

Oakland City Planning Commission SUPPLEMENTAL STAFF REPORT

Case File Number PLN14-359

February 18, 2015

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

SUMMARY

The Applicant proposes to rebuild an existing McDonalds restaurant building and property located at 6623 San Pablo Avenue in North Oakland. A Major Conditional Use Permit is required for a Fast Food Restaurant with Drive-through and Regular Design Review is also required. On January 21, 2015 the Planning Commission directed the hearing be scheduled for February 18, 2015 to allow neighbors to meet with the project applicant. The attached January 21, 2015 staff report provides a description of the project, to replace the existing McDonalds restaurant building with a 4,270 square foot one-story building on a 35,000 square-foot (3/4 acre) parcel. The new building would be 1,733 s.f. larger than the existing building.

On February 5, 2015, at 7 pm, neighbors met with the applicants at 1177 65th Street near the McDonalds site. On February 9, 2015 the applicant submitted revised site plans and elevations (attached) to address these concerns, including:

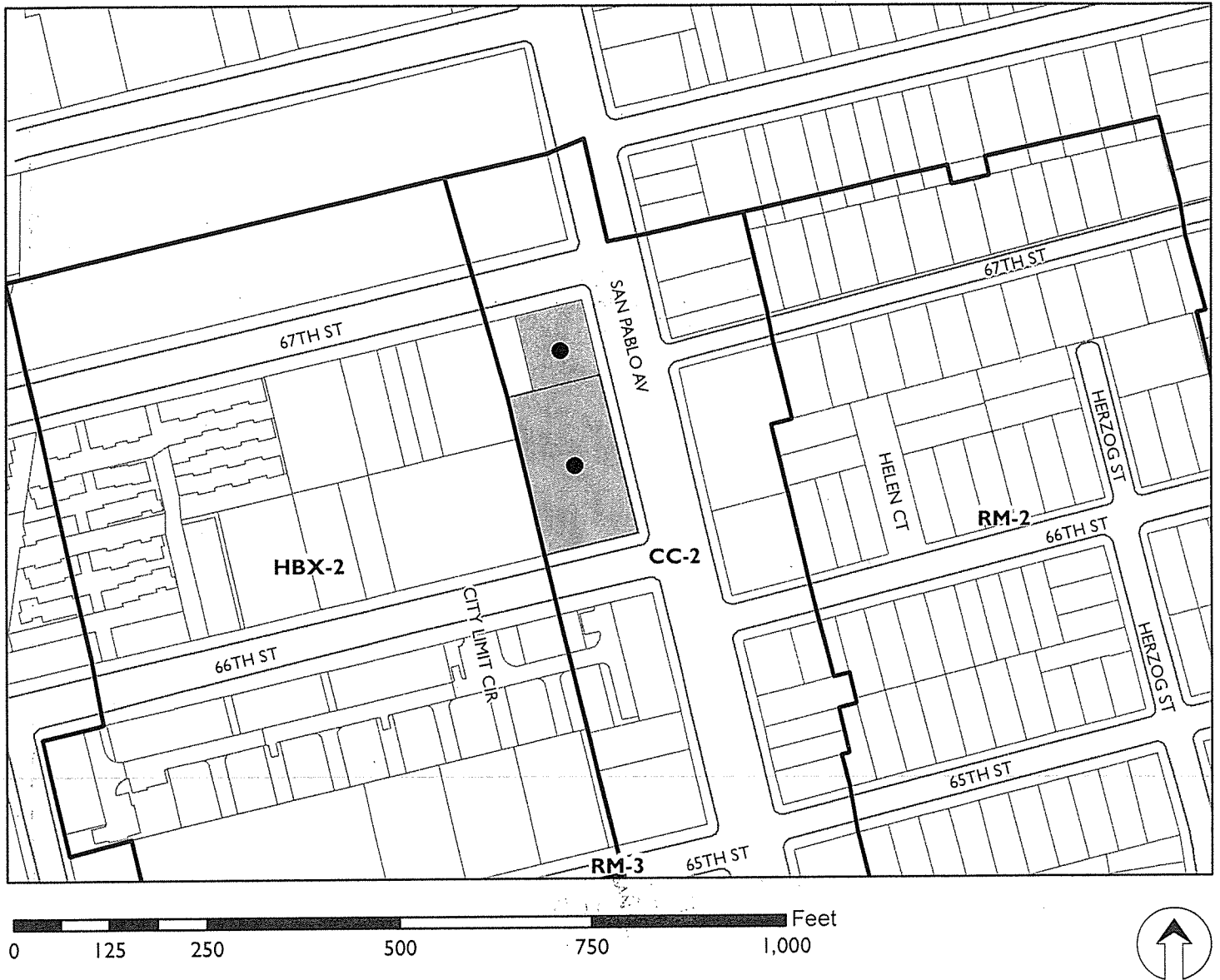
--Screening with a metal grill and climbing vines on the 66th Street corner with San Pablo Avenue, to block drive-through auto lights from direct illumination of the multifamily housing across 66th Street.

--Further design detailing with green screens added to the north side (opposite side from San Pablo Avenue) so that occupants of the multifamily housing across 66th Street would not be looking at a blank wall behind the drive-through lane.

--24-hour operation of the interior area has been changed to 6:30 to 9:30 pm; the applicant continues to request 24 hour operation of the drive-through lane.

--The applicant agreed to operational changes to promote litter control and address other nuisance issues.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN14359

Applicant: Tom Clark (MacDonalds Restaurant Rebuild)

Address: 6623 San Pablo Avenue

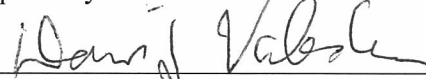
Zone: CC-2

As of February 10, 2015 the City has received over 40 e-mails from neighbors asking that there be no 24 hour service at all, and most prefer no McDonalds restaurant at this site. Copies are attached.

Staff recommends approval of the February 9, 2015 plan with conditions, under the belief that a new restaurant will better enhance the neighborhood than retaining a 30 year old obsolete restaurant.

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


Prepared by:


David Valeska, Planner II

Approved by:


SCOTT MILLER
Zoning Manager

Approved for forwarding to the
City Planning Commission:


DARIN RANELLETTI, Deputy Director
Bureau of Planning

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

ATTACHMENTS:

- A. January 21, 2015 Staff Report with Plans, Findings and Conditions
- B. February 9, 2015 Revised Plans
- C. Applicant Correspondence
- D. Neighbor Correspondence

Case File Number PLN14-359**January 21, 2015**

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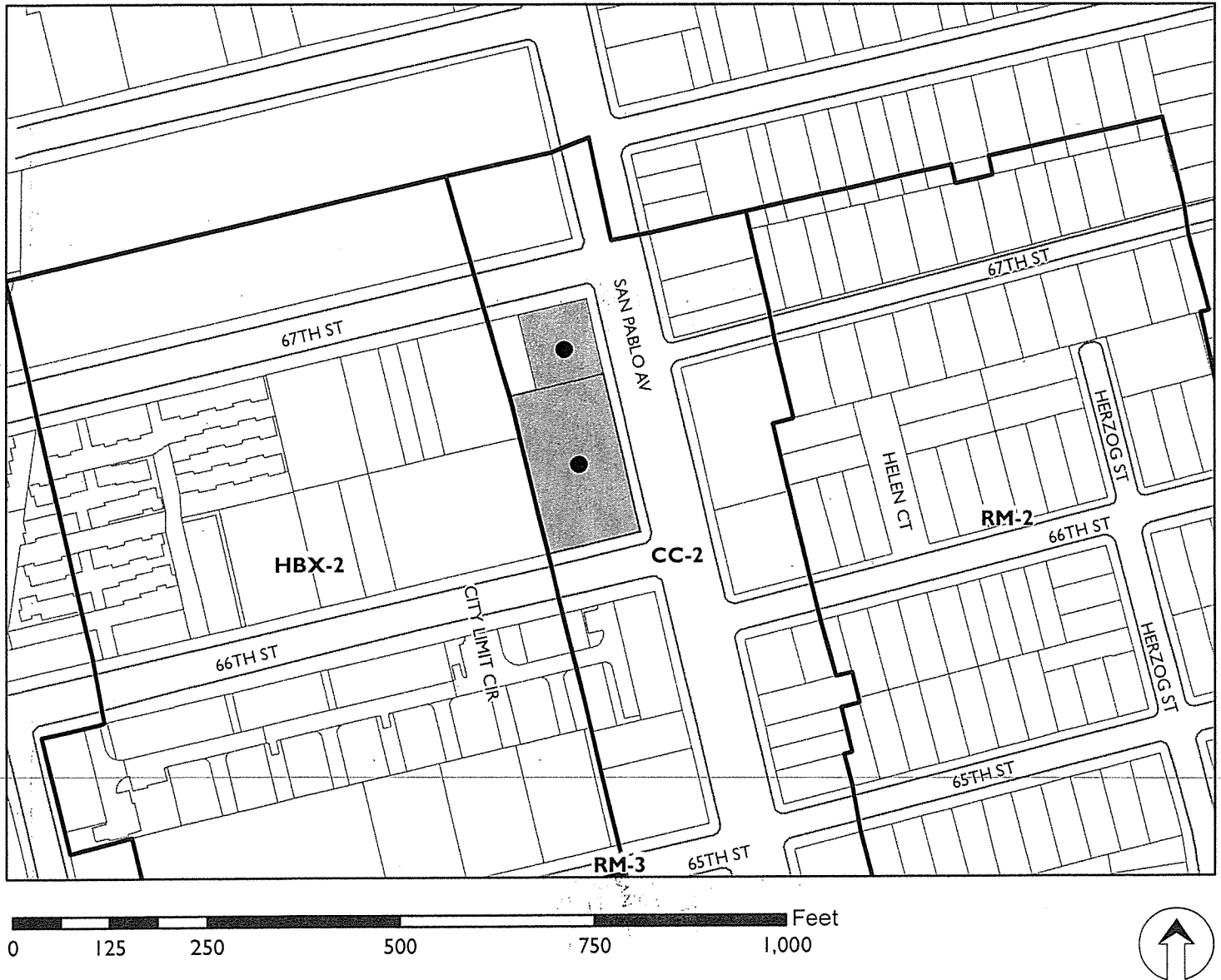
The proposal includes a new one-story 4,270 square foot restaurant building to replace a 3,097 square foot restaurant building. The proposal will also reconfigure the drive through and site circulation, repave the site, and install new landscaping. The applicant is also requesting a change to the hours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

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

PROJECT DESCRIPTION

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

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN14359

Applicant: Tom Clark (MacDonalds Restaurant Rebuild)

Address: 6623 San Pablo Avenue

Zone: CC-2

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

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

PROPERTY DESCRIPTION

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

GENERAL PLAN ANALYSIS

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

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

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

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

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

ZONING ANALYSIS

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

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

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

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

ENVIRONMENTAL DETERMINATION

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

KEY ISSUES AND IMPACTS

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

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

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

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

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

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

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

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

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

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

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

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

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


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

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


RECOMMENDATIONS:

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

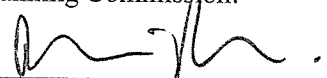
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ATTACHMENTS:

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

ATTACHMENT A**FINDINGS FOR APPROVAL:**

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

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

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

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

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

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

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

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

Section 17.134.050 General Use Permit Criteria:

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

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

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

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

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

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

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

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

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

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

Section 17.102.210(D): Fast Food Restaurant Findings

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

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

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

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

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

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

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

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

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

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

Section 17.102.290: Drive-through Nonresidential Facilities Findings

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

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

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

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

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

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

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

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

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

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

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

ATTACHMENT B

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

STANDARD CONDITIONS:

1. Approved Use.

Ongoing.

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

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

Conditional Use Permit and Regular Design Review to

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

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

c) replace all building and site signage;

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

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

f) revise circulation of the drive-through lane

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing.

Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the approval date, unless within such period all necessary permits have been issued, or authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any valid building permit for this project may invalidate this approval if the said extension period has also expired.

3. Scope of This Approval; Major and Minor Changes

Ongoing.

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

4. Conformance with Other Requirements.

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

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

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

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

Ongoing.

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

b. Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and /or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions, or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement Actions

6. Signed Copy of the Conditions

With submittal of a demolition, grading and building permit.

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

7. Indemnification

Ongoing

a. To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and their respective agents, officers, and employees (hereafter collectively called the City) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action or proceeding (including legal costs, attorney's fees, expert witness or consultant fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs)(collectively called "Action") against the City to attack, set aside, void or annul, (1) an approval by the City relating to a development related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys fees.

b. Within ten (10) calendar days of the filing of any Action as specified in subsection A above, the project applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the

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

8. Compliance with Conditions of Approval
Ongoing

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

9. Severability
Ongoing

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions and if any one or more of such conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

10. Job Site Plans
Ongoing throughout demolition, grading, and/or construction

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

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

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

Ongoing.

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

12. Construction Practices.
During construction.

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

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

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

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

14. Noise Control

a. Ongoing throughout demolition, grading and/or construction

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

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

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

15. Noise Complaint Procedures

a. Ongoing throughout demolition, grading and/or construction

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

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

16. Operational Noise-General

Ongoing.

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

17. Construction Traffic and Parking

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

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

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

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

18. Hazards Best Management Practices

Prior to commencement of demolition, grading, or construction

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

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

19. Construction Waste Reduction and Recycling

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

Prior to issuance of demolition, grading, or building permit

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

Ongoing

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

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

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

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

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

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

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

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

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

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

Prior to final permit inspection

The applicant shall implement the approved stormwater management plan.

23. Maintenance Agreement for Stormwater Treatment Measures

Prior to final zoning inspection

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

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

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

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

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

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

26. Lighting***Ongoing***

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

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

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

28. Odor Control***Ongoing***

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

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

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

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

30. Right-of-way Clean-up.

Ongoing.

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

31. Imprinted Disposables.

Ongoing.

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

32. Litter Receptacles.

Prior to operation.

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

33. Trash and Recyclables Enclosure.

Prior to issuance of any building permits.

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

34. Restaurant Hours.

Ongoing.

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

35. Pay Phones.

Ongoing.

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

36. No Loitering Signs.

Prior to issuance of building permits.

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

37. Parking Lot Lighting.***Ongoing.***

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

38. Driveways.***Ongoing.***

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

39. Graffiti Removal.***Ongoing.***

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

40. Delivery and Loading.***Ongoing.***

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

41. Waiver of Bonding for Abandonment or Vacation.***Prior to commencement of operation.***

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

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

42. Drive-through Lane/Pedestrian Crossing

Prior to occupancy of rebuilt facility

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

43. Building Façade Refinement, San Pablo Avenue Frontage

Prior to issuance of building permits

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

PLANT SCHEDULE

ITEM	QTY	SYMBOL	COMMON NAME	CULTIVAR	SIZE	YOUNG LOW	LOW	MEDIUM	HIGH
1	1		Arbutus Menziesii		15 gal			X	
2	1		Arbutus Menziesii		15 gal				X
3	1		Arbutus Menziesii		15 gal				X
4	1		Arbutus Menziesii		15 gal				X
5	1		Arbutus Menziesii		15 gal				X
6	1		Arbutus Menziesii		15 gal				X
7	1		Arbutus Menziesii		15 gal				X
8	1		Arbutus Menziesii		15 gal				X
9	1		Arbutus Menziesii		15 gal				X
10	1		Arbutus Menziesii		15 gal				X
11	1		Arbutus Menziesii		15 gal				X
12	1		Arbutus Menziesii		15 gal				X
13	1		Arbutus Menziesii		15 gal				X
14	1		Arbutus Menziesii		15 gal				X
15	1		Arbutus Menziesii		15 gal				X
16	1		Arbutus Menziesii		15 gal				X
17	1		Arbutus Menziesii		15 gal				X
18	1		Arbutus Menziesii		15 gal				X
19	1		Arbutus Menziesii		15 gal				X
20	1		Arbutus Menziesii		15 gal				X
21	1		Arbutus Menziesii		15 gal				X
22	1		Arbutus Menziesii		15 gal				X
23	1		Arbutus Menziesii		15 gal				X
24	1		Arbutus Menziesii		15 gal				X
25	1		Arbutus Menziesii		15 gal				X
26	1		Arbutus Menziesii		15 gal				X
27	1		Arbutus Menziesii		15 gal				X
28	1		Arbutus Menziesii		15 gal				X
29	1		Arbutus Menziesii		15 gal				X
30	1		Arbutus Menziesii		15 gal				X
31	1		Arbutus Menziesii		15 gal				X
32	1		Arbutus Menziesii		15 gal				X
33	1		Arbutus Menziesii		15 gal				X
34	1		Arbutus Menziesii		15 gal				X
35	1		Arbutus Menziesii		15 gal				X
36	1		Arbutus Menziesii		15 gal				X
37	1		Arbutus Menziesii		15 gal				X
38	1		Arbutus Menziesii		15 gal				X
39	1		Arbutus Menziesii		15 gal				X
40	1		Arbutus Menziesii		15 gal				X
41	1		Arbutus Menziesii		15 gal				X
42	1		Arbutus Menziesii		15 gal				X
43	1		Arbutus Menziesii		15 gal				X
44	1		Arbutus Menziesii		15 gal				X
45	1		Arbutus Menziesii		15 gal				X
46	1		Arbutus Menziesii		15 gal				X
47	1		Arbutus Menziesii		15 gal				X
48	1		Arbutus Menziesii		15 gal				X
49	1		Arbutus Menziesii		15 gal				X
50	1		Arbutus Menziesii		15 gal				X
51	1		Arbutus Menziesii		15 gal				X
52	1		Arbutus Menziesii		15 gal				X
53	1		Arbutus Menziesii		15 gal				X
54	1		Arbutus Menziesii		15 gal				X
55	1		Arbutus Menziesii		15 gal				X
56	1		Arbutus Menziesii		15 gal				X
57	1		Arbutus Menziesii		15 gal				X
58	1		Arbutus Menziesii		15 gal				X
59	1		Arbutus Menziesii		15 gal				X
60	1		Arbutus Menziesii		15 gal				X
61	1		Arbutus Menziesii		15 gal				X
62	1		Arbutus Menziesii		15 gal				X
63	1		Arbutus Menziesii		15 gal				X
64	1		Arbutus Menziesii		15 gal				X
65	1		Arbutus Menziesii		15 gal				X
66	1		Arbutus Menziesii		15 gal				X
67	1		Arbutus Menziesii		15 gal				X
68	1		Arbutus Menziesii		15 gal				X
69	1		Arbutus Menziesii		15 gal				X
70	1		Arbutus Menziesii		15 gal				X
71	1		Arbutus Menziesii		15 gal				X
72	1		Arbutus Menziesii		15 gal				X
73	1		Arbutus Menziesii		15 gal				X
74	1		Arbutus Menziesii		15 gal				X
75	1		Arbutus Menziesii		15 gal				X
76	1		Arbutus Menziesii		15 gal				X
77	1		Arbutus Menziesii		15 gal				X
78	1		Arbutus Menziesii		15 gal				X
79	1		Arbutus Menziesii		15 gal				X
80	1		Arbutus Menziesii		15 gal				X
81	1		Arbutus Menziesii		15 gal				X
82	1		Arbutus Menziesii		15 gal				X
83	1		Arbutus Menziesii		15 gal				X
84	1		Arbutus Menziesii		15 gal				X
85	1		Arbutus Menziesii		15 gal				X
86	1		Arbutus Menziesii		15 gal				X
87	1		Arbutus Menziesii		15 gal				X
88	1		Arbutus Menziesii		15 gal				X
89	1		Arbutus Menziesii		15 gal				X
90	1		Arbutus Menziesii		15 gal				X
91	1		Arbutus Menziesii		15 gal				X
92	1		Arbutus Menziesii		15 gal				X
93	1		Arbutus Menziesii		15 gal				X
94	1		Arbutus Menziesii		15 gal				X
95	1		Arbutus Menziesii		15 gal				X
96	1		Arbutus Menziesii		15 gal				X
97	1		Arbutus Menziesii		15 gal				X
98	1		Arbutus Menziesii		15 gal				X
99	1		Arbutus Menziesii		15 gal				X
100	1		Arbutus Menziesii		15 gal				X

GENERAL NOTES

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

WATER USE CALCULATION SUMMARY

ITEM	QTY	AREA	WATER ALLOCATION	ESTIMATED WATER
1	1	15	15	15
2	1	15	15	15
3	1	15	15	15
4	1	15	15	15
5	1	15	15	15
6	1	15	15	15
7	1	15	15	15
8	1	15	15	15
9	1	15	15	15
10	1	15	15	15
11	1	15	15	15
12	1	15	15	15
13	1	15	15	15
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16	1	15	15	15
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94	1	15	15	15
95	1	15	15	15
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98	1	15	15	15
99	1	15	15	15
100	1	15	15	15

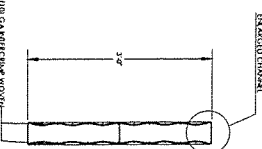
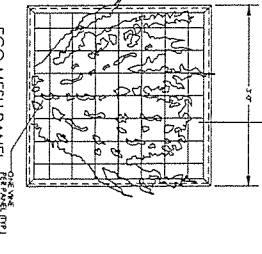
67TH STREET

SAN PABLO AVENUE

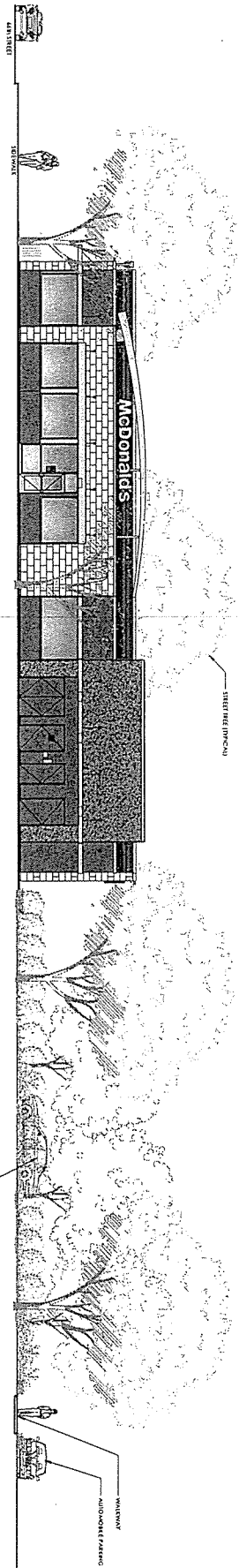
66TH STREET

McDonald's

66TH STREET

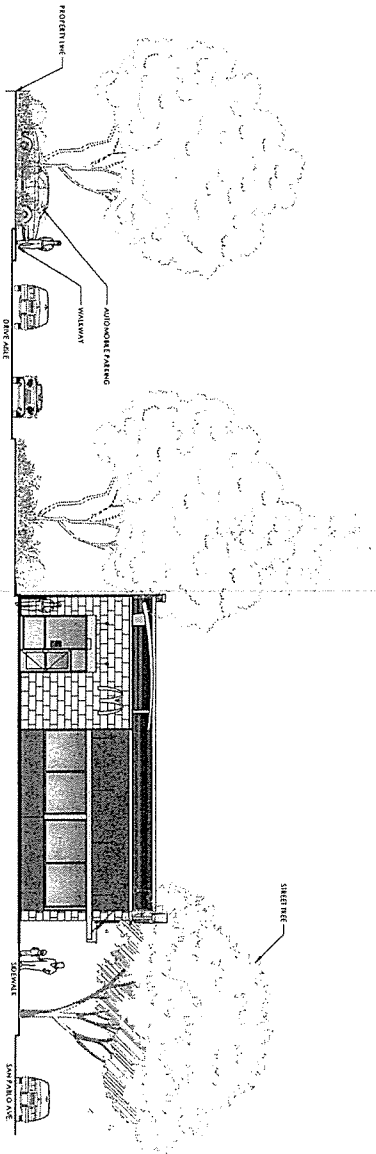


McDonald's
2400 Oak Road, Suite 400
Oakland, CA 94612
6623 SAN PABLO AVE
OAKLAND, CA 94608
DRAWING DATE: 10-27-14



1
PROPOSED EAST ELEVATION
SCALE 1/8" = 1'-0"

1
PROPOSED EAST ELEVATION
SCALE 1/8" = 1'-0"



2
PROPOSED SOUTH ELEVATION
SCALE 1/8" = 1'-0"

2
PROPOSED SOUTH ELEVATION
SCALE 1/8" = 1'-0"

McDonald's
6623 SAN PABLO AVE
OAKLAND, CA 94608

McDonald's

2000 Oak Road, Suite 500
Point Creek, CA 94587

6623 SAN PABLO AVE
OAKLAND, CA 94608

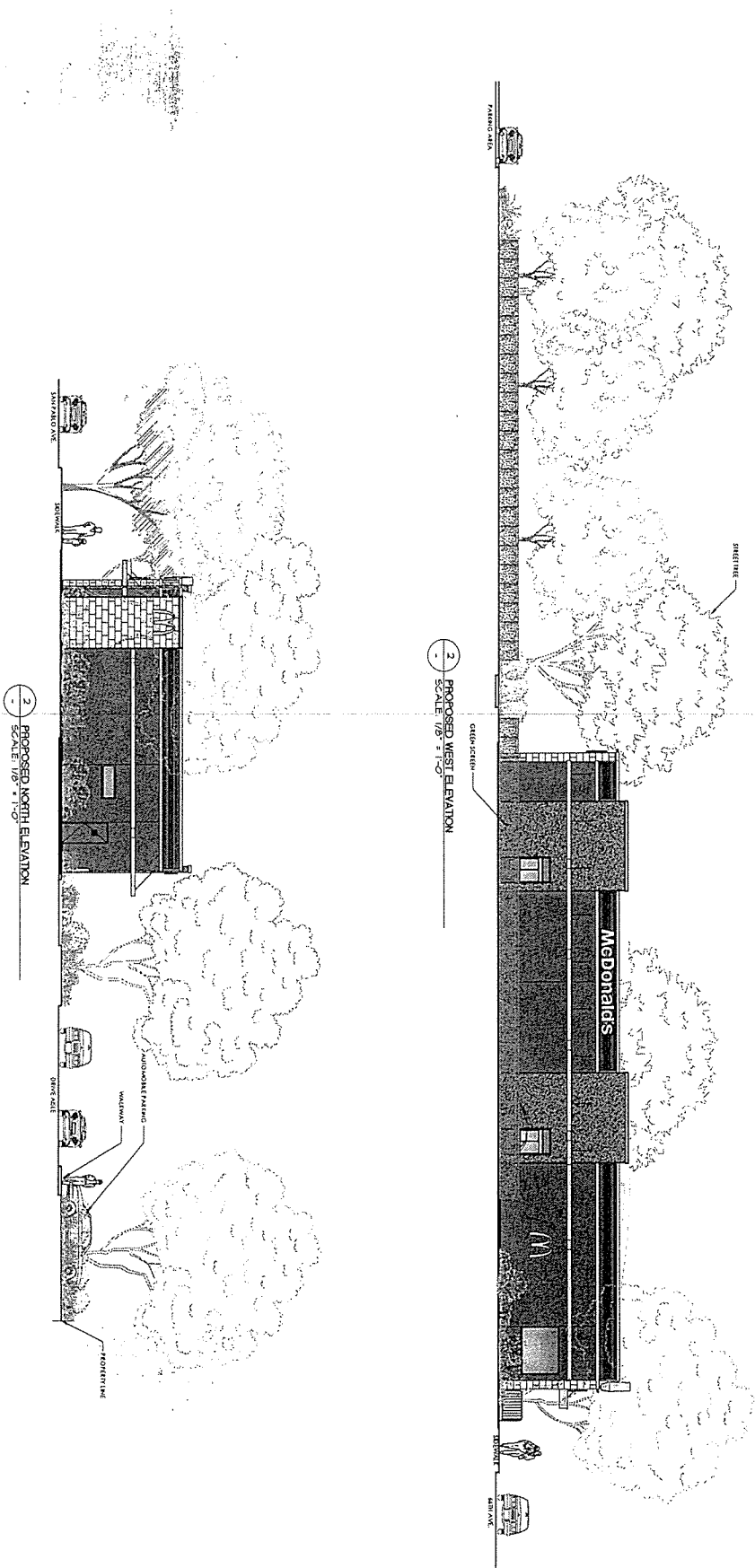
6623 SAN PABLO AVE
OAKLAND, CA 94608

6623 SAN PABLO AVE
OAKLAND, CA 94608

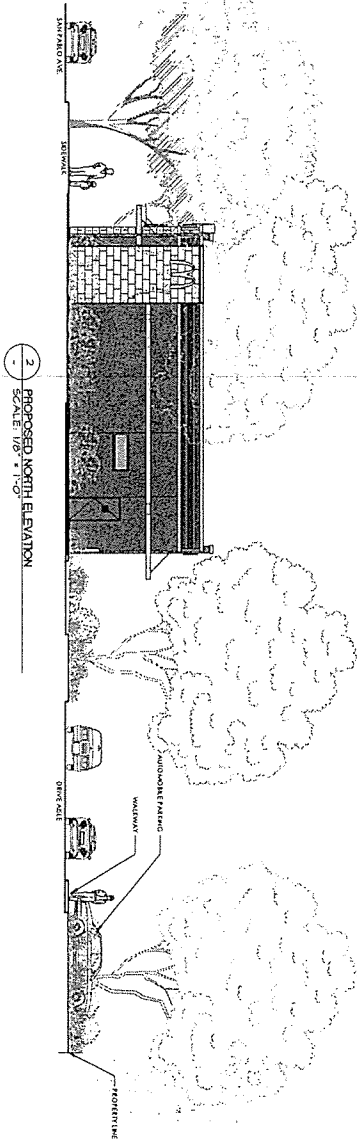
6623 SAN PABLO AVE
OAKLAND, CA 94608

PROPOSED
COLOR EXTERIOR
ELEVATIONS

4.3



2 PROPOSED NORTH ELEVATION
SCALE 1/8" = 1'-0"



McDonald's
2411 Oak Road, Suite 100
Oakland, CA 94612
ARCHITECT
6823 SAN PABLO AVE
OAKLAND, CA 94608
DRAWING DATE: 10-2-14

McDonald's

2411 Oak Road, Suite 100
Oakland, CA 94612
ARCHITECT
6823 SAN PABLO AVE
OAKLAND, CA 94608
DRAWING DATE: 10-2-14

DRAWING TITLE:

PROPOSED
EXTERIOR
ELEVATIONS

DRAWING NUMBER

4.4

From: Mark McClure [mailto:mmcclure@californiafiregroup.com]
Sent: Monday, February 09, 2015 10:18 AM
To: Valeska, David; Tom.Clark@us.mcd.com
Cc: George Kaplan; Laura Ingram
Subject: Follow up to the Thursday 2/5 neighborhood meeting

Good morning David,

Mr Smith agreed to three concessions/terms at the neighborhood meeting we held last Thursday night:

1. The proposed dining room hours will remain 6:00 AM to 9:30 PM, 7 days a week as they are now. (not the 24/7 proposed in the staff report)

2. In addition to the internal security cameras, (at the request of the neighbors) Mr Smith will install several external cameras facing San Pablo and 66th to record potential criminal activity and share the information with OPD.

