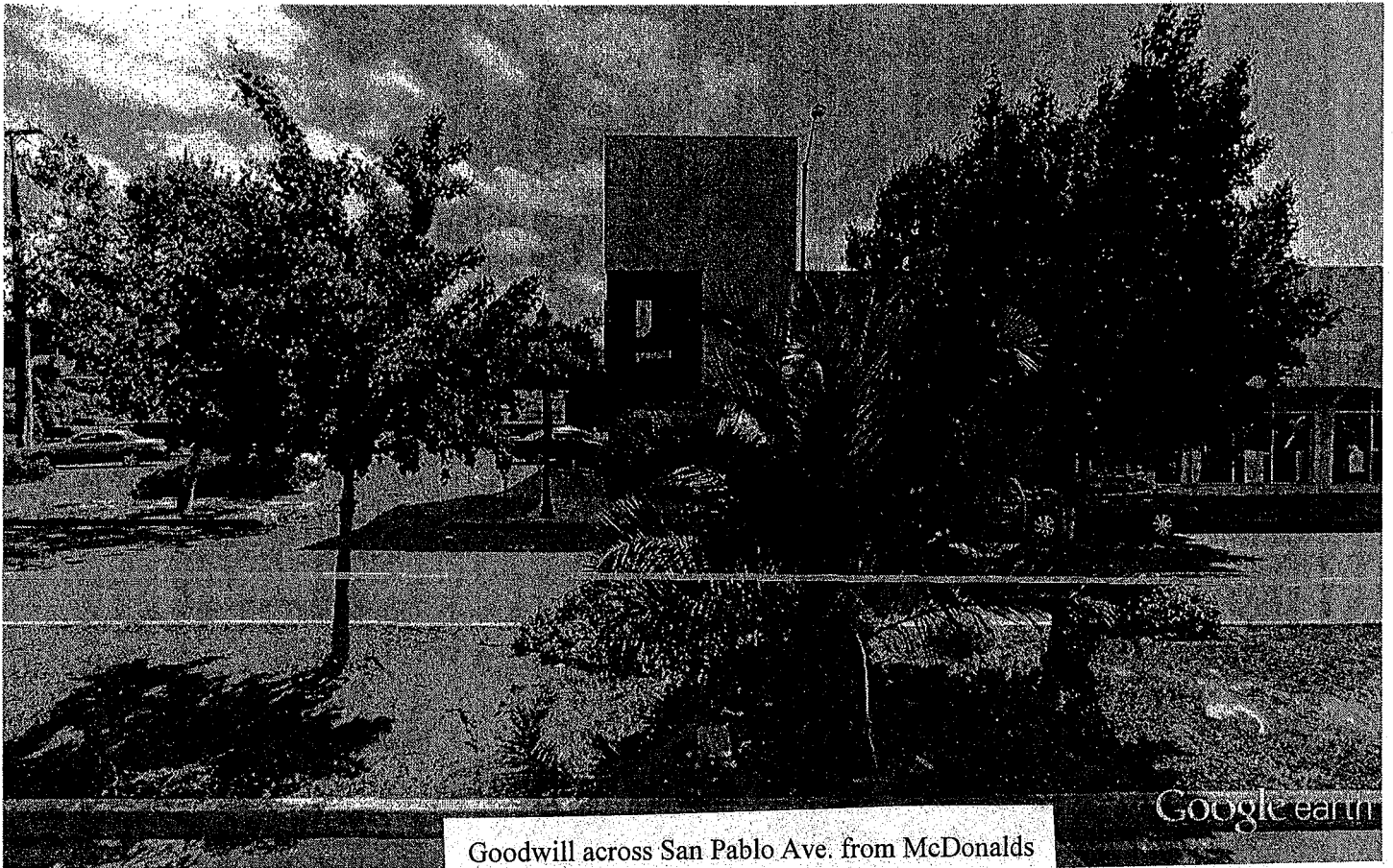


Google earth

feet
meters

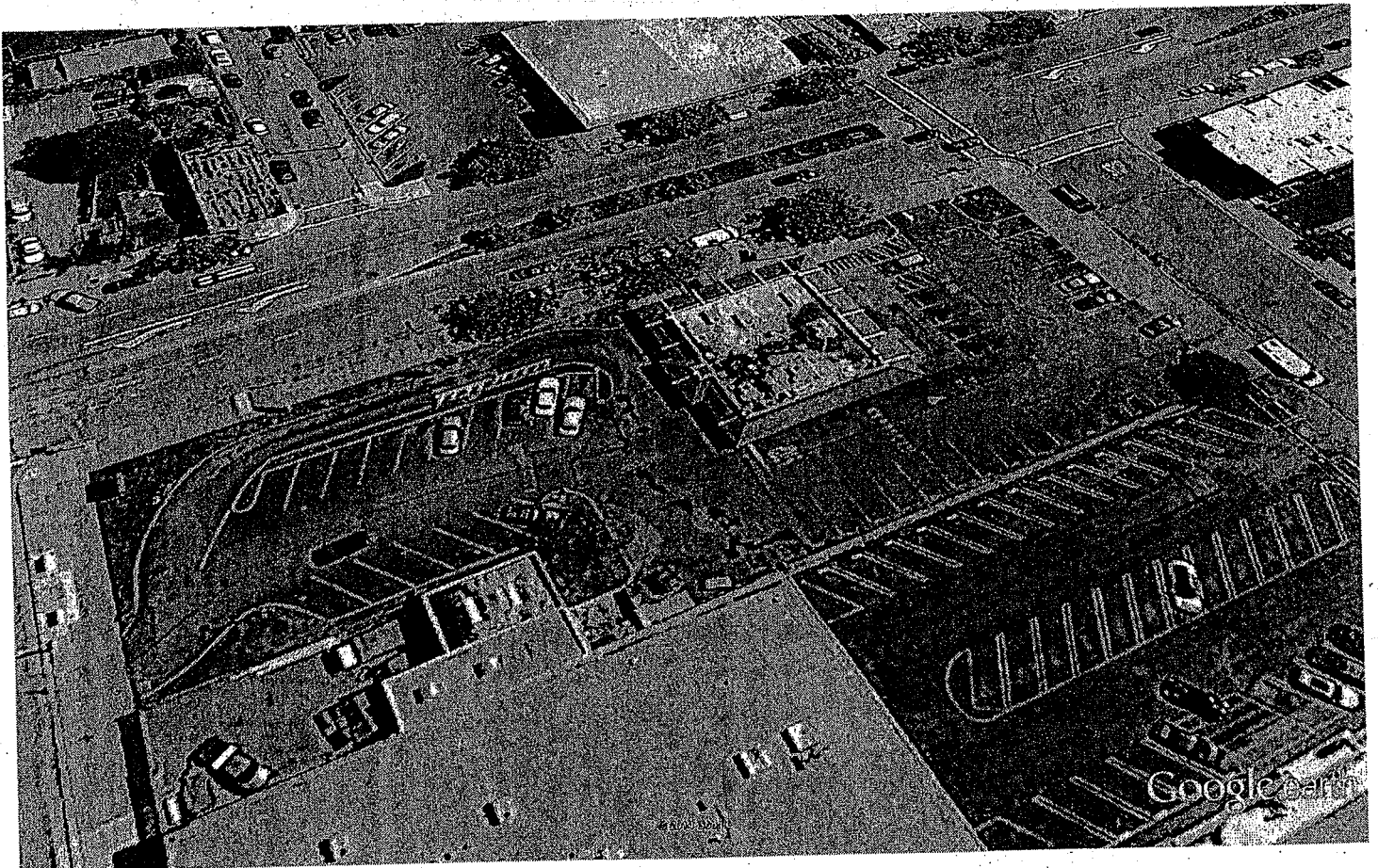
100

500



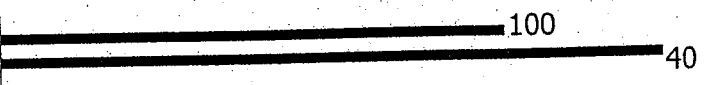
Goodwill across San Pablo Ave. from McDonalds

