Case File Number PLN20087

November 4, 2020

Location:	6224-6320 International Blvd.; APN 038-3222-008-02, 010-01 &		
·	012-01 (See map on the reverse)		
Proposal	To remodel the interior and exterior of an existing McDonald's		
•	restaurant and expand the Drive-Through.		
Applicant:	Drew Sanchez		
Phone Number:	(650) 350-9471		
Owner:	McDonald's Corporation		
Case File Number:	PLN20087		
Planning Permits Required	Major Conditional Use Permit for a Drive-Through Non-residential		
	Facility, Regular Design Review for exterior modification.		
General Plan	Urban Residential		
Zoning	RU-5 Urban Residential Zone		
Environmental Determination	Exempt per CEQA Sections 15301: Existing Facilities, Section		
	15302: Replacement or Reconstruction, Section 15303: New		
	Construction or Conversion of Small Structures, and Section		
·	15183.3: Projects consistent with Community Plan, General Plan or		
	Zoning		
Historic Status:	Not a Potentially Designated Historic Property or Local Register		
	Property; Oakland Cultural Heritage Survey Rating: F3		
City Council District:	5		
Status:	Pending		
Actions to be Taken:	· · · · · · · · · · · · · · · · · · ·		
	Planning Commission action based on staff report.		
Staff Recommendation:			
Finality of Decision:			
For Further Information:	1 3 1		
	jmadani@oaklandca.gov		

SUMMARY

McDonald's operates an existing fast-food restaurant at 6300 International Boulevard. The restaurant includes a parking lot and a drive-through. The applicant has submitted a request to expand the drive-through by adding an additional queuing lane at the rear of the building, and install landscaping and other vehicular improvements to enhance circulation on-site. In addition, the applicant is proposing interor and exterior renovations to the existing building.

The Project requires a Major Conditional Use Permit (CUP) for expansion of a Drive-Through Non-Residential Facility with additional findings. Regular Design Review is required for the façade changes in the RU-5 Urban Residential Zone (RU-5).

Staff recommends approval of the requested permits, subject to the Findings and Conditions of Approval included in this report (*Attachment A and B*).

PROPERTY AND SURROUNDING AREA DESCRIPTION

The Project site is located on International Boulevard between 62nd Avenue and 64th Avenue and along E. 16th Street. The subject site consists of three lots. There is an existing, one-story, 4,851 sq. ft. McDonald's restaurant on one of the parcels with the other two lots containing 46 spaces for restaurant parking. The existing drive-through parallels E. 16th Street and then encircles the back building before exiting onto

International Boulevard.

The surrounding uses include a retail store adjacent to the site, an AC Transit stop in the middle of International Boulevard, small commercial stores across International Boulevard, a car wash and auto sales across 64th Avenue, and a residential building on E. 16th Street. The site is fenced off along E. 16th Street with the drive-through providing a buffer from the residential area.

PROJECT DESCRIPTION

The proposal is to expand the Drive-Through Non-Residential Facility within the parking lot from one to two queuing lanes with the proposed lane located parallel to the existing lane along E. 16th Avenue but towards the interior of the lot. The Project includes a new trash enclosure, pre-browser, and digital menu sign. New landscaping will be installed, and the parking area in front of the building reconfigured. These improvements will result in a parking reduction from 48 to 46 spaces (*Attachment C*).

The Project would also include a new front entrance facing on International Boulevard, an interior remodel and upgrades to the order counter area, dining area, and bathrooms. In addition, the exterior façade would be altered to remove the existing canopies and parapets, and modernize the façade with new stucco, aluminum batten, metal canopies, fascia, lighting, and new landscaping.

GENERAL PLAN ANALYSIS

Land Use and Transportation Element

The Project site is classified as Urban Residential per the General Plan's Land Use and Transportation Element (LUTE). The intent of this classification is "to create, maintain, enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services." This Project meets the LUTE's Industry and Commerce goal to "ensure that the Oakland community has access to a wide variety of goods and services, meeting daily and long-term needs," especially during the COVID pandemic and the need for social distancing. In addition, the Project conforms to the following LUTE objectives and policies:

Objective I/C3

Expand and retain Oakland's job base and economic strength.

Policy I/C1.2 Retaining Existing Business.

Existing businesses and jobs within Oakland which are consistent with the long-range objectives or this Plan should, whenever possible, be retained.

International Boulevard Transit-Oriented Development Plan

The Project site is in the International Boulevard Transit-Oriented Development (TOD) Plan area and the Havenscourt-Lockwood sub-area but is not a catalyst area or opportunity site. The Plan notes in this subarea that "International Boulevard on either side of this TOD Catalyst Area (between 51st and 57th Avenues) will undergo streetscape improvements and new uses will be added over time. The new uses will be a mixture of residential buildings, mixed use buildings and single-story commercial buildings." The Project meets this intent by preserving existing jobs and making improvements to the site.

ZONING ANALYSIS

The Project site is in the RU-5 Zone. The RU-5 Zone is intended to "create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise, and high rise residential structures and ground floor neighborhood businesses on the City's major corridors."

Design Review and Major Conditional Use Permit including Additional Findings

Pursuant to Planning Code Section 17.19.020, design review is required.