3. Mr Smith will work with City Staff and the neighbors to source several new concrete trash receptacles (similar to the ones in Temescal) to be located in strategic locations to help mitigate the trash issues.

Please amend the Condition of Approval in the Staff Report to reflect these new terms as appropriate.

More correspondence to follow.

Best regards,

Mark

Valeska, David

From: Jennifer Chin <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 11:42 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

A larger McDonald's with longer hours is not the kind of revitalization our neighborhood needs. I have genuine concerns about it leading to increased litter, noise, violence, and general blight. I do not support the plann for extended hours.

Regards,

Jennifer Chin

Jotform
2, 2015 11:42 PM

SENT BY

Jennifer Chin
jenc1234@gmail.com
Street Address: 25 City Limits Cir
City: Emeryville
Postal / Zip Code: 94608

Jotform
2, 2015 11:42 PM

Valeska, David

From: Cate de Heer <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 11:10 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonald's at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

First, it's shocking that you nearly approved the owner's proposal without appropriate public comment. If you really weren't familiar with the neighborhood as it is (and not as it was 10 years ago), I hope you are now.

At the recent community meeting with the owner and McDonald's representatives, the owner's contempt for his neighbors and the public comment process was on display. When I asked whether he had considered a (more ecologically sound and pedestrian friendly) multiuse building on the site instead of the proposed outdated design (which is wasteful and out of keeping with the development trends in the neighborhood), he impatiently replied no, he hadn't, because "let's face it, no one wants to live above a McDonald's."

The owner claimed that his business is crime free. In response, a neighbor described sitting in the dining area with her family while someone robbed another patron nearby, in broad daylight. Either the owner was lying or he was astonishingly unaware of serious crime occurring on his own premises.

One nearby resident referred to research studies demonstrating a strong correlation between 24-hour businesses and increased crime. When pressed, the owner disclosed inflexible determination to expand the business's hours. Since the evidence seems to show that increasing McDonald's hours of operation to 24/7 is virtually sure to increase crime in my neighborhood, I can't support it.

The owner claimed that the expansion of another of his businesses, the McDonald's on Telegraph Avenue, has caused no problems with crime or trash in that neighborhood. A resident of that neighborhood directly contradicted him.

As a provider of takeaway meals in disposable containers, the McDonald's business generates trash by definition. The owner's idea of community cooperation was to declare it the neighborhood's responsibility to press the city of Oakland to devote more resources to picking up McDonald's trash.

At the meeting, the owner's contempt for his neighbors and the public comment process was on alarming display. He is a lousy neighbor to those of us who live here, and I urge you to restrict the expansion of his business in every way you can. The owner claimed that he could not afford the remodel without expanding the drive-in hours to 24/7. If his business can only make a profit at the expense of its neighbors, perhaps the owner should relocate or close it. If you do approve the remodel, I believe it would be highly irresponsible of you to allow McDonald's to expand its operating hours.

Sincerely,
Cate de Heer

SENT BY

Cate de Heer

cate@dutchgirl.com

Street Address: 1188 Ocean Avenue

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: Tania L García Rosas <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 9:25 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

We live steps away from the current McDonalds, and am always amazed at the level of traffic the business pulls in. I can't imagine having that level of traffic/noise so close to residential streets twenty four hours a day, seven days a week! This fast food chain is already on San Pablo avenue, a very well-driven route. I fail to see how expanding service hours will provide a better, quieter and more family-friendly community in our neighborhood.

Along that note, Oakland city officials consistently talk about creating 'better, safer, more involved neighborhoods', and part of this is helping to create accessible spaces where locals can have access to HEALTHY, sustainable and inexpensive food options. I think we can all agree that McDonalds does NOT fit that profile. So why would we try to add to the US' already problematic obesity crisis by encouraging another 24 hour fast food chain in our city?

Lastly, I will add (as I'm sure you've already read from other concerned members of my neighborhood) the issue of increasing trash buildup in the approximate area near the McDonalds in question. Some of this trash ends up in my front door/driveway every single day. I find myself picking up empty bags, straws, burger boxes from the sidewalk right in front of my house. How about instead of making tax-paying citizens argue why we want to keep our livable area clean, we question this business how it will WORK with our community to create a clean, safe and inhabitable landscape in our small piece of Oakland?

Thank you.

Sincerely,
Tania L. García Rosas

SENT BY

Tania L García Rosas
tania@ucdavis.edu
Street Address: 1099 66th St
City: Oakland
Postal / Zip Code: CA

Valeska, David

From: Robert Waller <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 6:42 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I strongly oppose any expansion of dining room or drivethrough hours, and urge you to REDUCE the drivethrough hours on existing days to no later than 10 PM. This is out of basic decency and consideration for the hundreds of residential units immediately surrounding this fast food restaurant, with more being added very soon in the next block, which is in Berkeley.

It is infuriating to read (in a Dec. 2014 online article in Fortune) that since McDonald's is losing market share all over the world, one tactic they are employing in response is to modernize their outlets and expand their hours -- exactly what this application proposes for Golden Gate. As I understand it, the franchise owners have to pay for this "upgrade," and the surrounding communities bear the burden.

Please stand up for our neighborhood.

Thanks,
Robert Waller

SENT BY

Robert Waller
wallerrobertr@gmail.com
Street Address: 6442 Herzog St.
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Laurie Shapiro <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 6:30 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

My business, the Grease Diner is located directly across the street. McDonalds only affects my "mom and pop" small local business in only negative ways. Not only is McDonald's poisoning the neighborhood with their GMO meat and food, industrial farming and genocide methods of killing billions and billions of hormone induced animals, they also pay their workers very little. The CEO of McDonalds makes in 4 hours what it takes a minimum wage worker to make in a year. I do not believe that the small business mentality of such a wonderful city of Oakland should support such a corporation.

McDonalds pollutes my neighborhood. EVERY day my husband and I clean up garbage strictly from McDonalds in front and around our store. Many neighbors have similar concerns. I see McDonalds bags and cups thrown in the beautiful succulents that my husband and I planted in front of our business. I see litter around the block. McDonalds doesn't pay to clean up their mess, but I clean up what I can because I have to.

With the hours McDonalds currently has, they still pollute our neighborhood and do not clean up their mess. McDonalds poisons our kids and community. There are so many great local restaurants in the area - such as Actual Cafe, Tribu, James and the Giant Cupcake, Chile Jalipeno, Berkley Bowl, Thai cuisine, Rotten City, Spoon, etc... we need more of those LOCAL restaurants and less of McDonalds poison "food products."

Also, with the drive through open 24 hours I see this as being risky to my business, The grease Diner.

PLEASE DO NOT LET THIS HAPPEN! MCDONALDS SHOULD BE ILLEGAL, STOP TAKING THEIR MONEY AND THINK ABOUT THE LONG TERM. THESE PEOPLE AT THE TOP SUPPORT ANIMAL GENOCIDE, WAGE SLAVERY, AND THE LOWEST OF QUALITY FOODS (AKA POISON).

with concern,
Laurie Shapiro
Co-Owner
The Grease Diner
6604 San Pablo Avenue
Oakland, CA 94608

SENT BY

Laurie Shapiro
thegreasediner@gmail.com
Street Address: 6604 San Pablo Avenue

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Valeska, David

From: Laurie Shapiro <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 6:30 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

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With the hours McDonalds currently has, they still pollute our neighborhood and do not clean up their mess. McDonalds poisons our kids and community. There are so many great local restaurants in the area - such as Actual Cafe, Tribu, James and the Giant Cupcake, Chile Jalipeno, Berkley Bowl, Thai cuisine, Rotten City, Spoon, etc... we need more of those LOCAL restaurants and less of McDonalds poison "food products."

Also, with the drive through open 24 hours I see this as being risky to my business, The grease Diner.

PLEASE DO NOT LET THIS HAPPEN! MCDONALDS SHOULD BE ILLEGAL, STOP TAKING THEIR MONEY AND THINK ABOUT THE LONG TERM. THESE PEOPLE AT THE TOP SUPPORT ANIMAL GENOCIDE, WAGE SLAVERY, AND THE LOWEST OF QUALITY FOODS (AKA POISON).

with concern,
Laurie Shapiro
Co-Owner
The Grease Diner
6604 San Pablo Avenue
Oakland, CA 94608

SENT BY

Laurie Shapiro
thegreasediner@gmail.com
Street Address: 6604 San Pablo Avenue

Valeska, David

From: Laura Ingram <lcingram@aol.com>
Sent: Tuesday, February 10, 2015 5:40 PM
To: Valeska, David
Subject: Comment on McDonald's project 6623 San Pablo from SPAGGIA
Attachments: SPAGGIA McDonalds letter final 2-10-15.pdf

Dear Mr. Valeska:

This is a letter from the San Pablo Ave. - Golden Gate Improvement Assn., SPAGGIA, on the proposed McDonald's project in our area. I ran into technical difficulties trying to submit it through our website, so am attaching a pdf here. Please include this document in the staff report.

SPAGGIA's address is PO Box 8797, Emeryville, CA 94622-8797, and my cell number is 510-390-0020, if you need to contact me for any reason.

Given the high degree of community interest in this application, I wonder if it would be possible to move it to earlier on the calendar next week, since many who would like to attend have young families. Please let me know, and thank you for all your assistance with this matter.

Laura Ingram
Board Secretary
6442 Herzog St., Oakland 94608

February 10, 2015

Mr. David Valeska, Planner II
Mr. Scott Miller, Zoning Manager
Mr. Darin Ranelletti, Deputy Director, Bureau of Planning
City of Oakland
350 Frank Ogawa Plaza
Oakland, CA 94612

Subject: Application for the Rebuilding of McDonalds at 6623 San Pablo Avenue
Case File PLN 14359 - Staff Report

Dear Sirs,

The San Pablo Avenue and Golden Gate Improvement Association (SPAGGIA) is a non-profit organization, established in 1985 and dedicated to stewardship of the Golden Gate district in North Oakland. As such, SPAGGIA submits this letter in opposition to the referenced project as it is currently proposed. We appreciate investment in our community, but object to the inadequacies of the proposed plans. We are not commenting on the value of McDonald's or fast food in general, which is outside the scope of this proposal.

Following decades of neglect and disinvestment, the Golden Gate neighborhood, located along San Pablo Avenue between 53rd and 67th streets, is finally, tentatively blossoming into a walkable and family friendly environment. Neighbor-friendly businesses continue to locate along San Pablo Avenue--cafes, restaurants, art galleries, maker spaces, and a fitness center—among our existing auto repair and other consumer-serving businesses. This new investment has added to the vitality of our neighborhood. These businesses attract local spending and tax revenue that would otherwise would end up in Emeryville or Berkeley. They bring “eyes on the street” and the increased personal security that comes with walkable development.

Our concerns are presented below.

1. PUBLIC OUTREACH

We are concerned about the lack of adequate outreach by the Project Owner. SPAGGIA learned about this development the day before its January 21, 2015 public hearing because of a call from a council staff member, not through the planning department. SPAGGIA is a stakeholder of record in this district and should be apprised of development here, so that we can assist with genuine public outreach. Please consider this an official request for notification about future projects and to suggest that applicants contact us early in the process so that concerns don't turn into unnecessary conflict.

Despite the lack of notice and outreach, SPAGGIA organized a community meeting on Thursday, February 5, to hear the Project Owner's presentation. Representing the Project Owner was the franchise owner (Ed Smith), the Development Consultant, and two representatives from McDonalds Corporation. Approximately 50 neighbors attended the meeting. In general, Golden Gate neighbors support replacing the old facility, but oppose the project in its current form for the reasons presented below.

We are also very concerned that this Project Owner is not clear on basic facts about the operation of this business and has not been meeting conditions of the existing permit. We also call on the City of Oakland to demand and enforce the Project Owner's compliance with existing and any proposed conditions.

2. STAFF REPORT

The staff report contains errors, inaccuracies, and contradictions about the property and neighborhood that should be corrected in the final report, with special attention given to descriptions that are the basis for waiving certain planning and zoning requirements. This corridor has changed significantly since the restaurant was established in 1969. The staff report describes Golden Gate as the "gateway to West Oakland" and "the area between the freeways," neither of which is geographically true.

The vacant lots and industries that once surrounded the site are now multi-story condominiums. The staff report describes 66th and 67th streets as "non-residential," and waives the requirement that ingress and egress to Fast Food Facilities shall be limited to commercial arterial streets. In fact, a large residential complex occupies the corner of 66th and San Pablo. Nearby on 67th Street near San Pablo is another residential complex.

3. HOURS OF OPERATION

Many residents came to the meeting concerned about the proposed request for 24/7 operation of the drive through and interior restaurant. After some discussion, the franchisee stated that he DID NOT ask for 24/7 operation of the interior restaurant, but only the drive-through. He further stated that this was an error inserted by the City of Oakland. We ask that staff clarify and document the current hours of operation as well as those proposed. After our meeting, it is still not clear.

As best we can tell, this restaurant is open from 5 am to 9:30 pm, with 24/hour drive through service on Fridays and Saturdays. We object to any additional service hours based on the franchisee's past performance and the documented, corresponding crime increase that 24/7 convenience outlets attract. Should the City approve extended hours, we demand a periodic and enforceable review of compliance and safety at this site, as per Condition #34.

4. SECURITY

This McDonalds is one of the remaining businesses with public safety issues on San Pablo Avenue (along with the Chaparral Motel at 5425 San Pablo Avenue). The facility attracts sex workers (frequently including trafficked minors) vagrants, and drug activity, while generating street litter. We are disappointed that the Oakland Police Department did not comment during the Environmental Design review.

Our neighborhood has already suffered through the effects of a late-night fast food restaurant on San Pablo and 54th Street. For years Giant Burger attracted late night crowds and crime, including fights, drug sales, sex trafficking, and at least one shooting. It took a lawsuit from the City to close this place down, after years of neighbor complaints. We prefer not to relive such recent history.

In addition, it is well-documented that that late-night operations at convenience stores, gas stations, and fast food restaurants attract and foster criminal behavior in the vicinity. The management at this facility has already shown a disregard for neighbors and customers, as evidenced by its Yelp reviews: seven mention hookers/prostitutes, three aggressive panhandling, and one litter. This anecdotal evidence can be found here: <http://www.yelp.com/biz/mcdonalds-emeryville?q=hooker>.

When asked, the franchisee stated that the 24-hour facility would attract night shift police from Berkeley and Oakland, thereby increasing security, which drew laughter from the crowd.

The staff report states that McDonald's has the "option" to hire security guards. With any expansion in hours of operation, the presence of security guards should be mandatory, but is no guarantee of safety or good order.

5. TRAFFIC

According to the franchisee, the proposed 30% expansion and extended drive through hours will double the drive-through capacity at this facility. The franchisee stated that this business records 1,100 transactions/day, and that 60-65% of those are drive through. This expansion will absolutely affect traffic on side streets and on San Pablo Avenue, which is already congested during commute. Waiting times for left turns across San Pablo into our neighborhood are already very long, especially with the new residential development around the facility.

The expansion will also affect traffic on Hollis Street in Emeryville. Therefore, we ask for a traffic study in order to understand the traffic impacts of this project. Because of its unique location at the border of Oakland, Emeryville, and Berkeley, we ask that the traffic study include the intersections of Hollis and 65th as well as San Pablo and Ashby. This should include anticipated impacts from redevelopment of the Marchant Building at 3100 San Pablo Avenue, across the street in Berkeley.

In addition, pedestrian safety and circulation should be addressed on the property, and especially for those crossing San Pablo Avenue.

6. LITTER CONTROL PLAN

Litter was a major topic of the meeting, with neighbors complaining and the franchisee repeatedly stating that the grounds are picked up every 15 minutes. He seemed unaware of Condition #30, which states that the operator must clean a surrounding area of 300 feet from property. He also stated that he pays a specific litter fee to the City and therefore, residents should contact the city with complaints.

McDonalds has been a source of ongoing complaints about litter, not just in the immediate vicinity of the restaurant, but wherever its customers drive and consume their meals. McDonalds litter is found spread far beyond this distance, with neighbors reporting Mc-litter as far as five or six blocks away.

While litter is a consequence—McDonald's is the source, not the litterer—we need the project owner's help to solve the problem. We are concerned that a 30% larger store with longer hours will produce even more litter and the current plan to address it isn't working.

To understand the impact of the proposed McDonald's expansion, volunteer neighbors started documenting nearby "McLitter" and placing photographs on a digital map. See www.McLitter.com. They are required to clean up litter within 300 feet of their store, and as demonstrated on the map, they are not meeting that requirement.

There was little confidence expressed at the meeting that any conditions placed on the permit to control litter would be enforced. For these reasons, we ask that any conditions of approval include enforceable compliance with the litter plan with a periodic review with neighborhood stakeholders. The area to be cleaned and maintained should include the median strip on San Pablo.

7. DEMOLITION AND CONSTRUCTION OF A NEW BUILDING

Despite the fact that there is already a McDonald's on this site, the application is for demolition and construction of a new building in a CC-2 Zone. Therefore, it is an application for a new building. As such, the primary issues we see with the application are as follows:

a. There are residential buildings adjacent to the site. For a conditional use permit for a fast food restaurant, the application must be found to comply with Section 17.103.030.7 of the Oakland Planning Code. It would seem that drive-through speakers and car headlights coming through drive-through and out the driveway entrances will prevent the application from meeting this finding if the drive-through is open after 10 pm.

7.103.030.7 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 10:00 p.m. and 7:00 a.m.)

b. Another issue with the application is that CC-2 zoning has a Ground Floor Active Space Requirement (see below). The intention behind this requirement is to provide an active street frontage along the primary corridor. The requirement does not allow parking within the first 30 feet of the principal street frontage. "Exceptions to this regulation may be permitted by the Planning Director for non-active spaces that cannot be feasibly placed in other locations of the building" but this exception is not intended to allow a parking lot along a major corridor just because the applicant is proposing a new fast-food restaurant. Instead, we feel, the intention of the zoning is to discourage developments that cannot help but create a dead zone of parking along a primary corridor (such as this proposed project).

(17.35.03.12 For the construction of new principal buildings in the CC-2 zone, ground level parking spaces, locker areas, mechanical rooms, and other non-active spaces shall not be located within thirty (30) feet of the principal street frontage except for incidental entrances to such activities elsewhere in the building. Exceptions to this regulation may be permitted by the Planning Director for non-active spaces that cannot be feasibly placed in other locations of the building. Driveways, garage entrances, or other access to parking and loading facilities may be located on the ground floor of this area as regulated by Note 11, above.)

c. A smaller issue is that the parking lot has very little landscaping between stalls. One of the required findings for a conditional use permit for a fast food restaurant is:

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

8. NOISE AND NUISANCE

Traffic noise and the noise at the ordering stations may also be a problem. The Project Owner did not contact SPAGGIA or the homeowners associations of nearby residential developments on 66th and 67th streets. Therefore, they claimed incorrectly that there are no complaints of nuisance, noise, or litter from neighborhood. During the meeting, residents voiced many complaints and frustrations, to which the franchisee repeatedly stated he had not heard any complaints before without offering action.

9. DESIGN AND LAND USE

The architect's plans show a modernized, but car-oriented fast food restaurant, an improvement over the existing store but without much detail on signage, pedestrian crossings of San Pablo and other issues that need to be addressed in design review, with neighbors notified and allowed to comment. The applicant's representative has indicated the owners have no interest in a more modern, sustainable mixed-use project, although this is a wasteful low-density use of a large parcel on a transit corridor. Nevertheless, and with the help of various design/construction professionals in the neighborhood, SPAGGIA will be prepared to issue comments in the design review phase as a way to ensure an aesthetic design for the new McDonalds in our neighborhood.

10. ODOR CONTROL:

The report statement that the facility will operate so that "little or no odors are discernible by the average person at the property lines" is a vague term. Odors and smoke tolerances should be defined by setting limits based on industry standards and air quality standards.

In our view, this project is not ready for approval. The franchisee has demonstrated a lack of understanding of his store's operations, along with an inability or unwillingness to genuinely engage with stakeholders. Please send this project back to the drafting board and call for a second review period.

The community wants to meet again with McDonalds to review their revised plans and report, which are expected to address the concerns which were presented to them at the first meeting. This project must be done with open ears to SPAGGIA and the neighbors who are dedicated to enhancing businesses and quality of life on San Pablo Avenue. Thank you for the opportunity to provide comments. We are available to answer questions at your convenience.

Sincerely,

Angela Gennino
President

Laura Ingram
Secretary

cc: Dan Kalb, Councilmember District 1
Oakland Planning Commissioners

Valeska, David

From: Doris O'Neil <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 5:29 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am not agreeing to a 24/7 drive thru or inside dining at this location because of the public nuisance, damage to small businesses buildings, garbage and prostitution. From what I read about the concerns McDonalds owner will address, he should have addressed them before. His actions doesn't show right now. McDonalds still is unkempt and residents are complaining and they were not aware of this new development.

Thank-you and please reconsider and not allow the 24/7 hours.

SENT BY

Doris O'Neil
trimfrontdesk@gmail.com
Street Address: 6324 San Pablo Ave
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Matt Weber <weber.matt@gmail.com>
Sent: Tuesday, February 10, 2015 5:23 PM
To: Valeska, David
Subject: Re: McDonalds - 2/5/15 - Community Meeting Notes

Thanks, David.

I really appreciate the response.

Do you have anything that you could share regarding the following:

- 1) schedule/anticipated schedule to be heard at the Planning Commission - still 2/18
- 2) possibility to review the COAs (including the proposed litter collection policy) prior to Planning Commission
- 3) security cameras facing the community and available to law enforcement

Also, if you could pass along the applicant's final determination on requested drive-through hours once it has been confirmed, it would be great.

Thanks again, and I look forward to seeing you at Planning Commission, Matt

On Tue, Feb 10, 2015 at 8:49 AM, Valeska, David <DValeska@oaklandnet.com> wrote:

> Matt, yes, as a result of the Feb. 5 meeting with neighbors, McDonalds
> has cut back the Planned hours to 9:30 pm closing indoors (they still
> want 24 hour drivethrough but are Thinking about that); and agreed to
> more strict litter collection policy, plus a new Screen for 66th
> Street housing to protect against drive-through aisle lights entering The housing (would not protect lights from the
66th St. driveway). More later.

>
> Dave Valeska, Planner II | City of Oakland | Bureau of Planning | 250
> Frank H. Ogawa, Suite 2214 | Oakland, CA 94612 | Phone: (510)238-2075 |
> Fax: (510) 238-4730 | Email: dvaleska@oaklandnet.com | Website:
> www.oaklandnet.com/planning

>
>
> -----Original Message-----

> From: Matt Weber [<mailto:weber.matt@gmail.com>]
> Sent: Tuesday, February 10, 2015 6:17 AM
> To: Valeska, David
> Subject: Re: McDonalds - 2/5/15 - Community Meeting Notes

>
> Hi David,

>
> I was wondering... has McDonalds made any modification to its application, plans, hours of operation, litter collection policy, etc.

> in the past week or two?

>
> Thanks,

> Matt

>

> On Fri, Feb 6, 2015 at 6:02 PM, Matt Weber <weber.matt@gmail.com> wrote:

>> Mr. Valeska,

>>

>> As you are aware, there was a community meeting held last night
>> regarding the McDonalds project at 6623 San Pablo. There were about
>> 50 attendees, almost all of whom were residents. (The rest were local
>> business owners.) Here's a digest of the meeting...

>>

>> The applicant showed a revised landscape plan and new elevations
>> including some pop-outs on the western elevation.

>>

>> The applicant stated that he would conduct an open process whereby
>> the proposed conditions of approval were distributed to the community
>> for feedback/negotiation prior to the item being heard at Planning
>> Commission, and he would consider postponing the Planning Commission
>> hearing to facilitate this discussion and perhaps another community
>> meeting.

>>

>> He noted that he was proposing no change in lobby hours (6am-9:30pm,
>> 7days/week), and would communicate that to you as a COA to which he'd
>> agree. He also said he was willing to install security cameras on
>> the outside of his building facing the immediate neighborhood and to
>> make the footage available to law enforcement in case of crimes
>> occurring in the vicinity of his restaurant.

>>

>> The applicant stated he wanted to operate the drive through 24x7,
>> whereas he currently operates it 6am-1am on weekdays and 24 hrs on
>> weekends. Those in attendance at the meeting voiced very strong
>> feelings that such extended hours would significantly increase the
>> amount of crime in the immediate area.

>>

>> There was also much discussion over litter, and residents both within
>> a block and blocks away shared that the current litter pick-up, which
>> only occurs during daylight hours, was insufficient. Increased drive
>> through hours (during the night-time when no litter pick-up occurs)
>> would exacerbate this issue.

>>

>> A few individuals had concerns over the traffic pattern/volume with
>> the elimination of the San Pablo curb cut, the increase in restaurant
>> size (and thus likely patronage), and the increased hours.

>>

>> I would welcome a dialogue on these points.

>>

>> Thanks for your attention to this project, which will significantly
>> impact our neighborhood.

>>

>> I really appreciate it,

>> Matt Weber

>> 66th Street

Valeska, David

From: Peter Russo <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 4:47 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear David,

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am concerned about the following issues:

1. Potential increase in crime associated with 24-hour operations. Late-night businesses are associated with crimes like robbery and prostitution. Oakland already has enough of these crimes to deal with. We don't need to create another target in our neighborhood.
2. Effect of the new traffic flow on residential neighbors and pedestrians on San Pablo, 66th, and 67th Street.
Immediate neighbors of McDonald's already deal with traffic associated with the McDonald's. Putting one of the primary entries and exits on 66th street, a residential street, will exacerbate the traffic problems they already experience. Moving an entry/exit to San Pablo, though, will affect the increasingly pedestrian nature of San Pablo Avenue. It's clear that a traffic study is needed to determine the best way to direct traffic flow in and around the McDonald's.
3. Increase in litter in our community. McDonald's litter is found all around the Golden Gate neighborhood. The restaurant should be required to pick up all litter within a one-block radius, and the city should enforce that requirement.

The city should also require the restaurant to share a revised plan with the community before considering its application.

Thank you for your consideration.

Peter Russo

SENT BY

Peter Russo
prusso@gmail.com
Street Address: Aileen Street and Lowell Street
City: Oakland

Abstract

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Valeska, David

From: Theresa Wagner <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 4:45 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I have several concerns about the proposal to change the operating hours to be open 24/7.

Businesses that are open all night long tend to attract people who may not have the best interests of the neighborhood in mind. In addition, the increased hours will likely lead to increased traffic and noise in and out of the parking lot.

~~There is also the litter/trash issue which is a continuing problem all along San Pablo avenue. We live a half a block east and the prevailing winds are constantly blowing trash onto our street. I would hope any agreement going forward with the restaurant would include a real commitment to reduce trash and litter.~~

You will see from my address that I live somewhat south of the restaurant. However, I feel that it's important for the whole Golden Gate neighborhood to give voice to the kind of neighborhood we want to live in.

Thank you for your time and attention,

SENT BY

Theresa Wagner
theresawagner@yahoo.com
Street Address: 1074 57th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Chris Hecker <checker@d6.com>
Sent: Tuesday, February 10, 2015 4:41 PM
To: Valeska, David
Cc: Pattillo, Chris; Moore, Jim; jahazielbonillaoaklandpc@gmail.com; Coleman, Michael; jmyres.oakplanningcommission@gmail.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com
Subject: My thoughts on the 6623 San Pablo McDonald's proposal

Hi David, and other planning commissioners, hope you're all well. I live in the immediate neighborhood of the McDonald's at 6623 San Pablo Ave, which has proposed a remodel and an extension of business hours (PLN14-359) and I wanted to weigh in on this as a neighbor during the comment period.

I really appreciate you all extending the comment period back in January, thank you for that.

I live around the corner on 65th and SP, I have two problems with the McDonald's as it is, both of which will almost certainly be exacerbated by the proposed longer hours and higher customer volume:

1. My yard and block are constantly filled with McDonald's trash. I realize this is customers doing this littering, and it's not directly the restaurant's fault, but it indirectly is the restaurant's fault due to the amount of waste paper contained in a single meal and lack of responsibility for it. I've heard there are some litter mitigation regulations on fast food restaurants, but if so, they're certainly not enough because the trash is everywhere even two blocks away from the restaurant where I live. A quick walk around the neighborhood shows the McDonald's trash is ubiquitous in a huge radius from the store.
2. I love this neighborhood and have been here for years, and the neighborhood has made a lot of strides in terms of livability, walkability, and safety, and I worry about extending the late night hours of the restaurant. It is already a hotspot for loitering and it feels unsafe to walk near at night with my 11 year old daughter, and it feels like that is going to get much worse with longer hours. Late night traffic in the neighborhood from people who don't actually live on the blocks already accounts for lots of peel outs and donuts in the nearby intersections, and it's hard to believe that won't get worse with longer hours and more car traffic for this already troubled spot.

The restaurant is pretty dumpy, so if it's going to stay, a remodel seems like a positive thing, but they shouldn't be able to extend the hours (and in fact I'd like it if they weren't allowed to be open 24 hours, ever, currently the drive-through has limited 24 hour times), and they should have to start seriously dealing with the litter problem in the surrounding neighborhood.

