Oakland City Planning Commission STAFF REPORT

Case File Number CM10311 **February 2, 2011**

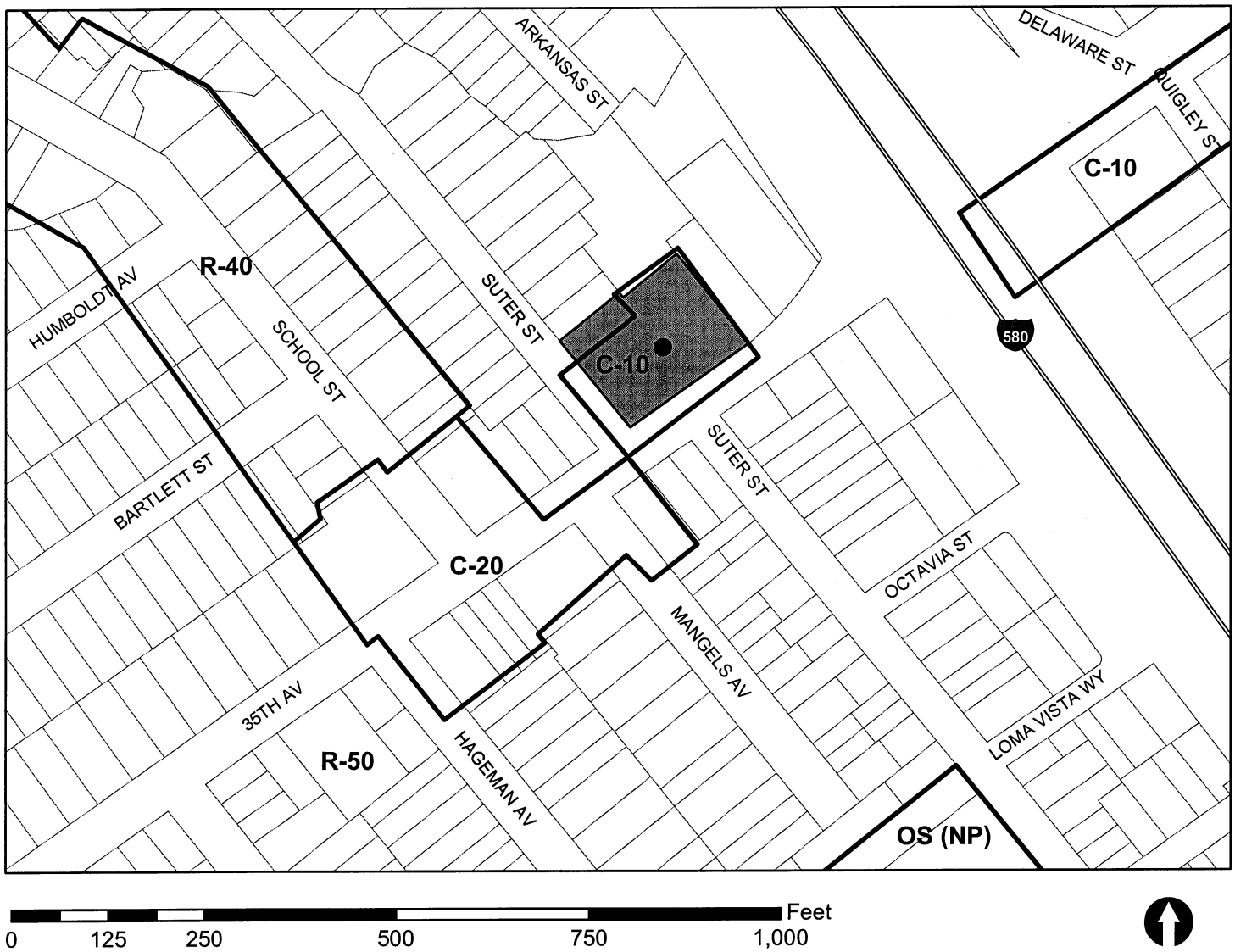
Location:	**3201 35th Avenue "Energy Gas & Mart"**
Assessor's Parcel Number:	**028 -0950-037-01**
Proposal:	To expand a 696 square-foot convenience market located at a gas station by constructing 325 square feet of new floor area between existing market and storage structures located beneath the fueling canopy.
Applicant/	Adolfo Martinez
Phone Number:	(510) 828-3033
Owner/	Rajinder Singh Sull
Phone Number:	(510) 366-8760
Case File Number:	**CM10311**
Planning Permits Required:	Major Conditional Use Permit with additional findings to expand a legal nonconforming convenience market (OMC Sec. 17.36.050(C), 17.102.210(A), 17.134.020(A)(2)(a)(vi))
General Plan:	Mixed Housing Type Residential
Zoning:	C-10 Local Retail Commercial Zone/ R-50 Medium Density Residential Zone (northwest/left rear corner)
Environmental Determination:	Exempt, Section 15301(e) of the State CEQA Guidelines: Existing Facilities (Additions to existing structures); Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan, or Zoning
Historic Status:	Non-Historic Property
Service Delivery District:	IV
City Council District:	4 - Schaaf
Date Filed:	December 2, 2010
Action to be Taken:	Approve with conditions
Finality of Decision:	*Appealable to City Council within 10 days*
For Further Information:	Contact case planner **Aubrey Rose** at **(510) 238-2071** or arose@oaklandnet.com

SUMMARY

The applicant Mr. Adolfo Martinez on behalf of the property owner Mr. Rajinder Singh Sull requests Planning Commission approval of a Major Conditional Use Permit with additional findings to expand a legal nonconforming convenience market located at a conditionally approved gas station. The proposal involves constructing an addition beneath the fueling canopy to connect the existing market and storage structures. No increase to sales displays areas of petroleum products or conditionally permitted alcoholic beverages are proposed. The gas station and convenience market would remain open 24-hours daily. Legal nonconforming status is discussed in this report.

Staff recommends approval of the requested permits, subject to the attached Findings for Approval and Conditions of Approval.

CITY OF OAKLAND PLANNING COMMISSION



Case File: CM10-311
Applicant: Adolfo Martinez
Address: 3201 35th Avenue "Energy & Gas Mart"
Zone: C-10

PROPERTY DESCRIPTION

Site
The property is a corner lot on 35th Avenue near the 580 freeway that contains a gas station and convenience store. The lot is situated at the northeast corner of the T-intersection with Suter Street (Suter Street extends east of 35th Avenue approximately 75-feet to the west). There is an AC Transit bus stop at the corner along 35th Avenue and a stop sign at the end of Suter Street. The property measures approximately 28,000 square feet in area and is rectangular with the long dimension (190-feet) fronting the arterial. The property contains two curb cuts on 35th Avenue and one on Suter Street.

The gas station contains a fueling canopy that is oriented perpendicular to 35th Avenue between the two curb cuts. Underneath the canopy are four two-sided pumps (eight pumps total) to the fore and the convenience market toward the rear. A two-sided monument sign is located towards the corner facing 35th Avenue. A trash enclosure is located toward the rear street side corner containing remnants of an old monument sign. A propane tank surrounded by protective bollards is set back 25 feet from the north (left-side) driveway on 35th Avenue. A separate storage building is located beyond a large open area at the interior rear corner and its contents include car wash supplies, and the site's dumpster is located adjacent to that building. Several parking stalls are located at the interior of the lot. The property is landscaped along the edges except at the driveway openings and trash enclosure. Decorative CMU walls with palm trees in front screen the gas station from abutting residential properties (a duplex fronting on 35th Avenue and a single-family home fronting on Suter Street). Illumination is provided beneath the canopy and at standards located around the site except for the corner. Staff noted some deficiencies at the site: some of the trees have grown in front of adjacent lamps; some of the bulbs beneath the canopy and in the lamps are inactive; there is some litter and graffiti at and adjacent to the site; the canopy does not indicate clearance height; and, the driveways do not contain bollards for chains to allow site closure.

Convenience Market
The legally nonconforming convenience market consists of two metal buildings situated parallel to 35th Avenue. The western (left-side) building has glazing facing 35th Avenue and measures 478 square feet. It contains a retail area with sales displays, coolers including four containing alcoholic beverages (beer and wine by Major Conditional Use Permit), a protected cashier booth, and a rear office/storage room to the rear of the booth. The eastern (right-side) detached structure is located 16'-9" from the retail structure and measures 125 square feet. It contains a unisex restroom and a storage room. Entrances are located between structures and the buildings are connected by high fencing toward the rear. During the evenings the retail building is locked and accessible by electronic control of the attendant. The market operates surveillance cameras and tapes are saved for 48 hours. The attendant's visual access to the rear of the property is limited. The convenience store includes sale of petroleum products (quarts of motor oil – one half shelf display), beer and wine, and tobacco. Tobacco advertisement signs attached to the convenience market are visible from the public right-of-way. Some deliveries are made by trucks parking along 35th Avenue. The gas station and convenience store are open 24-hours daily.

Setting
The site is adjacent to the 580 freeway's 35th Avenue eastbound exit. The block has a radius curve at the exit's right corner that straightens at the site. The site is located in a mixed housing type area. Surrounding properties predominantly consist of single-family homes. Across the street at the corner of Suter Street are a home used as a day care center and gas station with a larger convenience market, respectively. The general area contains additional gas stations and convenience markets.

BACKGROUND

The gas station was approved in 1971 (#CM71385). At that time, the convenience market was approved as part of the station. Conditions of approval principally require installation and maintenance of landscaping and are discussed later in this report. Fueling pumps have since been removed behind the convenience market and lube bays have been removed from the west (left) of the remaining pumps. Sale of alcoholic beverages (beer and wine) was approved in 1986 (#CM8610).

PROJECT DESCRIPTION

The proposal is to expand the 696 square-foot convenience market located at the gas station by constructing a 325 square-foot floor addition beneath the fueling canopy to connect the existing retail and storage structures. The property owner has indicated that the purpose of the project is in part to increase attendant safety. Sales display areas of most retail items would be enlarged and the cashier booth would be relocated. No increase to sales displays areas of petroleum products, alcoholic beverages, or tobacco products are proposed. The gas station and convenience market would remain open 24-hours daily.

GENERAL PLAN ANALYSIS

The project site is located in the Mixed Housing Type Residential area of the General Plan. The intent of the area is: *"To create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate."* The proposal does not involve expansion or intensification of the gas station and does not involve a car wash; these issues are discussed further in the KEY ISSUES AND IMPACTS section of this report. The Guidelines for General Plan Conformity are silent with regard to convenience stores in Mixed Housing Type areas. The Guidelines state that if the General Plan is silent and the project is permitted or conditionally permitted by Zoning then the normal Zoning process applies (see Zoning Analysis Section below). 35Th Avenue crosses the 580 freeway and is a Major Arterial under the Land Use & Transportation Element (LUTE, p. 126). The site may thus be appropriate for a larger convenience market. However, the site is located in a residential area and abuts residential properties. Therefore, draft conditions of approval ensure the site be redesigned and maintained to address site planning and operation, appearance, and potential safety issues. With conditions of approval, the proposal meets the area intent and the following Policy of the LUTE:

> Policy N1.5 Designing Commercial Development.
> Commercial development should be designed in a manner that is sensitive to surrounding residential uses.