Pursuant to Planning Code Section 17.73.020, a CUP is required for a Drive-Through Non-Residential Facility. Additional specific Findings are also required per Planning Code Section 17.103.100(A) to ensure a thorough review of Drive-Through Facilities above and beyond the general CUP Findings. The Planning Code requires a review of these activities to ensure they do not weaken the concentration and continuity of retail frontages, adversely affect the retention or creation of a shopping frontage; or significantly affect traffic on the surrounding streets.

A Major CUP and Regular Design Review and consideration by the Planning Commission, is required per Planning Code Sections 17.134.020(A)(2)(b)(i) and 17.136.040(D)(1). The required Major CUP, Regular Design Review, and additional Findings are in the Findings section of this report as part of staff's evaluation.

Additional Criteria for Approval

In addition to the specific CUP findings pertaining to Drive-Through Facilities, the Planning Code includes two other criteria for Drive-Through Facilities.

Planning Code Section 17.103.100(B) requires that "a driveway serving as a vehicle stacking or queuing lane for a drive-through window in a Drive-Through Nonresidential Facility 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 existing queuing lane for the drive-through is located next to E. 16th Street on the side of the Project site. This area will be expanded into two lanes and separated from the parking lot. The drive-through is currently not the only exit/entrance onto the site. There already exists two entrance and exit areas off International Blvd. The purpose of the improvements is to improve circulation on-site to the drive-through area and within the parking lot. As such, the proposal will not result in overflow onto the street. The drive-through will be all-weather and will adhere to the City's Erosion Control, Site Design and Source Control Measures related to hydrology and stormwater pollution control.

Planning Code Section 17.103.100(C) states that "each vehicle space comprising a stacking or queuing lane for a drive-through window drive-through window in a Drive-Through Nonresidential Facility 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 minimum capacity of eight (8) vehicles."

The proposal will increase the drive-through queuing area from one to two lanes adding approximately 50' of additional queuing space or stacking for two more cars for a total eight cars. As such, the proposal meets the requirement. The width of the new lanes is 10'-10".

Other Requirements

No other Zoning requirements are triggered by the Project. The Planning Code requires one parking space for each 600 sq. ft. of floor area, or, for a 4,851 sq. ft. building, eight spaces. As such, the reduction in parking spaces is not a Planning Code concern.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review.

Section 15301 exempts minor alteration of existing private structures, involving negligible or minor expansion of existing or former use. The proposal meets this exemption as the building footprint and the use as a fast food restaurant is not changing. No changes to the number of drive-through windows is proposed. The expansion of the queuing area will only result in better traffic flow and circulation on-site, not an expansion of use.

Separate and independently, Section 15302 exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. In this instance the drive-through will be replaced in the same location, with the same purpose, and as noted above, substantially the same capacity.

Separate and independently, Section 15303 exempts the construction and location of limited numbers of new, small facilities or structures. Again, a drive-through will be expanded to include a second queuing lane but maintain the same location and substantially the same capacity.

Finally, on another separate and independent basis, CEQA Guidelines Section 15183.3 (Projects consistent with a Community Plan, General Plan or Zoning) is also applicable as noted in the *General Plan* and *Zoning* sections above.

KEY ISSUES AND IMPACTS

Staff has not identified any key issues or impacts with the Project. The purpose of the improvements is to update the building and improve traffic circulation on the site. The second lane will reduce queuing or stacking problems and create a more inviting parking lot with the addition of more landscaping. It is not expected that there will be additional noise impacts from the second drive-through queuing lane for the residential buildings across E.16th Street. Further, staff included a Condition of Approval related to Operational Noise and compliance with the performance standards of Oakland Planning Code Section 17.120 and Oakland Municipal Code Chapter 8.18.

SUMMARY

Due to the proposal's ability to meet required findings, staff recommends approval of the Project, subject to Conditions of Approval, including a compliance review

RECOMMENDATIONS

- 1. Affirm staff's environmental determination.
- 2. Approve the Major Conditional Use Permit and Regular Design Review subject to the attached Findings and Conditions.

Prepared by:

Vonen Nadom

Jason Madani Planner III

Reviewed by:

ROBERT MERKAMP Zoning Manager

Reviewed by:

EDWARD MANASSE Deputy Director, Bureau of Planning

ATTACHMENTS:

- A. Findings
- B. Conditions
- C. Plans / Photographs
- D. Proof of public notification posting

ATTACHMENT A: FINDINGS FOR APPROVAL

This proposal meets the required findings under General Conditional Use Permit Criteria (OMC Sec. 17.134.050), Regular Design Review Criteria (OMC Section 17.136.050B) and Additional Use Permit Criteria for Drive-Through Nonresidential Facilities (OMC Sec. 17.103.100) as set forth below. Required findings are shown in **bold** type; explanations as to why these findings can be made are in normal type.

General Conditional Use Permit Criteria (OMC Sec. 17.134.050)

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

The Project site is an existing McDonald's restaurant and the location, setting and size of the building is not being altered. This proposal is only for on-site circulation improvements including a new queueing lane for the drive-through area and landscaping.

It is not expected that these improvements will affect the livability or appropriate development of the surrounding neighborhood as the second queuing lane is located toward the side of the property in the same location as the current queuing area and is located adjacent to E. 16th Street. In addition, staff has added a Condition of Approval related to operational noise and compliance with City Codes to the Project.

Furthermore, since the capacity of the restaurant to make food will not change, it is unlikely that the Project will result in increased traffic, and the purpose of the improvements is to enhance circulation.