Thanks for listening,
Chris

Valeska, David

From: Ted Hullar <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 4:37 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

I am writing to express some concerns about the proposed rebuilding of the McDonalds at 6623 San Pablo Avenue. I attended a community meeting with the developer and owner last Thursday, and am worried about several issues, most significantly hours of operation. The owner seemed unclear on when his own restaurant was open, stating hours of operation (for the dining room) from 6 AM to 9:30 PM. An employee, however, indicated the restaurant was open from 5 AM to 9 PM. He was similarly unclear on hours of operation of the drive through, which appears to be open from 5 AM Friday morning to 9:30 PM Sunday night. While a 24-hour drive through operation is becoming increasingly inconsistent with the ever more residential nature of the neighborhood, I believe we are stuck with those hours of operation for now. However, the owner is proposing to extend the drive through hours to operate 24 hours a day, and I am strongly opposed to this. Extra traffic and noise on the weekends is a fact of life in a busy city, and something I have learned to tolerate. A 24 hour drive through operation, however, will extend this noise and traffic to every night (and early morning) of the week, disturbing the residential character of the neighborhood. The Quarter Pound Burger restaurant at 5325 San Pablo Avenue used to be open for 24 hours a day, until complaints and city action forced a reduction in hours. We have seen what a 24 hour operation means, and it's not appropriate for this neighborhood. The owner stated there are very few restaurants open 24 hours a day in the North Oakland area, and I believe we should keep it that way.

Thank you for your consideration.

Regards,

Ted Hullar
5901 Marshall St.

SENT BY

Ted Hullar
tedcommerce@hullar.com
Street Address: 5901 Marshall St.
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Roxie Kellam <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 3:27 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

(ENTER YOUR MESSAGE HERE)

The McDonalds franchise needs to work with the community where their business is located. And not impose their own view of what is needed. If it weren't for the community it's neighbors - there wouldn't be a need at all for a McDonalds.

It's disturbing to me to read that the recent studies show that late night eateries draw criminal elements. And then hear that McDonalds team is saying the opposite - just because you repeat and say louder doesn't mean it's the truth.

Be a good neighbor and your business will grow. Stick to the facts.

SENT BY

Roxie Kellam
roxk@yahoo.com
Street Address: 3932 Linwood Avenue
City: Oakland
Postal / Zip Code: CA 94602

Valeska, David

From: Kim McCoy Wade <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 3:08 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Overall, the planning report does not reflect the current, changing state of our neighborhood: we are in North Oakland, not West, and there are hundreds more residences on 65th, 66th, 67th and Vallejo Streets than just five years ago. I invite you to come walk the site to see for yourself; I or other home or small business owners from the neighborhood would be happy to give you a tour.

Please take a brand new look at the proposal, with this more accurate picture of today's Golden Gate neighborhood in mind, paying special attention to:

1. Hours. The proposal to offer 24 hour drive-through 7 days a week, from current 3, which will increase traffic, air pollution, and trash. I ask you to: NOT allow the additional 4 days for 24 drive-through hours (and NOT allow any 24 hour lobby hours, which the owner told he community he neither requested nor wants, yet somehow was in the planner's recommendation.)
2. Trash, which regularly appears in my front yard (I do a sweep each week on trash day) 2 blocks away. I ask you to require trash pick-up plan, in a reasonable area around their lot, with monitoring by the City and the neighborhood.
3. Traffic, which would be increased by the additional hours and speed of service and would be directed onto only 66th and 67th by the closure of San Pablo driveway. I ask you to do a traffic study to be sure the building, drive-through lanes, and driveways are best sited to minimize impact on our highly-pedestrian neighborhood.

More broadly, I ask you to consider the public health impacts of promoting even more fast food consumption via cars in Oakland, and urge you to take some offsetting action that uses the power of planning to support a healthier Oakland, such as more complete streets and more parks.

Thank you for your consideration and I look forward to seeing you on the 18th.

Kim McCoy Wade & Family

SENT BY

Kim McCoy Wade
kim@mccoywade.org
Street Address: 1129 65th Street
Street Address Line 2: Oakland
City: CA
Postal / Zip Code: 94608

Valeska, David

From: Michael Hamilton <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 3:09 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Dear Planning Department and Commissioners:

I know you are hearing from a lot from neighbors about problems of prostitution, crime, drug use, trash, and other problems directly associated with the McDonalds at 6623 San Pablo Avenue.

I have four specific points to add about this corporate neighbor.

NOT LOCAL

I wanted to point out that a large percentage of the restaurant's customers are drive through patrons, meaning they do not reside in the area. The franchise owner reports that 65% of his customers are drive-through. This is quantitative evidence the restaurant is not serving the local community in which it resides. The franchise owner, Mr. Ed Smith, lives in Fairfield. A quick informal poll of his employees suggest many/most do not live in Oakland. The food suppliers for this restaurant are not Oakland businesses. The property owner is McDonalds corporation in Illinois.

So, bottom line, this is NOT a local business in any respect... but the local neighborhood is being asked to withstand chronic (and growing) negative impacts directly associated with this business' operations.

NOT LAWFUL

As you may know, the holding company which owns the franchise at 6623 San Pablo Avenue is the target of a 2014 class action lawsuit by 100's of McDonalds employees who claim their wages and benefits have been illegally withheld by their employer.

See Ochoa et al vs. McDonalds Corp/Edward Smith and Valerie Smith Family Limited Partnership, Superior Court of California, Alameda County RG14717102 ([http://www.altshulerberzon.com/docs/support_files/Complaint%20\(Ochoa\).3.12.14.pdf](http://www.altshulerberzon.com/docs/support_files/Complaint%20(Ochoa).3.12.14.pdf))

I'm not a legal expert but this is a troubling signal that this restaurant is not bringing honest 'employment' to the community.

NOT FAIR

Further, the franchise owner is a regular, generous contributor to the McDonalds California Operators PAC which has aggressively lobbied against efforts to raise the minimum wage in California.

<http://www.electiontrack.com/lookup.php?committee=1025377>

Most economists and the US Department of Labor agree that increased minimum wage will boost personal wealth for bottom-tier workers, reduce poverty, reduce social safety net spending by government, and will ultimately benefit the long term interests of employers.

<http://www.dol.gov/minwage/mythbuster.htm>

Mr. Smith's opposition to the minimum wage is a clear signal despite platitudes to the opposite effect - that his personal gain interests are not in alignment with the values, people, or upward trajectory of this community.

NOT LOVIN IT

Yelpers can be a harsh bunch, but this restaurant has earned a particularly bad reputation with its guests. A quick scan of Yelp reviews at this McDonalds show chronic problems with prostitutes, drugs, crime on premise, filth, harassment, and worse. I am pasting some screenshots into this mail below so you can see what people from all over the Bay Area have to say about this McDonalds restaurant.

SUPPORT THOSE WHO LIVE AND WORK IN OAKLAND, NOT OUT OF TOWN INTERESTS

Frankly, I think Oakland can do better than a low-wage, low-cost, low health fast food joint. But, if we must live with it, please

- impose strict limits on this McDonald's expansion plan;
- do not let them operate 24 hours. Ever.
require an aggressive, frequent, and enforceable trash cleanup program for 1 block in each direction from the perimeter of the property;
- insist on full-time security personnel on site to manage problem guests;
- insist on good security lighting and blanket video surveillance which can be promptly shared with law enforcement.

Thank you

Michael Hamilton
1079 61st Street

SENT BY

Michael Hamilton
michael@masalamedia.net
Street Address: 1079 61st Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Susan Cohn <cohnccounsel@gmail.com>
Sent: Tuesday, February 10, 2015 2:57 PM
To: Valeska, David
Subject: Please Stop McDonald's Expansion Plans

Dear Mr. David Valeska and Members of the Planning Commission:

I love living at Baker Street, between 61st and 62nd Streets. This is a wonderful neighborhood with many joys and many difficulties. McDonalds is NOT an asset to our neighborhood, and should not be allowed to expand in any way.

Please refuse 24-hour operation of the drive-through window sales.

McDonalds wants 24/7 operation of the Drive-Through. They currently operate all night on Friday, Saturday, and Sunday. Late night operations at convenience stores, gas stations, and fast food restaurants are well known to attract and foster criminal behavior in the vicinity.

Please do not allow any addition to dining room hours

The restaurant lobby is currently open 6:00AM to 9:30PM. The existing Staff Report allows for 24/7 operation of the interior dining room. This would be an additional attraction and support of criminal behavior in our neighborhood.

Please detail and implement an easily enforceable litter collection plan covering at least one block beyond the perimeter of the property in each direction. This plan should include an enforcement provision to make it clear to McDonalds that they will be assessed a set dollar amount penalty for violation of this litter collection plan. Our neighbors have documented chronic failures at the restaurant to honor previous commitments to trash collection. Even living blocks away from the McDonalds we have to clean up its trash on a weekly basis, or more often.

We have great fear that an expanded McDonalds will increase traffic in our already congested residential neighborhood. This is not acceptable, or wise and will significantly reduce the quality of life and safety in our neighborhood.

I take this opportunity to thank you for your hard work and service on behalf of the residents of our wonderful Oakland.

Thank you,
Susan Cohn

6129 Baker Street

Valeska, David

From: Michael McCrystal <michael@spaggia.org>
Sent: Tuesday, February 10, 2015 2:49 PM
To: Valeska, David; Pattillo, Chris; Moore, Jim; jahazielbonillaoaklandpc@gmail.com; Coleman, Michael; jmyres.oakplanningcommission@gmail.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com; Kalb, Dan; Bolotina, Olga
Cc: Michael Hamilton
Subject: Additional serious problems with McDonalds on San Pablo Avenue (6623 San Pablo Ave)

February 10, 2015
Michael Hamilton
1079 61st Street
Oakland, California 94608

Mr. David Valeska
Oakland Department of Planning
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
cc: Oakland Planning Commission, City Councilman Dan Kalb

Dear Planning Department and Commissioners:

I know you are hearing from a lot from neighbors about problems of prostitution, crime, drug use, trash, and other problems directly associated with the McDonalds at 6623 San Pablo Avenue.

I have four specific points to add about this corporate neighbor.

NOT LOCAL

I wanted to point out that a large percentage of the restaurant's customers are drive through patrons, meaning they do not reside in the area. The franchise owner reports that 65% of his customers are drive-through. This is quantitative evidence the restaurant is not serving the local community in which it resides. The franchise owner, Mr. Ed Smith, lives in Fairfield. A quick informal poll of his employees suggest many/most do not live in Oakland. The food suppliers for this restaurant are not Oakland businesses. The property owner is McDonalds corporation in Illinois.

So, bottom line, this is NOT a local business in any respect... but the local neighborhood is being asked to withstand chronic (and growing) negative impacts directly associated with this business' operations.

NOT LAWFUL

As you may know, the holding company which owns the franchise at 6623 San Pablo Avenue is the target of a 2014 class action lawsuit by 100's of McDonalds employees who claim their wages and benefits have been illegally withheld by their employer.

See *Ochoa et al vs. McDonalds Corp/Edward Smith and Valerie Smith Family Limited Partnership*, Superior Court of California, Alameda County RG14717102

([http://www.altshulerberzon.com/docs/support_files/Complaint%20\(Ochoa\).3.12.14.pdf](http://www.altshulerberzon.com/docs/support_files/Complaint%20(Ochoa).3.12.14.pdf))

I'm not a legal expert but this is a troubling signal that this restaurant is not bringing honest 'employment' to the community.

NOT FAIR

Further, the franchise owner is a regular, generous contributor to the McDonalds California Operators PAC which has aggressively lobbied against efforts to raise the minimum wage in California. Most economists and the US Department of Labor agree that increased minimum wage will boost personal wealth for bottom-tier workers, reduce poverty, reduce social safety net spending by government, and will ultimately benefit the long term interests of employers. Mr. Smith's opposition to the minimum wage is a clear signal - despite platitudes to the opposite effect - that his personal gain interests are not in alignment with the values, people, or upward trajectory of this community.

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SUPPORT THOSE WHO LIVE AND WORK IN OAKLAND, NOT OUT OF TOWNERS

Frankly, I think Oakland can do better than a low-wage, low-cost, low health fast food joint. But, if we must live with it, please

- impose strict limits on this McDonald's expansion plan:
- do not let them operate 24 hours. Ever.
- require aggressive, frequent, and enforceable trash cleanup for 1 block in each direction from the perimeter of the property,
- insist on full-time security personnel on site to manage problem guests,
- insist on good security lighting and blanket video surveillance which can be promptly shared with law enforcement.

Thank you

Michael Hamilton
1079 61st Street
Oakland homeowner and business owner

Valeska, David

From: Ericka Doolittle <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 2:37 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concerns about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

My concerns are manifold:

- increased litter from extended sales hours
- increased loitering during the wee hours
- potential to become magnate for unsavory late night activities

Sincerely,
Ericka Doolittle

SENT BY

Ericka Doolittle
esdoolittle@gmail.com
Street Address: 1158 Ocean Avenue
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Michael Anderson <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 2:01 PM
To: Valeska, David
Subject: My concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear Planning Officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I believe the proposed development will have a severe and negative impact on the surrounding neighborhood, in which I live. These impacts will include increased trash, crime, and traffic.

I therefore oppose this development project, and I ask you to oppose it as well.

Thank you,
Michael Anderson

SENT BY

Michael Anderson
mikeand1@comcast.net
Street Address: 1095 60th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Sean Sullivan <sean@hscinc.net>
Sent: Tuesday, February 10, 2015 1:49 PM
To: Valeska, David
Subject: Public Safety Letters re. PLN 14-1359
Attachments: NCPC 10X McDonalds letter.pdf; SPAGGIA Public Safety McDonalds Letter.pdf; Hastings Hart Letter re McDonalds.pdf

David - Please see the attached letters re. 6623 San Pablo Ave (PLN14-1359). There are three letters attached: One from the Beat 10X Neighborhood Crime Prevention Council, one from the San Pablo Area Golden Gate Improvement Association (SPAGGIA) Public Safety Committee and one from Hastings Hart, the chair of the Beat 10Y Neighborhood Crime Prevention Council.

Thanks,

Sean Sullivan

SPAGGIA Public Safety Committee

6623 San Pablo Ave (PLN 14-1359)
Neighborhood Crime Prevention Council

6623 San Pablo Ave (PLN 14-1359)
Neighborhood Crime Prevention Council

Beat 10X Neighborhood Crime Prevention Council
Larry Benson, Chairperson
larryb1@yahoo.com

February 10, 2015

Dear Mr. Valeska:

I am writing on behalf the Beat 10X Neighborhood Crime Prevention Council (NCPC) regarding the application to rebuild the McDonalds at 6623 San Pablo Avenue. The Beat 10X NCPC opposes the request by McDonalds to expand the operating hours of the drive-through (we also oppose expanding the lobby's operating hours for the same reasons outlined below, but our understanding is that the applicant is withdrawing their request to expand the lobby hours).

The Beat 10X NCPC meets monthly and allows residents to come forward with concerns about public safety issues. I have been the Chair of the Beat 10X NCPC for more than 8 years. It is rare for an NCPC meeting to occur in Beat 10X without complaints from residents about prostitution along the San Pablo Avenue corridor in North Oakland. With expanded hours of the McDonalds, prostitutes and pimps will be given access to a steady stream of new potential customers, and johns will be given a good excuse for being in the neighborhood if they are pulled over by the police.

Late night robberies are also common in Beat 10X. Adding a new stream of potential late-night robbery victims would erode the great strides we have made in making Beat 10X safer, and it would add to the workload of our already over-worked police department.

While there are areas in this city where a car-oriented, 24-hour, 7-day-per-week McDonalds might be appropriate, this site is directly across the street from the Artisan Walk condo community, which has more than 100 units of housing. The surrounding blocks of 66th, 67th and 65th streets each have hundreds of housing units within very close proximity to the McDonalds. These residents would be directly impacted by not only the magnet McDonalds could become for prostitution, but also by the increased traffic, noise and pollution that the expanded drive-through would bring to their neighborhood.

I also want to express my regret that the applicant did not reach out to the Beat 10X NCPC at any point during this process. Had they done so, we would have expressed these concerns in-person and asked them to modify the operating hours before they submitted the application. While we welcome a spruced up McDonalds at 6623 San Pablo Avenue, the community's safety and well-being should not be harmed by the project. The only way to do this is to ensure that the restaurant does not expand it's drive-through operating hours.

Sincerely,
Larry Benson
Chair, NCPC-10X

San Pablo Avenue Golden Gate Association
Public Safety Committee

February 10, 2015

Dear Mr. Valeska and members of the Planning Commission:

The San Pablo Avenue Golden Gate Association (SPAGGIA) Public Safety Committee has serious concerns about the implications of the proposed changes to the operating hours of the McDonald's restaurant at 6623 San Pablo Avenue (Case file PLN14-359). As it is currently formulated, the Committee is opposed to the application. Had the applicant approached the Committee before the application was finalized, we would have worked with them to make adjustments and add conditions to ensure that the project would not adversely affect public safety. But, since the applicant did not reach out to local stakeholders until the last minute, we must request that the application be delayed pending further input and analysis.

We respectfully ask the city to consider the following changes to the proposal:

1. Deny 24-hour dining room operations.

Under the current proposal, the store would be allowed to operate the indoor dining room 24 hours per day. Twenty-four hour operations would make this store a target for robberies. According to the U.S. Department of Justice, the biggest risk factor for robbery at retail stores is late-night or 24-hour operations.¹ It would also provide another place for prostitution to flourish on San Pablo Avenue. The U.S. Department of Justice notes that street prostitution tends to happen near businesses like coffee shops and bars where women can take a break.² The McDonald's is a visible landmark with easy access to the freeway, making it easy to access for prospective johns and easy to flee for robbers.

2. Deny all 24-hour drive-thru operations. Allow drive-thru operations from 5 AM – 10 PM, seven days per week.

The store currently operates its drive-thru 24 hours per day on Friday, Saturday, and Sunday. However, these operations are grand-fathered as of right now, and they must seek a conditional use

¹ <http://ric-zai-inc.com/Publications/cops-p124-pub.pdf>

² <http://ric-zai-inc.com/Publications/cops-p011-pub.pdf>

permit for any 24-hour operations. Although 24-hour dining room operations is the biggest risk for increased robberies, we are concerned that any 24-hour operations will make this business a target for robberies. At a recent community meeting, the owner stated that approximately 25% of drive-thru customers eat in their cars on the McDonald's property. These in-car diners become easy targets for robbers, particularly late at night when few people are around.

3. Require the property owner to install security cameras that cover the entire parking lot, as well as the adjacent sidewalks on San Pablo Avenue, 66th, and 67th Streets.

Security cameras can provide critical information for police in solving crimes. They may also serve as a deterrent for criminals. At the recent community meeting, the owner stated that he would be willing to comply with this request.

4. Require the property owner to bring a revised plan to the community before seeking approval from the planning commission.

The community has many concerns with the planned project, and we want to make sure that promised changes are actually made. For this submission, we pulled together relevant data as quickly as we could, but since the applicant did not reach out to the community until after the first hearing was scheduled, we could use more time to buttress the analysis and work with the applicant on good solutions.

These recommendations are made based upon a track record of crime associated with late-night dining establishments in Oakland, including specific evidence of violent crime associated with late night dining establishments in and near the Golden Gate neighborhood.

Nearby Late Night Dining Establishments are Magnets for Violent Crime

The list below shows violent crime incidents at late night dining establishments within a two-mile radius of the applicant. Adding more magnets for violent crime by allowing McDonald's to operate 24-hours is counter-productive. This list is surely not complete, but represents the information the Committee could gather in the short time afforded by the

applicant's failure to reach out to local stakeholders.

Date	Name	Address	Incident
11/23/91	Jack in the Box	4425 Telegraph Ave, Oakland	Two men shot and killed one person and wounded another during a robbery
11/20/2004	Denny's	1776 Powell Street, Emeryville	One person shot and killed in the parking lot
July, 2008	Denny's	1776 Powell Street, Emeryville	A woman was robbed and carjacked in the parking lot
12/13/2005	Denny's	1776 Powell Street, Emeryville	A fight among customers led to one being shot in the leg
2/23/2014	McDonald's	4514 Telegraph Ave, Oakland	A fight among customers led to one being shot

Data Shows Crime Associated with the San Pablo McDonald's

At the recent community meeting, the property owner claims that he has only had "two or three" robberies at his store in the twelve years he has owned the store. However, this claim does not comport with the neighbors' experiences. One community member who attended the meeting with the applicant on 5 said that she recently was at the restaurant when a man walked in and grabbed another patron's purse. The applicant stated that he was unaware of this recent crime, which raises serious concerns about the applicant's concern for the local community and the safety of his customers.

Neighbors of the store also report seeing prostitutes hanging around the store regularly. A survey of Yelp reviews about this McDonald's found that 15% of the reviews mention prostitution (relevant excerpts below):

Oh added bonus: They have hookers to entertain you while waiting in drive thru...it helps with the long wait...

Worst McDonald's I've been to in the world. Shady location (actual hooker sighted on the streets at night), poor service, poorly trained employees . . .

Drive thru available from 5am to midnight. Hookers available 24/7.

I stroll into my friendly hooker and crack-head ridden San Pablo Ave Mickey Dee's

like I do most mornings, but this time I was gonna use my shiny new Arch Card.

Apparently some guy decided to pick up a hooker AND have himself a milkshake on the side.

Neighborhood has Negative History with All-Night Restaurants

While some neighborhoods are more suited for 24-hour operation of restaurants, the area around this McDonald's is prone to late-night crime. In recent years, the neighborhood teamed up with the city to force a burger stand at 54th and San Pablo to curtail their overnight hours because of rampant crime.

John Amador, a neighbor of the Quarter Pound Burger Express (previously known as the Quarter Pound Giant Burger) at 54th and San Pablo provides this history of the problems of late night restaurants operating in the Golden Gate neighborhood (this narrative has been sent to the Planning Commission by John Amador, but we think it's worth quoting it verbatim to impress upon the Commission how problematic 24 hour businesses can be in the Golden Gate neighborhood):

As someone who has lived behind the 1/4 pound giant burger on 54th and san Pablo for many years, I can offer my own experience with something similar. For many years it was open 24 hrs a day. It also was somewhat of a late night destination. Seemed like people would show up often after bars or clubs would close for some place else to go. Aside from the loud cars and music, there were often arguments, fights, and at least 2 murders in the parking lot as I recall. There was also prostitution, and it wasn't uncommon to find condoms in my neighbors driveway space between their car and house, as we are just around the corner. My understanding is that the ongoing nuisance resulted in a lawsuit, and the police were involved to get reimbursement for all the expense they incurred on a regular basis due to the late night activity. The resulting settlement required changing their hours to close at midnight. The change was like night and day. While there are still incidents from time to time, (especially between 9 and midnight), the improvement is really noticeable. I'm sure one of the arguments for this project is that it will create jobs, and increase revenue. One of my sarcastic friends suggested that it would also create more employment for the police. Can Oakland afford this? While I don't remember the exact amount, I seem to remember that the police may have been asking for something like \$94,000 for their part of the complaint. Seems to me like any extension of hours in the case of 66th and san pablo could be a real step backwards for the area. I want to urge you to instead further limit the hours at McDonald's to close at 9:00 pm EVERY night. While this project may be a little different then the 1/4 pound giant burger, it is also has quite a bit of similarities. My own personal experience in this matter makes me very leery.

Because of the factors detailed above, the SPAGGIA Public Safety Committee is worried that the great strides in crime reduction that have

been made in the Golden Gate neighborhood in recent years will be set back or slowed down by the increased operation of 24-hour restaurants. The growing residential population, entrenched pockets of crime and overburdened police department point towards the need for businesses to operate responsibly by shutting down at a reasonable hour.

Sincerely,

San Pablo Golden Gate Improvement Association (SPAGGIA) Public
Safety Committee

Christine Fry
Kirstyn Russell
Sean Sullivan

Hastings Hart
4027 Market Street
Oakland, CA 94608
beat10yncpc@yahoo.com

February 9, 2015

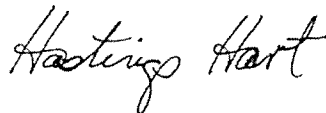
Oakland Planning Commission:

I am writing to express my concerns about the project at the McDonald's at 6623 San Pablo Avenue and its impact on public safety. I am the chair of the Neighborhood Crime Prevention Council for Beat 10Y, which is adjacent to the beat that contains McDonald's, and I work closely with many residents of that neighborhood on public safety issues. As you may be aware, that neighborhood has seen a significant pattern of armed robberies, carjackings, drug dealing, and prostitution.

I urge you to take every measure to ensure that McDonald's does everything it can to remove opportunities for criminal activity. Perhaps such measures could include limiting the drive-through hours, adequate lighting, landscape design according to CPTED principles, constant litter removal, elimination of blind spots for employees at the window, prominent security cameras, proper screening of employees, bullet-resistant glazing on windows, and robbery response training.

I understand the needs of businesses to prosper, and Oakland certainly needs more economic development. I understand that the owner and developer have made some promises to the community and encourage you to create mechanisms by which all promises can be enforced.

Sincerely yours,



Hastings Hart
Chair, Beat 10Y Neighborhood Crime Prevention Council
Board Member, Safety and Neighborhood Watch Committee Chair, Longfellow Community Assn.
Graduate, 34th Oakland Citizens Police Academy (2013)
Graduate, 8th Oakland Citizens Academy (2014)

Valeska, David

From: George Kaplan <gkaplan@umich.edu>
Sent: Monday, February 09, 2015 10:24 AM
To: Mark McClure
Cc: Valeska, David; Tom.Clark@us.mcd.com; George Kaplan; Laura Ingram
Subject: Re: Follow up to the Thursday 2/5 neighborhood meeting

Thanks Mark.

Of course the 7-day 24-hour drive-through remains an issue, as does the lack of litter cleanup as previously promised.

George.

On Mon, Feb 9, 2015 at 10:17 AM, Mark McClure <mmcclure@californiagroup.com> wrote:

Good morning David,

Mr Smith agreed to three concessions/terms at the neighborhood meeting we held last Thursday night:

1. The proposed dining room hours will remain 6:00 AM to 9:30 PM, 7 days a week as they are now.
(not the 24/7 proposed in the staff report)
2. In addition to the internal security cameras, (at the request of the neighbors) Mr Smith will install several external cameras facing San Pablo and 66th to record potential criminal activity and share the information with OPD.
3. Mr Smith will work with City Staff and the neighbors to source several new concrete trash receptacles (similar to the ones in Temescal) to be located in strategic locations to help mitigate the trash issues.

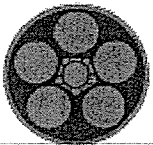
Please amend the Condition of Approval in the Staff Report to reflect these new terms as appropriate.

More correspondence to follow.

Best regards,

Mark

Mark McClure, Partner
mmcclure@californiagroup.com



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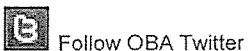
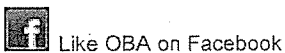
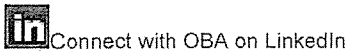
CALIFORNIA CAPITAL & INVESTMENT GROUP
The Rotunda Building
300 Frank Ogawa Plaza, Suite 340 | Oakland, CA 94612
Office [510.268.8500](tel:510.268.8500) | Direct [510.463.6338](tel:510.463.6338) | Mobile [510-719-8388](tel:510-719-8388) | Facsimile [510.225.3954](tel:510.225.3954)

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George A. Kaplan, Ph.D.
Thomas Francis Collegiate Professor Emeritus of Public Health
Network on Inequality, Complexity & Health (Chair)
<http://sitemaker.umich.edu/nich/>
University of Michigan
(510) 333-1682
(510) 923-9351 FAX
gkaplan@umich.edu

see my photographic explorations at georgekaplanimages.com

Valeska, David

From: Mark McClure <mmcclure@californiagroup.com>
Sent: Monday, February 09, 2015 10:18 AM
To: Valeska, David; Tom.Clark@us.mcd.com
Cc: George Kaplan; Laura Ingram
Subject: Follow up to the Thursday 2/5 neighborhood meeting

Good morning David,

Mr Smith agreed to three concessions/terms at the neighborhood meeting we held last Thursday night:

1. The proposed dining room hours will remain 6:00 AM to 9:30 PM, 7 days a week as they are now. (not the 24/7 proposed in the staff report)
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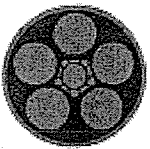
Please amend the Condition of Approval in the Staff Report to reflect these new terms as appropriate.

More correspondence to follow.

Best regards,

Mark

Mark McClure, Partner
mmcclure@californiagroup.com



CALIFORNIA
CAPITAL & INVESTMENT
GROUP

CALIFORNIA CAPITAL & INVESTMENT GROUP
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Valeska, David

From: Lisa Orube <noreply@jotform.com>
Sent: Monday, February 09, 2015 9:20 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

By way of introduction, my name is Lisa Orube and I live at Artisan Walk (the condo development on the corner of 66th Street and San Pablo Ave in Oakland).

As you may know, on February 5th a group of about 45+ neighbors met with Mr. Smith, the owner of McDonalds and his team. Today, I am writing to highlight my main concerns:

1. The staff report alleges that the McDonalds project will have "too small a net traffic change to require a traffic study". No evidence was presented to support this point. Given that Mr. Smith said that 65% of his business comes from drive-thru, it would make sense that making his restaurant bigger and increasing the business 24 hours, 7 days a week, will in turn attract more cars, traffic, and garbage. I urge you to request a traffic study.
2. McDonalds is not picking up their trash. We have urged Mr. Smith to have his employees pick up the trash at a minimum 4 times a day (San Pablo to 65th Street and 66th Street to Vallejo). Despite his claims that he is sending an employee to pick up trash every 15 minutes, evidence contradicts his statement. Our neighborhood is riddled with McDonald's garbage. Please go to mclitter.strikingly.com to get a sense of the problem.
3. Our Neighborhood is a residential area. The staff report mischaracterized our neighborhood -- this area is now filled with condos, families, and children. We are working very hard to change this neighborhood to an area where people walk to the nearby businesses and to the parks. Accordingly, a bigger effort and campaign should have been carried out to ensure that all residents would have been notified about this project to reach mutually agreed upon solutions.