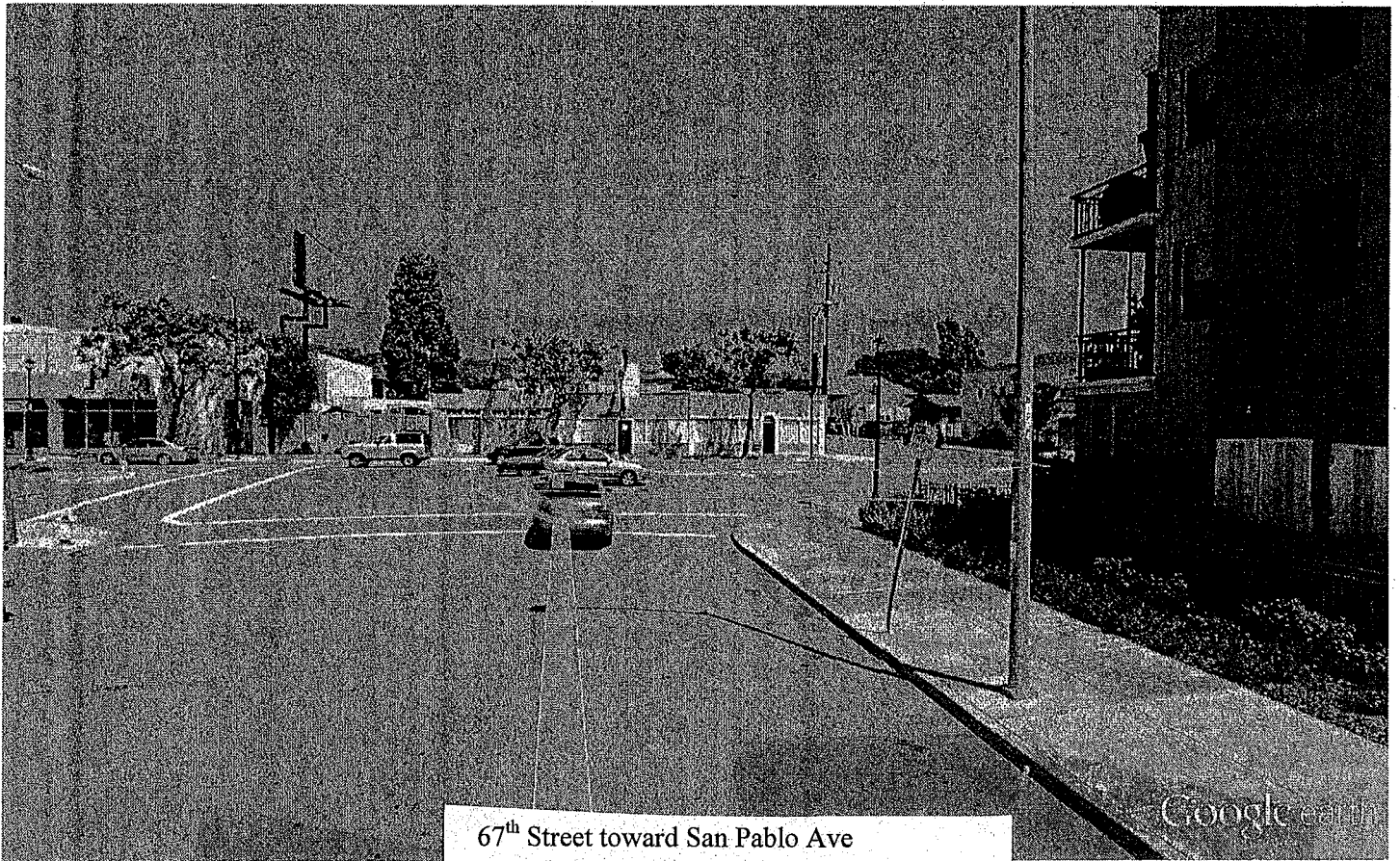
McDonalds overhead view toward San Pablo Ave.