ZONING ANALYSIS

The project site is located in the C-10 Local Retail Commercial Zone. The intent of the C-10 Zone is: *"to create, preserve, and enhance areas of small-scale retail establishments serving frequently recurring needs in convenient locations, and is typically appropriate to small shopping clusters located within residential communities."* A small portion of the site located at the northwest (right rear) corner is located in the R-50 Medium Density Residential Zone; it contains a tree, parking stalls, and the trash enclosure. The proposal does not involve new construction or activity at this residentially-zoned corner of the lot. Under C-10 zoning, convenience stores are conditionally permitted with Planning Commission approval. Increased sale display area of petroleum products, alcoholic beverages, and tobacco products are not proposed and Conditional Use

Permits are therefore not required for these activities. Design Review is not required for non-residential facilities located in the C-10 Zone. Staff's site visits indicated the property has some site planning and operation, appearance, and potential safety issues. No negative impacts of the convenience stores are known to staff. Therefore, staff recommends approval of this request with the conditions to address property issues discussed in the KEY ISSUES AND IMPACTS section of this report.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15301(e) of the State CEQA Guidelines exempts projects involving additions to existing structures. The proposal to expand a 696 square-foot convenience market located at a gas station by constructing 325 square feet of new floor area meets this description. The project is therefore exempt from further Environmental Review.

KEY ISSUES AND IMPACTS

Convenience Market

Staff is aware that market shifts have rendered convenience markets practically essential for a viable gas station. The existing convenience market is relatively small; it was built forty years ago and is basically a large cashier's booth by modern standards. Staff's site visits indicated the property is generally well located for the proposal but that several site planning and operation, appearance, and potential safety issues exist. These issues relate to cleanliness, landscaping, signage, circulation (delivery), and illumination. Additionally, safety can be an issue at these types of all-hours establishments and draft conditions of approval contain measures derived from Crime Prevention Through Environmental Design (CPTED) principles such as maintenance of surveillance camera tapes. The Oakland Police Department (Alcoholic Beverages Action Team/ABAT unit) has reviewed the site and proposal, and submitted recommendations to staff in a memorandum **(Attachment E)** that are incorporated into draft conditions of approval. Staff is not aware of any negative impacts of the convenience store to the surrounding community and can support the request with the following conditions:

Site planning and operation

- Require delivery parking on-site
- Indicate clearance height on canopy
- Stripe an on-site truck loading zone
- Relocate the trash enclosure to the interior corner to allow delivery vehicles to load on site, dispose of bulky wastes currently stored within the enclosure to create room and store the dumpster within it
- Relocate the propane tank further back to allow full use of the driveway including by delivery vehicles
- Noise signage and monitoring

Appearance

- Remove litter and graffiti on and adjacent to the site and maintain cleanliness
- Remove any tobacco related signage visible from the public right-of-way (i.e., attached to convenience market facing 35th Avenue)

Safety

- Install a lamp at the corner
- Prune palm trees growing in front of lamps
- Replace inactive bulbs beneath the canopy and on lamps
- Save surveillance tapes for 14 days

- If 24-7 hours change, install bollards at driveways and chain off site during closed hours
- Loitering signage and monitoring

Staff is aware improvements to the convenience market may have an effect of increasing other activities at the site; namely, sale of petroleum products, alcoholic beverages, and tobacco products. Therefore, staff has drafted conditions of approval requiring sale display areas for these products within the convenience store be maintained at pre-project size.

Gas station
Due to the site's residential area designation under the General Plan, the gas station cannot be expanded or intensified. No new pumps are proposed. However, the convenience store does sell petroleum products (that is, quarts of motor oil). Furthermore, an unpermitted car wash activity that may occur at the property cannot be legalized. Therefore, draft conditions of approval prohibit increased sales display area for petroleum products and ancillary car wash business. Staff considered whether the site and area might benefit from eliminating the corner driveway along 35th Avenue and installing additional landscaping. Due to the site's proximity to the freeway off ramp and a radial street corner there, staff will not recommend this modification. Original Conditions of approval for the gas station are included with draft conditions, to ensure continued adherence in particular with regards to landscaping.

Alcoholic beverages
A revision to amend the Major Conditional Use Permit for sale of alcoholic beverages (beer and wine) was not requested. Therefore, recommended conditions of approval stipulate that there be no increased sales display area for alcoholic beverages.

Tobacco products
Small-scale sale of tobacco products is allowed at gas stations as an accessory activity under the Planning Code. Recommended conditions of approval ensure sale display area of tobacco products is subject to sale area and revenue limits and that advertising signage be removed.

In conclusion, staff recommends approval of the request, as conditioned.

RECOMMENDATIONS:

1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit subject to the attached findings and conditions.

Prepared by:

Aubrey Rose

AUBREY ROSE
Planner II

Approved by:

Scott Miller

SCOTT MILLER
Zoning Manager
Community and Economic Development Agency

Approved for forwarding to the
City Planning Commission:

Scott Miller, for

ERIC ANGSTADT
Deputy Director
Community and Economic Development Agency

ATTACHMENTS:

A. Findings for Approval
B. Conditions of Approval
C. Plans
D. Site photographs
E. OPD memorandum: CPTED recommendations

Attachment A: Findings for Approval

This proposal meets the required findings under General Use Permit Criteria (OMC Sec. 17.134.050), Use Permit Criteria for Convenience Markets (OMC Sec. 17.102.210(A)), and Regular Design Review Findings For Nonresidential Facilities (OMC Sec. 17.136.050(B)) as set forth below. Required findings are shown in bold type; explanations as to why these findings can be made are in normal type.

GENERAL USE PERMIT CRITERIA (OMC SEC. 17.134.050):

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.

The project involves an existing activity. The project site is located in the C-10 Local Retail Commercial Zone. The intent of the C-10 Zone is: *"to create, preserve, and enhance areas of small-scale retail establishments serving frequently recurring needs in convenient locations, and is typically appropriate to small shopping clusters located within residential communities."* The site is located on a major arterial adjacent a freeway exit and is compatible with other similar activities in vicinity. With conditions of approval to ensure improve site planning and operation, appearance, and potential safety issues are addressed, an expanded convenience market is appropriate.

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 project is intended in part to increase safety for attendants.

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.

Required site improvements and maintenance will benefit the surrounding residential community.

D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.

Design Review findings can be made by this proposal as described in a following section of this Attachment.

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

The project site is located in the Mixed Housing Type Residential area of the General Plan. The intent of the area is: *"To create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate."* Conditions of approval ensure the site be redesigned and maintained to

address site planning and operation, appearance, and potential safety issues. With conditions of approval, the proposal meets the area intent and the following Policy of the LUTE:

Policy N1.5 Designing Commercial Development.
Commercial development should be designed in a manner that is sensitive to surrounding residential uses.

USE PERMIT CRITERIA FOR CONVENIENCE MARKETS (OMC SEC. 17.102.210(A))

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable, with consideration to be given to the area's function and character, problems of crime and loitering, and traffic problems and capacity;

The proposal does not involve a new convenience market but the expansion of an existing one; conditions of approval will address crime with Crime Prevention Through Environmental Design/CPTED principles.

2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds;

The site is across 35th Avenue from a day care center; conditions of approval will ensure delivery trucks including heavy duty vehicle no longer park directly on 35th Avenue.

3. That the proposal will not interfere with the movement of people along an important pedestrian street;

The proposal involves an existing activity on a major arterial and will not impede pedestrian movement.

4. That the proposed development will be of an architectural and visual quality and character which harmonizes with, or where appropriate enhances, the surrounding area;

The proposal to expand a convenience market by connecting two small structures will be an improvement aesthetically to the utilitarian site.

5. That the design will avoid unduly large or obtrusive Signs, bleak unlandscaped parking areas, and an overall garish impression;

No new signage or customer parking areas are proposed.

6. That adequate litter receptacles will be provided where appropriate;

This is a Condition of Approval.

7. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of ten (10) p.m. and seven (7) a.m. The same criteria shall apply to all conditional use permits required by subsection B of this section for sale of alcoholic beverages at full-service restaurants.

The convenience market is open all the time. Conditions of approval ensure signage be installed prohibiting excessive noise and loitering, that nuisances be monitored and controlled by the attendant, and that illumination be directed on-site.

8. That proposals for new Fast-Food Restaurants must substantially comply with the provisions of the Oakland City Planning Commission "Fast-Food Restaurant—Guidelines for Development and Evaluation" (OCPD 100-18).

This finding is inapplicable; the proposal does not involve a Fast-Food Restaurant.

REGULAR DESIGN REVIEW CRITIERA FOR NONRESIDENTIAL FACILITIES (OMC SEC. 17.136.050(B))

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 17.136.060;

The proposal is to expand a convenience market consisting of two small buildings by connecting the buildings. The site is located in a residential area. Landscape maintenance is a pre-existing condition of approval at the site. The proposal as conditioned will improve the site planning and operation, appearance, and potential safety issues of the corner property.

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

The project will require the following conditions of approval which will be beneficial to the neighborhood:

Site planning and operation

- Require delivery parking on-site
- Indicate clearance height on canopy
- Stripe an on-site truck loading zone
- Relocate the trash enclosure to the interior corner to allow delivery vehicles to load on site, dispose of bulky wastes currently stored within the enclosure to create room and store the dumpster within it
- Relocate the propane tank further back to allow full use of the driveway including by delivery vehicles
- Noise signage and monitoring

Appearance

- Remove litter and graffiti on and adjacent to the site and maintain cleanliness
- Remove any tobacco related signage visible from the public right-of-way (i.e., attached to convenience market facing 35th Avenue)

Safety

- Install a lamp at the corner
- Prune palm trees growing in front of lamps
- Replace inactive bulbs beneath the canopy and on lamps

- Save surveillance tapes for 14 days
- If 24-7 hours change, install bollards at driveways and chain off site during closed hours
- Loitering signage and monitoring

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

The proposal with conditions of approval to ensure improved aesthetics and safety conforms to the following Policy of the General Plan's Land Use & Transportation Element:

> Policy N1.5 Designing Commercial Development.
> Commercial development should be designed in a manner that is sensitive to surrounding residential uses.

Attachment B: Conditions of Approval

1. **Approved Use**
   Ongoing
   a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, **staff report**, and the plans dated **October 2010** and submitted on **December 2, 2010**, 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 **City Planning Commission** ("this Approval") includes the approvals set forth below. This Approval includes:

   Major Conditional Use Permit with additional findings to expand a legal nonconforming convenience market located at a gas station by constructing 325 square-feet new floor area between existing market and storage structures located beneath the fueling canopy; no increase to sales display areas of petroleum products or alcoholic beverages

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 for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this 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 necessary 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 laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval

   b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, 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) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.

   b) The City of Oakland 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, stop work, permit suspension or other corrective action.

   c) 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. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

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, notarized, and submitted with each set of permit plans to the appropriate City agency 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 its respective agents, officers, and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect)action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (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 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 applicant of any of the obligations contained in this condition or other requirements or 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 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 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 stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

11. **Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management**
Prior to issuance of a demolition, grading, and/or construction permit
The project applicant may be required to pay for on-call third-party special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review or construction. The project applicant may also be required to cover the full costs of independent technical review and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

12. **Landscape Requirements for Street Frontages.**
Prior to issuance of a final inspection of the building permit
On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet and does not interfere with access requirements, a minimum of one (1) twenty-four (24) inch box tree shall be provided for every twenty-five (25) feet of street frontage, unless a smaller size is recommended by the City arborist. The trees to be provided shall include species acceptable to the Tree Services Division.

13. **Landscape Maintenance.**
Ongoing
All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

14. **Construction Management Plan**
Prior to issuance of a demolition, grading, or building permit
The project applicant shall submit to the Planning and Zoning Division and the Building Services Division for review and approval a construction management plan that identifies the conditions of approval related to construction impacts of the project and explains how the project applicant will comply with these construction-related conditions of approval.