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 proposal is to expand the drive-through to add a second queuing lane. The improvements will occur at the side of the property where the existing drive-through is located. The purpose of these improvements is to enhance traffic flow on-site, reduce queuing or stacking problems and create a more inviting parking lot with the addition of more landscaping. The result will be a more convenient business operation and attractive and improved patron experience than the current configuration.

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.

The proposal will enhance the successful operation of the surrounding area and supply an essential, expanded service to the community. The purpose of the improvements is to enhance traffic flow on-site. However, the Project will also ensure the continuation of an existing business during a time when businesses, and especially restaurants are struggling. The proposal also provides a safe, social distance option during COVID to receive food.

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

See the Regular Design Review Findings below.

CONDITIONS OF APPROVAL

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

The Project site is classified as Urban Residential per the General Plan's Land Use and Transportation Element (LUTE). The intent of this classification is "to create, maintain and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to Transportation and other services." This Project is an existing restaurant site and will continue to provide fast food to residents in the area meeting the intent of the Urban Residential classification.

In addition, the Project meets the LUTE's Industry and Commerce goal to "ensure that the Oakland community has access to a wide variety of goods and services, meeting daily and long-term needs." Furthermore, the Project conforms to LUTE Objective I/C3 and Policy I/C1.2.

The Project site is in the International Boulevard Transit-Oriented Development (TOD) Plan area and Havenscourt-Lockwood sub-area. The Project meets the subarea goals by preserving existing jobs and making improvements to the site.

Additional Use Permit Criteria for Drive-Through Non-residential Facilities (OMC 17.103.100)

1. That the proposed facility will not impair a generally continuous wall of building facades.

The Project site is located on International Boulevard between 62nd and 64th Avenue and along E. 16th Street. The building footprint or floor area is not being altered. The building is currently setback from the street by landscaping.

Other than the restaurant and the adjacent commercial building, the rest of the block consists of surface parking.

In sum, the proposal to make site improvements at the rear of the site will not impair or effect a continuous wall of building facades as a street wall does not exist on the block.

2. That 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.

As noted above, the Project site is a corner parcel and there is only one retail store directly adjacent to the site on this block. The improvements are at the rear and side of the Project site. As such, the Project will not weaken or disrupt the continuity of retail or impair a shopping frontage.

3. That the proposed facility will not directly result in a significant reduction in the circulation level of service of adjacent streets.

As stated throughout the report, the purpose of the improvements is to improve circulation on the site and improve the patron experience. Since the capacity of the restaurant to make food will not change, it is unlikely that the Project will result in increased traffic on City streets.

Design Review Criteria (OMC Sec. 17.136.050B)

1. 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.

The proposed McDonald's restaurant renovation will maintain the existing use and all existing relationships to surrounding area. The scope of upgrade will include improvements to the building façades; ADA Barrier removal from building and site, a stucco façade finish, metal roof, brick veneer at the base line; new entrance door and aluminum canopy system which will relate well with the surrounding buildings along International Boulevard. Also, adding the new entry door and the walkway from the public sidewalk will orient the building more toward the street front (International Boulevard) and less inward from the parking area.

The new queuing area will be at the side and inward of the lot. The new queuing area will result in added landscape improvements to beautify the site.

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

The neighborhood contains residential and commercial uses. The proposed exterior upgrades to the existing McDonald's restaurant, new queuing area and landscaping will provide improvements to the site. The proposed elevations will use high quality materials including stucco, metal siding and aluminum battens with wood texture. Colors will blend with the surrounding commercial structures. The proposal will serve and protect the value of and provide public investment along International Boulevard.

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

See the General Conditional Use Permit Findings above.

CONDITIONS OF APPROVAL

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

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans submitted on **August 7, 2020**, as amended by the following conditions of approval and mitigation measures, if applicable ("Conditions of Approval" or "Conditions").

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **two years** the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. Minor and Major Changes

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

a. The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved

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- technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant's expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval 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 Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

6. Signed Copy of the Approval/Conditions

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

7. Blight/Nuisances

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within sixty (60) days of approval, unless an earlier date is specified elsewhere.

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project 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 Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

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

10. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with Engineering Services and/or the Bureau of Building, if directed by the Director of Public Works, Building Official, Director of City Planning, Director of Transportation, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

11. Public Improvements

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-job") permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, Engineering Services, Department of Transportation, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

12. Trash and Blight Removal

Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.

When Required: Ongoing Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

13. Graffiti Control

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
 - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
 - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
 - iii. Use of paint with anti-graffiti coating.
 - iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).

- v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
 - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
 - ii. Covering with new paint to match the color of the surrounding surface.

iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

14. Lighting

<u>Requirement:</u> Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

15. Dust Controls - Construction Related

<u>Requirement</u>: The project applicant shall implement all of the following applicable dust control measures during construction of the project:

- a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. Limit vehicle speeds on unpaved roads to 15 miles per hour.
- e. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.
- f. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Criteria Air Pollutant Controls - Construction Related

Requirement: The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:

a. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two

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- minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- b. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").
- c. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.
- d. Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.
- e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
- f. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. Asbestos in Structures

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

18. Construction-Related Permit(s)

<u>Requirement</u>: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

19. Hazardous Materials Related to Construction

<u>Requirement</u>: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture's recommendations for 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. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- 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 project 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 notifying the City and applicable 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

20. Erosion and Sedimentation Control Measures for Construction

<u>Requirement:</u> The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

21. Site Design Measures to Reduce Stormwater Runoff

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:

a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas;

- b. Utilize permeable paving in place of impervious paving where appropriate;
- c. Cluster structures;
- d. Direct roof runoff to vegetated areas;
- e. Preserve quality open space; and
- f. Establish vegetated buffer areas.