In short, I cannot see how expanding business hours to 24 hours, 7 days a week in a residential community is going to help our community. Our neighborhood continues to be plagued with prostitutes, Johns, and crime. A 24 hour drive-thru will only serve as a hang out or meeting place for these individuals. I disagree with Mr. Smith's statement that a 24-hour drive-thru will attract police to eat there and in turn make our neighborhood safe.

Finally, as an active board member of the Arisan Walk HOA and an active member of my community, I urge disapprove this proposal until all of the concerns from the neighborhood have been resolved.

Respectfully submitted,

Lisa Orube

SENT BY

Lisa Orube

lisaorube@yahoo.com

Street Address: 6525 San Pablo Avenue

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: George Kaplan <gkaplan@umich.edu>
Sent: Monday, February 09, 2015 10:24 AM
To: Mark McClure
Cc: Valeska, David; Tom.Clark@us.mcd.com; George Kaplan; Laura Ingram
Subject: Re: Follow up to the Thursday 2/5 neighborhood meeting

Thanks Mark.

Of course the 7-day 24-hour drive-through remains an issue, as does the lack of litter cleanup as previously promised.

George.

On Mon, Feb 9, 2015 at 10:17 AM, Mark McClure <mmcclure@californiagroup.com> wrote:

Good morning David,

Mr Smith agreed to three concessions/terms at the neighborhood meeting we held last Thursday night:

1. The proposed dining room hours will remain 6:00 AM to 9:30 PM, 7 days a week as they are now.
(not the 24/7 proposed in the staff report)
2. In addition to the internal security cameras, (at the request of the neighbors) Mr Smith will install several external cameras facing San Pablo and 66th to record potential criminal activity and share the information with OPD.
3. Mr Smith will work with City Staff and the neighbors to source several new concrete trash receptacles (similar to the ones in Temescal) to be located in strategic locations to help mitigate the trash issues.

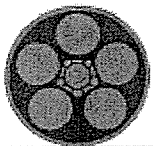
Please amend the Condition of Approval in the Staff Report to reflect these new terms as appropriate.

More correspondence to follow.

Best regards,

Mark

Mark McClure, Partner
mmcclure@californiagroup.com



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GROUP

CALIFORNIA CAPITAL & INVESTMENT GROUP

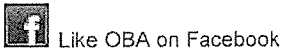
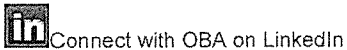
The Rotunda Building
300 Frank Ogawa Plaza, Suite 340 | Oakland, CA 94612
Office [510.268.8500](tel:510.268.8500) | Direct [510.463.6338](tel:510.463.6338) | Mobile [510-719-8388](tel:510-719-8388) | Facsimile [510.225.3954](tel:510.225.3954)

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--
George A. Kaplan, Ph.D.
Thomas Francis Collegiate Professor Emeritus of Public Health
Network on Inequality, Complexity & Health (Chair)
<http://sitemaker.umich.edu/nich/>
University of Michigan
(510) 333-1682
(510) 923-9351 FAX
gkaplan@umich.edu

see my photographic explorations at georgekaplanimages.com

Valeska, David

From: Mark McClure <mmcclure@californiagroup.com>
Sent: Monday, February 09, 2015 10:18 AM
To: Valeska, David; Tom.Clark@us.mcd.com
Cc: George Kaplan; Laura Ingram
Subject: Follow up to the Thursday 2/5 neighborhood meeting

Good morning David,

Mr Smith agreed to three concessions/terms at the neighborhood meeting we held last Thursday night:

1. The proposed dining room hours will remain 6:00 AM to 9:30 PM, 7 days a week as they are now. (not the 24/7 proposed in the staff report)
2. In addition to the internal security cameras, (at the request of the neighbors) Mr Smith will install several external cameras facing San Pablo and 66th to record potential criminal activity and share the information with OPD.
3. Mr Smith will work with City Staff and the neighbors to source several new concrete trash receptacles (similar to the ones in Temescal) to be located in strategic locations to help mitigate the trash issues.

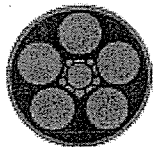
Please amend the Condition of Approval in the Staff Report to reflect these new terms as appropriate.

More correspondence to follow.

Best regards,

Mark

Mark McClure, Partner
mmcclure@californiagroup.com



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CALIFORNIA CAPITAL & INVESTMENT GROUP
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Office 510.268.8500 | Direct 510.463.6338 | Mobile 510-719-8388 | Facsimile 510.225.3954
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Valeska, David

From: Ingeborg Gerdes <noreply@jotform.com>
Sent: Monday, February 09, 2015 8:34 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I moved to my current residence in 2003. Since then my immediate neighborhood has developed quite a bit, mostly for the better with new condos, cafes, restaurant, art galleries. But also increased has the flow of traffic, both on 65th and 66th Street, mostly related to the Shellmound/Ashby freeway entrance.

An all night open McDonald would clearly further impact the traffic situation and otherwise impact a nice, family-oriented neighborhood.

I urge the Planning council to consider the proposal with utmost care. Thank you.

Sincerely,
Ingeborg Gerdes

SENT BY

Ingeborg Gerdes
ingeborggerdes@gmail.com

Street Address: 1200 65th Street #205

City: Emeryville

Postal / Zip Code: 94608

Also include the
freeway entrance

Valeska, David

From: Rebecca Billings <noreply@jotform.com>
Sent: Monday, February 09, 2015 7:41 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I have lived on this street for 8 years now and there has been a constant problem with McDonald's trash. I heard the business has people pick it up- and yet I have never seen one. I work from home and spend a lot of time on our street, and all I see is trash. I went out yesterday and found 3 different areas people had dumped McDonald's wrappers within ONE block- and one that supposedly is covered by their cleanup. I can only imagine how much worse the trash will become with expanded business hours!! I would really like to see a firm requirement for trash pickup from the business owner.

I'm also very concerned about the traffic implications. Traffic is already poor directly around McDonald's. The traffic coming to the store will greatly increase the number of people doing U-turns or difficult left turns at the intersection of 66th street and San Pablo. It is my understanding that the current business expansion does not include a report on how this will impact traffic. I believe a commission should definitely look into how traffic will be impacted, not only on 66th, but 65th, 67th and the surrounding streets that are parallel to San Pablo!

I understand that the business owner has an interest in expanding, and I do appreciate that the building needs to be updated. However, my concerns are directly related to needing them to be required to commit to trash pickup and also for there to be an investigation prior to building on the traffic impacts.

Sincerely,
~Rebecca Billings

RECEIVED
CITY OF OAKLAND
PLANNING DEPARTMENT
FEB 10 2015

SENT BY

Rebecca Billings
rerlin@gmail.com
Street Address: 1055 67th St, Oakland CA 94608
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Francisco Mariscal <fmariscal@sbcglobal.net>
Sent: Sunday, February 08, 2015 11:36 PM
To: Valeska, David
Cc: SPAGGIA@yahoogroups.com
Subject: McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Dear Mr. Valeska,

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I would like to express my opposition to this project as it is currently proposed. I also request that the Oakland Planning Department revise the Staff Report which recommends approval of this project. The Report has several errors and inaccuracies, in addition to contradictions with what the Developer presented to the neighbors at a meeting on February 5th. Moreover, I look forward to having the Developer and his Architect revise their design and operation plans to accommodate the valuable comments expressed by the neighbors at such a meeting, and host a follow up presentation in a few more weeks.

The Golden Gate neighborhood and San Pablo Avenue are changing to a more walkable and family friendly environment, with neighbor-friendly cafés and businesses attracting local dollars that otherwise would end up at the Emeryville and Berkeley businesses. This is causing a long-awaited neighborhood renaissance, increasing the property and business tax-base of this area. And this is happening despite the fact that McDonalds is still the epicenter of problems. I am for the rebuilding of this old McDonalds, but oppose this project in its current form for the following reasons:

SECURITY: This McDonalds is one of the remaining businesses with public safety issues on San Pablo Avenue including prostitution, vagrancy, drive-by gangs, and street littering. I am disappointed that the Police Dept's Crime Prevention did not send any comments during the Environmental Design review. Also this McDonald's has only the "option" for security guards, something that should be mandatory.

TRAFFIC AND NOISE: The new building will sit at the corner of 66th Street, with two-way (in and out) traffic driveways on both 66th and 67th streets. The closeness to the residential condominium buildings and the heavy traffic on San Pablo Avenue warrant a traffic study, which should include bicycle and pedestrian crossing on San Pablo. In addition, the loading area and loading operation is not well defined. Traffic noise and the noise at the ordering stations may also be a problem. A formal and periodic review of the operations for traffic and noise every 6 months shall be a mandatory condition of approval.

ODOR CONTROL: Stating that the facility will operate so that "little or no odors are discernible by the average person at the property lines" is a vague term. Odors and smoke tolerances should be defined by setting limits based on air quality standards.

LITTER CONTROL PLAN: The definition of "surrounding area" to be kept clean is also vague. But in Condition #30, that is defined as 300 feet from property. McDonalds litter is found spread far beyond this distance, with neighbors reporting Mc-litter as far as five or six blocks away. The report also needs to specifically include the median strip in the definition of areas to be cleaned.

HOURS OF OPERATION: Condition #34 says the commission may review the hours later, presumably upon receipt of some threshold number of complaints. The complaints have been presented by many neighbors even under the current hour limits. I oppose the 24 hour operations, given the problems with prostitution and other crime in the area.

Please send this project back to the drafting board and call for a second review period. This project must done with open ears to neighbors who are dedicated to enhance businesses and quality of life on San Pablo Avenue. Thank you.

Francisco Mariscal, P.E.
Civil Engineer
1020 62nd Street
Oakland, CA. 94608
(510) 652-5403

Sent from my iPad

Valeska, David

From: David Cohen and Tal Cohen <noreply@jotform.com>
Sent: Sunday, February 08, 2015 10:27 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

As two soon to be parents, we agree with all concerns that having the McDonald's open 24/hours a day for walk in will create more noise, more pollution and more potential for crime right in front of our doorstep. We want to add our names to the list of those against this proposal.

Best,
David and Tal Cohen

SENT BY

David Cohen and Tal Cohen
talanddavidc@gmail.com
Street Address: 1113 66th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Rebecca Haralabatos <noreply@jotform.com>
Sent: Sunday, February 08, 2015 8:10 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

In no way has McDonald's ever been proven to enhance anyone's quality of life other than via direct financial compensation as owners and at times employees. What has been proven instead is that children's health is poorly influenced & crime increases in the direct vicinity as does litter.

What neighborhood would want this? What neighborhood where so many are putting efforts towards positive, progressive, healthy change wouldn't want to be a stop to any extension of hours?

Please take the neighborhood, the community & our children into consideration along with the facts. thank you
-a homeowner 971 62nd Street

SENT BY

Rebecca Haralabatos
rebeccahara@hotmail.com
Street Address: 971 62nd Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Janette <jrozbroj@yahoo.com>
Sent: Sunday, February 08, 2015 6:41 PM
To: Valeska, David
Cc: SPAGGIA@yahoogroups.com SPAGGIA@yahoogroups.com
Subject: McDonald's proposed expansion at 66th & San Pablo

Hi Mr. Valeska,

I moved into my home at 66th & Herzog (1 block in from San Pablo) in 1998. While I am not necessarily opposed to improvements to the existing McDonald's structure at 66th & San Pablo Avenue, I have several concerns about the proposed increase in hours of operation and the size of the drive through. I am also an occasional McDonald's customer, by the way.

The existing facility is definitely in need of an upgrade. I went in to get a sandwich today, and noticed rainwater seeping through the acoustic tiles in the ceiling. The exterior is worn and dated, the access to the drive through needs to be repaved, and so I support retrofitting and/or rebuilding the restaurant. The restaurant also employs a fair number of local people, and some of them have been working there for many years. I definitely want to support their continued employment! Expanding the operation would add more jobs, of course, which is always a good thing.

Since I moved into this neighborhood, what was once a somewhat desolate and abandoned area west of San Pablo, now has a very high density of residential units. Automobile traffic on San Pablo has become congested during morning and evening rush hours. Local traffic often has to wait a fairly long time to make a left turn across San Pablo either east or west, and it has always been scary to cross as a pedestrian. The impact that a new and improved McDonald's restaurant would have on traffic should definitely be thoroughly studied. I was personally very grateful when the traffic light went in at 65th & San Pablo.

We used to have a lot more obvious crime taking place on San Pablo - mostly prostitution. McDonald's has always had significantly more loitering in front than any of the liquor stores in the area. Over the years, we have had new tenants move in on San Pablo - cafes, restaurants, art galleries, auto repair shops, and Sherwin Williams, that have added to the viability of our neighborhood. I would like to know how McDonald's plans to address security for patrons and neighbors with extended late night operations.

Lastly, the concerns about litter. McDonald's generates a lot of paper waste, and there is no real effort to reduce or reuse any of it. Whenever I get a sandwich, I tell them I don't want a paper bag, but otherwise, the employees are on auto-pilot, and even a small sandwich is placed in a paper bag, with extra napkins. There are no recycling or compost bins available to properly dispose of the waste, just garbage cans. I remember a few years ago, I would actually see McDonald's employees walking through the neighborhood to pick up trash. That didn't last very long, but I think the 300 foot rule is a good idea, in addition to perhaps some extra signage to encourage patrons not to litter the surrounding neighborhood. Also, why not encourage recycling, by adding recycling and food compost bins? I think that would be really great.

Thank you for listening.

Sincerely,

Janette Higuera

Valeska, David

From: Henry Tung <noreply@jotform.com>
Sent: Monday, February 09, 2015 10:42 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)
Categories: Red Category

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Extended hours and all-night drive-thru will exacerbate noise and litter issues along the 66th block and San Pablo Ave.

Currently on San Pablo Ave, the litter problem is already ridiculous, where we've seen first-hand people openly throwing trash into the street during the day. With increased hours and all-night service, this will only become worse.

We also believe an all night drive-thru will increase the amount of traffic and crime at night, in an area where there is already too much of both.

Thank you,
Henry Tung

SENT BY

Henry Tung
henrytung@gmail.com
Street Address: 1129 66th Street
City: Oakland
Postal / Zip Code: CA

Valeska, David

From: Ben Belknap <noreply@jotform.com>
Sent: Sunday, February 08, 2015 3:53 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

My main concern is the extended hours of both the store and the drive thru. Just a few blocks away there was another fast food restaurant that would attract the same clientele.

This is from a neighbor's account:

"As someone who has lived behind the 1/4 pound giant burger on 54th and san Pablo for many years, I can offer my own experience with something similar.

For many years it was open 24 hrs a day. It also was a late night destination. Seemed like people would show up often after bars or clubs would close. Aside from the loud cars and music, there were often arguments, fights, and at least 2 murders in the parking lot as I recall. My understanding is that the ongoing nuisance resulted in a lawsuit, and the police were involved to get reimbursement for all the expense they incurred on a regular basis due to the late night activity. The resulting settlement required changing their hours to close at midnight. The change was like night and day. While there are still incidents from time to time, (especially between 9 and midnight), the improvement is really noticeable. Seems to me like any extension of hours in the case of 65th and san pablo could be a real step back words for the area. While this may be a little different, my own personal experience makes me leary.

John, 53rd & SP"

Sounds like a disaster. Maybe in a nicer neighborhood this would be fine but as this gentleman's account makes clear it would only attract the wrong crowd. The only way I could see the issue abated would be to require the McDonalds to have a security guard on duty during the evening hours but my preference would be to require them to keep the same hours.

Thank you,

Ben Belknap

Herzog @ 65th st.

SENT BY

Ben Belknap

bentonight@yahoo.com

Street Address: 6431 Herzog St.

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: George Kaplan <georgekaplanimages@gmail.com>
Sent: Wednesday, January 21, 2015 9:21 AM
To: Valeska, David
Subject: Fwd: Tonight's hearing on Case File Number PLN141359

----- Forwarded message -----

From: **George Kaplan** <georgekaplanimages@gmail.com>
Date: Wed, Jan 21, 2015 at 9:18 AM
Subject: Tonight's hearing on Case File Number PLN141359
To: pattillo@pgadesign.com, jmoore.ocpc@gmail.com, jahazielbonillaoaklandpc@gmail.com,
Michael@mbcarch.com, jmyres.oakplanningcommission@gmail.com, nagrajplanning@gmail.com,
EW.Oakland@gmail.com

Dear Planning Commissioners:

My name is George Kaplan. My wife and I have lived at 1191 66th Street in Oakland for almost 10 years. I am also an elected member of the Home Owners Association of the Artisan Walk development which is across 66th Street from the MacDonald's restaurant being discussed.

I wrote to you in regard to Case File Number PLN141359 -- that requests a Major Conditional Use Permit and Design Review in order to rebuild the MacDonald's at 6623 San Pablo Avenue, AND to alter the operating hours to permit 24 hour indoor service.

Let me first say that although Google maps measures the distance from my house to the MacDonald's property to be approximately 280 feet, I was not notified of this matter. That appears to be in violation of the notification protocols which require notification within 300 feet.

While I am not opposed to the rebuilding of this facility I write to oppose approval for a number of reasons:

1) First the staff review inappropriately characterizes 66th Street as non-residential. That is incorrect. In fact, the 1-2 blocks on both sides of 66th South of San Pablo are largely residential.

2) Section 17.134.050 of the GPU Criteria states that the proposed developments "...will not adversely affect the **livability** or appropriate development of abutting properties and the surrounding neighborhood....; to harmful effect, if any, upon **desirable neighborhood character**....

There is every reason to believe that 24 hour operation of the indoor portion of this restaurant will indeed have such negative effects.

This reflects the ongoing problems with vagrancy, prostitution, pimping, and drug dealing observed in or neighborhood. My observation, supported by neighbors, is that the area around MacDonald's is often the central location for such activities. It seems highly likely that having an indoor facility open 24 hours a day will only heighten the opportunities for such activities to continue.

Furthermore, currently the site does not operate its drive-through facility 24 hours a day, and extending the hours will undoubtedly heighten nuisance and safety issues.

3) MacDonald's has not been a good neighbor -- we continue to find copious amounts of trash from MacDonald's on the streets. While the owner has indicated to our HOA on several occasions that they will police the area for trash, that has been done only rarely. It seems reasonable to predict that 24 operation of the drive-through and indoor facilities will further compound this problem and it is not addressed in the application.

Based on these objections and the failure to notify all local residents within 300 feet of the property lines, I urge you postpone the approval of this application until such objections can be addressed, or to approve it with the modification that the hours for indoor service not be extended to 24.

Sincerely,

George A. Kaplan

1191 66th Street

Oakland, CA 94608

(510) 333-1682

Valeska, David

From: david locicero <davidartisanwalk@gmail.com>
Sent: Wednesday, January 21, 2015 7:55 AM
To: Valeska, David
Subject: Comments Regarding MacDonald's Project @ San Pablo and 66th Street

Dear Mr. Valeska

These comments are regarding the proposed expansion of the MacDonald's at the corner of San Pablo and 66th Street, which is on the agenda for the Planning Commission meeting this evening.

I am a resident of the Artisan Walk condominium complex directly across the street from the proposed project. While I welcome an upgrade to the existing MacDonald's, I have concerns about details of the proposal.

My concerns are:

1. The design of the project's drive through window means that there will be a steady stream of headlights shining into our properties at all hours. There is no provision for blocking the light from headlights of cars in the drive through lane.
2. The proposal includes 24 hour operation. I strongly oppose this expansion of the hours of operation. The MacDonald's is already a haven and hangout for prostitutes, pimps, and drug dealers. Expanding the hours of operation will only exacerbate the existing problems.
3. The owner of the MacDonald's franchise does not respond to concerns from neighbors. The amount of litter generated by the restaurant that ends up on the surrounding streets is appalling.
4. The design fails to recognize that the building is visible from all 4 sides. The West Elevation is bland, blank and lacking in details. It is visible from approximately 25% of the condo's at Artisan Walk, and needs design attention.

I hope that these comments can be addressed before approval is granted.

Sincerely,

David Locicero
1137 66th Street
Oakland, CA 94608

Valeska, David

From: Matt Weber <mattweberman@gmail.com>
Sent: Monday, January 19, 2015 11:34 AM
To: Valeska, David
Subject: McDonalds Application Comments (6623 San Pablo)

Mr. Valeska,

Thanks for taking the time to show me the application materials for the 6623 San Pablo Avenue McDonalds proposed rebuild. As I mentioned, I live across the street (66th street) from the location. While I welcome improvements to the neighborhood, I have the following questions/concerns with the current application.

- 1) The proposed design utilizes much more stucco than the 4514 Telegraph Avenue McDonalds, which I understand was remodeled recently. I have concern for the durability of this material, especially within the first four feet above the ground.
- 2) The proposed west elevation (which will be the primary elevation that I will see from my front door & balcony) lacks architectural articulation or interest. This could be improved if the tile that is on the south elevation were "wrapped" (continued) around the corner until it reaches the first drive-through window and a tile wainscot was used beyond this window. Another option would be to surround the M logo several feet in each direction with tile (thereby creating an infilled tile frame or framed tile mosaic) and make the M logo out of tile. Additionally, an architectural element (i.e. a durable open metal mesh, etc.) between the two drive-through windows would also greatly improve this portion of the facade.
- 3) Also of great concern is the proposed change to a full 24-hour operation. A 24 hour drive-through should suffice for anyone who has a legitimate desire to purchase food. Many of my neighbors and myself are deeply worried that opening the inside of the restaurant to 24 hour service would attract a significant amount of crime / illegitimate business to the area, and thus should not be allowed.

I hope the application is able to address these meaningful and important concerns, as we will be looking at, living with, and eating at this building for decades to come.

Sincerely,
Matt Weber
510-390-5807

Valeska, David

From: lauren <cousincrimp@hotmail.com>
Sent: Friday, February 06, 2015 9:58 AM
To: Valeska, David
Subject: Golden Gate McDonald's

Dear Mr. Valeska,

I live on 59th and San Pablo and attended the community meeting last night regarding the changes to the McDonald's on 66th and San Pablo. It is my understanding that the intention is to enlarge the building, move it to the corner, closer to the street, and to have the drive-thru and parking behind. I am no fan of McDonald's. I wish that this property was being developed in a more high-density, pedestrian-focussed way. However, the current building is an eyesore. I believe the proposed changes and added landscaping will be a marked improvement. As a recent resident, I am very glad to see investment in the neighborhood.

REC'D CIVIL RIGHTS

Sincerely,

Lauren Barr

1095 59th St., Apt 1
Oakland, CA

REC'D CIVIL RIGHTS
FEB 10 2015
10:50 AM

Valeska, David

From: Rebecca <rbanksr2002@yahoo.com>
Sent: Wednesday, February 04, 2015 7:40 PM
To: Valeska, David
Subject: San Pablo Ave. MacDonalds

Hi Dave,

Well, this junk food place is very close to my house. I can hear the drive through ordering process most nights. I am totally opposed to them operating 24 hours as an inside place. It is already pretty menacing but if open all night it will draw all sorts of questionable people. I really don't want to draw them to this area. It's bad enough during the day when you have to cross a begging, leering, nut case (sorry to be so un-PC) gauntlet but I know that at night it will be much worse. No No No to what they want to do regarding hours. There is already enough trash from this place during the day, but at least at night people drive away and throw it elsewhere. If they're walking from the place they throw it within a block or so - AKA known as my block.

In terms of the architecture, it is new ugly vs. old ugly, big surprise. The place is a goldmine and the owner has several others. No late night hours, please.

Thanks,

Rebecca

Rebecca Rhine
Rhine Properties Inc.

I can hear the drive through
ordering process most nights. I
am totally opposed to them operating
24 hours as an inside place. It is
already pretty menacing but if open
all night it will draw all sorts of
questionable people. I really don't
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already pretty menacing but if open
all night it will draw all sorts of
questionable people. I really don't
want to draw them to this area.

Valeska, David

From: Orube, Lisa R. <LOrube@sflaw.com>
Sent: Wednesday, January 21, 2015 9:12 AM
To: Moore, Jim; 'jahazielbonillaoaklandpc@gmail.com'; Coleman, Michael; 'jmyres.oakplanningcommission@gmail.com'; 'nagraplanning@gmail.com'; 'ew.oakland@gmail.com'; Valeska, David
Subject: Opposition to McDonald's 24-hour Operation

Re: McDonald's at 66th Street and San Pablo Avenue in Oakland, CA

Dear Commissioners,

By way of introduction, my name is Lisa Orube and I oppose the 24-hour operation proposed by McDonald's Restaurant.

I, along with my husband and two toddlers live at Artisan Walk (the condo development across the street from McDonald's). We moved to the Golden Gate District a little over 8 years ago. During that time, we have witnessed the slow transformation of our neighborhood from an area riddled with prostitutes, pimps, drug dealing on the street, and shootings to a safer, cleaner, and more family oriented neighborhood. Unfortunately, we still see some prostitutes and drug deals happening on the streets. Please note that the transformation of our neighborhood is due to the hard work, dedication, and commitment by the residents of our neighborhood. We formed a Neighborhood Watch Program at Artisan Walk, work with the Oakland Police Department to fight crime, spend many Saturdays cleaning our streets.

On numerous occasions, we have contacted the owner of the McDonald's to address the McDonald's garbage problem on San Pablo and down 66th Street to no avail. We have asked him to send employees several times a day to pick up the garbage. He complies on and off and it has become an endless battle. We have also pointed out that prostitutes use McDonald's as a hideout spot or to meet the Johns. In addition, the parking lot is used to hang out. We have invited the owner to our HOA meetings to address these problems and he only attended 1 meeting years ago. We simply do not get any response from him.

For all of the reasons stated above, I oppose the 24-hour proposed operation by McDonalds. I strongly believe that nothing good can come out of having 24-hour operation in an area that we are working to transform into a family oriented neighborhood. I believe that a 24-hour operation will only serve to attract more prostitution, drug dealing, and possible shootings. In addition, it will attract more traffic and some customers hanging out in the parking lot and blasting their music late at night.

Please help us protect our neighbors and families by saying NO to the proposed 24-hour expansion. In addition, please help have the McDonald's owner (1) pick up the trash generated by his business and (2) work more closely with the residents and Oakland Police Department so that his restaurant is not a haven for prostitutes, johns, and other crimes.

Thank you in advance for your time and consideration.

Lisa Orube
6525 San Pablo Avenue
Oakland, CA 94608

Valeska, David

From: Flora Lai <flora.lee@gmail.com>
Sent: Monday, February 09, 2015 11:04 AM
To: Valeska, David
Cc: Ed Lai
Subject: Against McDonalds on San Pablo

Dear DAvid Valeska,

We live on 6523 San Pablo, just less than a block from McDonald's. We were not aware that McDonalds were going to become a 24 hour restaurant. Already we are daily picking up McDonalds trash from our doorstep. Also, I am afraid of the implications of having traffic on a 24 hour basis. Already, the other night on Saturday at 2am, we got a ding dong ditch at our place. Just imagine the number of people who will be doing the same after they get their McD fix and walk down past our place. We have 2 small kids and we want to keep our neighborhood safe and clean.

Flora and Ed Lai
6523 San Pablo Ave, Oakland CA

Valeska, David

From: Valerie Winemiller <vwinemiller@hotmail.com>
Sent: Monday, February 09, 2015 10:59 AM
To: Valeska, David
Subject: 6623 San Pablo Ave, McDonald's

Case File no. PLN14-359
6623 San Pablo Ave
McDonald's Restaurant rebuild

Dear Mr. Valeska and members of the Oakland Planning Commission,

I am familiar with the application for a rebuilt McDonald's restaurant at the above address, and have friends in this neighborhood whom I visit frequently, so I consider land use and public safety on San Pablo Avenue issues of personal concern.

Page 219 of the Zoning Codes, under C at the bottom of the page is a table of *minimum* building heights for commercial zones. It requires a Conditional Use Permit to build *less than* these heights. The intent was to encourage efficient use of the land, to encourage higher density on transit corridors, and allow the city to increase its housing stock while preserving the neighborhoods on the side streets. I'm having trouble accessing the interactive zoning map, but if the height limit of this property is 60 feet (it clearly is on some nearby lots), then there is a minimum height of new construction of 35 feet. Is this property subject to the minimum height? And does McDonald's need a Conditional Use Permit to build a lower building?

I also wish to refer the commission to my comments submitted by e-mail on January 21 regarding this application and the problems with OPD's records of calls for service. This is not an area that should have a 24 hour fast food operation, if we are to avoid the problems of exacerbating the prostitution and crime problems on San Pablo Ave and surrounding streets.

Thank you,

~Valerie Winemiller

121 Monte Vista Ave
Oakland CA

Valeska, David

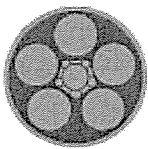
From: Valeska, David
Sent: Monday, February 09, 2015 11:18 AM
To: 'Mark McClure'
Subject: RE: Follow up to the Thursday 2/5 neighborhood meeting

Mark, are you going to get us a revised site plan and design details for an anti-carlight Wall or planter screen on 66th Street and any other design details in response to Neighbor concerns (e.g. more decoration of the north wall by drivethrough)? Seems like a win-win solution to respond to neighbors.

Dave Valeska, Planner II | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2214 | Oakland, CA 94612 | Phone: (510)238-2075 | Fax: (510) 238-4730 | Email: dvalueska@oaklandnet.com | Website: www.oaklandnet.com/planning

From: Mark McClure [<mailto:mmcclure@californiagroup.com>]
Sent: Monday, February 09, 2015 10:59 AM
To: Valeska, David
Subject: RE: Follow up to the Thursday 2/5 neighborhood meeting

Thanks David.



Mark McClure
Partner
CALIFORNIA CAPITAL & INVESTMENT GROUP
Office 510.463.6338
mmcclure@californiagroup.com

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From: Valeska, David [<mailto:DValeska@oaklandnet.com>]
Sent: Monday, February 09, 2015 10:41 AM
To: Mark McClure
Subject: RE: Follow up to the Thursday 2/5 neighborhood meeting

Thanks Mark, good work!