15. **Dust Control**
Prior to issuance of a demolition, grading or building permit
During construction, the project shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic and enhance dust control procedures required for construction sites. These include:
    a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
    b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
    c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
    d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
    e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
    f) Limit the amount of the disturbed area at any one time, where feasible.
    g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
    h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
    i) Replant vegetation in disturbed areas as quickly as feasible.
    j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
    k) Limit traffic speeds on unpaved roads to 15 miles per hour.
    l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

16. **Construction Emissions**
Prior to issuance of a demolition, grading or building permit
To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to:
    a) Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105.

    b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period.

17. **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 a.m. and 4:00 p.m. 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 resident's 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 resident's 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 activity 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.

g) Applicant shall use temporary power poles instead of generators where feasible.

18. <u>Noise Control</u>

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 the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:

a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

b) <u>Except as provided herein,</u> Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered 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, <u>if such jackets are commercially available</u> and this could

achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.

c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.

d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

19. Noise Complaint Procedures

Ongoing throughout demolition, grading, and/or construction

Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the 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 Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);

b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who 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 hours 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 and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

20. Interior Noise

Prior to issuance of a building permit and Certificate of Occupancy

If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that:

(a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and

(b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit.

(c) Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise

occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following:

a) Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis.
b) Prohibition of Z-duct construction.

21. 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.

22. 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.

23. Erosion and Sedimentation Control

Ongoing throughout demolition grading, and/or construction activities

The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating the Best Management Practices shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

24. 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.

25. 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 in 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.

26. Pile Driving and Other Extreme Noise Generators

Ongoing throughout demolition, grading, and/or construction

To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity:

a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;

b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;

c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;

d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and

e) Monitor the effectiveness of noise attenuation measures by taking noise measurements.

27. Lighting Plan

Prior to the issuance of an electrical or building permit

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. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

PROJECT SPECIFIC CONDITIONS

Conditions of Approval nos. 28-32 memorialize original conditions of approval nos. 1-5 of #CM71385 to ensure continued adherence

28. Permit # CM71385 Condition of Approval no. 1 – landscape maintenance

Ongoing

That Standard Oil Company, and their successors in interest, maintain a landscape maintenance contract with a reputable licensed landscape contractor for the continued up-keep of the service station landscaping; proof of the existence of such construct agreement shall be maintained in the files of the Director of City Planning, updated and revised as necessary.

29. Permit # CM71385 Condition of Approval no. 2 – outside displays

Ongoing

That the only outdoor display of merchandise be limited to placed oil rack displays past the pump islands and not more than three advertising displays of new tires provided such tire displays are located up against the main service station building and under the eave line.

30. **Permit # CM71385 Condition of Approval no. 3 – signage**
Ongoing
That any and all exterior signs be approved by the Director of City Planning prior to installation.

31. **Permit # CM71385 Condition of Approval no. 4 – landscape installation**
Ongoing
That a landscaping plan to include tall (Poplar trees, etc.) landscaping along north and east property lines prepared by the applicant's architect or other qualified person be approved by the Director of City Planning prior to issuance of building permits; that such plan indicate a sprinkler system for irrigation of planting; that improvements in accordance with said plan be installed prior to issuance of occupancy permits; that landscaping be permanently maintained.

32. **Permit # CM71385 Condition of Approval no. 5 – effective date**
Ongoing
That this permit shall become effective upon satisfactory compliance with the above conditions and failure to comply with said conditions or to obtain building permits by November 30, 1972 shall invalidate this approval.

33. **Litter Control**
Ongoing
The property owner or their representative shall remove litter daily at the premises and abutting sidewalk and gutter. Litter receptacles shall be provided on site for patrons and emptied daily. The trash enclosure shall be relocated further back from the left side property line, bulky waste items shall be discarded, and the site dumpster shall be stored within the enclosure which must remain locked.

34. **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.

35. **Loitering Signage**
Prior to commencement of activity
The property owner or their representative shall post at least two "No Loitering" signs on the building façade and other visible locations around the site. Signs shall be of a permanent nature and have letters a minimum of 2 inches in height.

36. **Loitering Prevention**
Ongoing
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. **Future Closure of Parking Lot After Hours**

Ongoing
Should the business hours be revised in the future so that the establishment is not a 24-hour business, bollards shall be installed on the side of each driveway and the property shall be secured while closed with chains to prevent vehicles from entering the site.

38. Tree pruning
Ongoing
Palm trees shall be minimally pruned to not grow in front of lamp while still providing maximum screening.

39. Parking Lot Lighting
Prior to requesting a final inspection and ongoing
Obtain Building Permits and install a new lamp matching existing lamps must be installed on-site toward the corner of 35th Avenue and Suter Street. All inactive bulbs on lamps and the canopy shall be replaced within 24 hours. Illumination of lamps shall be directed on-site so that it does not trespass upon adjacent residential properties.

40. Visual Access
Ongoing
The property owner or their representative shall keep windows clear of visually obstructions including, but not limited to signage beyond 10 percent window coverage, any advertising displays, chip/product racks, refrigerated equipment, cardboard, trash, wire mesh/security bars, reflective coatings, or other materials. The property shall maintain good sight lines in and out of the store to allow police to monitor activity inside and to allow store staff to monitor and discourage inappropriate activity in front of the store. (Note that this is more restrictive than the state regulations related to signage.)

41. Security cameras
Ongoing
Security cameras shall be operated and maintained at all times and surveillance tapes shall be retained for 14 days.

42. Pay Phones
Ongoing
No external pay phones are permitted on the premises.

43. Canopy height clearance
Prior to requesting a final inspection
Indicate clearance height on canopy.

44. Propane tank
Prior to requesting a final inspection
Obtain Building Permits and relocate the propane tank and protective bollards further back from the front property line to allow full use of the driveway including by delivery vehicles.

45. Delivery and loading
Ongoing
Delivery parking and unloading shall occur on site. This will be enabled by the relocation of the propane tank and trash enclosure, marking height clearance on the canopy, and striping a loading zone between the canopy and the rear corner storage structure.

46. **Sale of petroleum products**
    Ongoing
    There shall be no increase sales display area devoted to petroleum products such as quarts of motor oil (one half shelf).

47. **Sale of alcoholic beverages**
    Ongoing
    There shall be no increase in alcoholic beverages sales (beer and wine only) display (4 coolers).

48. **Tobacco Sales**
    Ongoing
    The property shall ensure that the sales of tobacco products do no constitute a tobacco oriented activity as defined in OMC Sec. 17.09.040 (Definitions) in the Oakland Planning Code. The total floor area devoted to sales of tobacco products shall be less than 20-percent of the total store floor area and not more than 75-percent of gross sales.

49. **Tobacco product sales signage**
    Prior to request for a final inspection
    All tobacco related signage visible from the public right-of-way (i.e., attached to convenience market facing 35th Avenue shall be removed.

50. **Car Washing Not Permitted**
    Prior to submitting for a Building Permit and ongoing
    All car wash equipment stored in a rear storage building shall be completely removed from site and no car wash activity shall be allowed at the site at any time.

51. **Existing Conditions of Approval**
    Ongoing
    Unless altered pursuant to these Conditions of Approval, all applicable Conditions of Approval for permits CM71385 and CM8610 remain in full force and effect.

APPROVED BY:
City Planning Commission:_____(date)_____(vote)

HEALTH DEPARTMENT NOTES

HD1.ALL FOOD SERVICE AND RELATED EQUIPMENT SHALL BE NATIONAL SANITATION FOUNDATION (NSF) APPROVED AND IN CONFORMITY WITH LOCAL HEALTH REGULATIONS. INSTALLATION OF EQUIPMENT SHALL MEET SAME REQUIREMENTS. ALTHOUGH HEALTH REQUIREMENTS WILL BE REVIEWED DURING BUILDING DEPARTMENT REVIEW.

HD2.ALL WORKING SURFACES SHALL BE SMOOTH AND IMPERVIOUS.

HD3.ALL CUTTING BOARDS SHALL BE OF NON-WOOD CONSTRUCTION AND N.S.F.

HD4.STORAGE SHELVING MUST BE SPECIFIED AS HAVING SMOOTH, NONABSORBENT FINISH. THE LOWEST SHELF SHOULD BE 6 INCHES ABOVE FINISHED FLOOR.

HD5.A SEPARATE WALL-MOUNTED, HAD WASH BASIN IS REQUIRED WITHIN OR ADJACENT TO THE FOOD PREPARATION AND PACKASING AREAS. GENERAL CONTRACTOR/OWNER TO PROVIDE PERMANENTLY MOUNTED SINGLE-SERVICE SOAP AND PAPER TOWEL DISPENSERS.

HD6.ALL SINKS TO BE PROVIDED WITH ADEQUATE HOT AND COLD WATER FROM MIXING FAUCETS.

HD7.THE JUNCTURE AT THE FLOOR AND WALL MUST HAVE A COVED BASE WITH AT LEAST A 3/8 INCH RADIUS AND EXTENDING AT LEAST 6 INCHES UP THE WALL STATIONARY FIXTURES OR BUILT-IN EQUIPMENT CAN BE SEALED ON A 4 INCH HIGH, 3/8 INCH RADIUS CONCRETE CURB OR COVED-IN POSITION ON THE FLOOR. IF TOP SET COVING IS USED, IT MUST BE ADEQUATELY SEALED AT THE FLOOR WITH SILICONE SEALANT OR EQUIVALENT TO FORM WATERPROOF SEAL.

HD8.LIGHT FIXTURES IN AREAS WHERE FOOD IS PREPARED, WHERE OPEN FOOD IS STORED OR WHERE UTENSILS ARE CLEANED MUST HAVE SHATTERPROOF SHIELDS SHALL BE READILY CLEANABLE.

HD9.WASTE CONTAINERS TO BE MOISTURE & VERMIN PROOF W/ TIGHT FITTING LIDS.

HD10.ANY TRASH AND GARBAGE STORAGE AREA RECEIVING FOOD WASTE OR FOOD CONTAINERS, MUST HAVE A WATER BIBB TO FACILITATE CLEANING. FLOOR, WALLS AND CEILING MUST BE SMOOTH AND CLEANABLE. RECOMMEND HOT AND COLD WATER BIBB BE AVAILABLE FOR CLEANING. WASTE WATER FROM SUCH CLEANING OPERATIONS MUST BE DISPOSED OF AS SEWAGE THROUGH A FLOOR DRAIN IN THE TRASH ENCLOSURE OR THE EQUIVALENT.

HD11.GENERAL CONTRACTOR/OWNER TO PROVIDE A MOP AND BROOM RACK AND CLEANING SOLUTION STORAGE SHELVING AWAY FROM FOOD AREAS.

HD12.EMPLOYEE GARMENT CHANGE AREA, SEPARATE FROM REST ROOMS, IS REQUIRED. CABINETS OR LOCKERS MUST BE INSTALLED IN THIS AREA.

HD13.WALL AND CEILINGS OF ALL ROOMS, EXCEPT BARS AND DINING AREAS, WHERE FOOD IS STORED IN UNOPENED CONTAINERS, SHALL BE DURABLE, SMOOTH, NON-ABSORBENT AND WASHABLE. WALLS AND CEILING OF FOOD PREPARATION AND UTENSIL WASHING AREAS AND INTERIOR SURFACES OF WALK-IN REFRIGERATION UNITS SHALL ALSO BE LIGHT COLORED.