When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: N/A

22. Source Control Measures to Limit Stormwater Pollution

<u>Requirement</u>: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:

- a. Stencil storm drain inlets "No Dumping Drains to Bay;"
- b. Minimize the use of pesticides and fertilizers;
- c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas;
- d. Cover trash, food waste, and compactor enclosures; and
- e. Plumb the following discharges to the sanitary sewer system, subject to City approval:
- f. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants;
- g. Dumpster drips from covered trash, food waste, and compactor enclosures;
- h. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories;
- i. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and
- j. Fire sprinkler teat water, if discharge to on-site vegetated areas is not feasible.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

23. Construction Days/Hours

<u>Requirement</u>: The project applicant shall comply with the following restrictions concerning construction days and hours:

- a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
- b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- c. No construction is allowed on Sunday or federal holidays.

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.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants'

preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

24. Construction Noise

<u>Requirement</u>: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:

- a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.
- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

25. Extreme Noise

a. Construction Noise Management Plan Required

Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:

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

CONDITIONS OF APPROVAL

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

iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site:

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

v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Public Notification Required

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating

activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building

26. Operational Noise

Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 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 City.

When Required: Ongoing Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

27. Construction Activity in the Public Right-of-Way

a. Obstruction Permit Required

Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

b. Traffic Control Plan Required

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and

pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

c. Repair of City Streets

Requirement: The project applicant shall repair any damage to the public right-of way,

including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

28. Construction and Demolition Waste Reduction and Recycling

Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

29. Employee Rights

<u>Requirement</u>: The project applicant and business owners in the project shall comply with all state and federal laws regarding employees' right to organize and bargain collectively with employers and shall comply with the City of Oakland Minimum Wage Ordinance (chapter 5.92 of the Oakland Municipal Code).

When Required: Ongoing Initial Approval: N/A

Monitoring/Inspection: N/A

30. Signage

<u>Requirement:</u> If new signage is proposed, the applicant shall submit a Small Project Design Review application for the signage to the Bureau of Planning for review and approval.

November 4, 2020

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When Required: Prior to building permit final

Initial Approval: N/A
Monitoring/Inspection: Bureau of Planning

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City Planning Commission:	(date)	(vote)
City I failing Commission.	(uaic)	(voic)



VICINITY MAP

PACIFIC NORTHWEST REGION OAKLAND — E 14TH

DEMO SITE PLAN

CVR

PROPOSED SITE PLAN

COVER SHEET

GATEWAY DETAILS AND DRIVE—THRU CANOPY

DIGITAL MENU BOARDS

A1.0 FLOOR PLAN

BUILDING ELEVATIONS

BUILDING ELEVATIONS

BUILDING ELEVATIONS

BUILDING ELEVATIONS

rofessional of Record:



Santa Rosa, CA. 95404

PROJECT INFORMATION

ADDRESS:

STATE SITE CODE: 004-1421

STREET ADDRESS: 6300 INTERNATIONAL BLVD. OAKLAND CITY:

COUNTY: ALAMEDA STATE: CALIFORNIA

SITE DATA:

RU-5 - URBAN RESIDENTIAL ZONING:

38-3222-8-2 / 38-3222-10-1 / A.P.N.:

36,413 S.F. (0.84 AC) AREA:

PARKING EXISTING: 49 STALLS PARKING PROPOSED: 48 STALLS

BUILDING DATA:

OCCUPANCY: USE GROUP A2

CONSTRUCTION TYPE:

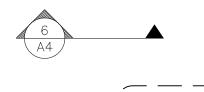
NUMBER OF STORIES: 18'-0" (PARAPET) BUILDING HEIGHT: BUILDING AREA: ±4,851 S.F.

SCOPE OF WORK:

- (N) SIGNAGE & SITE BRANDING
- (N) EXTERIOR FACADE UPGRADE
- (N) DINING AREA DECOR UPGRADES
 RESTROOM REMODEL FOR ADA COMPLIANCE
 ADDITION OF DOUBLE DRIVE—THRU

Charlie's Las Palmas by T-Mobile SITE LOCATION LA Raza Market Gold Coin Car Wash Oakland Cruise Mobile NORTH

SYMBOL LEGEND:



SECTION TAG

DETAIL TAG

--- ELEVATION TAG

ROOM NAME & NUMBER

DOOR TAG

PARTITION TAG

DETAIL

1 1/2"=1'-0"

DETAIL NUMBER

DISCIPLINE: ARCHITECT: LANDSCAPE:

AREA MAP

PM DESIGN GROUP INC. LANDSCAPE ARCHITECT CONSTRUCTION MGR.: McDONALD'S USA LLC

DESIGNER OF RECORD:

NAME

HALA IBRAHIM

SITE LOCATION

REPRESENTATIVE ROD SCACCALOSI BRIAN McCARTHY

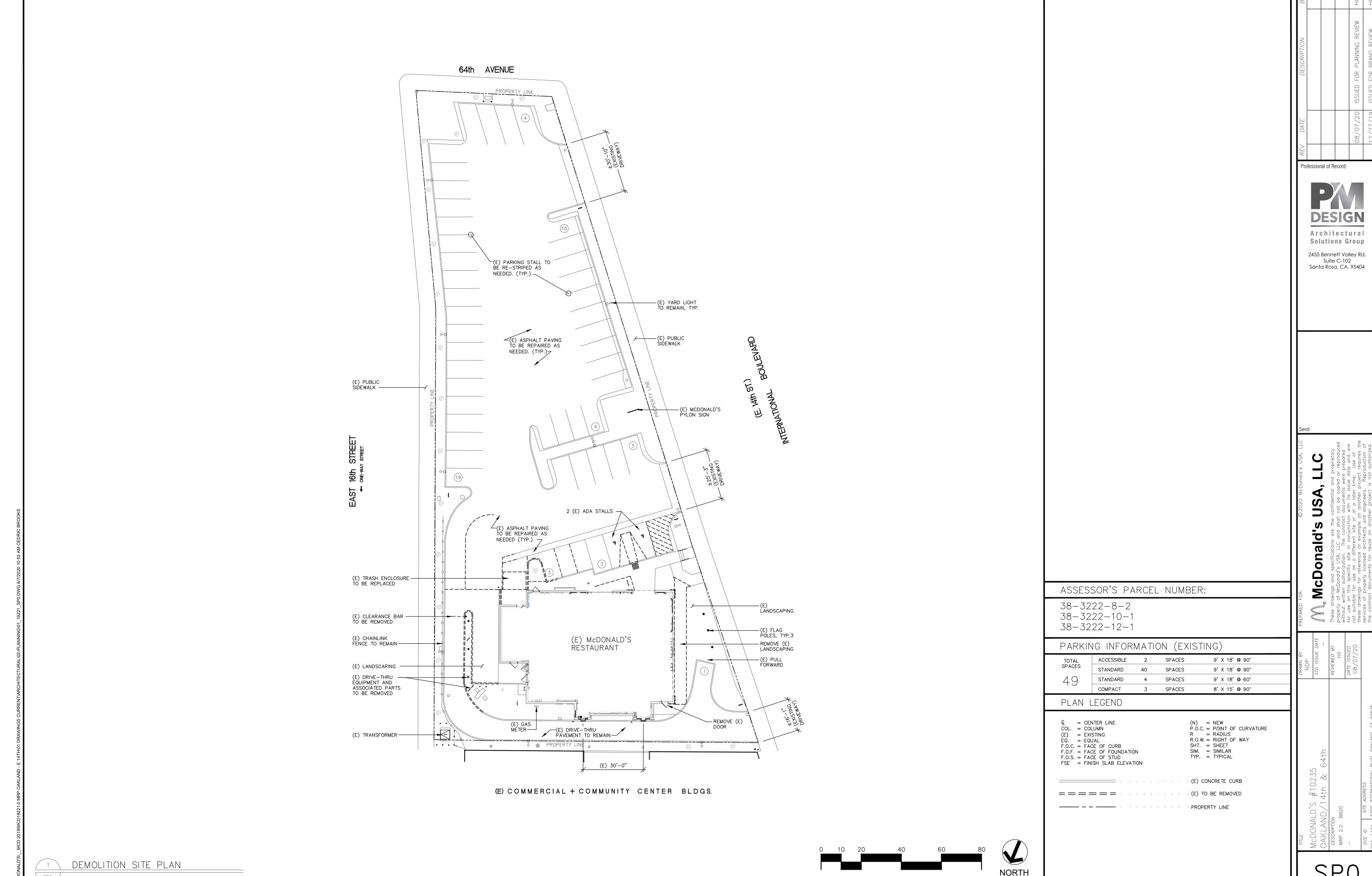
ADDRESS

3860 BROADWAY DRIVE, STE. 110, AMERICAN CANYON, CA 94503 P.O. BOX 2083, PETALUMA, CA 94952

2999 OAK ROAD SUITE 900 WALNUT CREEK, CA 94597

(925) 222-1673 (707) 280-8990 (530) 205-8528

PHONE #

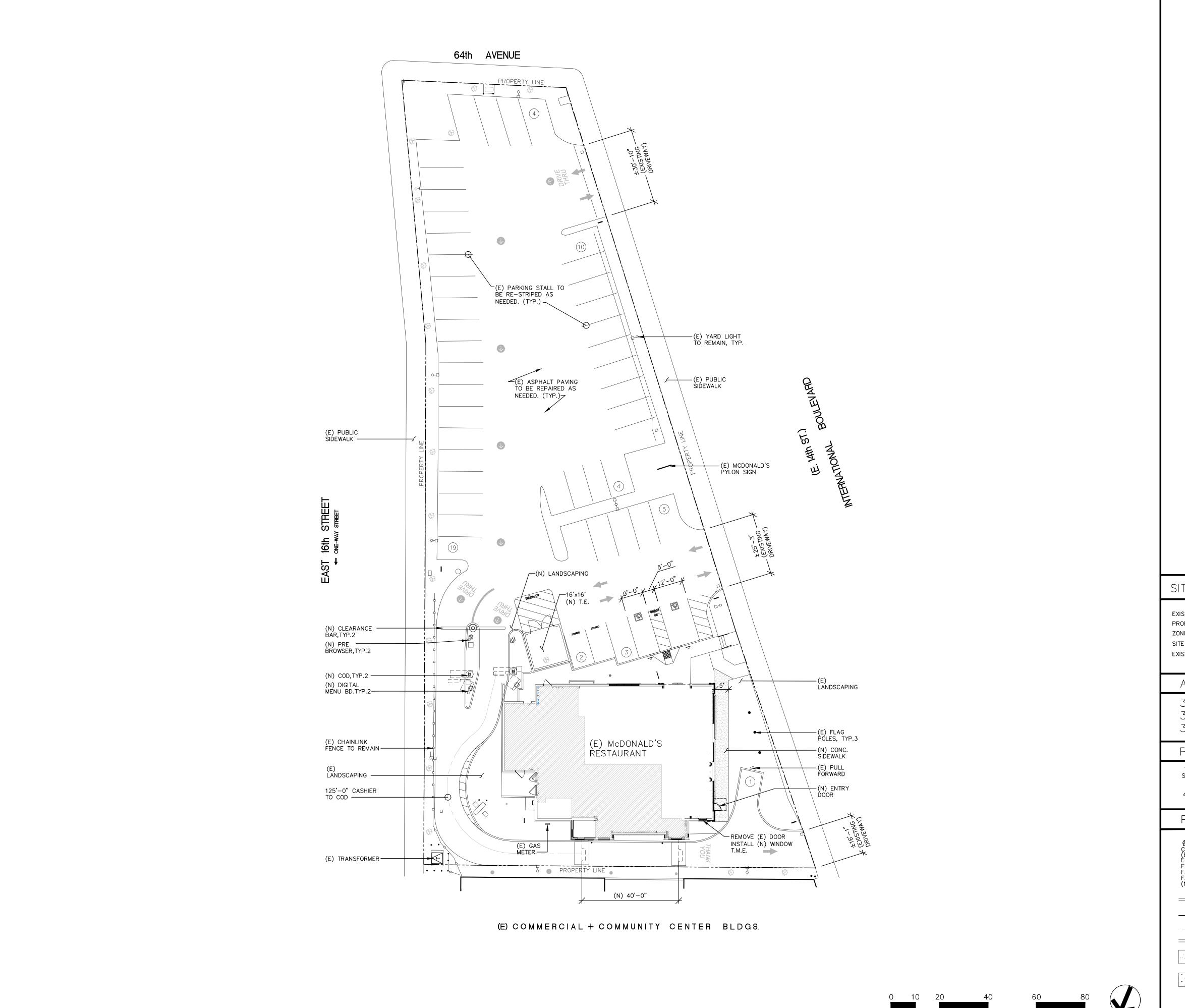


1" = 20' - 0"

SCALE: 1"=20'-0"



SP0



Professional of Record: Architectural Solutions Group 2455 Bennett Valley Rd. Suite C-102 Santa Rosa, CA. 95404 **USA** SITE AND BUILDING DATA **McDonald's** RESTAURANT EXISTING USE: PROPOSED USE: RESTAURANT ZONING: RU-5 - URBAN RESIDENTIAL SITE AREA: 36,413 S.F. (0.84 AC) EXISTING OVERALL BUILDING AREA: ±4,851 SF. ASSESSOR'S PARCEL NUMBER: 38-3222-8-2 38-3222-10-1 38-3222-12-1 PARKING INFORMATION (PROPOSED) 2 SPACES 9' X 18' @ 90° SPACES STANDARD 42 SPACES 9' X 18' @ 90° 9' X 18' @ 60° STANDARD 4 SPACES COMPACT 2 SPACES 8' X 15' @ 90° PLAN LEGEND € = CENTER LINE