Google earth

feet
meters





67th Street toward San Pablo Ave

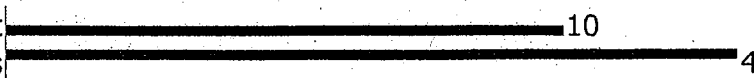
(Housing is on right side, McDonalds on Left)

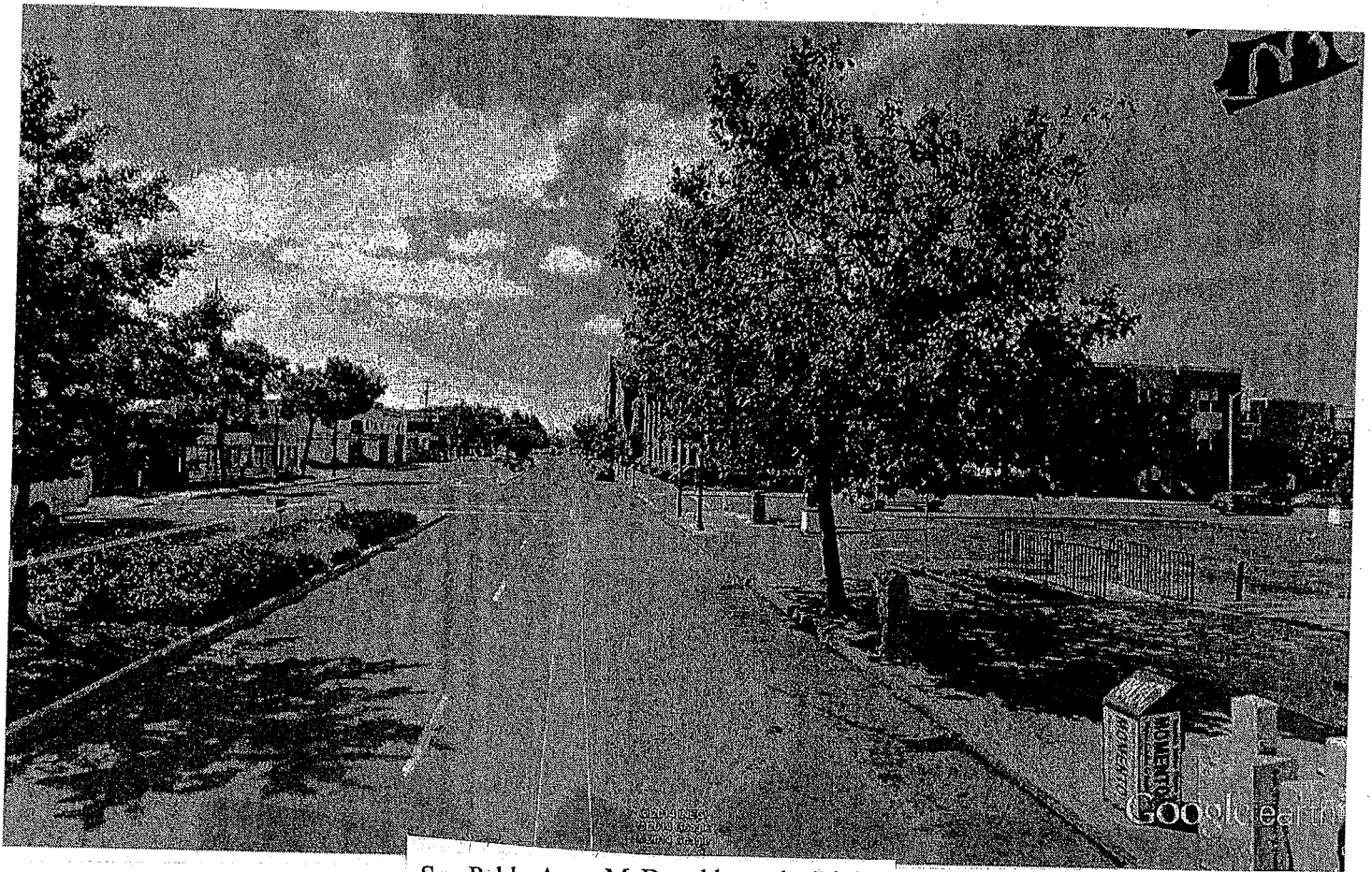
McDonalds viewed from San Pablo Ave.