HD14.EACH METAL SINK COMPARMENT MUST BE LARGE ENOUGH TO HOLD THE LARGEST UTENSILS WASHED IN THE SINK. EVERY UTENSIL SINK MUST HAVE TWO (2) METAL DRAINBOARDS. EACH DRAIN BOARD MUST BE INTEGRAL WITH THE SINK AND SHOULD BE AT LEAST THE WIDTH OF ONE SINK COMPARTMENT.

HD15.INSECT AND RODENT PROOFED. A FOOD FACILITY SHALL AT ALL TIMES BE SO CONSTRUCTED, EQUIPPED, MAINTAINED AND OPERATED AS TO PREVENT THE ENTRANCE AND HARBOR AGE OF ANIMALS. BIRDS AND VERMIN, INCLUDING, BUT NOT LIMITED TO, RODENTS AND INSECTS.
ALL EXTERIOR DOORS TO BE SELF CLOSING AND TIGHT FITTING (1/4" MAXIMUN GAP AROUND DOOR AND DOOR JAMB), ALL OPEN ABLE WINDOWS AND/OR VENT PIPES TO HAVE MINIMUN NUMBER 16 MESH SCREEN.

HD16.FLOOR MOUNTED EQUIPMENT MUST BE SUPPORTED BY SIX(6) INCH MINIMUM APPROVED EASILY CLEANABLE METAL LEGS, OR APPROVED COMMERCIAL CASTERS, OR BE COMPLETELY SEALED IN POSITION ON A FOUR(4) INCH MINIMUM HIGHT CONTINUOUSLY AND INTEGRALLY COVED BASE OR COVED CONCRETE CURB TO FACILITATE EASE OF CLEANING.

HD17.ALL CABINETS AND COUNTERS SHALL BE LAMINATED INSIDE AND OUT.

GENERAL CONTRACTOR NOTES

GC1.GENERAL CONTRACTOR TO CUT AND PROVIDE HOLES THROUGH CEILINGS, ROOFS, WALLS AND FLOORS FOR DUCTS, ETC., IN ACCORDANCE WITH LOCAL FIRE AND BUILDING CODES AND IN ACCORDANCE WITH DUCT SIZES SPECIFIED. GENERAL CONTRACTOR ALSO TO PROVIDE ALL DUCT, FIRE SEPARATIONS, ENCLOSURES, WRAPPINGS, ETC., AS MAY BY REQUIRED BY LOCAL BUILDING AND FIRE CODES.

GC2.WHERE NOISE OR VIBRATION PRODUCING EQUIPMENT (DISHWASHER, DISPOSER, ETC.) IS LOCATED ADJACENT TO DINING AREAS AND/OR AND PUBLIC AREAS, PROVISIONS SHOULD BE MADE BY GENERAL CONTRACTOR TO "DOUBLE STUD" AND SOUND PROF COMMON WALLS.

GC3.IF CANTILEVER BRACKETS FOR TABLE & STOOL SEATS OR OTHER EQUIPMENT ARE SPECIFIED, THE BRACKETS SHALL BE PROVIDED BY FOOD SERVICE SUPPLIER, BUT INSTALLED BY GENERAL CONTRACTOR IN ACCORDANCE WITH SPECIFICATIONS AND DIMENSIONS PROVIDE BY DISIGN WEST PARTNERSHIP

GC4.THE PLANS ARE PROVIDED FOR THE SOLE PURPOSE OF INDICATING OUTLET LOCATIONS AND EQUIPMENT REQUIREMENTS ONLY, AND DO NOT RELIEVE THE GENERAL CONTRACTOR OR SUB-CON-TRACTOR OF THE RESPONSIBILITY OF COMPLYING WITH ALL APPLICABLE CODES.

GC5.IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO INSURE THAT THE OWNER RECEIVES COPIES OF ALL ADDENDUMS AND CHANGES TO BUILDING PLANS WHICH ARE MADE PRIOR TO AND DURING CONSTRUCTION.

GC6.LAST DATED REVISION VOIDS ALL PREVIOUS DRAWINGS.

GC7.GENERAL CONTRACTOR TO PROVIDE ACCESS TO HOODS AT AREA ABOVE HOODS FOR MOUNTING OF HOOD SUPPORTS (IF ACCESS NOT PROVIDED, GENERAL CONTRACTOR TO PROVIDE HOOD

TOR TO PROVIDE FLOOR
ND LEVEL), VAPOR BARRIERS
ULATED FLOORS (AS SHOWN

INTERIOR FLOOR
L BOXES BY GENERAL
SS OTHERWISE SPECIFIED.

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MIN, REFRIGERATION, ETC.)
AND RESEAL AFTER LINES
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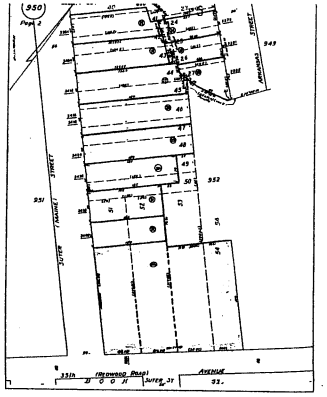
ATTACHMENT C



PLAT MAP

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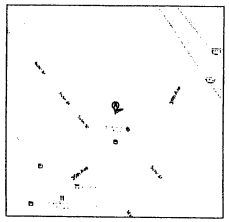
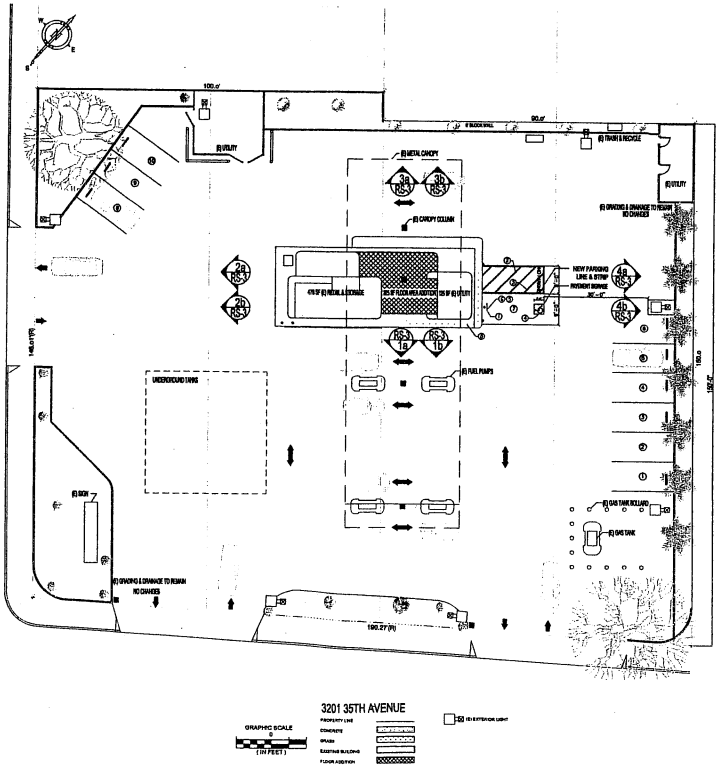
City of Oakland
Planning & Zoning Division



VICINITY MAP



1 SITE PLAN
SCALE: 1/16"=1'-0"

ENERGY GAS & MART
3201 35th Ave
OAKLAND CA 94619
SNACK SHOP

Owner:
RAJINDER SINGH SULL
Ph:510-366-8760

ARCHITECTURAL NOTES:
1. ALL WORK CONNECTED WITH THIS PROJECT SHALL BE DONE IN A PROFESSIONAL MANNER IN ACCORDANCE WITH THE TRADITIONALLY AND LEGALLY DEFINED "BEST ACCEPTED PRACTICE" OF THE TRADE INVOLVED. ADDITIONALLY, ALL WORKSHAL COMPLY WITH APPLICABLE CODES & TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING THE:
2007 CALIFORNIA BUILDING CODE
2007 CALIFORNIA ELECTRICAL CODE
2007 CALIFORNIA MECHANICAL CODE
2007 CALIFORNIA PLUMBING CODE
2008 CALIFORNIA ENERGY CODE AKA Energy Efficiency Standards (EES)
2. COUNTY OF ALAMEDA MUNICIPAL CODES AND ORDINANCES.

PROJECT DATA
1. PROJECT NAME: "LA PALMA MARKET"
2. PROJECT ADDRESS: 3201 35TH AVENUE OAKLAND CA 94601
3. ZONING: C-10
4. USE: COMMERCIAL
5. BUILDING TYPE: II
6. CODES:
7. OCCUPANCY: "M" MERCANTILE RETAIL STORE
8. SQUARE FOOTAGE: (E) 6969 SF
BUILDING FLOOR AREA _____1,021 SF
RETAIL SPACE 771 SF - OCCUPANCY
9. OCCUPANCY LOAD: 771 SF/ 30=26
SNACK & BEBERAGES_____771 SF
STOCK ROOM _____186 SF
RESTROOM _____84 SF
10. NUMBER OF EXITS REQUIRED: 2
11. NUMBER OF EXIST PROVIDED: 2
12. WIDTH REQUIRED 62"
26X0.2 = 10.4" (72" MIN.)
13. WIDTH PROVIDED: 98"

APN 028-0950-031-1

GENERAL DRAWING INDEX

RS-0 - GENERAL INFORMATION HEALTH DEPARTMENT NOTES, CONTRACTOR NOTES AND SITE PLAN.
RS-1 - SITE PLAN PARKING AND ACCESSIBILITY, EXISTING FLOOR LAYOUT AND ROOF.
RS-1a - ACCESIBILITY DETAILS.
RS-2 - FLOOR PLAN SCHEDULE EQUIPMENT - ELEVATIONS.
RS-3 - EXTERIOR ELEVATIONS (EXISTING AND PROPOSED).

SCOPE OF WORK:

325 SF ENLARGE RETAIL SPACE USING THE AREA BTW EXISTING STRUCTURES, THE EXTERIOR MATERIALS AND METAL BUILDING SYSTEM WILL MATCH WITH EXISTING ONE.