COL. = COLUMN

(E) = EXISTING

EQ. = EQUAL

F.O.C. = FACE OF CURB

F.O.S. = FACE OF STUD

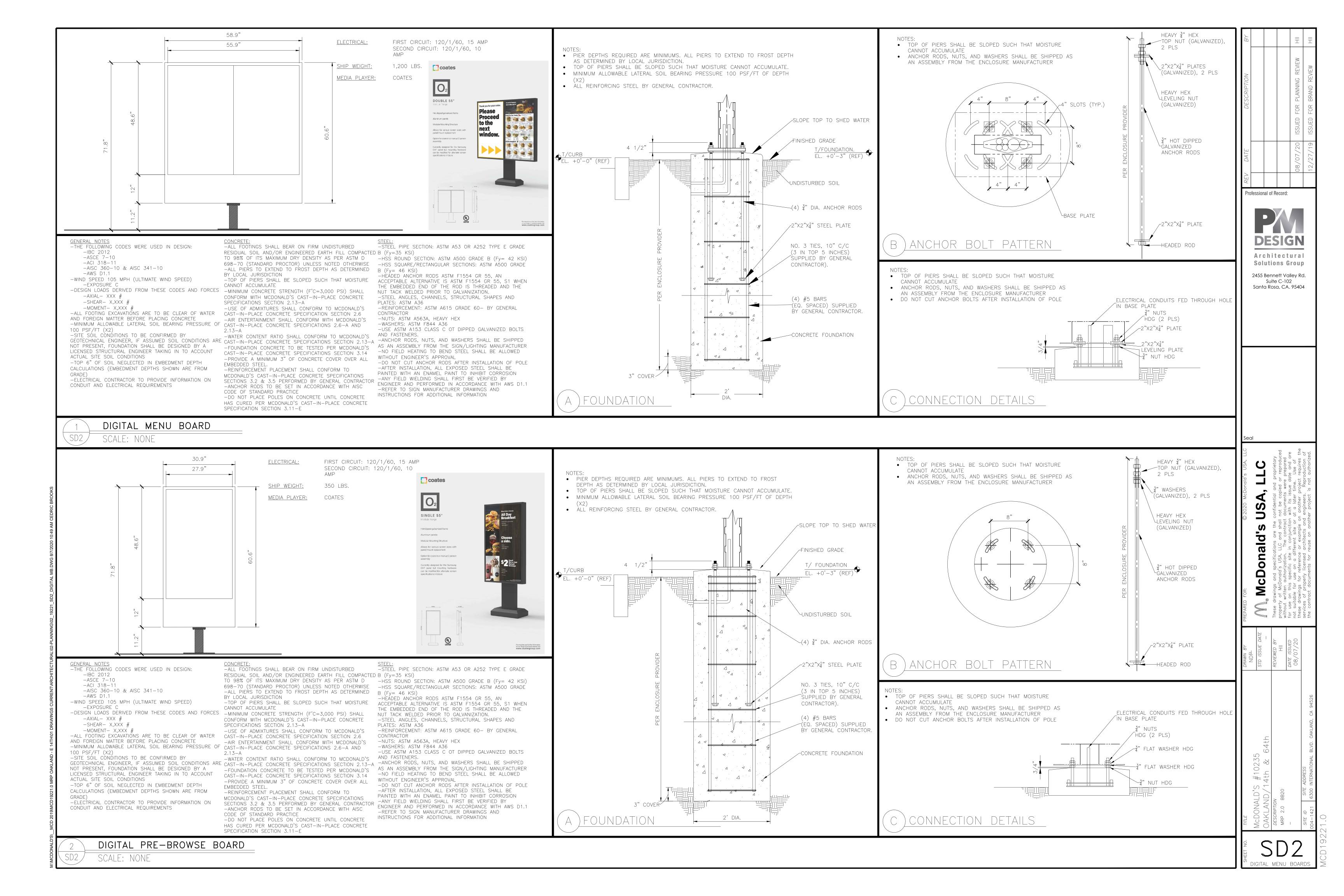
F.O.F. = FACE OF FOUNDATION

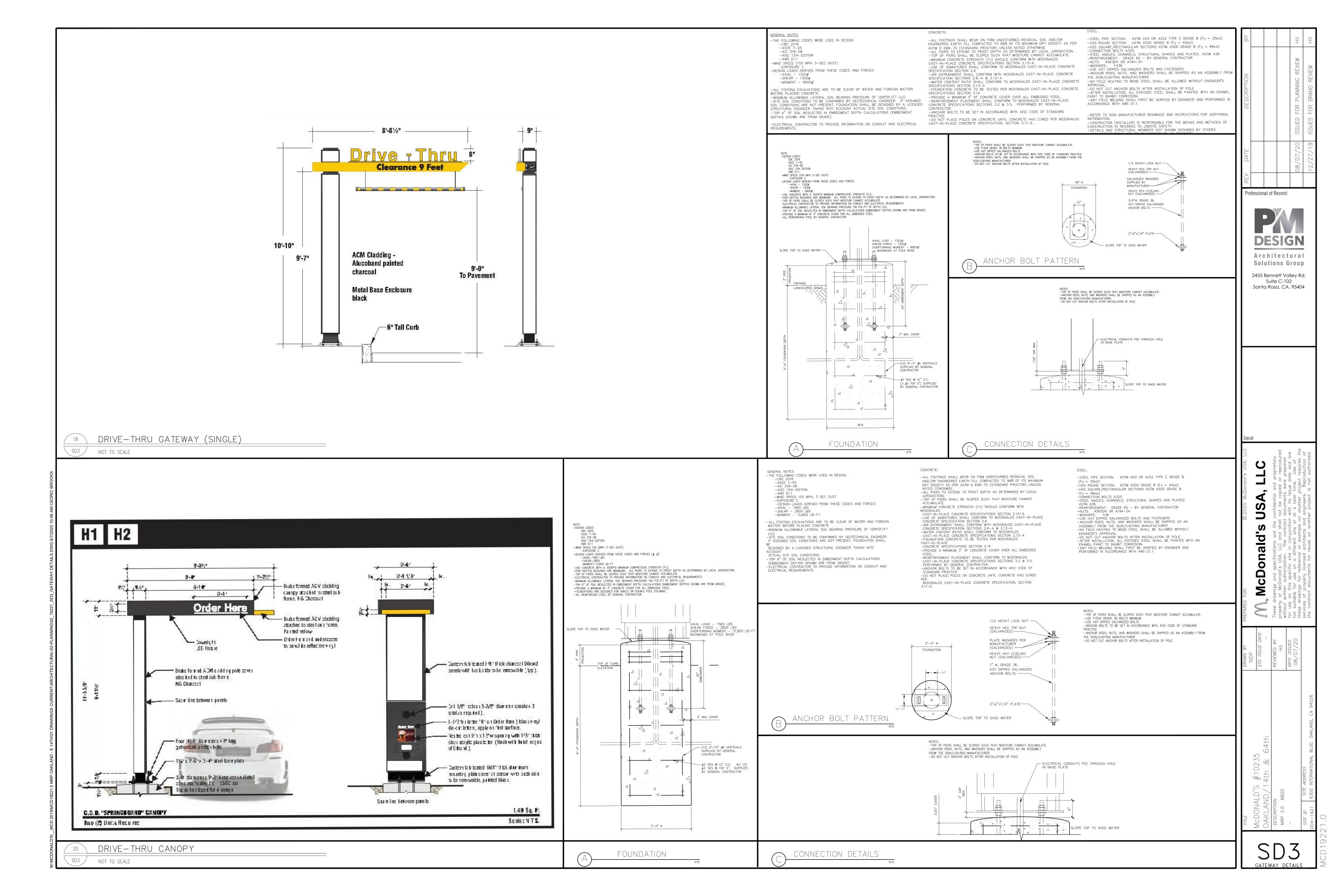
(N) = NEW P.O.C. = POINT OF CURVATURE
R = RADIUS
R.O.W. = RIGHT OF WAY
SHT. = SHEET
SIM. = SIMILAR
TYP. = TYPICAL
FSE = FINISH SLAB ELEVATION (E) CONCRETE CURB . PROPERTY LINE . ACCESSIBLE PATH OF TRAVEL · (N) CONCRETE CURB · (N) CONCRETE PAVING . (N) LANDSCAPE · · · · · · · · · · · · · (N) PAVEMENT ARROWS PER DETAIL
18/SP3 (PAINTED WHITE) · · · · · · · · · · · · · · (N) DRIVE THRU STRIPING PER DETAIL 17/SP3 (PAINTED YELLOW) SITE PLAN