Google earth

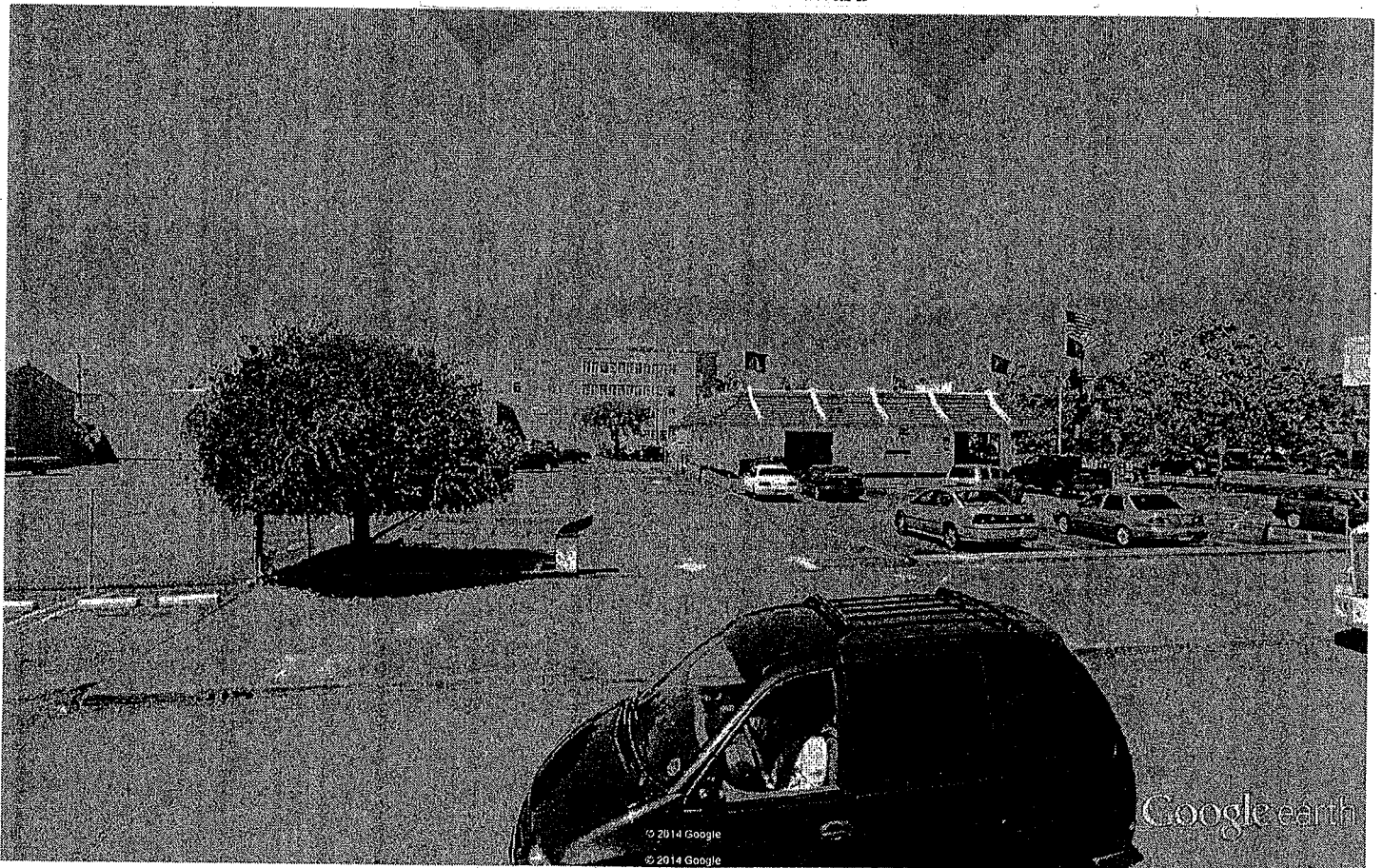
feet
meters





San Pablo Ave., McDonalds on the Right