Drafting Service:
Adolfo M Martinez
26066 Ray Ave #312
Hayward CA 94545
Ph: 510-828-3033
adolfo@homecadrafting.com

Owner:
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND CA 94619
Ph: 510-366-8760

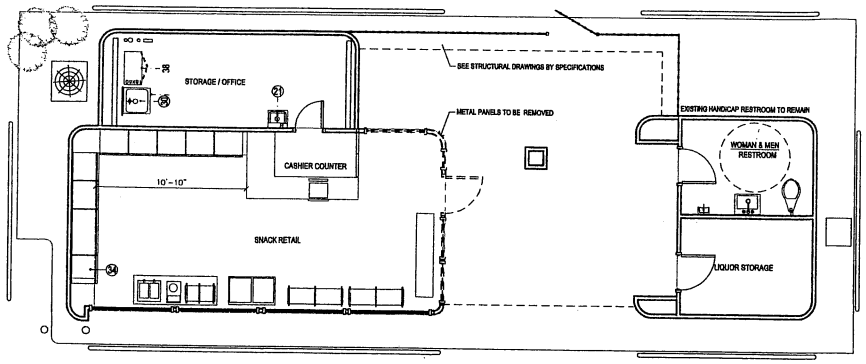
Contractor:
ZULFIKAR SINGH GILL
4626 CB SOCKANE 59
Ph: 510-714-2555

SITE PLAN & GEN. INFORMATION

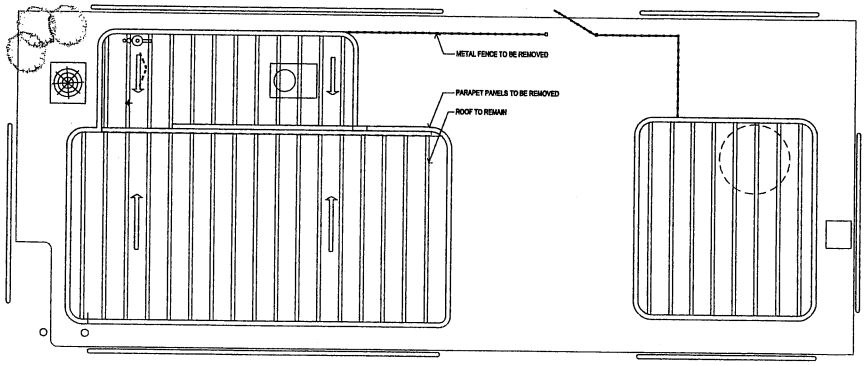
REVISIONS	BY

"ENERGY GAS & MART"
ADDITION AT RETAIL AREA
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND, CA 94619
Ph: 510-366-8760

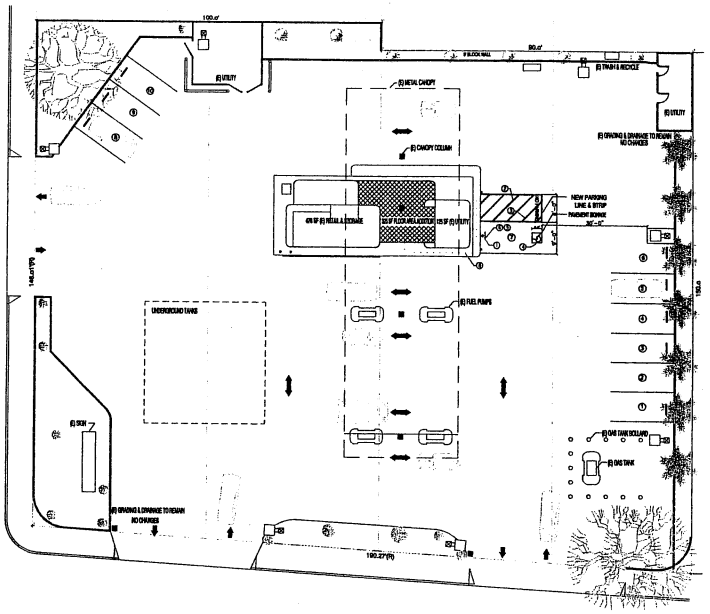
Date 0CT.06th.2010
Scale AS SHOWN
Drawn Adolfo M Martinez Ph: 510-828-3033
Job: Adolfo M Martinez
Sheet RS-0
1/5



2 EXISTING FLOOR LAYOUT
SCALE: 1/4"=1'-0"



3 EXISTINGROOF PLAN
SCALE: 1/4"=1'-0"



3201 35TH AVENUE

GRAPHIC SCALE (IN FEET)

PROPERTY LINE
CONCRETE
GRASS
EXISTING BUILDING
FLOOR ADDITION

(E) EXTERIOR LIGHT

1 ACCESIBILITY PLAN
SCALE: 1/16"=1'-0"

ACCESSIBILITY NOTES

1. PROVIDE SIGN NOT LESS THAN 17" X 22" WITH LETTERING NOT LESS THAN 1" IN HEIGHT, WHICH CLEARLY AND CONSCIOUSLY STATES:
   "UNAUTHORIZED VEHICLES PARKED IN DESIGNATED ACCESSIBLE SPACES NOT DISPLAYING DISTINGUISHING PLACARDS OR LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES, MAY BE TOWED AWAY AY OWNER'S EXEPENSE. TOWED VEHICLES MAY BE RECLAIMED AT _____ OR BY TELEPHONING _____"
   BLANK SPACES ARE TO BE FILLED IN WITH APPROPRIATE INFORMATION AS A PERMANENT PART OF THE SIGN. MOUNT ON 2" DIA. GALVANIZED POLE, A MINIMUM OF 80" HIGH.
2. PAINTED TRAFFIC WHITE 3" WIDE STRIPES @ 36" o.c.
3. THE WORDS "NO PARKING" WITH MINIMUN 12" HIGH LETTERS PAINTED WITHIN ACCESS AISLE.
4. SURFACE IDENTIFICATION DUPLICATING A PROFILE OF A WHEELCHAIR WITH OCCUPANT IN WHITE ON BLUE BACKGROUND.
5. PROVIDE SIGN 70 SQUARE INCHES IN AREA DUPLICATING A PROFILE OF A WHEELCHAIR WITH OCCUPANT IN WHITE ON BLUE BACKGROUND. MOUNTED FENCE, A MINIMUM OF 80" HIGH.
6. PROVIDE SING STATING "VAN PARKING" MOUNTED BELOW SYMBOL OF ACCESSIBILITY.
7. PATH OF TRAVEL SHALL NOT SLOPE MORE THAN 5% IN THE DIRECTION OF TRAVEL AND NOT HAVE A CROSS SLOPE GREATER THAN 2%
8. 1/2" MAXIMUM THRESHOLD W/1/4" MAXIMUM INCREMENTS.
9. 36" WIDE DOOR.
10. MINIMUM 10" HIGH KICK PLATE.
11. MINIMUM 5' DEEP LANDING.
12. PROVIDE INTERNATIONAL SYMBOL OF ACCESSIBILITY DECAL ON DOOR.
13. 72" LONG WHEEL STOP.

Drafting Service:
Adolfo M Martinez
26008 Ray Ave #312
Hayward CA 94542
Ph: 510-526-3033
adolfo@nocscadrafting.com

Owner:
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND CA 94619
Ph: 510-366-8760

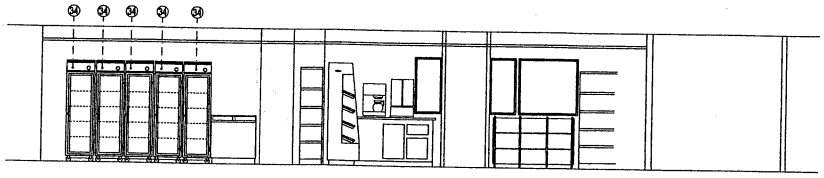
Contractor:
ZULFIKAR SINGH GILL
46605 SPOKANE CT
FREMONT CA 94539
Ph: 510-714-3365

ACCESSIBILITY PLAN
EXISTING FLOOR ROOF PLAN

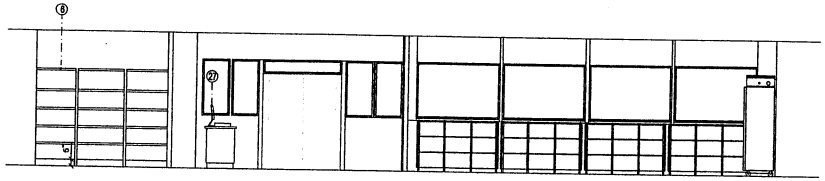
REVISIONS	BY

"ENERGY GAS & MART"
ADDITION AT RETAIL AREA
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND CA 94619
Ph: 510-366-8760

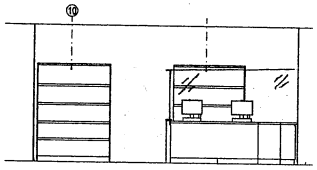
Date: OCTOBER-2010
Scale: AS SHOWN
Drawn: Adolfo M Martinez Ph: 510-526-3033
Job: Adolfo M Martinez
Sheet: RS-1
25



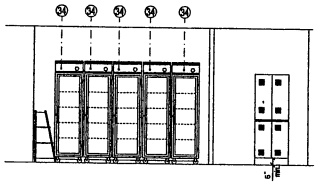
A PROPOSED INTERIOR ELEVATION
SCALE: 1/4"=1'-0"



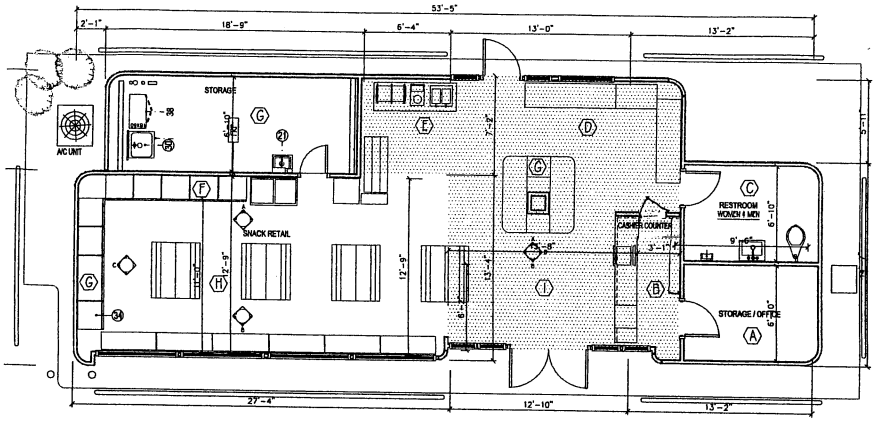
B PROPOSED INTERIOR ELEVATION
SCALE: 1/4"=1'-0"



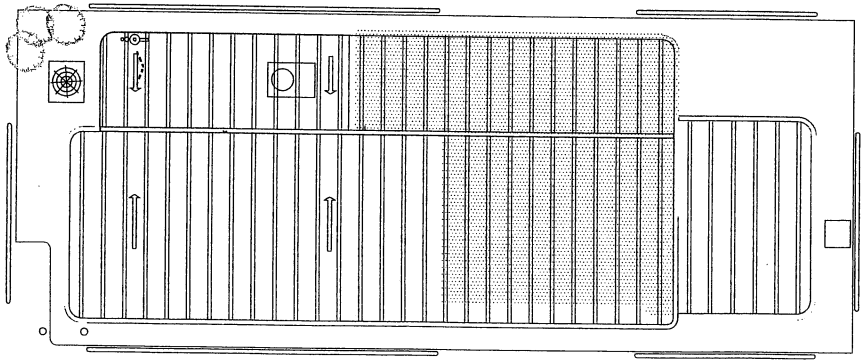
D PROPOSED INTERIOR ELEVATION
SCALE: 1/4"=1'-0"



C PROPOSED INTERIOR ELEVATION
SCALE: 1/4"=1'-0"



1 PROPOSED FLOOR LAYOUT
SCALE: 1/4"=1'-0"



2 PROPOSED ROOF PLAN
SCALE: 1/4"=1'-0"

Drafting Service:
Adolfo M Martinez
22060 Ax Ave #315
Hayward CA 94545
Ph: 510-828-3033
adolfo@housecadrafting.com

Owner:
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND CA 94619
Ph: 510-562-8760

Contractor:
TEJAL SINGH GILL
46605 SHOCLANE CT
FREMONT CA, CA 94539
Ph: 510-714-4365

REVISIONS	BY

"ENERGY GAS & MART"
ADDITION AT RETAIL AREA
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND, CA 94619
Ph: 510-562-8760