Dave Valeska, Planner II | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2214 | Oakland, CA 94612 | Phone: (510)238-2075 | Fax: (510) 238-4730 | Email: dvalueska@oaklandnet.com | Website: www.oaklandnet.com/planning

From: Mark McClure [<mailto:mmcclure@californiagroup.com>]
Sent: Monday, February 09, 2015 10:18 AM
To: Valeska, David; Tom.Clark@us.mcd.com
Cc: George Kaplan; Laura Ingram
Subject: Follow up to the Thursday 2/5 neighborhood meeting

Good morning David,

Mr Smith agreed to three concessions/terms at the neighborhood meeting we held last Thursday night:

1. The proposed dining room hours will remain 6:00 AM to 9:30 PM, 7 days a week as they are now. (not the 24/7 proposed in the staff report)
2. In addition to the internal security cameras, (at the request of the neighbors) Mr Smith will install several external cameras facing San Pablo and 66th to record potential criminal activity and share the information with OPD.
3. Mr Smith will work with City Staff and the neighbors to source several new concrete trash receptacles (similar to the ones in Temescal) to be located in strategic locations to help mitigate the trash issues.

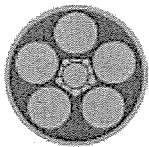
Please amend the Condition of Approval in the Staff Report to reflect these new terms as appropriate.

More correspondence to follow.

Best regards,

Mark

Mark McClure, Partner
mmcclure@californiagroup.com



CALIFORNIA
CAPITAL & INVESTMENT
GROUP

CALIFORNIA CAPITAL & INVESTMENT GROUP
The Rotunda Building
300 Frank Ogawa Plaza, Suite 340 | Oakland, CA 94612
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Valeska, David

From: Paul E Gallant <noreply@jotform.com>
Sent: Sunday, February 08, 2015 3:52 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am concerned that McDonald's present modification plan will make our neighborhood a worse place to live, not a better place. Pedestrian and car traffic around the present McDonald is bad and this will make it worse. McDonald's trash for 1 block in all directions of the store is bad, this plan will make it worse. Noise and crime around the present McDonald's is not good, this plan will make it worse. Please delay approval and ask McDonald's to meet with SPAGGIA and NextDoor community groups and come up with a better plan that will improve not degrade our up and coming neighborhood. Oakland has already spent a lot of time and money trying to make this area of Oakland a better place to live. Don't throw this work down the tubes. Let's take this as an opportunity to make Oakland a better place to live.

SENT BY

Paul E Gallant
paulegallant@hotmail.com
Street Address: 6501 San Pablo Avenue Unit 409
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Dale Zola <noreply@jotform.com>
Sent: Sunday, February 08, 2015 2:59 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

My husband and I have lived in the neighborhood for over thirty years. We are concerned about the proposed expansion of MacDonald's size and hours because of the certainty of an increase in litter and traffic, and the prospect of an all-night hang out place for our already too present crew of prostitutes, pimps, drug dealers, and other criminal types. Our request is to see, rather than an increase in 24-hour days, a decrease to normal restaurant hours. We would also like to see a traffic study because San Pablo has already become terribly slow moving. And the litter from MacDonald's is already beyond terrible, so we also request a marked increase in litter clean up on their part (it's woefully inadequate now.) Please be our advocates and protectors in these respects. There are an increasing number of folks living in the neighborhood, and this situation is being treated as though it's an industrial area devoid of humans. We are very human, we live here, and we care about our neighborhood. Again, please help us in this matter.

Respectfully,
Dale Zola

SENT BY

Dale Zola
dandalezola@gmail.com
Street Address: 1085 61st Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Janette Higuera <noreply@jotform.com>
Sent: Sunday, February 08, 2015 2:35 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I would like to see a study of the impact of expanding the hours of operation at McDonalds, on traffic, litter, and crime. On the positive side, I think it's great that there is a potential for more jobs. I am a patron of this McDonald's, and also a neighbor.

I used to see McDonald's employees walk around the neighborhood, picking up trash that is left behind by other patrons. Not anymore, and there is a good deal of garbage generated by this restaurant. In addition, we used to have a lot of crime (trespassing and prostitution) and some of the perpetrators used to loiter in front of this McDonald's. I am worried that a 24/7 operation will see the return of this element.

Lastly, the traffic on San Pablo has become a lot more congested since I moved here in 1998. A traffic study should be made, because people want to cross San Pablo on foot, bicycle, and car, to get to the McDonald's. Also, 67th Street, between San Pablo and Hollis, needs to be repaved.

Thank you for your consideration.

Janette Higuera

SENT BY

Janette Higuera
janette12@comcast.net
Street Address: 1068 66th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Ellen Perlman <noreply@jotform.com>
Sent: Sunday, February 08, 2015 1:49 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am concerned that enlarging the McDonalds and having that restaurant open 24 hours a day will have a negative effect on the surrounding neighborhoods.

Organized groups of neighbors work hard to improve our area and make it a safe and attractive place to live and work.

When i moved into the neighborhood at the beginning of 2002, there was rampant and overt drug dealing and prostitution, although it was much improved over its condition in the 1990s. There was gunfire every couple days. Cars playing exceedingly loud music sped through the neighborhood. Some people even began having sideshows in the intersection 1/2 block from my house. There was frequent dumping of large items. Cars were abandoned (including in front of my house).

Over the course of 13 years, things on my street had calmed down, while my neighbors remain an extremely diverse group of people. There continue to be quite a few break-ins, and in the last couple weeks gun violence has risen again.

I am certain that having a larger McDonalds open 24 hours will increase litter and noise in the neighborhood. People driving in and out already create some traffic hazards; with a larger venue and parking lot, i am worried that the traffic problems will increase, as more high-rises and condos are being built in these few blocks of San Pablo Ave.

Additionally i am uneasy that the expanded McDonalds will present a locale on the cusp of Oakland, Berkeley, and Emeryville for more inter-gang conflict.

I hope you will take into consideration the concerns of those of us who live here and contribute to the safety and well-being of the neighborhood and NOT allow this expansion.

Thank you.
Ellen Perlman

SENT BY

Ellen Perlman

lilinah@earthlink.net

Street Address: 1045 60th St

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: Alison Brown <noreply@jotform.com>
Sent: Sunday, February 08, 2015 1:12 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I've lived on 61st Street since 1998. On San Pablo between Ashby and Stanford and amazing array of interesting, small business are opening -- cafes, a yarn/sewing store, art galleries, small restaurants getting Bay-wide attention (Victory Burger). An all-night, drive-through fastfood restaurant doesn't fit the neighborhood that is developing here. Plus, the old and new homeowners in this neighborhood will not be the people going to McDonald's at 3:00 a.m., so it won't be providing a benefit to anyone who lives here.

Thank you.

-- Alison Brown

SENT BY

Alison Brown

alsam@sonic.net

Street Address: 995 61st Street

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: George Kaplan <noreply@jotform.com>
Sent: Sunday, February 08, 2015 12:46 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

My name is George Kaplan. My wife and I have resided at 1191 66th for approximately 9 years. I am an elected member of the Artisan Walk Home Owner's Association Board. According to Google Map, our front door is 280 feet from the nearest boundary of the MacDonald's property. (I note that we are within the 300 distance for notification of this project, and have never received any formal notification from the City or the applicant).

While I do not oppose construction of a modernized facility, I find that the staff report is in error and/or misleading in several areas, to be detailed below, and that there are sufficient areas not adequately touched on in the report to direct the Commission to reject the applicant's (MacDonald's Corporation) proposal.

Let me start with the observation that Section 17.134.050 of the GPU Criteria states that the proposed developments "...will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood....; to harmful effect, if any, upon desirable neighborhood character...."

I find that this project does not stand that test and that the staff report inappropriately, and in several cases with no evidence, minimizes such adverse effects.

The staff report errs in:

1) The staff report alleges that the project change will have "too small a net traffic change to require a traffic study." No basis for this conclusion is presented.

- In fact, 24 hour operation is likely to result in a significant increase in traffic. This is particularly true for the drive-through operation, based on information provided by the owner/operator of the restaurant. According to him (audio recording available on request), they currently serve 1100 customers/day, with 65% using the drive-through – or 715 cars each day using the drive-through. Currently the drive-through is operated for 24 hours only on Friday and Saturday, they propose to increase this potentially to seven days a week. For each additional day they operate the drive-through they will add 715 cars to the street – if they choose to operate seven days per week, they could add almost 3600 cars! Hardly "too small" to merit concern or a study.

- Furthermore, drive-through traffic will be largely directed onto 66th Street as that is the most direct way off the property. (A U-turn would be required to exit to 67th) In addition to the large amount of truck traffic on 66th Street which I have noted daily, the Fratellanza Club, adjacent to the property, often brings large amount of traffic with their events on multiple days of the week creating further congestion. Finally, those of us who live on 66th note that are frequent near collisions between cars turning on to 66th Street from San Pablo and cars exiting MacDonald's, many of which have drivers who seem to be attending more to their fries and shakes than to their driving.

• In addition, according to the proposal there will only be room for six cars in line (staff report, page 6), currently there is room for more than that and there are regularly many more than six lined up . Where will they go?

• It is hard to estimate how large an increase in traffic will be generated by the increased size and operating hours of the indoor facility, but clearly the owner/operator's business plan anticipates increase business.

2) Page 4 of the staff report also finds that the proposal "...to modernize and upgrade an existing facility" is "without a major net increase in size or impacts..." Again this is unsupported by the evidence and in error.

• A 30% increase in size, and approval for 24 hour operation of both indoor and outdoor operations hardly seems minor. As noted above, the traffic increase alone could be significant.

• But there are other impacts that will bear upon the livability and character of the neighborhood if this proposal is approved.

o The staff report indicates (page 5) that the requested change to 24 hour operation "...will have no effect on surrounding areas." Again no justification is provided for this conclusion, despite a large criminology and social science literature that indicates that increases in crime are to be expected with 24 hour operation of such facilities.

o In fact, within a mile of this location there were approximately 700 crimes reported during the last 12 months (an undercount because crimes in Emeryville did not show up in the database), and many reflected the problems of loitering, drug, dealing, drunkenness, sex trafficking, and nuisance behavior that our neighborhood has been struggling with for many years. We have made some headway in reducing, but that is likely to be threatened by 24 hour operation.

o Parenthetically, it is interesting that the staff report indicates that police response time is on the order of five minutes to this location. That is so far from the truth as to be laughable, as response times are often 30-60 minutes or much longer! As a personal example, a response to our burglar alarm going off once took on the order of six hours.

3) Another implication of the staff report is that issues of trash and litter are adequately addressed. That is simply not true and the experience of those of us who live nearby is that there is an inordinate amount of litter generated by this facility.

• The owner/operator claims that his employees clean up trash within a one block radius every 15 minutes. Informal discussion with employees and every day observation of the street near the restaurant indicate that this cannot possibly be true and that despite promise by management to local resident, no such activity is taking place.

• A graphic example of the litter footprint of MacDonald's on our neighborhood can be found at <http://mclitter.strikingly.com/>

• Given the current operation of this facility, there is no reason to believe that the expansion of hours of operation will not increase the problem of litter on our streets and that management will make good faith efforts to mitigate it.

4) The staff report mischaracterizes the neighborhood and little effort has been made to contact residents, local community organizations or home owner's organizations in the neighborhood.

- The portrayal of the neighborhood in the report does not recognize the substantial changes in the neighborhood over the last 10-15 years. While there has always been a substantial residential area on the east side of San Pablo, approximately 200-250 residences by Google street view, the west side of San Pablo has seen an explosion of apartments and condos – within a few block there are now over 400 residences, with new ones being constructed on 64th and at Ashby /San Pablo; the later reportedly having over 100 units.
- There are active community organizations such as SPAGGIA and organizations that represent particular developments (Artisan Walk, City Limits, GlasHaus, San Pablo Heights, Oliver Lofts, etc.). No attempts have been made to query or involve them in preparing the report, thus missing valuable community input.

Ours is an active and involved neighborhood, with many of us working to maintain its livability and vitality, and reduce some serious challenges related to crime and misbehavior.

The staff report that recommends approval of this proposal to expand both the size and operating hours of MacDonald's seriously misrepresents and underplays the potential problems associated with this project. Until these deficiencies are corrected, and community input take seriously, I urge you to disapprove this proposal for CUPs from the MacDonald's Corporation.

Sincerely,

George A. Kaplan, Ph.D.
1191 66th Street
Oakland, CA 94608
georgekaplanimages@gmail.com

)

SENT BY

George Kaplan
georgekaplanimages@gmail.com
Street Address: 1191 66th Street, Oakland, CA, United States
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Justin Wilcox <noreply@jotform.com>
Sent: Sunday, February 08, 2015 12:16 PM
To: Valeska, David
Subject: You see McLitter.com?

Dear City of Oakland planning official:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

This letter is specific to addressing our concerns about litter in the neighborhood. Our doorstep is often smeared with McDonalds trash including ketchup, burger wrappers, empty soda cups, and other items with the McDonald's logo. We live less half a block from the McDonalds.

At the recent community meeting, Mr. Smith, the owner of this franchise, stated that his employees are responsible for cleaning up within a one-block radius. We have not seen this to be the case. Please see evidence of the trash in our neighborhood at:

www.McLitter.com

These photos were gathered on short walk around the neighborhood in the evening, and while the trash extends for a least a mile around, the 1-block radius that Mr. Smith said his staff was responsible for is particularly dense with garbage.

If Mr. Smith and his employees cannot adhere to the current guidelines, we are extremely concerned about what will happen if they are allowed to expand in size and operating hours.

Our community is making great strides to make this neighborhood an incredible place to live, and we hope McDonalds will be a good neighbor and partner with us on this mission!

Sincerely,
Justin Wilcox

SENT BY

Justin Wilcox
justinwi@gmail.com
Street Address: 6533 San Pablo Ave
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Liz Angoff <noreply@jotform.com>
Sent: Sunday, February 08, 2015 12:14 PM
To: Valeska, David
Subject: McLitter.com: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

This letter is specific to addressing our concerns about litter in the neighborhood. Our doorstep is often smeared with McDonalds trash including ketchup, burger wrappers, empty soda cups, and other items with the McDonald's logo. We live less half a block from the McDonalds.

At the recent community meeting, Mr. Ed Smith, the owner of this franchise, stated that his employees are responsible for cleaning up within a one-block radius. We have not seen this to be the case. Please see evidence of the trash in our neighborhood at:

<http://mclitter.com>

These photos were gathered on a short walk around the neighborhood in the evening, and while the trash extends for a least a mile around, the 1-block radius that Mr. Smith said his staff was responsible for is particularly dense with garbage.

If Mr. Smith and his employees cannot adhere to the current guidelines, we are extremely concerned about what will happen if they are allowed to expand in size and operating hours.

Our community is making great strides to make this neighborhood an incredible place to live, and we hope McDonalds will be a good neighbor and partner with us on this mission!

Sincerely,

Liz Angoff

SENT BY

Liz Angoff
liz.angoff@gmail.com
Street Address: 6533 San Pablo Ave
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Robert <noreply@jotform.com>
Sent: Sunday, February 08, 2015 12:11 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

(In the interest of our community in promoting a safer, cleaner environment that discourages drug use and prostitution I urge you to deny the expansion permit to McDonalds as a larger, 24 hour franchise will undoubtedly contribute to making a bad situation worse.)

SENT BY

Robert
bfurstenberg@mac.com
Street Address: 1197 66th Street
Street Address Line 2: , CA 94608
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Gretchen Koehler <noreply@jotform.com>
Sent: Sunday, February 08, 2015 11:19 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

As a senior citizen who has lived in the Golden Gate District for 29 years I do NOT want McDonalds to be open 24/7. I can't understand why you are even considering it. It seems obvious that serious crime, litter, street traffic, purchase of unhealthy food and NOISE will increase. Who supports that? (other than McDonalds, of course.)

San Pablo Avenue has changed quite a bit since that McDonalds went in. It is becoming more and more residential...young families included.

I think this is healthy for Oakland, and a decision to extend the hours for McDonalds seems counterproductive for the growth and vitality of this neighborhood.

Please DO NOT allow an increase in the open hours of McDonalds. Indeed, cutting late night hours that currently exist would be desirable.

Thank you for your consideration.

Gretchen Koehler

SENT BY

Gretchen Koehler
gykoehler@gmail.com
Street Address: 5865 Marshall St. #8
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Mary Cecile Gee <noreply@jotform.com>
Sent: Sunday, February 08, 2015 11:10 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

As a resident who lives blocks from the McDonalds, I am made aware, on a daily basis, of the litter issues described in other letters and posts, as I also pick up trash from McDonalds patrons on the sidewalk and curbside in front of our house almost every day.

Also, because I am a tutor in Lafayette, and drive home from work on highway 80 around 9 pm, four nights a week, I am acutely aware of the long lines that snake out of the McDonalds drive-thru window at those hours, which gives me pause when I think of the impact on traffic in the streets should they expand to two such windows while also extending their hours of operation.

The revitalization of San Pablo is surely tied to the healthy growth of sustainable businesses along the corridor, but the growth of businesses must occur within the healthy boundaries that define the nurturance of a tested and true, common good.

I have the most profound concerns that an expansion of the present McDonalds is commercial growth that pushes this neighborhood backwards, as regards the impact of such expansion on the social fabric of this strengthening, though still fragile, community.

No one want to return to the days of Giant Burger and I fear this takes us many steps back instead of forward.

Thank you for your careful and responsible attention to our thriving, and engaged, community's concerns.

Sincerely,
Mary Cecile Gee

SENT BY

Mary Cecile Gee
minustides55@gmail.com
Street Address: minustides55@gmail.com
Street Address Line 2: 1058 65th Street
City: Oakland

Valeska, David

From: Mary Haan <noreply@jotform.com>
Sent: Sunday, February 08, 2015 10:28 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359)

1. The McDonald's expansion will increase traffic on 66 street, this is a street that already has a lot of traffic. Despite the views of the planning commission, this is a residential street and incorporates Artisanwalk, city limits, liquid sugar, and Oliver Lofts. The Emeryville Greenway also crosses 66 street and there are a lot of residents, walkers, bicyclists, people with strollers who are constantly going across 66 street. The redesign will increase traffic on the street. We have requested a response on this from McDonald's and it is blanket denial.

~~we advocate for a redesign of the property so that the exit and entrance to the drive-through will be from San Pablo or onto 67th St.~~

2. Our neighborhood has suffered for years from trash deposited on our street by the customers of McDonald's..although the McDonald's owner claims the trash is picked up every 15 minutes, there is substantial evidence to the contrary. A photographic record of this has been made that shows substantial amounts of trash deposit is within the one block radius of the supposed pick up area.

3. The proposed expansion of hours will increase both of these problems – traffic and trash – and it will increase the crime rate and related activities that already high around this areaby McDonald's.

We have had a community meeting with the McDonnells representatives and it was unsatisfactory addressing any of these concerns. We ask that the decision on this be postponed until we can be satisfied there is a true commitment to change.

SENT BY

Mary Haan
mary.Haan@Gmail.com
Street Address: 1191 66th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Danielle Puller <noreply@jotform.com>
Sent: Sunday, February 08, 2015 8:58 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

1. safety and security issues connected to the expanded operation and particularly the 24 hour operation (lots of evidence that 24 hour operations lead to an increase in loitering, drug dealing, pimping and prostitution, etc.)
2. traffic flow and project design which will dump most of the drive though patrons on to 66th St -- drive through currently accounts for over 700 cars per day and will certainly increase with expansion of hours of operation
trash -- a continuing problem --> to see how bad it is, take a look at <http://mclitter.strikingly.com/>
3. decrease in neighborhood livability and property values

SENT BY

Danielle Puller
daniellepp2@yahoo.com
Street Address: 1200 65th street
City: Emeryville
Postal / Zip Code: 94608

Valeska, David

From: molly martin <noreply@jotform.com>
Sent: Saturday, February 07, 2015 4:08 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am concerned that the 24/7 drive through service will exacerbate existing problems. Please don't allow this to happen.

Thank you,
molly martin

SENT BY

molly martin
mollymartian3.14@gmail.com
Street Address: 6016 HERZOG ST
City: OAKLAND
Postal / Zip Code: 94608

Valeska, David

From: Melissa Lincoln <noreply@jotform.com>
Sent: Saturday, February 07, 2015 2:52 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I live within a block of this McDonalds location. I am concerned about a number of points in the development proposal.

(1) 24/7 operation of the interior dining room

In my experience, the interior dining room of this McDonalds acts as a hang-out spot for some of the local indigent, teen drop-out, and homeless population. It is only logical that longer open hours mean greater congregation of these folks in the area. I am already uncomfortable walking near this McDonalds location, and having a 24/7 population of such folks would make the block nearly impassable for me on-foot.

(2) 24/7 operation of the Drive-Through

When I drive on 67th Street to San Pablo, I often encounter spill-over of the drive-through line onto 67th Street. This has made it difficult-to-impossible for me to turn onto San Pablo Avenue. It has gotten to the point for me already that I avoid this intersection during the breakfast and dinner "rush" lines. I can only imagine that longer operating hours means further spill-over and congestion on 67th Street for me to deal with.

(3) Increase in trash in the neighborhood.

A trash problem currently exists with this McDonalds location. I regularly find discarded cups and papers in the bushes around my apartment complex. I can only imagine that increased opening hours will lead to additional trash at my home and a promotion of a depressed appearance in my neighborhood.

I look forward to seeing a revised plan from the developer which addresses these and other concerns presented by the community. We believe in our neighborhood, and we want to see higher quality of life and reduced crime. Ultimately, the plan as it exists counteracts both of these aims.

Thank you for your help and consideration in this matter,

Melissa

SENT BY

CONFIDENTIAL

Melissa Lincoln
hyde_666@yahoo.com
Street Address: 105 City Limits Circle
Street Address Line 2:
City: Oakland
Postal / Zip Code: 94608

CONFIDENTIAL

CONFIDENTIAL

Valeska, David

From: Tyler Duni <noreply@jotform.com>
Sent: Saturday, February 07, 2015 1:44 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

safety and security issues connected to the expanded operation and particularly the 24 hour operation (lots of evidence that 24 hour operations lead to an increase in loitering, drug dealing, pimping and prostitution, etc.) traffic flow and project design which will dump most of the drive through patrons on to 66th St -- drive through currently accounts for over 700 cars per day and will certainly increase with expansion of hours of operation trash -- a continuing problem --> to see how bad it is, take a look at <http://mclitter.strikingly.com/> decrease in neighborhood livability and property values

Sent from my iPhone
Date: Feb 7, 2015, 1:44 PM

SENT BY

Tyler Duni
tyler.duni@gmail.com
Street Address: 1177 66th st.
City: Oakland
Postal / Zip Code: CA 94608

Sent from my iPhone
Date: Feb 7, 2015, 1:44 PM

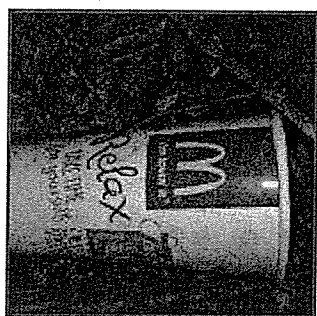
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78.2 square miles of neighbavores, do-gooders, gadflies and culture vultures

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McDonald's on San Pablo?/An Organized Neighborhood Not Lovin' It

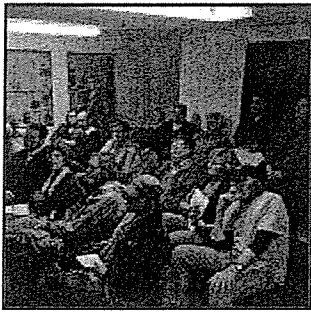


The oldest McDonald's in CA at 66th and San Pablo wants to expand its operations by increasing its restaurant size by 30% plus run a drive through 24/7. The owner Ed Smith (former Oakland cop who owns many McDonald's in the area) and his political consultant [Mark McClure from CCIG \(owned by Phil Tagami\)](#) got an earful on Feb 5th when 50 nearby residents showed up to voice their concerns. The meeting was organized by the [San Pablo Avenue Golden Gate Improvement Association](#) and most folks seem to live within a 2 block radius of McDonald's.

I couldn't get over the irony that the meeting was held in the 65th St Oakland Karate studio where Mark McClure apparently trains. I bet he doesn't eat at McDonald's or allow his kids to but helping them expand their disastrous food culture is all in a day's work. It would be all fine if we all didn't have to pay the price, from more asthma and particulate matter from idling cars, but mostly huge numbers of all ages suffering from obesity and heart disease. These are the issues I wanted to raise but I managed to mostly muzzle myself until Mr. Smith used the car centric renovation he did at 45th and Telegraph as his shining example of "being a good neighbor." Not.

I haven't been inside a McDonald's in 30 years except on long drives when I need a restroom and can sneak in to use the facilities. I despise the fact that McDonald's has set a terrible standard for fast-food franchises and contributed greatly to the loss of the Amazon and global warming. But those bigger concerns were not on the minds of the neighbors who gathered. Several indicted that they patronize the place, including a mom with her 2 kids (ahem). They object to the fact that the owner Ed Smith wants to run his drive-in every day and

night, instead of the 24 hours now in place Friday-Sunday nights. Mr. Smith claims he needs the extra hours to pay for his upgrade but the neighbors weren't buying it.



The shareholders and owners of McDonald's are like the cigarette industry of 30 years ago. All the research is there—they are helping to destroy the planet and everyone on it, on every continent and yet they can walk into a room and expect respect. Mr Smith even mentioned that his expansion will allow for 6-8 more jobs —yeah shitty jobs at shitty wages I muttered in my head. I wished I had asked what happens to the employees when the project goes under construction for 3 months. I can't imagine he guarantees their employment. But I would love to be wrong on that point.

From my seat as a community organizer, it was fascinating to watch Mark McClure who presumably gets paid quite a bit not take responsibility for informing the neighbors of the Planning Commission meeting on Feb 4th. Nothing like, "I'm sorry folks, I screwed up big time!" He is a former Planning Commissioner and the fact that only one person in the room had received a notice for the Planning Commission meeting spoke volumes about how Mark and Ed Smith planned to pull the wool over the neighbors eyes. But because of their missteps, the community is now rightfully engaged and some are enraged.

The organizing group SPAGGIA had come up with a list of concerns and they indicate that this is a changing neighborhood, one where condo owners, cohousing folks, renters and others are creating a new Golden Gate neighborhood that sees the future as one of "complete streets" and that doesn't include a car culture that McDonald's is the poster child for. When one of the neighbors rose above the weeds to suggest a complete rethink for a higher and better use with a mixed use development, Ed Smith slapped the idea down with the comment, "No one wants to live above a McDonald's" which generated the loudest laugh of the night. It's a shame that Mr. Smith is so backward thinking as this 35,000 square foot parcel will impact everyone's property values and quality of life for years to come.

Terrible Trash

A couple of media savvy residents have a terrific website that allows folks to take photos of the trash supplied by customers of the McDonald's in question and up-load them. It's called McLitter and it gives a bird's eye view of the continual problem associated with the throw-away society that McDonald's exemplifies.

Terrible Food

I feel a bit hypocritical complaining about the food as I haven't eaten in 30 years and I have the money and privilege to eat whatever I want. The good news nationally is that less and less folks are eating the terrible food and the McDonald's brand is suffering big losses. Today's New York Times visits a NYC outpost with a guest chef and the results are predictable if not downright funny.

Planning Commission on Feb 18th?

It remains to be seen whether the planner David Valeska after speaking with the McDonald's gang will pull the item on Wed, Feb 18th at Planning Commission so that the fast-food folks can meet again with the neighbors and come to a negotiated settlement of sorts. If not, watch for a food fight on Feb 18th. I'll be there

to toss the first fries. In the meantime, do go to the SPAGGIA Page and use their link to send comments to staff and Planning Commission members.

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Valeska, David

From: Karen Hester <karen@hesternet.net>
Sent: Saturday, February 07, 2015 10:32 AM
To: Moore, Jim; Pattillo, Chris; EW.Oakland@gmail.com; Coleman, Michael; jahazielbonillaoaklandpc@gmail.com; nagrajplanning@gmail.com
Cc: Valeska, David; Miller, Scott; Flynn, Rachel
Subject: my blog about McDonald's on 66th St/Neighborhood Not Lovin' It

<http://www.loakal.com/mcdonalds-on-san-pabloan-organized-neighborhood-not-lovin-it/>

Pretty clear what I think about this renovation.

Karen Hester
karen@hesternet.net
510-654-6346
www.hesternet.net

Valeska, David

From: Pasquale Scuderi <noreply@jotform.com>
Sent: Friday, February 06, 2015 11:30 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Please refrain from allowing the restaurant to have 24/7 drive through service.

Thank you.

SENT BY

Pasquale Scuderi
Pasquale.scuderi@gmail.com
Street Address: 1054 56th street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Judy Myers <noreply@jotform.com>
Sent: Friday, February 06, 2015 11:12 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Although I welcome the renovation of the restaurant, I would urge you to slow down the approval process for this proposed development for the following reasons:

1) As you know, the proposal stipulates additional drive-through hours (24 hours a day) during the week. While I know that not all late night customers are engaged in criminal activity, the additional late night drive through hours are bound to attract criminal activity and serve to make the MacDonald's a pivot point around which crime will revolve.

2) I am also concerned about the proposed exits from and entries into the MacDonald's. There is already a traffic issue on 66th Street and it seems to me that it will be exacerbated given the proposed plan. One exit from the MacDonald's parking lot enters 66th St. approx. 40 feet from the corner of 66th St. and San Pablo Avenue. I have witnessed or been party to several close calls (almost accidents) when a car traveling northbound on San Pablo Ave. turned left onto 66th Street just a few seconds before a car exiting the MacDonald's turned left from the MacDonald's parking lot onto 66th St. The location of this exit is inherently dangerous given that the car exiting MacDonald's believes there is no traffic and the car turning left from San Pablo assumes (correctly) that he has the right of way on 66th Street. I would estimate I've observed a close call such as that described above at least once per month for the last several years since traffic in the neighborhood has increased dramatically and the stoplight at 65th was installed.