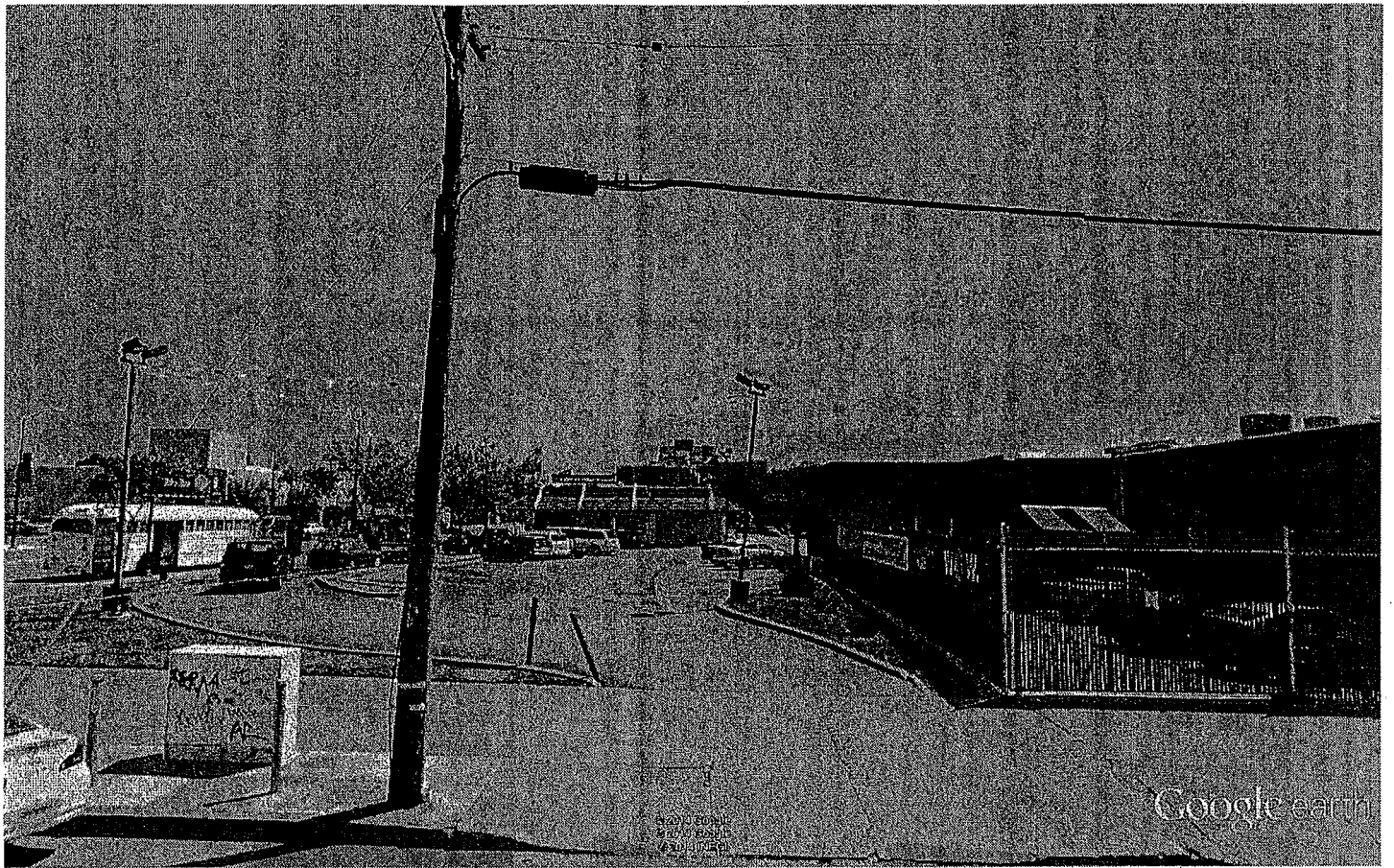
McDonalds from 66th Street northward



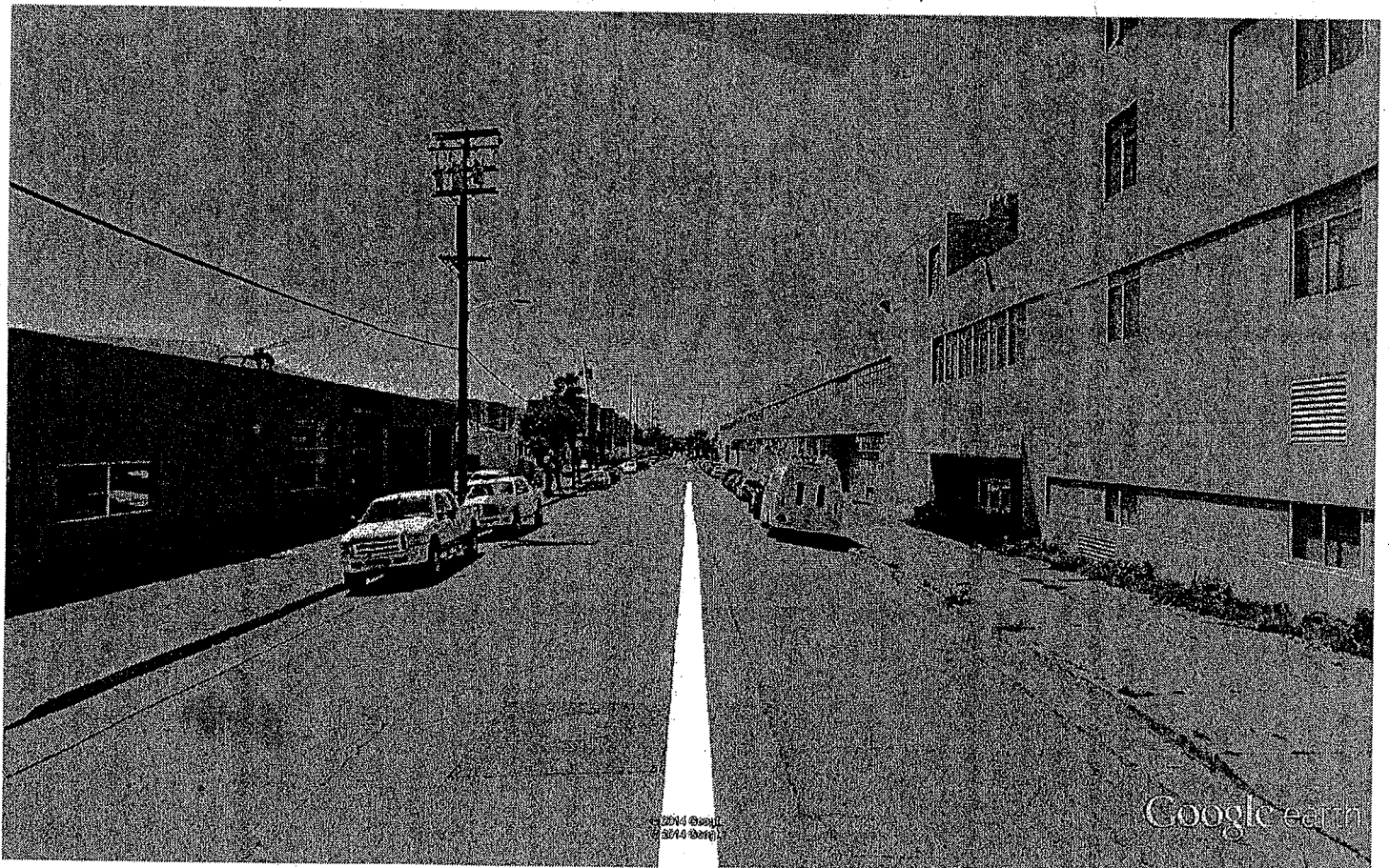
Google earth

feet 10
meters 4





Side Street Views



Google earth

feet
meters

10