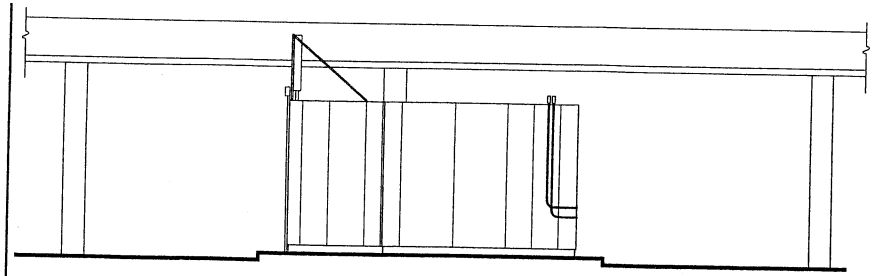
Date: OCTOBER 2010

Scale: AS SHOWN

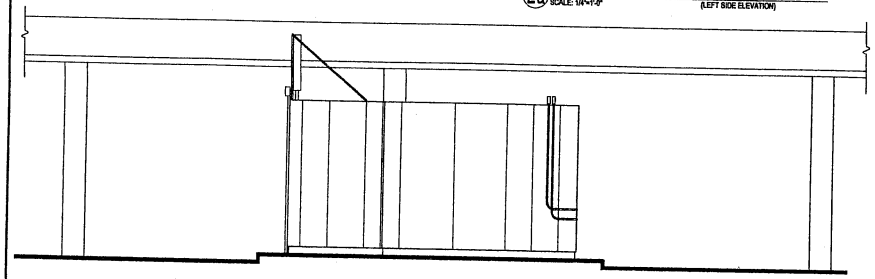
Drawn: Adolfo M Martinez
Ph: 510-828-3033

Job: Adolfo M Martinez

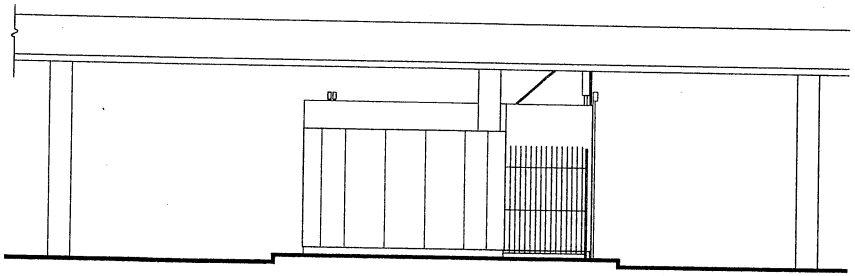
Sheet: RS-2
4/5



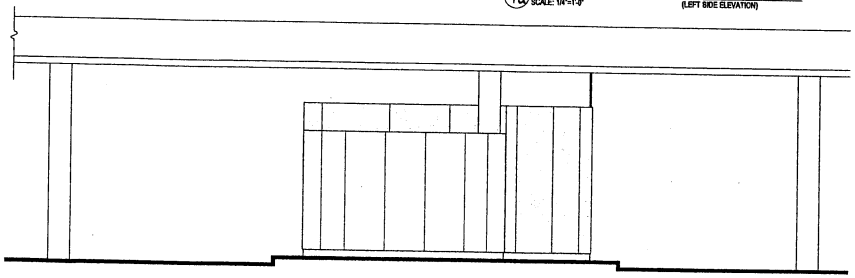
2a EXISTING SOUTH WEST ELEVATION
SCALE: 1/4"=1'-0" (LEFT SIDE ELEVATION)



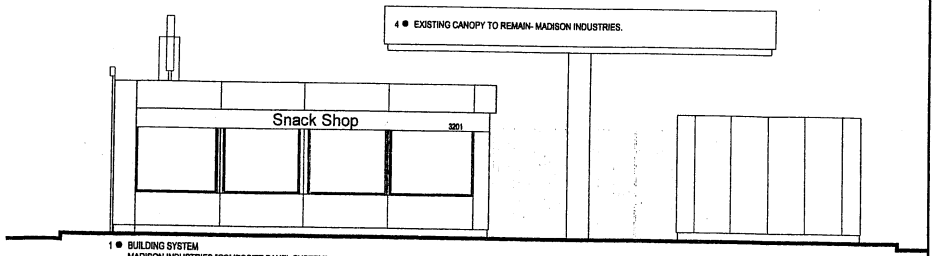
2b PROPOSED SOUTH WEST ELEVATION
SCALE: 1/4"=1'-0" (LEFT SIDE ELEVATION)
NONE CHANGES



4a EXISTING NORTH EAST ELEVATION
SCALE: 1/4"=1'-0" (LEFT SIDE ELEVATION)

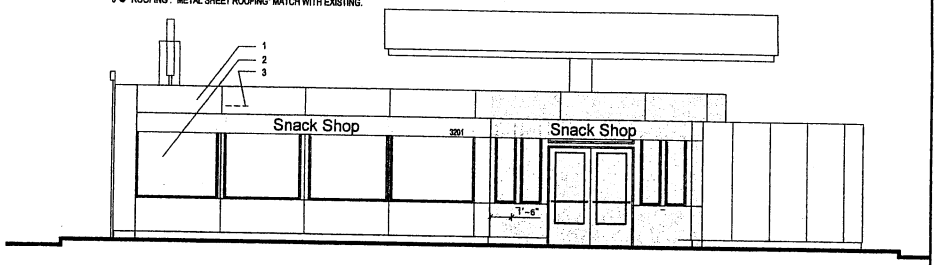


4b PROPOSED NORTH EAST ELEVATION
SCALE: 1/4"=1'-0" (LEFT SIDE ELEVATION)

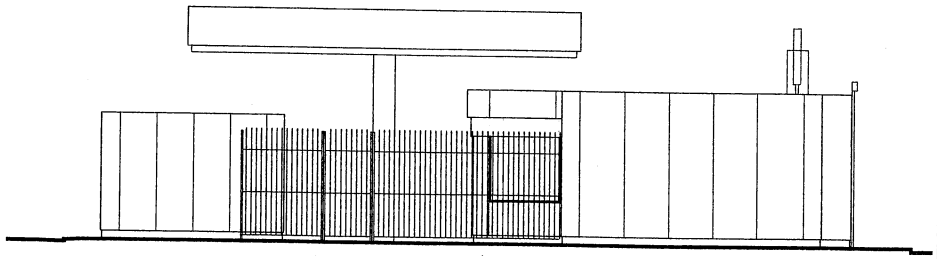


1 ● BUILDING SYSTEM
MADISON INDUSTRIES "COMPOSITE PANEL SYSTEM"
METAL BUILDING.
2 ● ALUMINUM WINDOWS MUST MATCH WITH EXISTING.
3 ● ROOFING : "METAL SHEET ROOFING" MATCH WITH EXISTING.

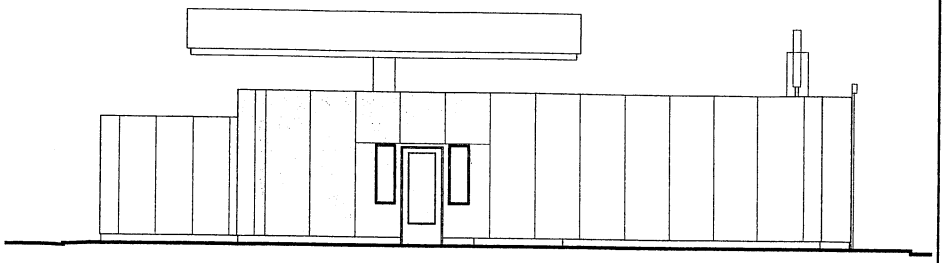
1a EXISTING SOUTH EAST ELEVATION
SCALE: 1/4"=1'-0" (FRONT ELEVATION)



1b PROPOSED SOUTH EAST ELEVATION
SCALE: 1/4"=1'-0" (FRONT ELEVATION)



3a EXISTING NORTH WEST ELEVATION
SCALE: 1/4"=1'-0" (REAR ELEVATION)



3b PROPOSED NORTH WEST ELEVATION
SCALE: 1/4"=1'-0" (REAR ELEVATION)

Drafting Service:
Adolfo M Martinez
25066 Ray Ave #312
Hayward CA 94545
Ph: 510-828-3033
adolfo@houseadsdrafting.com

Owner:
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND CA 94619
Ph: 510-536-9760

Contractor:
ZULMAX SINGH SULL
1000 SPECTRUM LANE CT
REDWOOD City, CA 94539
Ph: 510-714-8565