3) I am also very concerned that the neighborhood, via our excellent neighborhood association (SPAGGIA), was not consulted earlier in the approval process. This communicates a disregard for the neighborhood as well as a mistaken assumption that no one would care. We are a residential neighborhood, not an industrial wasteland. And as you know, hundreds of new residential units are being added to the neighborhood as I write this (Ashby and San Pablo, 67th St., etc.), and given the need for residential units, it is likely many more will be added to the neighborhood in the next ten years. We are one of the few neighborhoods close to San Francisco and in the Hwy 80 corridor with room for residential growth.

4) The litter associated with MacDonald's is a perennial issue that affects residents daily and in an incredibly annoying way.

Given the above concerns, I have several requests of the Planning Commission and Mr. Valeska:

A) I request that the proposed 24-hour-a-day opening hours for the drive-through window during the week be disallowed given the neighborhood concerns about crime and further, that any other change in hours (additional opening hours) for both the restaurant and the drive-through window be disallowed.

B) I request that a formal traffic study be carried out to determine the current traffic patterns and the

projected patterns as the density of the neighborhood increases. A one-way traffic pattern through the restaurant parking lot with limited exit and entry points should be considered as well.

C) I request that an enforceable litter program be included in the stipulations regarding the MacDonald's renovation.

D) I request that those representing the restaurant return with amended plans and present them to the neighborhood association before Planning Commission approval is granted.

Please consider the needs of our neighborhood before granting approval to this development plan. Thank you very much for your consideration in this matter.

Sincerely,

Judy Myers
1058 65th Street

SENT BY

Judy Myers
jmyers65@pacbell.net
Street Address: 1058 65th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Leonard Gabriele <leonardgabriele@sbcglobal.net>
Sent: Friday, February 06, 2015 10:27 PM
To: Valeska, David
Subject: McDonalds Restaurant Rebuild

Mr. Valeska,

I wrote earlier about my concerns with the proposed expansion and extension of operating hours of McDonalds at 6623 San Pablo. After a public meeting with the owner Ed Smith and his design team I find I am equally concerned with the mistakes and misinformation in the staff report.

The operating hours of the existing drive-through window are not 24/7 as stated in the report, but are 6am - 9:30 pm Monday through Thursday and 24 hours only on Friday through Sunday. The owner is seeking to double the number of drive-through windows and extend the drive-through service hours to 24/7. The owner is not seeking to increase the hours of operation of the restaurant.

The report does not mention that the site records about 1100 transactions/day and that 60 - 65% of those transactions are drive-through. By doubling the capacity for drive-through transactions and extending the hours of operation of the drive-through windows it seems careless to waive a traffic study in order to prepare for the impact of the potential increase in business and dishonest to claim that the combined effect of doubling capacity and extending hours of operation will have no effect on surrounding areas. There are already complaints about the traffic generated by the site at its current level of operation and those complaints are not limited to 66th and 67th Streets, but include impacts on 65th Street as well.

Staff made no attempt to contact SPAGGIA or the homeowners associations of any of the condominium developments on 66th and 67th Streets and claim incorrectly that there are no complaints of nuisance, noise or litter from the neighborhood of the restaurant. There were many complaints and frustrations voiced at the meeting with the owner.

The restaurant has been in the neighborhood since 1969, but the neighborhood surrounding it has changed in that time. The vacant lots and industries that once surrounded the site are now multi-story condominiums. 66th Street west of San Pablo has become a residential street. 67th Street west of San Pablo also has a large residential component, but the staff report describes 66th and 67th as non-residential streets and waives the requirement that ingress and egress to Fast Food Facilities shall be limited to commercial arterial streets. The vacant lots that once occupied the west side of San Pablo between 65th and 66th are now occupied by condominiums and there is a large multi-story apartment under construction north of the site at San Pablo and Ashby. Traffic on San Pablo has increased significantly in the last 45 years, and with these new developments will increase even more.

SPAGGIA organized the funding for a landscaped median down the center of San Pablo. The Golden Gate Business Association organizes regular work parties to maintain it - weeding and picking up litter. Foot traffic to McDonalds across San Pablo at mid-block is wearing a path through the median and damaging the landscaping.

McDonalds has been a source of ongoing complaints about litter, not just in the immediate vicinity of the restaurant, but wherever its customers drive and consume their meals. McDonalds claims to be sending out staff every 15 minutes to pick up litter for one block in each direction from the site, but the reality is that they seem to stop at the boundaries of the parking lot. There was little confidence expressed at the meeting with the owner that any conditions placed on the permit to control litter would be enforced.

I would like to see a redesign that takes into account the concerns expressed at the neighborhood meeting with the owner, a traffic study to assess the impact of the proposed expansion, and enforceable conditions placed on the permit to address complaints about litter. The project as presented should not go forward and no permit should be approved until this is done.

Leonard Gabriele
1220 66th Street

Leonard Gabriele
1220 66th Street
Seattle, WA 98148

Leonard Gabriele
1220 66th Street
Seattle, WA 98148

Valeska, David

From: Michael Hamilton <noreply@jotform.com>
Sent: Friday, February 06, 2015 8:03 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Operating 24 hours a day will have a predictable public safety impact in the area with inevitable costs to the City of Oakland, the City of Berkeley, and those cities' police departments. Citizens in the area will also bear the brunt of depressed property values and lowered quality of life as a 24-hour establishment will facilitate drug use, drug sales, gang activity, and prostitution activities that already plague the immediate vicinity. Trash from this McDonalds is already a neighborhood wide concern, a problem that will only worsen by adding additional business hours.

Fast food establishments - like gas stations and liquor stores - are well known, well-researched, and well established magnets for undesirable and criminal late night activities in urban areas with high crime rates. This is a text book situation that will only add fuel to problems this community is trying so hard to overcome. And, our city simply cannot afford further burdens on our already over-taxed police force. Why make things worse for us when so many people are trying to make things better?

We've all seen the news reports and urban-planning research that demonstrates that round-the-clock operations at establishments like this deliver negative outcomes and few - if any - economic benefits for people living nearby. Please do NOT allow overnight operations at this McDonalds - it does not serve the community's interests.

Michael McCrystal
Home and Business Owner
1079 61st Street
Oakland, California
(510) 246-5591
michael@masalamedia.net

SENT BY

Michael Hamilton
michael@spaggia.org
Street Address: 1079 61st Street
City: Oakland

10/10/2020
10/10/2020

10/10/2020
10/10/2020

Valeska, David

From: Matt Weber <weber.matt@gmail.com>
Sent: Friday, February 06, 2015 6:02 PM
To: Valeska, David
Subject: McDonalds - 2/5/15 - Community Meeting Notes

Mr. Valeska,

As you are aware, there was a community meeting held last night regarding the McDonalds project at 6623 San Pablo. There were about 50 attendees, almost all of whom were residents. (The rest were local business owners.) Here's a digest of the meeting...

The applicant showed a revised landscape plan and new elevations including some pop-outs on the western elevation.

The applicant stated that he would conduct an open process whereby the proposed conditions of approval were distributed to the community for feedback/negotiation prior to the item being heard at Planning Commission, and he would consider postponing the Planning Commission hearing to facilitate this discussion and perhaps another community meeting.

He noted that he was proposing no change in lobby hours (6am-9:30pm, 7days/week), and would communicate that to you as a COA to which he'd agree. He also said he was willing to install security cameras on the outside of his building facing the immediate neighborhood and to make the footage available to law enforcement in case of crimes occurring in the vicinity of his restaurant.

The applicant stated he wanted to operate the drive through 24x7, whereas he currently operates it 6am-1am on weekdays and 24 hrs on weekends. Those in attendance at the meeting voiced very strong feelings that such extended hours would significantly increase the amount of crime in the immediate area.

There was also much discussion over litter, and residents both within a block and blocks away shared that the current litter pick-up, which only occurs during daylight hours, was insufficient. Increased drive through hours (during the night-time when no litter pick-up occurs) would exacerbate this issue.

A few individuals had concerns over the traffic pattern/volume with the elimination of the San Pablo curb cut, the increase in restaurant size (and thus likely patronage), and the increased hours.

I would welcome a dialogue on these points.

Thanks for your attention to this project, which will significantly impact our neighborhood.

I really appreciate it,
Matt Weber
66th Street

Valeska, David

From: Jianna Satore <jiannasatore@gmail.com>
Sent: Friday, February 06, 2015 4:14 PM
To: Valeska, David; Rose, Aubrey; Lynn.Cadwalader@hklaw.com; Greggory Hansen; Mike Ross
Subject: City Meeting Scheduling Request - 1700 Indian Way Remodel

Greetings All,

May these words find everyone warm, dry and safe in our rainstorm.

As per the discussions, a meeting with the city is suggested to discuss the issues regarding the remodel at 1700 Indian Way, Oakland, 94611.

Gregg and I are available to meet every day next week, with the exception of Thursday, 12 February, when the city offices are closed. Is everyone available Tuesday, 10 February? If so, what time is best? If that day doesn't work, please suggest alternative times and dates when we can all meet.

Thank you in advance for your time and consideration.

Best,

Jianna Satore

Valeska, David

From: derek rusch <drbderek@gmail.com>
Sent: Tuesday, February 10, 2015 5:13 AM
To: Valeska, David
Subject: McDonolds on San Pablo

Hello David V.,

I am a neighbor of MacDonalds and live on 66th street. I am against 24hour operation. Please do not ram this project through our neighborhood throat.

Thank you,
Derek Rusch
1066 66th street
Oakland, Ca 94608

Valeska, David

From: Tiffany Sprague <noreply@jotform.com>
Sent: Monday, February 09, 2015 11:23 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

As a resident of Artisan Walk for over the last two years, my family and I have had to deal with issues stemming from the McDonalds restaurant across the street. I am a mother of three young children (8, 5 and 2) and am concerned that a more accessible McDonalds (as the proposed development will encourage) will heighten the issues further and negatively impact the neighborhood-feel we are trying to foster.

There are many families who live in Artisan Walk and surrounding area. We have to combat people going through drive-thru and eating parked in front of our houses with music blaring out of the car disturbing our household; deal with trash on our front doorstep and sidewalk; and one night my husband had to talk to a driver of a bus who was parked in the McDonald's parking lot watching pornography at 6 p.m. We - including my children - drove by the bus on our way to our home and was subjected to this inappropriate scene.

We are currently dealing with the existing issues, and we can only imagine what a busier McDonald's around the clock will bring. Nothing is being done now. What will happen when the restaurant is open all day and night?

This is a neighborhood with families who want to preserve and grow that safe, neighborhood-feel that we all strive to attain. Please do not approve this proposal to enlarge the McDonald's and keep open 24 hours a day. Instead, let's do something about the existing issues this restaurant brings upon Artisan Walk and the surrounding neighborhood. I have nothing against the restaurant itself but everything against bringing more loitering and trash onto my family's home.

SENT BY

Tiffany Sprague
1193 66th St.
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Tiffany Sprague <noreply@jotform.com>
Sent: Monday, February 09, 2015 11:23 PM
To: Valeska, David
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There are many families who live in Artisan Walk and surrounding area. We have to combat people going through drive-thru and eating parked in front of our houses with music blaring out of the car disturbing our household; deal with trash on our front doorstep and sidewalk; and one night my husband had to talk to a driver of a bus who was parked in the McDonald's parking lot watching pornography at 6 p.m. We - including my children - drove by the bus on our way to our home and was subjected to this inappropriate scene.

We are currently dealing with the existing issues, and we can only imagine what a busier McDonald's around the clock will bring. Nothing is being done now. What will happen when the restaurant is open all day and night?

This is a neighborhood with families who want to preserve and grow that safe, neighborhood-feel that we all strive to attain. Please do not approve this proposal to enlarge the McDonald's and keep open 24 hours a day. Instead, let's do something about the existing issues this restaurant brings upon Artisan Walk and the surrounding neighborhood. I have nothing against the restaurant itself but everything against bringing more loitering and trash onto my family's home.

SENT BY

Tiffany Sprague
1193 66th St.
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Joe Wanzala <noreply@jotform.com>
Sent: Monday, February 09, 2015 11:14 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Serious consideration needs to be given to the concerns expressed by members of the North Oakland/Golden Gate community about the proposed expansion of the McDonald's outlet on San Pablo. As others in the community have pointed out, a range of public nuisances and crime have become associated with the McDonald's restaurant and the planned expansion looks set to compound these problems. Please keep this in mind as you consider McDonald's expansion plans.

Respectfully,

Joe Wanzala

SENT BY

Joe Wanzala
wanzala@gmail.com
Street Address: 1036 59th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Niall O'Higgins <noreply@jotform.com>
Sent: Monday, February 09, 2015 11:10 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am concerned in particular about the worsening trash problem in the area.

Every day I walk out of my house to find new McDonalds-branded trash. This stuff gets everywhere. It covers plants, gets stuck in my fence and is generally a nuisance.

Several times I have had to take plastic straws away that my dogs have found in our front yard.

This McDonalds location is already a major source of litter and general trash all over the surrounding neighborhood. Increased size and hours of operation will only make this worse!

Furthermore, it is known that 24/7 operations of fast food and gas stations increases incidents of crime in an area.

Please, McDonalds is already open from 5am till 9pm on most evenings, and 24 hours on some days.

They have plenty of business and customers - there is no need for them to expand operations and inflict further damage on the neighboring communities.

I respectfully ask you to deny the request to expand operations at this location.

Regards,

Niall O'Higgins

SENT BY

Niall O'Higgins
nialljohiggins@gmail.com
Street Address: 1099 66th st
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: David shuh <noreply@jotform.com>
Sent: Monday, February 09, 2015 11:04 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland Planning Officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am a current City Limits Circle resident and have been since July of 2005. I attended a community meeting on the evening of 5 Feb. 2015 concerning the application of McDonalds' to rebuild the existing restaurant and to expand their hours of operation. I had no knowledge of the McDonalds' application until flyer announcing a community meeting several days before was posted at the mailboxes of my residence.

I am thankful the McDonalds' team made the time to meet with members of the community to listen to concerns, answer questions, to provide additional information, and to provide a perspective on the new building and expansion of operating hours that constitute the main components of the plan.

However, I was disappointed in the degree of forthrightness of the McDonalds' owner (Mr. Smith) in several vital areas. McDonalds' assessment of the resulting impact of their application at the community meeting was insufficient and inconsistent with the application for the rebuild and hours of operations expansion. I would classify the overall interaction as one of disregard for the community and in general, providing the least amount of useful or critical information as possible. Similarly, I was disappointed in the general approach of the nearby community residents that failed to recognize McDonalds' perspectives (although made more complex by the non-forthcoming approach of McDonalds') and priorities. Some of the fundamental issues that are already increasingly impacting the community will be increasingly compounded by the McDonalds' application.

Clearly, there needs to be additional time for McDonalds' along with the City of Oakland and residents in the nearby area to define a mutually suitable plan that will benefit all in the community.

McDonalds Management

The McDonalds' owner is not cognizant of the activities at the San Pablo McDonalds. The trash collection agreement is clearly not being fulfilled and he has knowledge of this. A patron of the dining room was recently robbed recently and he had no knowledge of the event. Most importantly, the owner is not aware of the development and growth of the neighborhood, in particular the increasing traffic that has developed into a major concern for the residents in terms of noise but primarily in the area of safety (pedestrian versus automobile and also including bicycles).

The McDonalds' owner stated that the applications rests on the ability to expand the drive through hours and the new building is secondary. This is very telling. An expansion of the operating hours to 24/7, provides new hours of operations on M-Th from midnight to 6 AM. This totals 24 new hours per week or an increase of 16% in relation to the current hours. Average receipts total 1100 transactions per day with 65% coming through the drive-through as a flat average. Taking this average which is the only base data that has been provided, will result in an additional 1232 transactions exclusively in the drive-through spread over a 4-day period, or about another 300 automobiles per day on four days of the week- not insignificant at all.

Area Residents

The areas residents are particularly sensitive to the litter that emanates from the McDonalds and this is the most sensitive subject, although this issue is one that could be solved and is difficult for McDonalds to solve singlehandedly. McDonalds' takes credit for contributing to the litter tax and has tried to shift some of the litter responsibility to the City of Oakland as a result. Additional concerns include existing and the probabilities for increased crime with the need for corresponding police coverage concerns. Recently, there has been a tremendous increase in car break-ins in this area. Although these are concerns warrant consideration alone, the major consideration and the real issue is transportation congestion and the resulting safety hazards to nearby residents.

The Real Problem

Although the residents may be most concerned about the litter and possible crime impacts, the true impact of the McDonalds application will be felt in the area of traffic congestion, flow, and most importantly in safety related to transportation. We will likely lose a pedestrian or driver's life before any of the other problems do so. The nearby neighborhoods already have a substantial problem in this area that are constituted by Emeryville, Berkeley, and Oakland. There seems to be no recognition by the McDonalds' management (nor the local cities) that the area has a substantially larger residential and even commercial population (re-occupation of the building at 67th and San Pablo) that has contributed to busy thoroughfares on 66th and 67th Streets. Pedestrian and automobile (plus bicycle) safety is a major concern. The traffic plan and transportation safety situation in this area needs to be improved now. A proper evaluation and solution with community acceptance should be a pre-requisite to any additional transportation loads imposed by McDonalds with provisions to accommodate additional growth loads in the near future.

Best regards,

David Shuh

SENT BY

David shuh

DavidKellyShuh@gmail.com

Street Address: 101 City Limits Circle

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: John Parr <noreply@jotform.com>
Sent: Monday, February 09, 2015 9:59 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

(ENTER YOUR MESSAGE HERE)

I live 1/2 block down the street. My partner and I have lived here between Hollis and San Pablo for 9 years on 67th street. Every night when I walk our dogs and when my partner takes them out during the day I pick up trash from McDonalds that people throw out of their car or just toss while walking. It's disgusting, not to mention harmful to the dogs if they get a hold of it. We don't need more of this. We do not need 24 hour McDonalds. Besides the impact that it already has..... why do people eat this crap? !

SENT BY

John Parr
jpoakland@gmail.com
Street Address: 1219 67th street
City: oakland
Postal / Zip Code: 94608

Valeska, David

From: Tony Molinero <noreply@jotform.com>
Sent: Monday, February 09, 2015 9:33 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

My concerns center around 3 main issues: traffic, trash and crime.

TRAFFIC

The alteration to traffic flow shown in the development plans indicates that traffic will be sent on to 65th street. Given the current residential nature of the neighborhood, it would be preferred to have the traffic access on San Pablo.

The restaurant owner reports that at least 7,000 vehicles a day come and go from the building, so a traffic study would be ideal to help me and my neighbors understand the effects of any changes in traffic flow.

TRASH

There is currently a problem with McDonald's trash in and around the restaurant. It gets thrown and blown around in surrounding neighborhood also.

I would appreciate some oversight and accountability of trash pick-up at the restaurant site and the surrounding neighborhood, written into the conditions of approval.

CRIME

The owner has expressed a desire to extend 24 hour service of the drive-thru 4 extra days a week. It seems reasonable that the owner install extra camera surveillance and lighting outside on the restaurant property so that if crime happens, the police may have a head start. It may even help prevent crime.

My neighbors have similar and additional issues with the proposed development and I support them. The concerns listed above represent my most pressing issues.

Thanks for your time.
Tony Molinero

SENT BY

Tony Molinero

epaperwork@gmail.com

Street Address: 1200 65th Street

Street Address Line 2: 227

City: Emeryville

Postal / Zip Code: 94608

Service of Process
Hand Delivered

Service of Process
Hand Delivered

Service of Process
Hand Delivered

Valeska, David

From: Jennifer Adcock <noreply@jotform.com>
Sent: Monday, February 09, 2015 9:15 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

As you have no doubt heard from many people in the neighborhood, there are several problems that would arise with extended hours for McDonald's.

- 1.) More car traffic. This is a primarily billed as a drive-thru business and would encourage more driving than I believe Oakland desires to support. We are trying to be green, bike and pedestrian friendly city. How does supporting drive-thru businesses accomplish this aim?
- 2.) Trash - look at the McLitter site - it says it all! I live on Arlington Ave. and routinely have to clean up wrappers, boxes and cups from McDonald's. None of these items are recycled or composted. Again, this is unacceptable given this day and age and our ongoing concerns about landfill and waste.
- 3.) An all night business will encourage crime and prostitution, both of which we have enough to deal with already. Please help this community by not making this situation WORSE. It's laughable that they said they'll be feeding cops!
- 4.) The jobs that this business will create are hardly the kinds of jobs we want to be investing in for our community. How is the night shift family friendly? How are these wages able to support people in the Bay Area? This is an argument that they hope will appeal to fiscally minded people, but it doesn't hold up under scrutiny. Please reject McDonald's development proposal for the good of the community that have to live with McDonald's.

SENT BY

Jennifer Adcock
jenadcock@yahoo.com
Street Address: 1041 Arlington Ave.
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: John Amador <noreply@jotform.com>
Sent: Monday, February 09, 2015 8:08 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

As someone who has lived behind the 1/4 pound giant burger on 54th and san Pablo for many years, I can offer my own experience with something similar.

For many years it was open 24 hrs a day. It also was somewhat of a late night destination. Seemed like people would show up often after bars or clubs would close for some place else to go. Aside from the loud cars and music, there were often arguments, fights, and at least 2 murders in the parking lot as I recall. There was also prostitution, and it wasn't uncommon to find condoms in my neighbors driveway space between their car and house, as we are just around the corner. My understanding is that the ongoing nuisance resulted in a lawsuit, and the police were involved to get reimbursement for all the expense they incurred on a regular basis due to the late night activity. The resulting settlement required changing their hours to close at midnight. The change was like night and day. While there are still incidents from time to time, (especially between 9 and midnight), the improvement is really noticeable. I'm sure one of the arguments for this project is that it will create jobs, and increase revenue. One of my sarcastic friends suggested that it would also create more employment for the police. Can Oakland afford this? While I don't remember the exact amount, I seem to remember that the police may have been asking for something like \$94,000 for their part of the complaint. Seems to me like any extension of hours in the case of 66th and san pablo could be a real step backwards for the area. I want to urge you to instead further limit the hours at McDonald's to close at 9:00 pm EVERY night. While this project may be a little different then the 1/4 pound giant burger, it is also has quite a bit of similarities. My own personal experience in this matter makes me very leery.

Respectfully- John, Amador, 53rd & SP

SENT BY

John Amador
jonnycat9@yahoo.com
Street Address: 1114 53rds st
City: Oakland
Postal / Zip Code: 94608-2925

Valeska, David

From: Briana Kaufmann <contact@brianakaufmann.com>
Sent: Monday, February 09, 2015 8:00 PM
To: Valeska, David
Subject: San Pablo%McDonalds%Concerns

Dear Mr Valeska.

I was quite surprised and concerned that I had not heard of the MacDonalds rebuild until now.

I want the neighbors to be informed and be included in this process.....

I hope there will be time for this to happen....because those of us who have been around here a long time have much to say.

I moved to this area in 1986... nearly 30 years ago... and that particular establishment has always been an unfortunate source of trash and fumes from idling cars....and foul dealings....

a block to be avoided.... to hear that it would be operating even longer hours...makes me sad and upset.

Please delay any decisions in regards to the McDonalds rebuild until more of the community can voice their experience.

Thank you.

Sincerely

Briana Kaufmann

1274 64th street

Emeryville California

Valeska, David

From: Ramya Krishna <noreply@jotform.com>
Sent: Monday, February 09, 2015 7:02 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear David Valeska and other City of Oakland planning officials.

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

We currently live across the street from the existing McDonalds at this location.
My husband and I oppose this proposed development for the following reasons:

-All recent studies and research, including reports from the Bureau of Labor Statistics, state that extending the hours of a fast-food location is directly responsible for an increase in neighborhood crime, criminal acts against staff, organized crime and trash/litter in the area.

-All of this leads to a decrease in property values and the feeling of safety and security in our own homes.

-We already see an enormous amount of trash around our neighborhoods. On windy days such as this last storm, we find piles of McDonald's trash against our doors and garages.

-We have also seen a few muggings within our neighborhood near the postal boxes (directly across from the McDonalds) as well as yelling/shouting/cursing along 66th St later in the evenings right before McDonalds closes with its current hours.

-I have also personally witnessed and reported several panhandlers in front of McDonalds, who often use children to ask for money.

There is no benefit to continuing to have a McDonalds location in this area and we strongly oppose the expansion of hours.

Thank you for your consideration.

SENT BY

Ramya Krishna
ramya.k83@gmail.com
Street Address: 1143 66th St
City: Emeryville
Postal / Zip Code: 94608

Valeska, David

From: Manisha Patel <noreply@jotform.com>
Sent: Monday, February 09, 2015 5:48 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my reservations about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland as currently written (Case file PLN14-359).

My key concerns are around extending the hours of operation, inadequate thought to traffic implications of where cars enter/exit the building, and finally aesthetics.

1) EXTENDING HOURS. The restaurant currently operates 6am - 9:30 pm Monday through Thursday and 24 hours only on Friday through Sunday. I would oppose any conditional use permit that extends/changes those hours for either the lobby or drive through window. Increasing drive through hours will provide a limited economic benefit, but cause a lot of stress on the neighborhood in the form of more noise, litter and potential uptick in crimes of opportunity. We in the neighborhood are very familiar with opportunistic criminal activity and expanding the hours of the drive through simply provide more opportunity for crime. The person working the window might be safe, but the people using the drive through are not. We don't want more easy targets and invitation to these types of nuisances in the neighborhood.

2) TRAFFIC. The proposal seems to believe that it's not a problem to funnel all traffic onto 66th and 67th. That will actually cause a lot of congestion and backup on the side streets which are largely residential. The report seems to imply everything in the neighborhood is industrial, but that couldn't be further from the truth. There has been tremendous residential development in the past 10 years, and industrial is an inappropriate lens to determine what's a good idea. Traffic should stay focused on San Pablo. If cars were only allowed to exit onto 67th, they'd be more likely to turn right to get onto San Pablo. Turning left onto 66th to wait in the light to turn onto San Pablo will be problematic.

3) AESTHETICS. McDonald's trash is everywhere. The owner and his staff are just not doing a very good job of keeping litter under control. There's not enough trash cans in the perimeter, and the employees aren't cleaning up outside of the parking lot. This problem will only get worse with longer open hours.

Also, they are going to the trouble of building a brand new building, and they've made it ugly. It has big ugly service doors facing San Pablo, and the pedestrian path. Can't we request that they make the building more attractive through more creative material selection, better landscaping or a simple consideration of the aesthetics. It's time we held people to a higher standard and hold out for a beautiful Oakland.

Thanks for your time and consideration,

Manisha Patel

SENT BY

Manisha Patel

manishapme@me.com

Street Address: 5964 Marshall Street

City: Oakland

Postal / Zip Code: 94608

Valeska, David

From: Eliot Peper <noreply@jotform.com>
Sent: Monday, February 09, 2015 4:23 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I am happy to hear that the owner wants to redesign the McDonalds restaurant but I am extremely opposed to any extension of hours. Fast food restaurants with late night hours show a statistically significant effect in increasing crime rates in the surrounding neighborhoods and our community already has enough challenges combatting crime.

Please do not allow the McDonalds to extend their operating hours.

Sincerely, Eliot Peper

SENT BY

Eliot Peper
elpeper@gmail.com
Street Address: 1005 54th St.
City: Oakland
Postal / Zip Code: 94608

Development
359)

Valeska, David

From: Andrea Castillo <noreply@jotform.com>
Sent: Monday, February 09, 2015 3:27 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I understand that the restaurant would like to rebuild the restaurant. This component of the expansion is okay and I welcome improvements to the physical structure.

However, the case file says the applicant also wants to expand its dine-in operations beyond 5am-9pm, to 24 hour dine in as well as expand the 24 hour drive through from 3 days a week to 7 days a week. This is the part of the plan that gravely concerns me. I am concerned that expanding the dine in hours would result in more opportunities for crime, impact traffic in the area, result in more environmental degradation (there is already a lot of trash in the area from McDonalds) and encourage more late night visitors in our neighborhood instead of encouraging people to go home and stay out of the streets late at night.

The expansion of dine-in hours should not be granted to this restaurant under any circumstances. As a matter of fact, it would be great if their drive-through hours could also be scaled back perhaps from 5am to midnight. Unfortunately, McDonalds offers low quality, high-fat, high-sugar foods and we should not be increasing the supply of this terrible food. We need to discourage the consumption of fast foods that are unhealthy for our community and start supporting access to fresh, nutritious and healthy food.

Our neighborhood already struggles a lot with crime and the last thing I want is more crime, more drugs, more prostitution, more trash, more noise, more traffic and more obesity. You should strongly consider not allowing the expansion of hours for this establishment.

Thank you for your time.

SENT BY

Andrea Castillo
axcast@gmail.com
Street Address: 1005 54th st
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Laura Hamilton <noreply@jotform.com>
Sent: Monday, February 09, 2015 2:20 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my strong reservations about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

There are a number of reasons why I believe this proposed development is a step in the wrong direction for ainvolved community that is making concerted efforts to improve the safety and livability of this neighborhood.

I understand the need for a more attractive, modern facility; and in fact, would welcome a thoughtfully developed plan that updates the current establishment and more efficiently utilizes the footprint of the current facility and large, underutilized parking lot. However, I have serious concerns about the proposed plan to expand the current facility to a 24-hour operation and simply cannot overstate my objections to such a plan. My key points of concern are:

1. **Safety and Security:** the applicant requests a 30% expansion of the building and permission to operate the restaurant and the drive-through for 24 hours per day. It has been well researched and documented that 24-hour businesses (such as fast-food establishments) in urban settings already plagued by high crime rates are magnets for undesirable and criminal late-night activities.
2. **Cleanliness:** This McDonald's location is already a major source of litter throughout the surrounding neighborhood (please see McLitter.com). The restaurant is only required to clean their own premises – and there is a question as to whether they currently undertake this duty. This has been an ongoing problem that neighbors have complained about for many years, and we can only anticipate with increased business, the litter would get worse.
3. **Traffic:** The franchise owner has stated the increased building size and hours of operation would in fact, increase business. This would obviously mean an increase in traffic in and out of the restaurant; however, no traffic analysis has been required by the planning department. Furthermore, plans submitted imply simply that there will be a loading zone on San Pablo with large trucks making deliveries. This points to two very serious traffic issues: increased traffic along an increasingly congested transit corridor and serious risk for pedestrians crossing San Pablo at 66th Street.