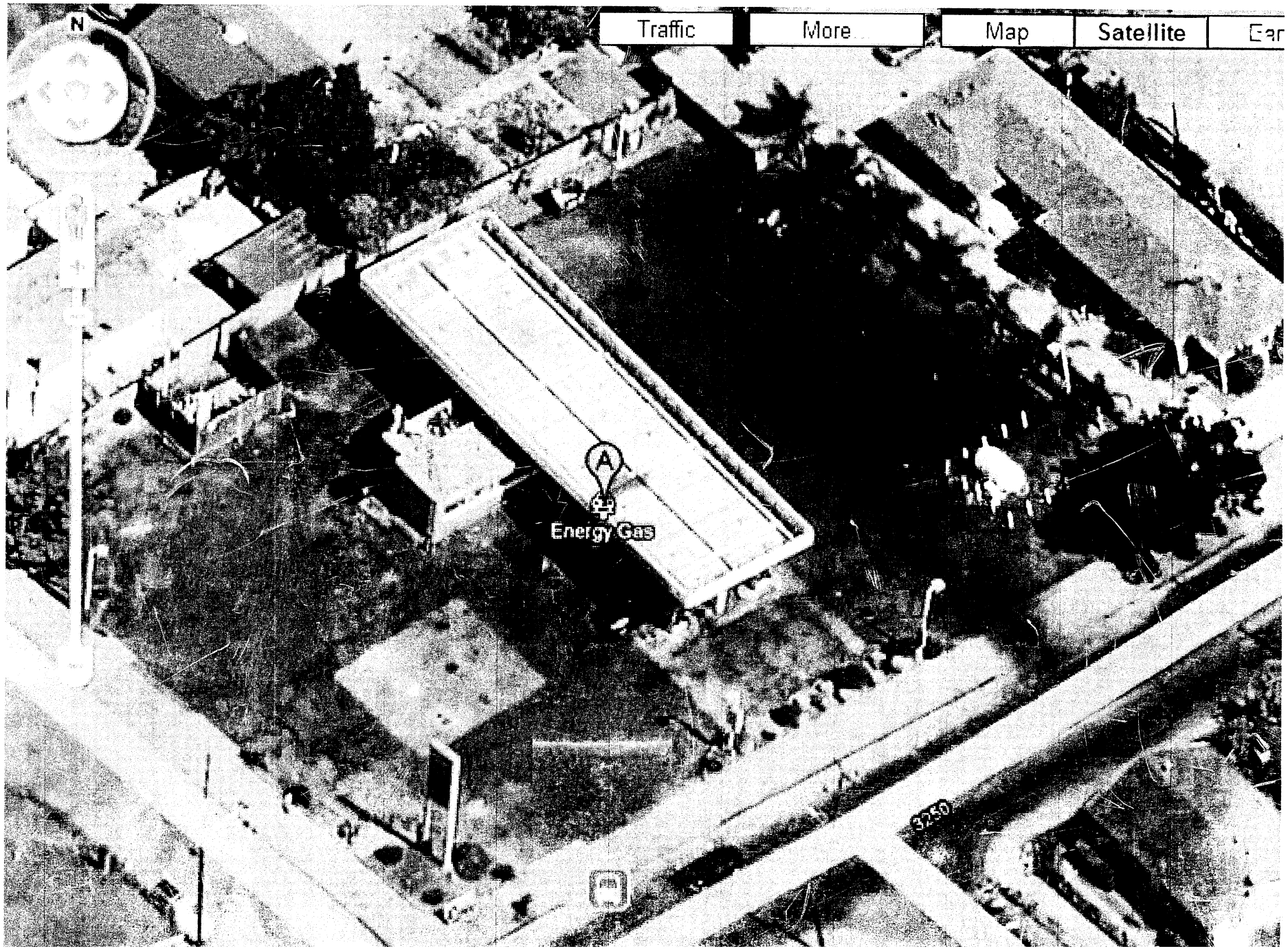
EXISTING & PROPOSED EXTERIOR ELEVATIONS

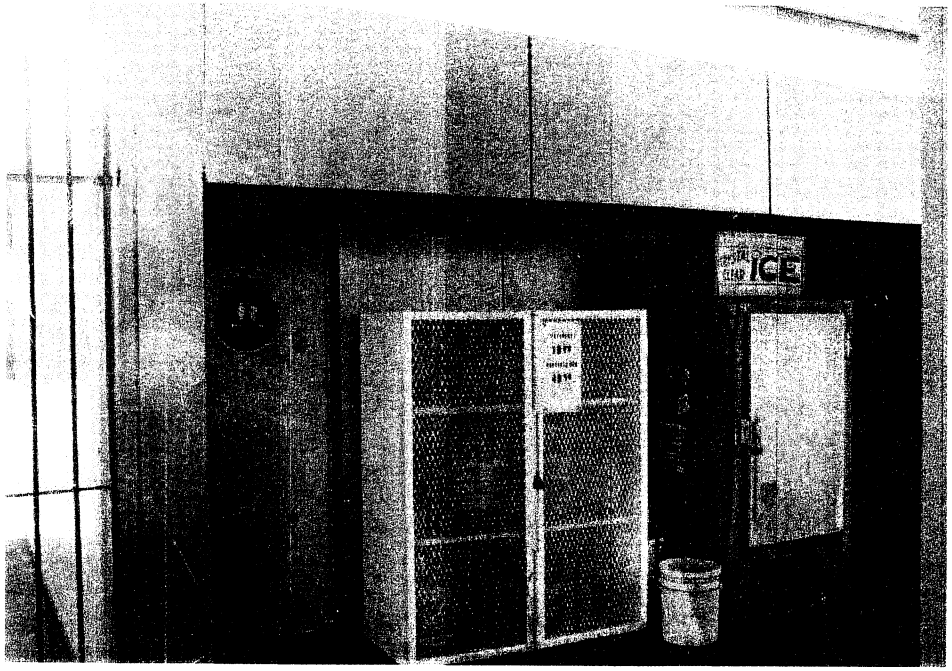
REVISIONS	BY

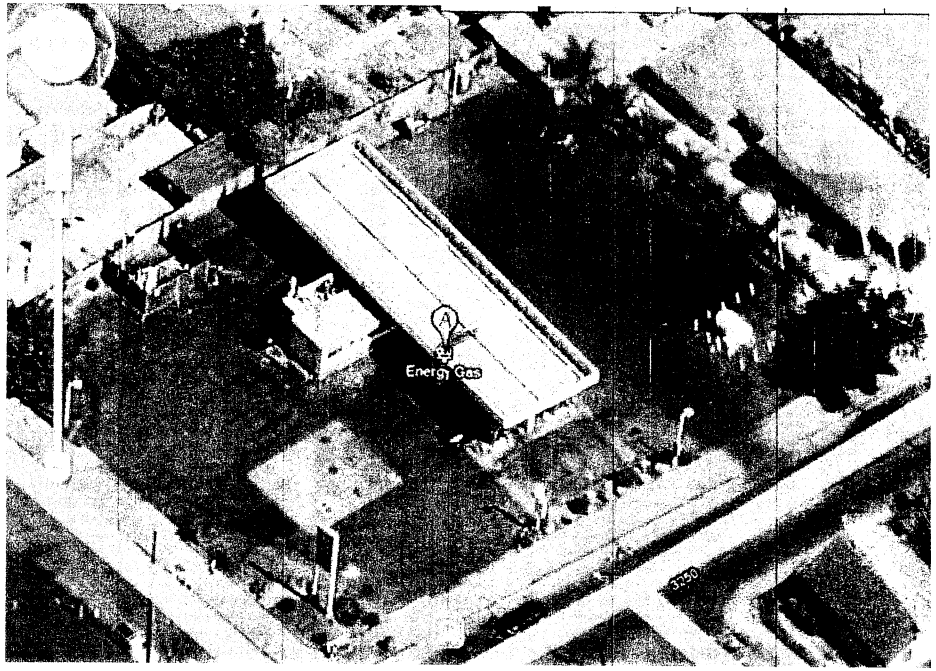
"ENERGY GAS & MART"
ADDITION AT RETAIL AREA
RAJINDER SINGH SULL
3201 35th AVENUE
OAKLAND CA 94619
Ph: 510-536-9760

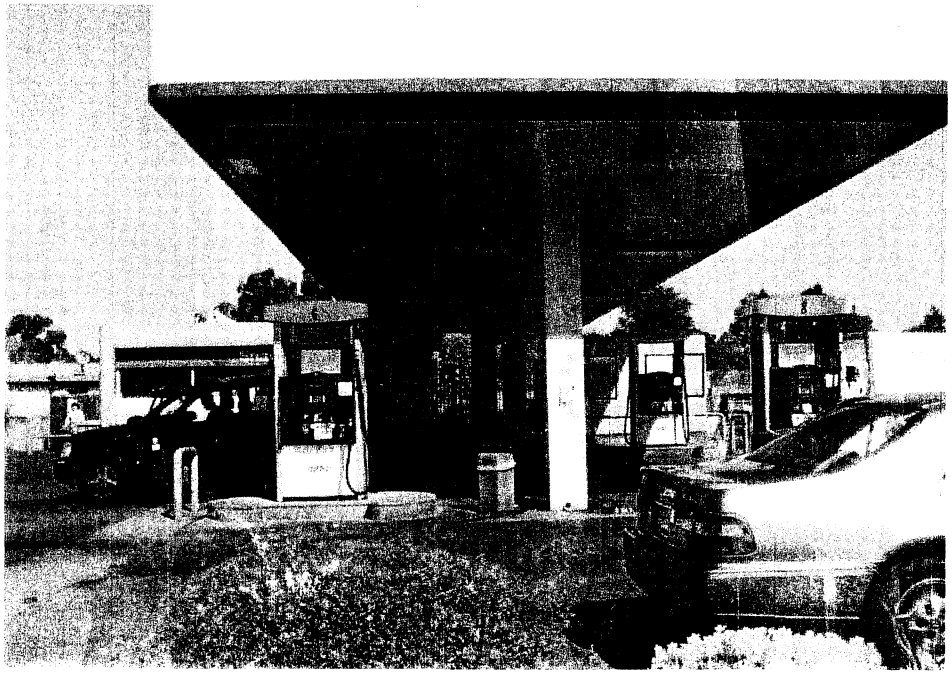
Date: OCTOBER-2010
Scale: AS SHOWN
Drawn: Adolfo M Martinez Ph: 510-828-3033
Job: Adolfo M Martinez
Sheet: RS-3
5/5

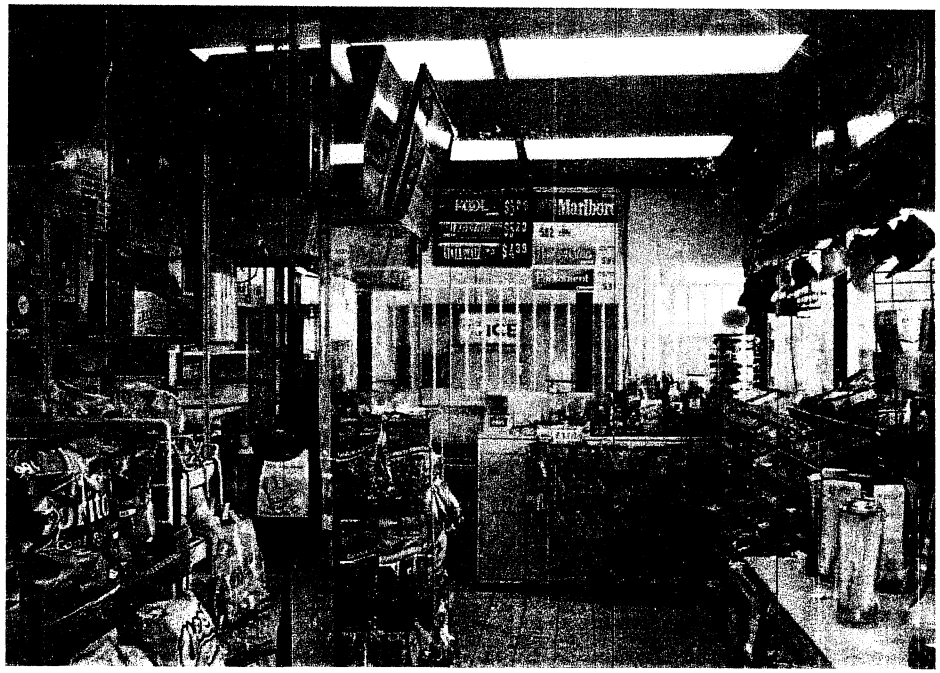
ATTACHMENT D


Traffic
More
Map
Satellite
N
A
Energy Gas
3250


ICE


Energy Gas




Marlboro
ICE

Coffee
JUIC

ATTACHMENT E - OPD memorandum: CPTED recommendations

ATTACHMENT E

Name of Business	LOCATION	DATE OF THIS REPORT	ORIGINAL DATE REPORTED
Energy Gas	3201 35th Ave	27 Jan 11	

Crime Prevention Through Environmental Design

Introduction:

CPTED- Crime Prevention Through Environmental Design means to manipulate the environment naturally and mechanically to improve the quality of life for the public. The concept of CPTED is broken down into four main strategies: Access Control; Surveillance; Territorial Reinforcement and Premises Liability.

Energy Gas is located at 3201 35th Ave (NW corner of 35 Ave x Suter St). This premise is a service station that is currently open 24hours a day / 7days a week. Energy Gas (by way of its owner) has currently submitted plans to the Oakland Zoning Division in an attempt to gain approval for remodeling construction. The service station is currently divided into two separate main buildings, two separate/detached utility buildings and houses a large propane container in the N/E corner. With the proposed remodeling, the two main buildings will become one, the two utility buildings located at separate corners of the lot will be relocated to one corner (North) which limits the number of vehicle hazards associated with this lot. The large propane container can not be relocated due to provisions set for in Chapter 8 of the California Fire Code. The area around the propane container can be improved as detailed below.

The Oakland Police Department has responded to and documented the following types of crimes associated with this location: Felony Firearm Offenses, Possession of Narcotics and other Controlled Substances, Robbery, Theft, Auto Burglary, Assault w/ Deadly Weapon, Mental Illness Issues, Resistance from Law Enforcement, Disturbance of the Peace, and Disorderly Intoxicated Persons.

Through the use of CPTED and the recommendations made by the Oakland Police Department, the goal is to reduce the amount of crime, deter criminal activity, improve blight conditions and provide a better quality of life for the patrons and employees.

I. Access Control

Access Control is the use of natural and mechanical barriers to define the property, restrict prohibited areas and to define the areas of ingress / egress.

a) Property Barriers

This location utilizes landscaping to separate and define private property around the sidewalk areas to the South and East. Block walls separate the property lines to the North and West. Utilization of these barriers clearly distinguish between private property and public area. It also exhibits "ownership" which can deter criminal activity such as loitering, counter surveillance, drug related crimes and other criminal activity.

b) Driveways and Vehicle Hazards

This location has three driveways. Two are located on 35th Ave which allow plenty of access and minimize traffic on 35th Ave of vehicles trying to enter/exit the service station. The third driveway is located on Suter St and is well designed. There are currently several vehicle hazards located within the service station parking lot. The first is the large propane tank that partially blocks the ingress and egress of the North driveway. At night this tank is not well lit and becomes more of a hazard for vehicle collisions. Suggest replacing the poles surrounding the tank with 36"-48" white or silver bollard style lights to mitigate these problems. The second hazard is the number of utility buildings and their placement. Utility buildings should be placed in one area of the premise which does not block vehicle or foot traffic. These buildings should remain locked and not accessible by the public. In the submitted site plan, a proposed parking stall and disabled parking stall are drawn in between the propane tank and utility shed. This creates a weaving flow "S" for vehicle traffic in order to maneuver through the lot. Those two proposed parking stalls should be relocated as depicted in the CPTED site plan modifications.

c) Landscaping

Landscaping is overgrown in some areas around this location. In the SW corner, the shrubs are tall and thick. It creates an area of "darkness" which invites criminal activity that can not be seen by employees or law enforcement officers on patrol. The palm trees to the NE are growing into the existing lights which block the illumination of the parking lot. The palm trees need to be trimmed away from the lights or replaced with shorter foliage.

d) Signage

Following the modifications to this property, signs such as; "No Trespassing/Loitering" and "No Open Containers" should be posted with the PC, BP and OMC Codes to allow on-view arrests of such persons in violation.

II. Surveillance

Surveillance when used appropriately through both mechanical and natural devices can provide good visibility and enhances security.

a) Visibility

Monument signs shall be well lit during hours of darkness. Interior lights should be bright enough and provide facial recognition. Parking lots and associated car ports, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness. All exterior doors shall have their own light source which will adequately illuminate entry/exit areas at all hours in order to: make any person on the premises clearly visible and provide adequate illumination for persons entering and exiting the building.

b) Mechanical Surveillance Systems

Surveillance cameras should be updated and located to provide visual security around the buildings, gas pumps, open lot areas and all doors. The system should be capable of recording/storing data up to 14 days. Preferably the system should be linked to a business DSL line with a static IP address that allows viewing from remote locations

c) Safety

The exterior of the structure should be painted a light, highly reflective color. Metal halide, or other bright white light source, should be utilized. No dark areas should exist inside the structure. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns and other open construction should be utilized over a solid wall design. Convex mirrors should be placed around the gas pumps. Landscaping contiguous to this grating should be the type that does not block natural light about the property. Access control should be utilized for vehicular and pedestrian traffic. Clearly marked, hands-free emergency phones/panic alarms should be placed throughout the structure. The new proposed building does not have windows to all sides. This creates a safety concern for both patrons and the clerk. Window visibility create a sense of surveillance and give visual access to all parts of the property.

III. Territorial Reinforcement

Territorial Reinforcement means to keep the property free of blight and to reduce the perception "fear of crime."

a) Trash

Trash should be picked up and disposed of properly on a regular basis. The lot should also be kept free of debris. "No Dumping" signs can be posted if needed. All dumpsters should be secure in an enclosed area which prevents access for independent recyclers. Trash/Recycle bins should be located around the lot and secured to the ground to help prevent litter.

b) Graffiti

Graffiti is prohibited and should be covered within 72 hours of application if not sooner. The service station is located in an area known to have gang presence. Paint cans should be stored in the utility shed for quick application and removal of graffiti which may be inviting to retaliatory criminal activity.

c) Blight

This location is currently equipped with security bars, bullet proof glass and other fortified gates. This presence gives patrons the feel and fear of crime. With the location open 24/7, the bars should be removed, all glass can be bullet proof so that it looks uniformed. Alarms should replace security gates.

Crime Prevention Through Environmental Design

IV. Premises Liability.

Premises Liability is described as both Vicarious Liability and Punitive Liability.

a) Crime Foresee Ability

This CPTED report identifies calls for service and criminal activity associated to the property. It also outlines both in the report and in the site plan, areas of the property than are liable for accidents, crime and other unwanted activity.

b) Preventative Measures

Preventative measures listed in this report serve as suggestions that can reduce or deter the criminal activity around this property. The City of Oakland wants to see this business operate efficiently and effectively while providing needed services to the community.

c) Maintenance

Maintenance is an important part of security and quality of life. It has been proven that run down properties attract crime. Maintenance can prevent crime by removing blight issues and can also reduce the liability of law suits. Proper maintenance also prevents accident from occurring which can place the owner civilly liable due to negligence. In current events, a service station (Quik Way Gas) in Vacaville CA was not maintaining the canopy which collapsed on a woman and her vehicle due to an excess of bird droppings.

CPTED Security Survey Form

Commercial

Customer Profile:

Facility Name and Address: ENERGY GAS & MART 3201 35TH AVE

Phone: 532 1775 Fax:

Please obtain a diagram or blueprint of each building and each floor within a building.

- What is the total Square footage of each building? 1021 SF Snack area 770 STOCK 186 Restroom 67
- What is the total Square footage of any high value area? 28100 SF.
- Is the building shared with other tenants? NO ~~Yes~~ No

  (List names and kinds of businesses that share the building.) SUB LEASES LOT FOR CAR WASH
- What is the primary function of the facility? GAS.
- Where does the facility receive product: (raw or finished}: licensed Vendors / Retail Stores
- Where does the facility send product (raw or finished)? NONE
- What is the static inventory amount at the facility? Ø
- What is the total production value for the facility annually? Ø

Security Plans:

- Does the customer have a written security plan to cover emergencies /thefts? NO Yes No
- Does the customer have a centralized point/person where reports of shortages, thefts, missing or lost property is reported? Sull Rajinder 366 8760 - Union City ~~Yes~~ No
- Is there a program to protect the intellectual property/secrets of the company? Yes ~~No~~
- Are there immediate security concerns? ~~Yes~~ No

Please circle answer- 10 indicates High Risk or Concern.

Burglary	1	2	3	4	5	6	7	8	9	10
Fire	1	2	3	4	5	6	7	8	9	10
Robbery	1	2	3	4	5	6	7	8	9	10
Internal Theft	1	2	3	4	5	6	7	8	9	10
External Theft	1	2	3	4	5	6	7	8	9	10
Building Access	1	2	3	4	5	6	7	8	9	10
Parking Lot	1	2	3	4	5	6	7	8	9	10
Work Place Violence	1	2	3	4	5	6	7	8	9	10

Site Access:

Please obtain a diagram of this building showing its position with a site or complex.

- Are there any barriers or fences around the site? Describe. Natural Barrier on 35th St. 6" ft Block wall to west & North — Yes / No
- Do security officers protect any entrances? — Yes / No
- Do any plants or shrubs cover windows and doors? — Yes / No
- Are rooflines ~~dear~~ Clear of items that make them accessible? — Yes / No
- Is there adequate external building lighting during hours of darkness? — Yes / No
- Is parking provided for employees and visitors? unsecure — Yes / No
- Is the parking separate from the shipping and receiving areas? — Yes / No

(Desirable the parking area(s) in size and location around the site.)

Building Access:

- How many entrances are employees allowed to use to enter the building? 1 — Yes / No
- How many entrances are visitors or guests using to enter the building? 1 — Yes / No
- Do security officers prated entrances? — Yes / No
- Is lighting adequate at all entrances to the building? — Yes / No
- Do employees have keys to the facility? How many? + keys to sheds. — Yes / No
- Do employees have established hours? (List any restrictions.) — Yes / No
- Are doors being propped open or ten unlocked? Buzz entry at night — Yes / No
- Do adequate locks protect all entrances to the Building? Security Fence between Buildings — Yes / No
- When working with visitors and subcontractors, are they issued keys? — Yes / No
- Do cleaning crews have scheduled hours? List hours. Twice per week Mon & Tue — Yes / No
- Do clearing crew's arm/disarm the security system? — Yes / No

High Value/Restricted Areas:

- Are any areas of the building designated as high value or restricted? office — Yes / No
- Are card readers used to prevent unauthorized entry/document entry? Buzz Entry at night — Yes / No
- Is someone assigned to monitor and review card reader repoll s? — Yes / No

Please obtain a diagram showing each high value/restricted area of the building

Adjacent Exterior Areas:

Shipping and Receiving

- Are the shipping and receiving areas clearly separated? Yes ~~No~~
- Are the shipping doors left open? Yes ~~No~~
- Are there established hours for shipping and receiving? List Hours. 7AM 5PM ~~Yes~~ No
- Are there verification procedures prior to opening shipping doors? Yes ~~No~~
  If yes, list control _____
- What companies provide service to this building? Yes No
- Are the companies bonded? ~~Yes~~ No
- Are the drivers required to sign in and out? Yes ~~No~~

Trash Removal

- Is the trash checked to prevent accidental loss of valuable data/product? Yes ~~No~~
- Who is responsible for checking trash? Local municipality: Thur Pick up Yes No

Current Security Services Provided

Alarm Systems

- Does the perimeter of the building have an alarm system? ~~Yes~~ No
- Are exclusion areas armed? Yes ~~No~~
- Are alarms local or sent to a central station? ~~Yes No~~
- Are alarms actively monitored? Bay ~~Yes~~ No
- What is the name of the company that provides the alarm service? Bay Alarm
- What is the maintenance schedule? None

Please obtain a diagram showing all alarms located on the perimeter/ inside the building.

Access Control Systems

- Are card access readers used to allow entry or exit to the building? Yes ~~No~~
- Is the access control system actively monitored? Yes ~~No~~
- Are access cards activated/de-activated on-site? Yes No
- What is the company's name that provides service to the system? _____
- What is the maintenance schedule? _____

N/A

Surveillance Camera Systems

4 cameras

- Is a surveillance camera system used at this building? Yes No
- Do cameras cover the exterior of the building? } poor coverage Yes No
- Do cameras cover the interior of the building? Yes No
- Where is the monitor room located? office Yes No
- Is the recording equipment locked up and access restricted? Yes No
- Are surveillance tapes actively or passively monitored? How long are tapes maintained for review? not Active Passive
- Are cameras and monitors color or black/white? Color B/W
- What company provides maintenance to the camera system? 48 hours
- What is the maintenance schedule? Boss only knows how to operate

Security Personnel

- Is there a security manager on-site? Yes No

  If not, who is responsible for collecting data for losses, missing equipment, or other security issues? _____
- Is an outside security company used to provide security personnel? Yes No
- What is the name of the organization that supplies the security force? _____
- Is the organization bonded? Yes No
- How long has the organization provided services to the company? _____
- How many security personnel are;

On days:_____ On Swings:_____ On midnight's:_____ On weekends:_____

General Impressions

- Your feelings of this housing/Business:
- Complex: Need to address lighting / parking lot safety / calls for service loading zone, areas of overgrown shrubs & trees / lighting of propane tank area.

- Major design/security concerns identified:

[ ] No defensible space defined [ ] Territorial reinforcement [X] Lighting Concerns

[X] Landscaping issues [ ] Access controlled/restricted etc. [X] Line of sight issues