It is regrettable that the McDonald's franchise and it's community liaison did not undertake better community outreach at the start of this process. I am very involved in community efforts through the local community improvement association (<http://spaggia.org>), and no one in our large constituency was informed by the owner, developer, or City about this project. As you may well know by this point, this is a highly active, involved and motivated neighborhood, and there is a collective sense of disappointment that we have been left in the dark about these plans. We as a community anticipate further development throughout North Oakland and along the San Pablo corridor in particular in the coming months and year. It is my strong desire that we will be better informed in the future.

I thank you for your serious attention to these comments and look forward to being a part of a thoughtful

dialogue about development that best serves our community.

Sincere regards,
Laura Hamilton
Resident, North Oakland, Golden Gate neighborhood

SENT BY

Laura Hamilton
laurah.812@gmail.com
Street Address: 1079 61st Street
City: Oakland
Postal / Zip Code: 94608

2014-01-01 10:00 AM
Sent via email

2014-01-01 10:00 AM
Sent via email

2014-01-01 10:00 AM
Sent via email

Valeska, David

From: Alex de Guia <noreply@jotform.com>
Sent: Monday, February 09, 2015 2:04 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Noise pollution at night, increased litter in the neighborhood, and an increase in crime are not what the neighborhood needs. Given the improvements in the Golden Gate/Emeryville/South Berkeley areas, this expansion of hours and expansion of McDonald's is completely out of step with the great directions for local businesses and for the residents who live in the neighborhood.

Best,
Alex de Guia

SENT BY

Alex de Guia
alexdeguia@gmail.com
Street Address: 1155 66th Street
City: Oakland, CA
Postal / Zip Code: 94608

Valeska, David

From: Louis Billings <noreply@jotform.com>
Sent: Monday, February 09, 2015 1:54 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I live on 67th street, which feeds literally into the front of the McDonalds building on San Pablo. I live at the end of very long block from it and have for eight years now. Every week, my spouse and I have to collect massive amounts of McDonalds litter (cups, wrappers, bags) that are thrown on the sidewalk and street in front of our house as well as being tossed into our yard. In eight years, I've never seen a McDonalds employee outside of their parking area collecting trash. Certainly, they do not walk down 67th street collecting it. The level of trash is a real eyesore for our neighborhood and my house.

Additionally, traffic at all hours of the day and night makes it very difficult to get onto our street and to cross the street on foot (as there is no light for five blocks between 65th and Ashby). I'm very concerned about the additional traffic that being open 24 hours would bring into the neighborhood and the disruption caused by lengthy construction.

Louis Billings

SENT BY

Louis Billings
albill@gmail.com
Street Address: 1055 67th St
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Lynn Perkins <noreply@jotform.com>
Sent: Monday, February 09, 2015 1:50 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

While I would be happy if McDonalds were not in the neighborhood at all, I agree that the owner should be given permits to renovate their existing structure but I strongly disagree that they would be allowed extended hours. It is already a magnet for illegal activities.

Sincerely,

Lynn Perkins

SENT BY

Lynn Perkins
loperkins@gmail.com
Street Address: 1258A 64th Street
City: Emeryville
Postal / Zip Code: 94608

Valeska, David

From: Kathie Altes <noreply@jotform.com>
Sent: Monday, February 09, 2015 11:41 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I oppose the development of McDonalds for the following reasons:

Proposal claimed that the location of McDonald's on San Pablo is not in a residential area which is incorrect.

A 24 hour operation would only increase traffic, noise, safety and crime in the area. According to the plans most of the traffic would dump onto 66th.

There was lack of outreach to the community affected by this project.

Litter is a major concern. Our condos on 66th are drastically impacted by the daily litter left behind by customers of McDonalds. We have expressed our concern to Mr. Smith in the past and nothing has been done.

I am not opposed to upgrading McDonalds and enhancing the landscaping but not to the detriment of the local community.

SENT BY

Kathie Altes
kathie.a@travelstore.com
Street Address: 1157 66th
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: robin freeman <robinf5713@aol.com>
Sent: Monday, February 09, 2015 11:38 AM
To: Valeska, David
Subject: San Pablo%McDonalds%Concerns

I agree with the neighborhood concerns regarding the McDonalds re-build. This proposed project will require more thoughtful design and management in order not to exacerbate the existing issues.

Robin Freeman
Environmental Design and Construction
Golden Gate Neighbor on Powell St.

Valeska, David

From: Linda Hammond <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 7:49 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

(ENTER YOUR MESSAGE HERE) I believe the proposed 24 hour project will contribute to an increase in crime and sex trafficking, trash and neighborhood noise and right to peace and quietude in ones home. I oppose the project, and know that it is a done deal. In this case I request part of the projects mandate be increased security and attention to trash.

SENT BY

Linda Hammond
linnaha@yahoo.com
Street Address: 5812 Fremont Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Derek Rusch <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 5:25 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

To Everyone concerned,

I live on 66th street, one block from McDonolds and am against its expansion.
Please do not ram this project down our neighborhoods throat.

Thank you,
Derek Rusch

Delivered by
Outlook 14.0.7133.1000

SENT BY

Derek Rusch
drbderek@gmail.com
Street Address: 1066 66th street
City: Oakland, CA
Postal / Zip Code: 94606

Delivered by
Outlook 14.0.7133.1000

Valeska, David

From: Lisa claxton <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 12:50 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

Our residential neighborhood has long fought blight and crime. The area in question suffers from heavy drug dealing, prostitution and litter problems. Opening the doors for 24hr at this establishment will create a place for the dealers and prostitutes that have plagued San Pablo Ave for decades. The current litter problem is evident everywhere with McDonalds wrappers littering the street in every direction. Please do not allow this business to impose on its neighbors more than it already does.

SENT BY

Lisa claxton
lamyeasue@yahoo.com
Street Address: 1020 55th st
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Josh Bergstrom <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 12:47 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I live on 65th Street just west of San Pablo Ave. I request further review of the proposed upgrade project at the nearby McDonald's property (Case file PLN14-359).

As is, the City staff report does not accurately characterize the Golden Gate neighborhood in which this property is located. Considering the changes in the area since the site was last developed, City staff should apply some of the findings of a recent Pew Charitable Trust study on development of the San Pablo Corridor to the proposed development:

-- Increasing space for healthy retail and public services... McDonalds is not healthy retail. City staff should be requiring space that will benefit the health of the community, or at the very least offset the affects of the McDonald's. This could also be in the form of outdoor activity/park space.

-- Offering... car-share parking. The City should require as a condition of approval the allocation of car-share parking. This is especially applicable considering the increased traffic congestion that McDonald's business creates.

-- Bike lanes, traffic calming features and pedestrian-level lighting... The project as proposed will increase traffic impacts to the area, including traffic on a mostly-residential block. Bicycle racks should be required to encourage less car traffic. All car traffic on and off the project property should be routed directly from/onto San Pablo Ave.

In addition, the City should require as a condition of approval that the business onsite be responsible for the litter generated by it's business. Living on 65th Street near San Pablo Ave, I see McDonalds bags and wrappings on our block, and concerned citizens have documented a pattern of their litter even further away (see www.McLitter.com).

Again, I request that the proposed upgrade project for the McDonald's property NOT be approved as is, and that the above considerations are taken into account for further review.

Thank you,
Josh Bergstrom
1119 65th Street

SENT BY

Josh Bergstrom
Das.roos@gmail.com
Street Address: 1119 65th Street
City: Oakland
Postal / Zip Code: 94608

1119 65th Street
Oakland, CA 94608
94608

1119 65th Street
Oakland, CA 94608
94608

1119 65th Street
Oakland, CA 94608
94608

Valeska, David

From: Natalia <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 1:35 PM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

The block of San Pablo on which this restaurant located is surrounded by a community that is thriving, increasing in density and liveliness almost by the day.

It is of grave concern to me that in the midst of this urban setting we are poised to encourage more suburban-style low-density development. The McDonald's block stands alone in its wastefulness of space, surrounded by other blocks with far more appealing mixed-use construction.

I feel that the planned development of this McDonald's is exactly the wrong direction for our neighborhood.

SENT BY

Natalia
Nhgardiol@gmail.com
Street Address: 1077 65th st
City: Oakland
Postal / Zip Code: Ca

Valeska, David

From: Amber Harmon <amber.harmon@gmail.com>
Sent: Tuesday, February 10, 2015 11:15 AM
To: Valeska, David
Cc: INFO@SPAGGIA.ORG
Subject: Comments regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear David Valeska and the Oakland City Planning Commission,

I would like to provide the following comments on the proposed McDonalds Restaurant Rebuild at 6623 San Pablo Avenue in Oakland (File PLN14-359). I am a neighbor and resident at the Liquid Sugar Housing Complex approximately 1.5 blocks away.

1. I am opposed to the expanded hours of this McDonalds as this restaurant is already a source of tremendous litter as well as undesirable behavior for the neighborhood. There is frequent loitering in the parking lot. This McDonalds also seems to be a location for solicitation. Therefore, the hours should not be expanded. If anything, the operating hours should be reduced so the drive-thru is not 24 hours and ends their services at 2 am, to be consistent with other businesses in the neighborhood.
2. Considering the amount of residences in the vicinity of this project, I am disappointed that a greater effort was not made to notify and solicit public comment from the surrounding community. Therefore, I request that this project conduct an additional, enhanced public comment period where neighbors receive written notification and have additional time to provide comments on this project. At a minimum, neighboring residences to be notified should include Liquid Sugar, City Limits, Artisan Walk, and Glashaus, as well as the individual residences surrounding the project location.
3. The exemption from CEQA is not appropriate, given the growth and development of this neighborhood. Traffic has continued to increase in this area, especially on 66th street between Hollis and San Pablo. Both the quantity and speed of cars on 66th street has increased, which is having a negative impact on a primarily residential street where many residents walk with their children and pets. The project site is located on the corner of 66th street and San Pablo. Increased hours as well as the restaurant rebuild will almost certainly increase traffic at this restaurant, which has the potential to significantly impact traffic in this area. Therefore, I request that the CEQA exemption be considered. At a minimum, there should be a traffic study and a greenhouse gas analysis conducted for this project.

Our neighborhood has shown tremendous growth and improvement over the past several years, and I would like to see that trend continue. Expanding this McDonald's operations does not benefit the community and instead raises the risk of increased traffic, littering, and prostitution. Thank you for your consideration of my comments.

Amber Harmon

402 Liquid Sugar Drive

Emeryville, CA 94608

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Valeska, David

From: Anglyn Sasser <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 10:45 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I am writing to express my concern about the proposed development at the McDonalds restaurant at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359).

I live across the street from this McDonalds. I strongly object to their proposal to extend their indoor restaurant hours and their premises. The additional traffic, space, and possible attraction of more criminal activity will be detrimental to my neighborhood.

I hope you will seriously consider my objections.

Anglyn Sasser

SENT BY

Anglyn Sasser
anglyn.sasser@gmail.com
Street Address: 1095 67th Street
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Kendall Moalem <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 10:22 AM
To: Valeska, David
Subject: Concerns regarding McDonalds at 6623 San Pablo Avenue (PLN14-359)

Dear City of Oakland planning officials:

I'm writing in concern to the McDonald's proposal at 6623 San Pablo Avenue in North Oakland (Case file PLN14-359), to redesign for a 24-hour drive-through on San Pablo in our Golden Gate neighborhood.

I request that strong consideration be made to mitigate issues that we've seen created by this business and others of its type, that affect residents nearby:

- Most urgently, the proposal for 24-hour drive-through should be rejected, and hours kept at current state. Expansion a late-night drive-through is not in keeping with neighborhood needs or recent development trends in Golden Gate.
- Trash/blight
- Late night / early morning noise and congregation of groups, especially after bars close,
- Traffic and noise created by late-night activities, such as partiers driving recklessly

How will trash be addressed and the area kept clean, given that this problem persists even in McDonald's current state? Who will enforce it?

Finally, what's our community's recourse for issues caused by McDonald's business expansion, to any of these negative activities in our community?

The 1/4 Lb. Burger joint at 54th / San Pablo was a hub of prostitution, noise and blight for decades. It took our community many years of concentrated work for the city to address and mitigate the problems. We don't need another such problem.

Sincerely,
Kendall Moalem

SENT BY

Kendall Moalem
farmhouse950-volvo@yahoo.com
Street Address: 950 60th
City: Oakland
Postal / Zip Code: 94608

Valeska, David

From: Zoe Chafe <noreply@jotform.com>
Sent: Tuesday, February 10, 2015 9:58 AM
To: Valeska, David
Subject: Comments on proposed McDonalds changes at 6623 San Pablo Avenue (PLN14-359)

Dear Mr. Valeska and colleagues on the City of Oakland Planning Commission:

As a neighbor of the McDonalds restaurant at 6623 San Pablo Ave (Case file PLN14-359), I am writing with concerns about the proposed changes to the property.

I am concerned that 1) neighborhood and arterial traffic around the site will increase as a result of longer operational hours and upgraded facilities, 2) the existing litter problem (which is already very bad) will get worse if sales increase, especially at night, and 3) this plan does not benefit the neighborhood in its current form because it will encourage more traffic with longer drive-through hours and it does not contribute to good use planning.

1) Traffic concerns: As a mother who walks my young child around the neighborhood, and as someone who commutes by bicycle, I already have safety concerns around the site of the existing McDonalds: cars frequently pull in and out of the large parking lot and drive-through without attention to pedestrians or bicyclists. This traffic does not only impact San Pablo but neighboring residential streets and the Emeryville Greenway, which runs parallel to San Pablo just a block away. Rather than longer drive-through hours, I would rather that the franchise and corporation owners focus on improving safety for pedestrians and bicyclists around their property.

2) Litter: Just today, I observed a number of pieces of McDonald's related trash between my house and the restaurant. I am appalled by the impact of this needless waste on the neighborhood. I would encourage McDonalds franchise and corporate owners to focus on improving their impact on the neighborhood by providing only compostable containers and packaging, providing more waste disposal bins in and around their restaurant, and thinking carefully about the amount of disposable trash they provide to customers. Lengthening drive-through hours will only increase the amount of trash being disseminated into the community.

3) Neighborhood impacts: Rather than increasing business hours and putting effort into upgrading the existing restaurant, the franchise and corporation owners should take a survey of the local community to find out what it would like to see in a new version of this McDonalds. Among the neighborhood priorities that I foresee are improving the density of the site (to provide housing as well as a restaurant, for example), more plants and greenery to improve water retention and decrease asphalt runoff from the drive-through and parking lot, decreased emphasis on a drive-through and increased emphasis on bicycle parking, shorter business hours to meet the needs of residential neighbors, and improved communication with neighbors throughout the tenure of this project.

Thank you for your consideration.
Zoe Chafe

SENT BY

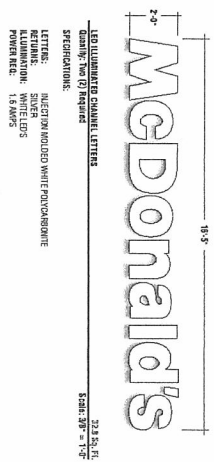
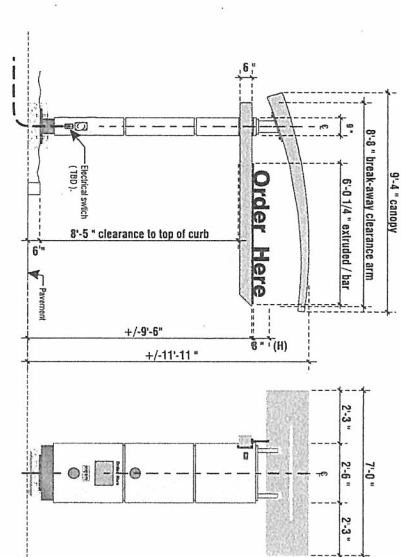
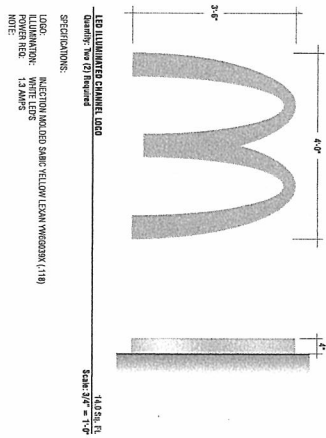
Zoe Chafe

zoe_abroad@yahoo.com

Street Address: 1262 62nd St

City: Emeryville

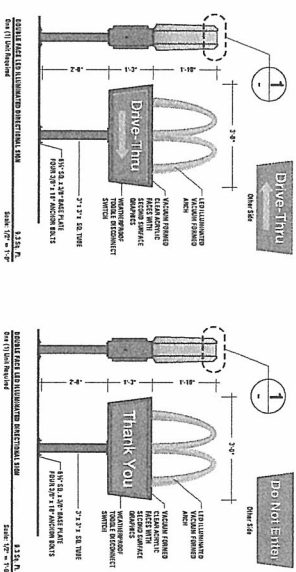
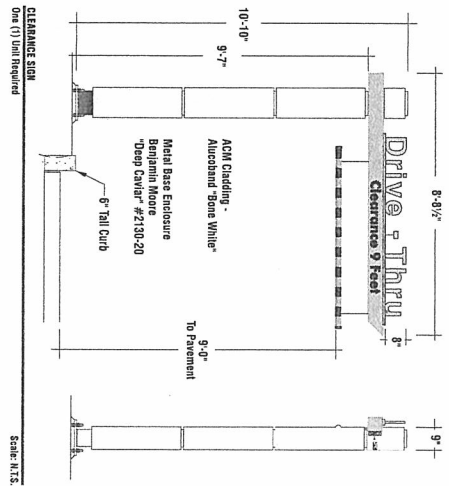
Postal / Zip Code: 94608



NON-ILLUMINATED FREESTANDING FLAT CUT OUT LETTERS
Quantity: Two (2) Required

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

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



FOR REFERENCE ONLY

CRM Architects & Planners, Inc.
10000
10000
10000

McDonald's
LCA 4-C-23

OWNER:
25000 Oak Road, Suite 400
Newport, CA 94647

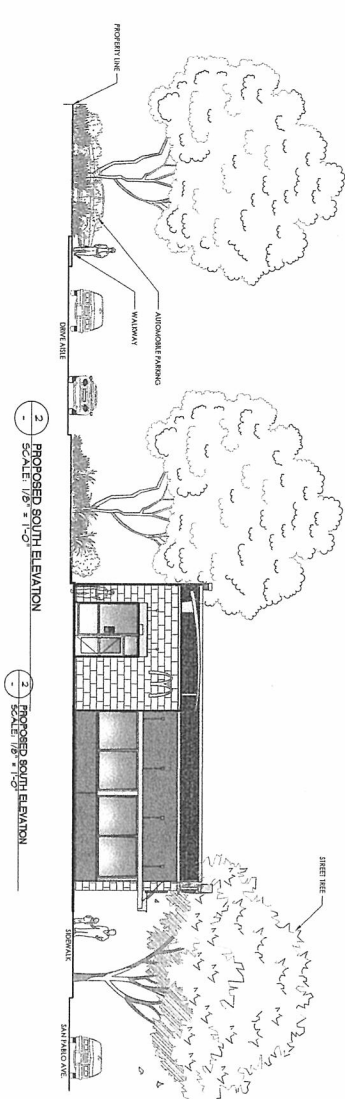
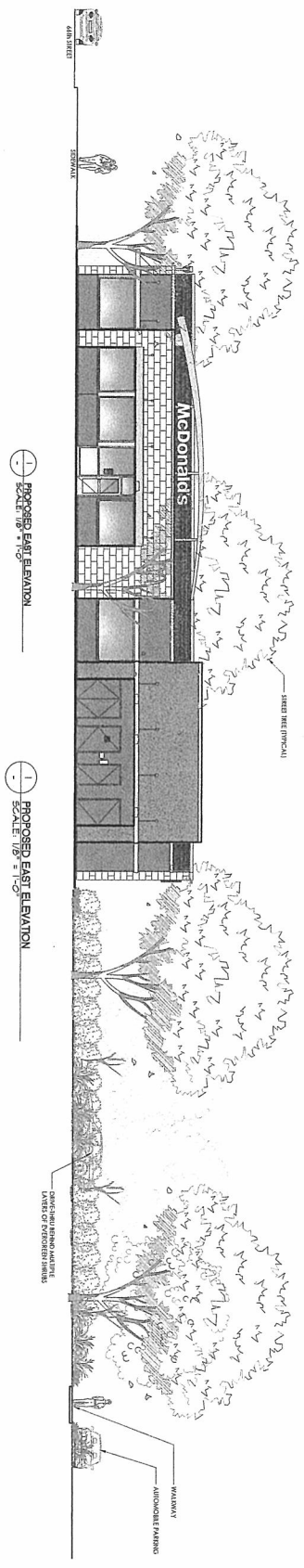
ADDRESS:
6823 SAN PABLO AVE
OAKLAND, CA 94608

ISSUING DATE: 10-24-14

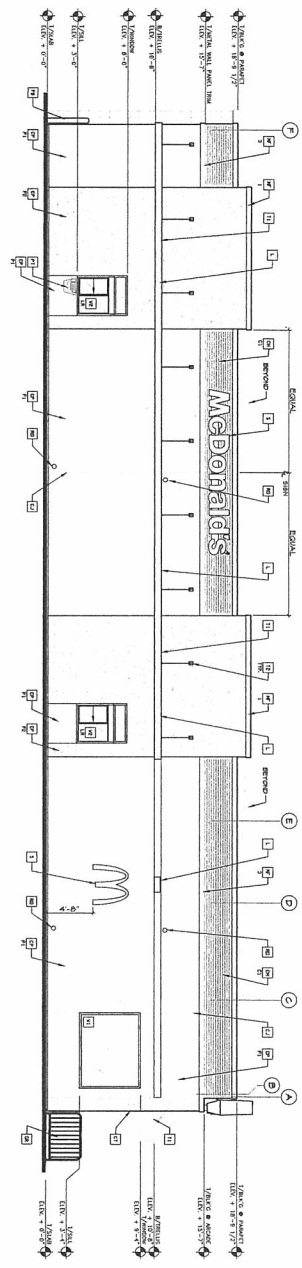
SCALE: 1/8" = 1'-0"

SIGNAGE:
REFERENCE ONLY
UNDER SEPARATE PERMIT

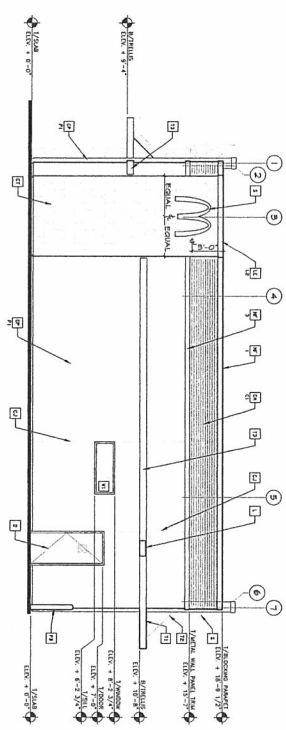
DATE: 5.1



OWNER
McDonald's
 2400 Gile Road, Suite 400
 Redwood City, CA 94061
ADDRESS
 6623 SAN PABLO AVE
 OAKLAND, CA 94608
DRAWING DATE 10-24-14
PROJECT NO. 14-0024
PROPOSED COLOR EXTERIOR ELEVATIONS
DRAWING NUMBER
4.3



1
PROPOSED WEST ELEVATION
SCALE 5/16" = 1'-0"



2
PROPOSED NORTH ELEVATION
SCALE 5/16" = 1'-0"

- NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
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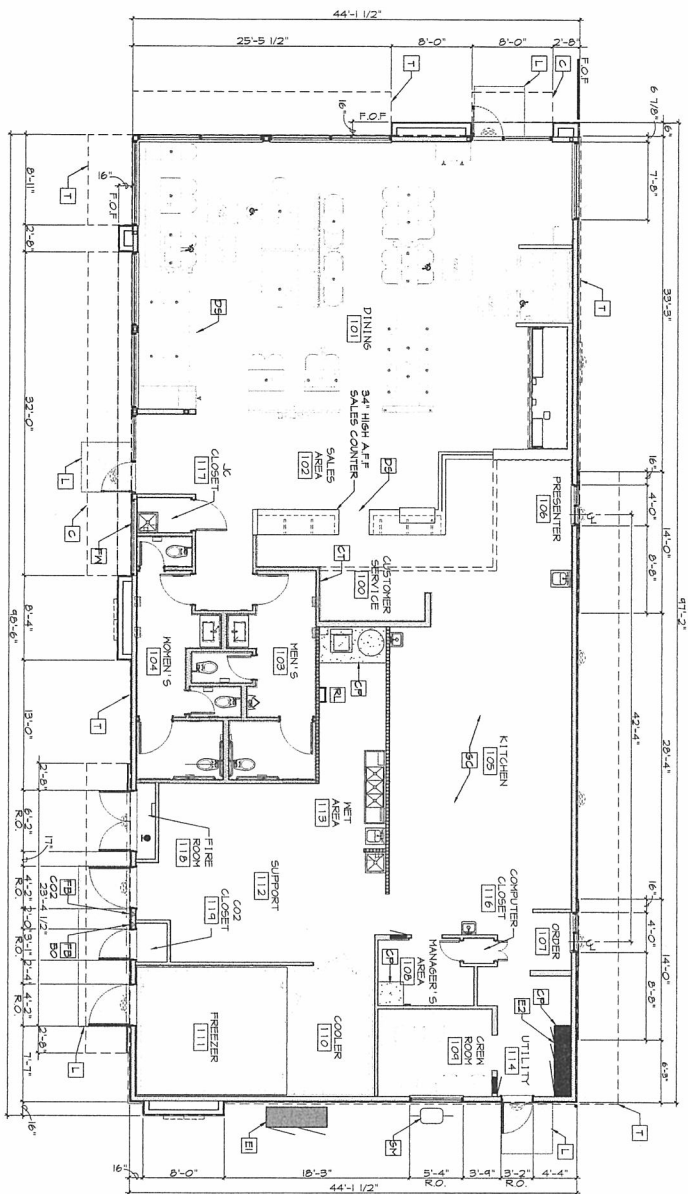
BLACKBURN THE ARCHITECTS
 1000 17th Street, Suite 100
 San Francisco, CA 94103
 Tel: 415.774.1000
 Fax: 415.774.1001
 www.blackburnthe.com

McDonald's
 6823 San Pablo Ave
 Oakland, CA 94608
 Tel: 510.438.1000
 Fax: 510.438.1001
 www.mcdonalds.com

THE GENERAL NOTES
 1. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
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 10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.



- | | |
|--|--|
| OWNER | LP4 + CHS |
| M. McDonald's | |
| ADDRESS | 2841 Oakland and 900
Point Street, CA 94611 |
| 66623 SAN PABLO AVE
OAKLAND, CA 94608 | |
| DESIGNED DATE: 04-24-14 | |
| DESIGNED TITLE: | |
| PROPOSED
EXTERIOR
ELEVATIONS | |
| DESIGNED DRAWER | |



DISABLED ACCESS NOTES

1. IF FIXED OR BUILT-IN SEATING, TABLES OR COUNTERS ARE PROVIDED IN PUBLIC, LESS THAN ONE MAY BE ACCESSIBLE AS DETAILED BELOW: PERCENT (5%) BUT NOT A BRIGHT OF TABLES OR COUNTERS IS BETWEEN 2' 9 1/4" FROM THE FLOOR OF A MINIMUM 30" X 48" CLEAR FLOOR SPACE.
2. ONE FULL UNOBTURATED SIDE OF THE CLEAR FLOOR SPACE ADJACENT OR OVERLAPPING AN ACCESSIBLE ROUTE OR ANOTHER MECHANICAL CLEARING FLOOR SPACE, HEIGH 30" HIGH AND 18" DEEP.
3. DINING AREA SHALL HAVE ONE MECHANICAL SEATING SPACE FOR EVERY 20 SEATING. THE RATIO OF ACCESSIBLE SEATING SHALL BE BASED ON THE TOTAL NUMBER OF SEATING PROVIDED. SUCH SEATING SHALL BE DESIGNED AND REARRANGED TO PERMIT ACCESS TO SEATING SPACES SHALL BE PROVIDED WITH MAIN AISLES NO LESS THAN 36" CLEAR WIDTH.
4. REASONABLE SEATING SHALL BE INTERMIXED WITH GENERAL SEATING TO ALLOW A SPECIFICALLY HIGHLIGHTED AS THE AREA FOR SEATING ARE PROVIDED.
5. WHERE FIXED OR BUILT-IN TABLES, COUNTERS OR SEATING ARE PROVIDED FOR THE USE OF ACCESSIBLE GENERAL EMPLOYEE AREAS, 5% (BUT NOT LESS THAN ONE) MUST BE ACCESSIBLE.
6. THE TOPS OF TABLES AND COUNTERS SHALL BE 28" TO 34" FROM THE FLOOR, WHERE A SINGLE COUNTER CONTAINS BOTH 28" AND 34" HIGH, THE 28" HIGH PORTION SHALL BE THE COUNTER WITH MULTIPLE TELLER WINDOW OR A RETAIL SALES COUNTER WITH MULTIPLE STATION) NO MORE THAN 28" TO 34" HIGH.
7. THE TOPS OF TABLES AND COUNTERS SHALL BE 28" TO 34" FROM THE FLOOR, WHERE A SINGLE COUNTER CONTAINS BOTH 28" AND 34" HIGH, THE 28" HIGH PORTION SHALL BE THE COUNTER WITH MULTIPLE TELLER WINDOW OR A RETAIL SALES COUNTER WITH MULTIPLE STATION) NO MORE THAN 28" TO 34" HIGH.

GENERAL NOTES:

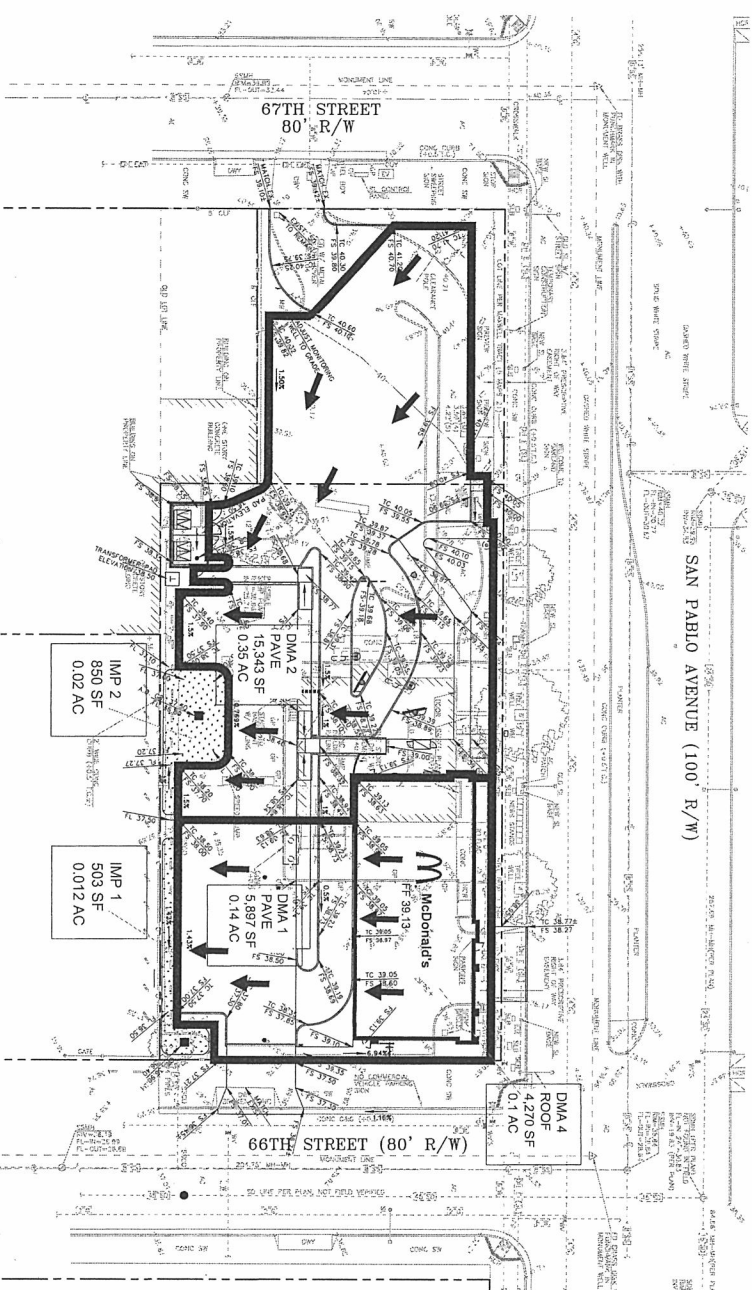
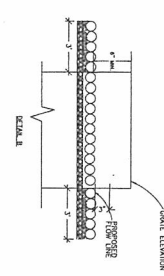
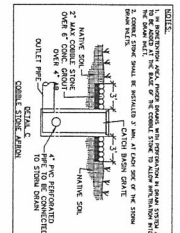
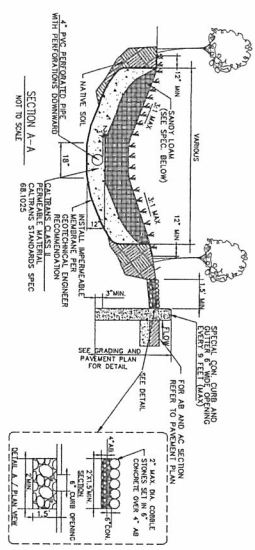
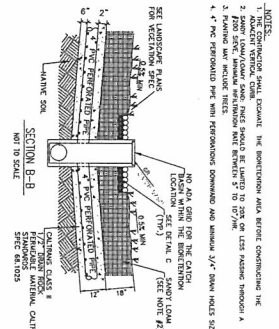
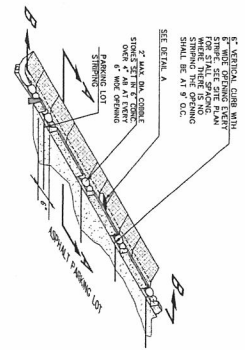
1. EXTERIOR DIMENSIONS ARE TO FACE OF FINISH UNLESS OTHERWISE NOTED.
2. INTERIOR DIMENSIONS ARE TO FACE OF FINISH.
3. SEAMING MUST MEET ALL CA TITLE 24 REQUIREMENTS
4. SEE SITE PLAN FOR SIDEWALKS, RAMPERS, ETC.
5. DO NOT SCALE DRAWINGS.
6. EVERY FLOOR OR LANDING SHALL BE LEVEL, AND THAT EACH SIDE OF ALL DOORS THE LANDING SHALL BE LESS THAN 1/2 INCH LONGER THAN THE THRESHOLD
7. EXIST DOORS SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEYPHOLE OR SPECIAL KNOWLEDGE.
8. A SIGN SHALL BE PROVIDED ON OR NEAR THE EXIST DOOR TO INDICATE THE LOCATION OF THE EXIST DOOR BUSINESS HOURS. THE SIGN MUST BE LOCATED AT THE MAIN EXIT ONLY.
9. TACTILE EXIT SIGNS SHALL BE REQUIRED AT THE FOLLOWING LOCATIONS:
 - a. FROM A ROOM OR OFFICE TO THE EXIST DOOR
 - b. FROM A ROOM OR AREA TO A CORRIDOR OR HALLWAY
 - c. FROM A CORRIDOR OR HALLWAY TO THE EXIST DOOR
 - d. FROM A CORRIDOR OR HALLWAY TO THE MAIN EXIT ROUTE
 - e. FROM A CORRIDOR OR HALLWAY TO THE EXIST DOOR
 - f. FROM A CORRIDOR OR HALLWAY TO THE MAIN EXIT ROUTE
10. NO FLOOR OR LANDING SHALL BE LESS THAN 12 INCHES TO THRESHOLD ON EACH SIDE OF AN EXIST DOOR (SECTION 09.3.1.6)

WALL ASSEMBLY

- 2 x 6 x 6 (6 MOD STUDS @ 16" ON CENTER, EXTERIOR FINISH SHALL BE 1/2" STUCCO (SEE EXTERIOR ELEVATIONS))
BOARD (PROVIDE A SMOOTH TEXTURE BEFORE PAINTING BOARD). SEE FINISH SCHEDULE FOR COLOR OF WALLS.
PROVIDE R-14 BATT INSULATION IN WALLS.
- INTERIOR WALL, 5' 0" - 6' 6" - 6 GAUGE METAL STUDS @ 24" O.C., ATTACH SHOT NAILS TO FLOOR SLAB WITH MINIMUM 0.145 DIAMETER SHOT NAILS @ 2' AND WITHIN 6" OF EACH END. 1/2" SYSPERM WALLBOARD, TYPICAL UNLESS NOTED OTHERWISE.
PROVIDE R-11 BATT INSULATION, 1" FIBER, 1" PAINT.
- INTERIOR WALL, 6' - 6 GAUGE METAL STUDS @ 24" O.C., ATTACH SHOT NAILS TO FLOOR SLAB WITH MINIMUM 0.145 DIAMETER SHOT NAILS @ 2' AND WITHIN 6" OF EACH END. 1/2" SYSPERM WALLBOARD, TYPICAL UNLESS NOTED OTHERWISE.
PROVIDE R-11 BATT INSULATION, 1" FIBER, 1" PAINT.
- COLL. BEARINGER WALL, 4' VARIATION 2 GAUGE STEEL PLACED WALL, 2' CEILING (REFRAME INSULATED PANELS, PANELS TO HAVE A CLASS 1 RATING) FLOOR SPREAD (ASTM-B-9) OF 20 AND SJOICE DEVELOPED 200.

KEY NOTES:

- 6 ALUMINUM CANOPY SYSTEM ABOVE.
- 7 6" CONCRETE EQUIPMENT PAD
- 8 CEILING WALL, TILE & CUSTOMER SERVICE KIOSK, 12' X 12' AS-AP- COORDINATE WITH DECOR COMPANY
- 9 DROPPED SOFFIT ABOVE.
- 10 MAIN DISTRIBUTION ELECTRICAL PANEL
- 11 ELECTRICAL PANELS
- 12 CO2 FILL BOX
- 13 OPTIONAL BULK OIL
- 14 FALSE MINORON
- 15 9-6" TO PROVIDE 4' X 4' X 8'-0" HIGH STAINLESS STEEL CORNERS IN KITCHEN AREA AND SUPPORT AREA CORNERS STANDING AT FINISH FLOOR ATTACH TO WALLS. 2" X 4" X 8'-0" STEEL BLOCKING SHALL COVER COVERED BASE WHERE TILE MEETS STAINLESS STEEL CORNER
- 16 6-6" VERTICAL
- 17 CONTRACTOR SHALL VERIFY A LEAK-TEST LANDING AT ALL EXTERIOR DOORS WITH A HANIKIN 2% SLOPE AWAY FROM BUILDING AND 2% HANIKIN CROSS SLOPE.
- 18 ROOF ACCESS LADDER WHATCH
- 19 WALL MOUNTED ALUMINUM TRELLIS SYSTEM ABOVE



BOREHOLE DETAIL
NOT TO SCALE

LEGEND

- DMA DRAINAGE MANAGEMENT AREA
- IMP INTEGRATED MANAGEMENT PRACTICE
- PAVE PAVEMENT AREA
- ROOF BUILDING ROOF AREA
- DRAINAGE AREA DRAINAGE AREA
- DRAINAGE ARROW DRAINAGE ARROW
- BOREHOLE AREA BOREHOLE AREA



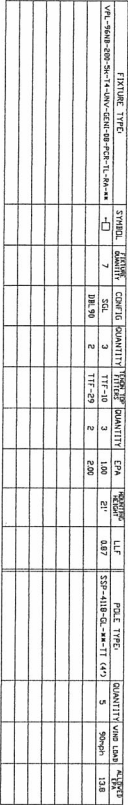
ams
AMERICAN MUNICIPAL SERVICES
1000 S. GATEWAY BLVD., SUITE 100
SAN ANTONIO, TEXAS 78204
TEL: 214-521-1234
FAX: 214-521-1235
WWW.AMS-SANANTONIO.COM

McDonald's
1000 S. GATEWAY BLVD., SUITE 100
SAN ANTONIO, TEXAS 78204
TEL: 214-521-1234
FAX: 214-521-1235
WWW.MCDONALDS.COM

DRAWING NUMBER
SHEET 2.7

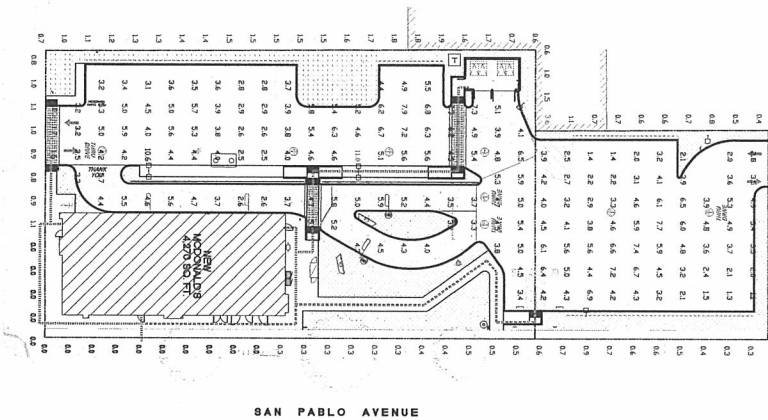






• PROJECT VIB AND LOAD CRITERIA BASED ON:
 ASCE 7-10 WIND SPEEDS C3-SEC PEAK DUST MPH
 50 YEAR MEAN RECURRENCE INTERVAL

OUT NETS
ACTIVITY
C MOOC TO
OUT DATA
G SOCIETY
MAY BACK TO
C CONSTITUTION



PAVED SURFACE READINGS	
Average	4.4
Maximum	11.0
Minimum	1.1
AVG Min	4.01
Max Min	10.00

PROPERTY LINE READINGS	
Average	0.9
Maximum	3.6
Minimum	0.0
AVG Min	N/A
Max Min	N/A

67TH STREET

1. THE FIVE-STAR RENTALS AS SHOWN ARE BASED ON THE FOLLOWING:
CREDIT, ANY SUBSTITUTIONS IN SPECIFIED FIXTURES OR CHANGES TO LAYOUT WILL AFFECT LIGHTING LEVELS SHOWN AND WILL NOT BE THE RESPONSIBILITY OF THE SELECTED LIGHTING.
2. THE DISTANCE BETWEEN THE LIGHTING FIXTURES IS 18 INCHES REFLECTED ON THE DRAWING UNLESS OTHERWISE SPECIFIED. BUILDING LIGHTING IS SPECIFIED IN THE FIXTURE SCHEDULE BELOW.
3. DISTANCE BETWEEN READINGS: 30'
4. FIXTURE ADJUSTMENTS TO AVOID ANGLE OF INTERFERENCE OF FIXTURES MAY BE REQUIRED TO ELIMINATE LIGHT THERMS OR GLARE DURING ADJUSTING PROPERTIES OR DEMOS.

<p>CRP Architects & Planners, Inc. 10000 Wilshire Blvd., Suite 1000 Los Angeles, CA 90024 Tel. (310) 271-1000 Fax (310) 271-1001</p>	<p>McDonald's 10000 Wilshire Blvd., Suite 1000 Los Angeles, CA 90024 Tel. (310) 271-1000 Fax (310) 271-1001</p>
<p>PHOTOMETRIC PLAN</p>	<p>PHOTOMETRIC PLAN</p>
<p>DRAWING NUMBER: 2.4</p>	<p>DRAWING NUMBER: 2.4</p>

NAME	QTY	PRICE
...



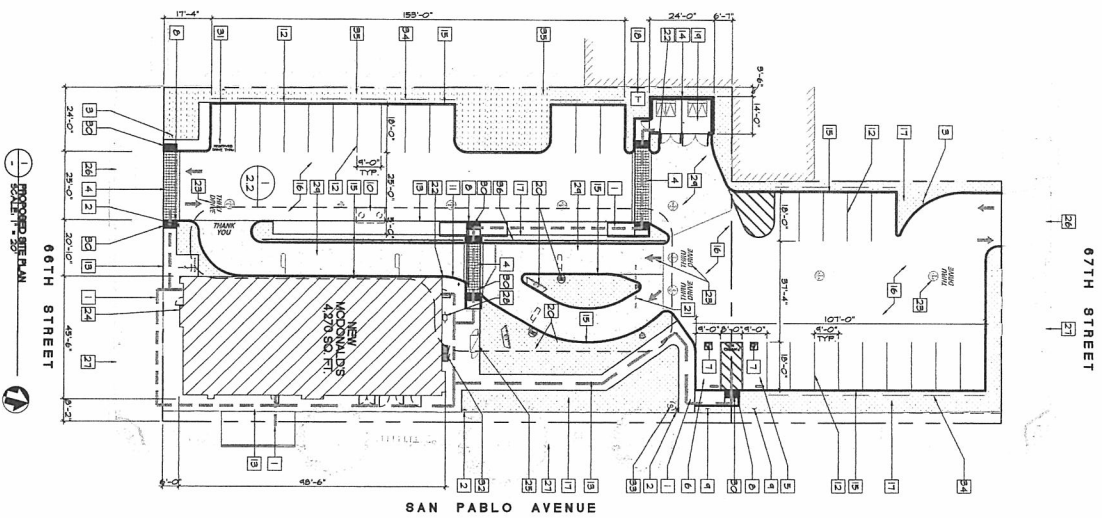
1. All handicapped areas that receive a 2-3" layer of organic mulch top dressing.
2. All handicapped areas that be irrigated by drip and a small controller.

MEDIUM WATER USE PLAN

efficiency))







NOTES

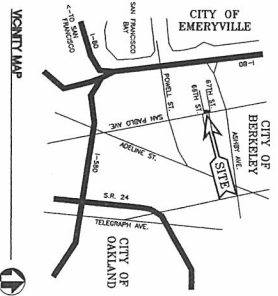
- 1 ADA PATH OF TRAVEL, SHOWN DASHED.
- 2 POLE MOUNTED INTERNATIONAL SYMBOL OF ACCESSIBILITY AT ACCESSIBLE PATH OF TRAVEL.
- 3 TOW MARK ACCESSIBILITY PARKING SIGN.
- 4 6" THICK COLORED CONCRETE DRIVE SLAB, REINFORCE WITH #4 BARS AT 24" ON CENTER EACH WAY. CROSS SLOPE NOT TO EXCEED 5% RUNNING SLOPE NOT TO EXCEED 5%. HEAVY BROOM 24" OC EACH WAY COLOR - BENTONITE MOORE - "EARTHLY RUBBER" OR "ALTEC BRICK".
- 5 VAN ACCESSIBLE PARKING STALL - 8'-0" X 12'-0" MINIMUM PAINT ACCESSIBLE LOADING ZONE WITH 4" WIDE STRIPES WITH TWO COATS OF HIGHWAY BLUE PAVEMENT MARKING PAINT PAINT THE WORDS "NO PARKING IN 2" HIGH LETTERS WITHIN THE LOADING ZONE.
- 6 ACCESSIBLE PARKING STALL - 8'-0" X 12'-0" MINIMUM PAINT ACCESSIBLE LOADING ZONE WITH 4" WIDE STRIPES WITH TWO COATS OF HIGHWAY BLUE PAVEMENT MARKING PAINT PAINT THE WORDS "NO PARKING IN 2" HIGH LETTERS WITHIN THE LOADING ZONE.
- 7 FLUSH SURFACE AT TRANSITION (TYPICAL)
- 8 ACCESSIBLE PARKING SIGN (TYPICAL 2 PLACES)
- 9 UNDERGROUND GREASE INTERCEPTOR.
- 10 1 1/2" DIA. RAILING PAINT BLACK
- 11 PARKING STRIPES PER OAKLAND STANDARDS (TYPICAL)
- 12 4" THICK CONCRETE WALK, MEDIUM BROOM FINISH PERPENDICULAR TO TRAVEL CROSS SLOPE NOT TO EXCEED 5%.
- 13 TRASH ENCLOSURE
- 14 6" CONCRETE CURB (TYPICAL)
- 15 A.C. PAVING
- 16 LANDSCAPING (SEE LANDSCAPE DRAWINGS)
- 17 ELECTRICAL TRANSFORMER
- 18 5 1/2" THICK VIN. CONCRETE DRIVE SLAB WITH #4 BARS AT MID SLAB 24" OC. EACH WAY. HEAVY BROOM FINISH PERPENDICULAR TO TRAFFIC (TYPICAL 2 PLACES)
- 19 COB 4 NEW BOARD PER MCDONALDS STANDARDS
- 20 HEIGHT BAR PER MCDONALDS STANDARDS (TYP 2 PLACES)
- 21 6" CONCRETE RILLED PIPE BOLLARD (TYPICAL 2 PLACES) BOLLARD TO BE PROVIDED AT EACH DRIVE THRU WINDOW
- 22 PAVEMENT MARKINGS PER MCDONALDS STANDARDS
- 23 BICYCLE LOCKER
- 24 EXISTING DRIVEWAY TO REMAIN
- 25 EXISTING PUBLIC CONCRETE CURB SIDEWALK AND GUTTER
- 26 645 METER
- 27 6" THICK VIN. CONCRETE DRIVE SLAB WITH #4 BARS AT MID SLAB 24" OC. EACH WAY HEAVY BROOM FINISH PERPENDICULAR TO TRAFFIC
- 28 TRUNCATED DOWNS
- 29 RESERVED DRIVE-THRU PARKING SPACE WITH SIGN AND PAVEMENT MARKINGS
- 30 ELECTRICAL PANEL
- 31 FLAG POLE
- 32 NEW STORMWATER PRE-TREATMENT BIO-STYLE. SEE CIVIL DRAWINGS. NEW GREEN SCREEN. SEE LANDSCAPE DRAWINGS

SITE INFORMATION

EXISTING USE:	3047 SF. RESTAURANT
PROPOSED USE:	4270 SF. RESTAURANT
A.P.N.:	081-1031-001-01
ACRE:	0.004 ACRE
SITE AREA:	50,000 SF.
PROPOSED LANDSCAPE:	64,000 SF.
LANDSCAPE %:	10%
PARKING - 8'-0" X 12'-0" STANDARD:	24 STALLS
ACCESSIBLE PARKING:	2 STALLS
TOTAL PARKING PROVIDED:	26 STALLS
EXISTING PARKING PROVIDED:	3 STALLS
BUILDING INFORMATION	
OCCUPANCY GROUP:	A2
CONSTRUCTION TYPE:	VB
FIRE SPRINKLER:	YES
PROPOSED RESTAURANT SF.:	1,500 SF.
STORIES:	1 STORY
BUILDING HEIGHT:	26'-4"
HANDEDNESS ALLOWED:	25'-4"
SITE DEDICATION INFORMATION	40'-0"

MCDONALDS PROJECT MANAGEMENT

CONTRACT NO. 2000-001-0001
 2000 OAKLAND ROAD, SUITE 100
 OAKLAND, CA 94612
 510.444.4000



McDonald's

2000 Oak Road, Suite 100
 Emeryville, CA 94608

ADDRESS: 4270 SAN PABLO AVE
 OAKLAND, CA 94608

DRAWING DATE: 10-24-14

OWNER: LGS #10035

DESIGNER: CRW
 CRW Architects & Planners, Inc.
 1000 Broadway, Suite 100
 San Francisco, CA 94102

DRAWING TITLE:
PROPOSED SITE PLAN

DRAWING NUMBER:
2.1

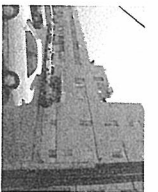


PHOTO 1



PHOTO 2



PHOTO 3

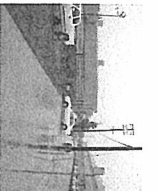


PHOTO 4



PHOTO 5



PHOTO 6



PHOTO 7



PHOTO 8



PHOTO 9



PHOTO 10

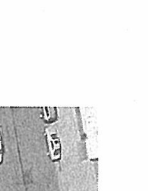


PHOTO 11



PHOTO 12



PHOTO 13



PHOTO 14



PHOTO 15



PHOTO 16

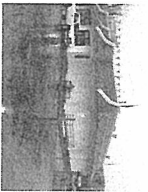


PHOTO 17



PHOTO 18



PHOTO 19



PHOTO 20



PHOTO 21



PHOTO 22



PHOTO 23



PHOTO 24



PHOTO 25



PHOTO 26

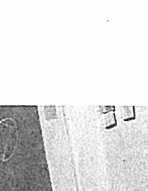


PHOTO 27



PHOTO 28



PHOTO 29



PHOTO 30



PHOTO 31



PHOTO 32

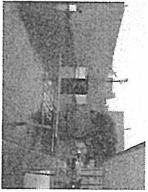


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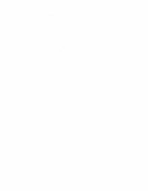


PHOTO 34



PHOTO 35



PHOTO 36



PHOTO 37



PHOTO 38



PHOTO 39



PHOTO 40



PHOTO 41



PHOTO 42



PHOTO 43

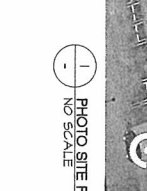


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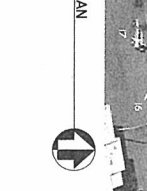


PHOTO 45



PHOTO 46



PHOTO 47



PHOTO 48

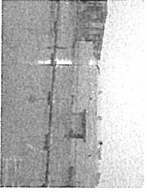


PHOTO 49



PHOTO 50



PHOTO 51



PHOTO 52

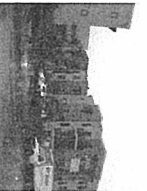


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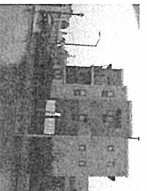


PHOTO 54



PHOTO 55



PHOTO 56



1 PHOTO SITE PLAN
NO SCALE

CRP

OWNER

McDonald's

2405 GSt. Road, Suite 400
Newport, CA 94581

ADDRESS
6623 SAN PABLO AVE
OAKLAND, CA 94608

PERMITS DATE: 10-24-14

PREPARED BY
EXISTING CONDITION
PHOTO SITE PLAN

PROJECT NUMBER
1.2



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1	2	3	4	5	6	7	8	9	10	11	12	13</																																																																																							

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES, PIPES AND/OR STRUCTURES SHOWN ON THIS SURVEY WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. THE CONTRACTOR SHALL ASCERTAIN THE TRUE LOCATION OF ANY UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES, SHOWN OR NOT SHOWN HEREON.

BENCH MARK:
CITY BENCHMARK 2267: CUT SQUARE IN TOP OF CURB AT MID POINT OF RETURN STREET AND HERZOG STREET

ELEVATION = 44,900 (CITY PARKING)

NOTES:

3. THE PROPERTIES ARE LOCATED IN FLOOD ZONE X (NOT A FLOOD HAZARD AREA) 06001000560, DATED AUGUST 3, 2008.

4. A 3.64 FOOT WIDE PREEXISTING EASEMENT FOR PUBLIC RIGHT OF WAY APPROPRIATION OF THE PROPERTIES THAT LIE WITHIN THE IMPROVEMENTS OF SAN PABLO AVENUE. PORTION OF WAY MONUMENTS LOCATED IN SAN PABLO AVENUE.

PARCEL ONE:
LOTS 5 AND 6, BLOCK 1, MAP OF MAXWELL TRACT, FILED SEPTEMBER 19, 1877
COUNTY RECORDS, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8, THENCE ALONG THE

75° 23' 00" EAST 124.52 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 6 AND LOT 5, SOUTH 14° 30' 00" EAST 210.13 FEET TO THE SOUTHWEST ALONG THE SOUTHERLY LINE OF SAID LOT 5, SOUTH 75° 23' 00" WEST 123.52 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5, AND SAID LOT 5, THENCE ALONG THE WESTLY LINE OF SAID LOT 5, AND SAID LOT

LOT 7, IN BLOCK 1, AS SAID LOT AND BLOCK ARE SHOWN ON THE "MAP OF MOUNTAIN VIEW, CALIFORNIA," FILED SEPTEMBER 19, 1872, IN BOOK 5 OF MAPS, PAGE 21, IN TULARE COUNTY.

EXCEPTING THEREFROM THE WESTERN 35 FEET, FRONT AND RAR MEASUREMENT

DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 7, FROM WHICH SAID LOT 7 BECAME DEDUCTED TO SIX ACRES, WEST 86.00 FEET, NORTHERLY 15.00 FEET,

REFERENCES:

1. FIRST AMERICAN TITLE INSURANCE COMPANY TITLE REPORT DATED NOVEMBER 19, 1997
2. MAP OF THE MAXWELL TRACT, ALAMEDA COUNTY, CALIFORNIA, 5 MAPS 21
3. CITY OF OAKLAND MONUMENT MAP NUMBER 327
4. BUILDING PERMIT SURVEY FOR LOT 546, BLOCK 1, MAXWELL TRACT BY MARY ANN HARRIS

EXCEPTIONS PER REFERENCE #1:

1. GENERAL AND SPECIAL TAXES 2011-2012
2. GENERAL AND SPECIAL TAXES 2011-2012
3. USE OF SUBORDINATE TAXES

4. FACTS, RIGHTS, INTERESTS, OR CLAIMS DISCLOSED BY AN ALTA/ACSM SURVEY
5. AN ALTA/ACSM SURVEY OF RECENT DATE WHICH COMPLIES WITH THE CURRENT REQUIREMENTS
6. ITEM DELETED

8. AN UNRECORDED LEASE (INST. NO. 77-68923 O.R.)
9. DOCUMENT ENTITLED "ASSIGNMENT OF LEASE" (INST. NO. 83-227422 O.R.)
10. DOCUMENT ENTITLED "ASSIGNMENT OF LEASE" (INST. NO. 81-047836 O.R.)
11. LETTERS OF CONSOLIDATIONSHIP (INST. NO. 2008226330 O.R.)
12. RIGHTS OF PARTIES IN POSSESSION

14. LAND LIES WITHIN THE BOUNDARIES OF BROADWAY/MACARTHUR/SAN PABLO (INSTR. NO. 20092318678 O.R.)

THE PROJECT CONSISTS OF BUT IS NOT LIMITED TO:

DRIVE THRU AS SHOWN ON THE SITE PLAN.
(BUILDING REMOVAL SHALL INCLUDE BUT NOT LIMITED TO THE FOLLOWING:)

CONSTRUCTION OF:
NEW RESTAURANT BUILDING, INCLUDING NEW CONCRETE
WALKS, DRIVE THRU, MENU BOARD SIGNAGE, CURBS,
PAVING, DRIVE THRU, DRIVE THRU, DRIVE THRU, DRIVE THRU

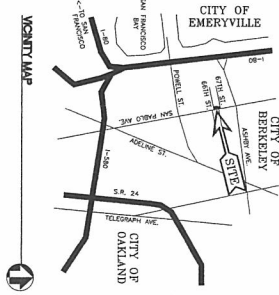
DRAWING INDEX

1.2 EXISTING SITE PHOTO
2.1 PROPOSED SITE PLAN
2.2 PARTIAL SITE PLAN AT DRIVE-THRU
2.3 PROPOSED PLANTING PLAN

2.4 PROPOSED PHOTOMETRIC PLAN
2.5 PROPOSED GRADING PLAN
2.6 PROPOSED UTILITY PLAN

4.1 PROPOSED EXTERIOR ELEVATIONS
4.2 PROPOSED EXTERIOR ELEVATIONS
4.3 COLOR EXTERIOR ELEVATIONS
4.4 COLOR EXTERIOR ELEVATIONS

2000


 cm

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66
OA
ADP

12

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