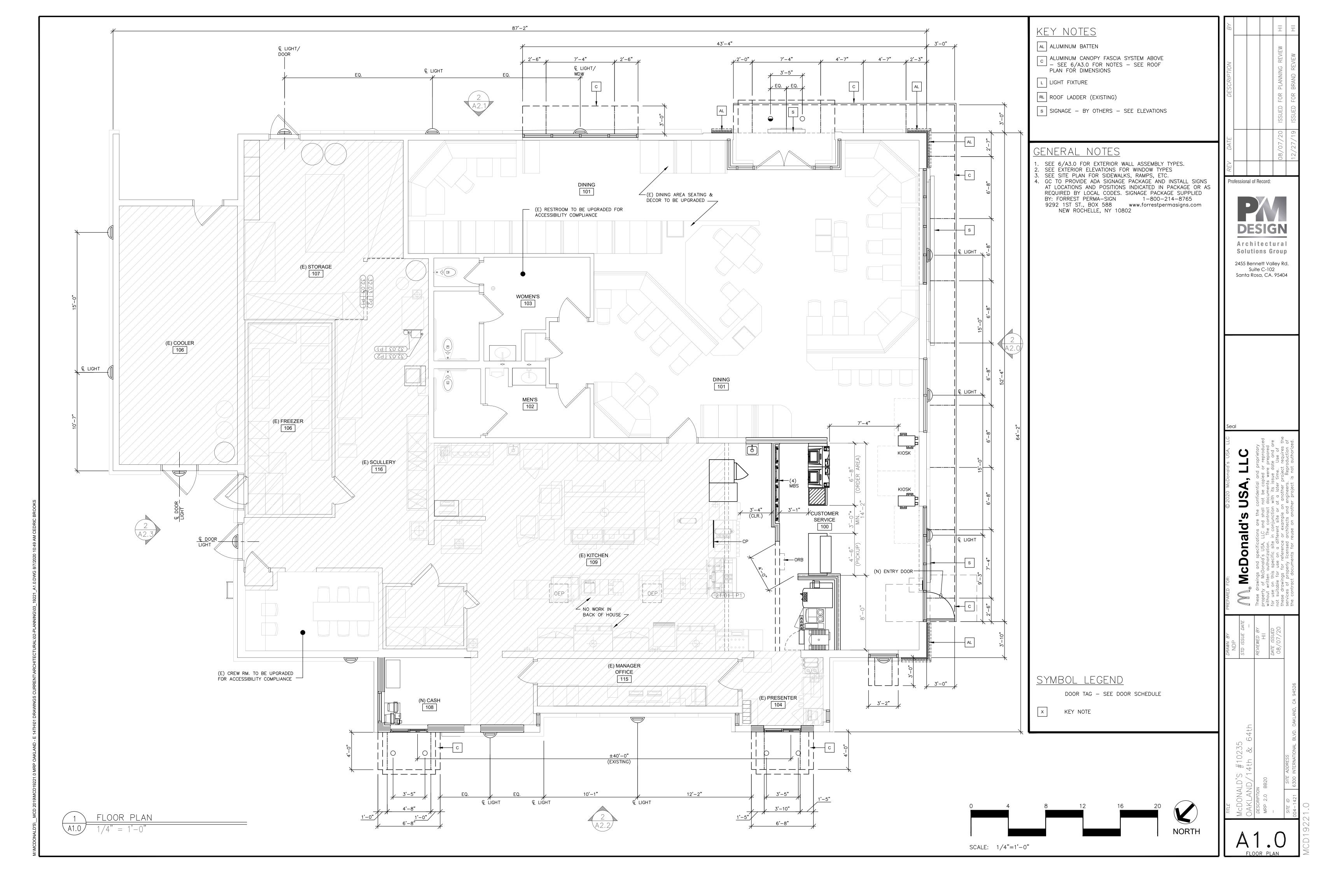
SITE PLAN

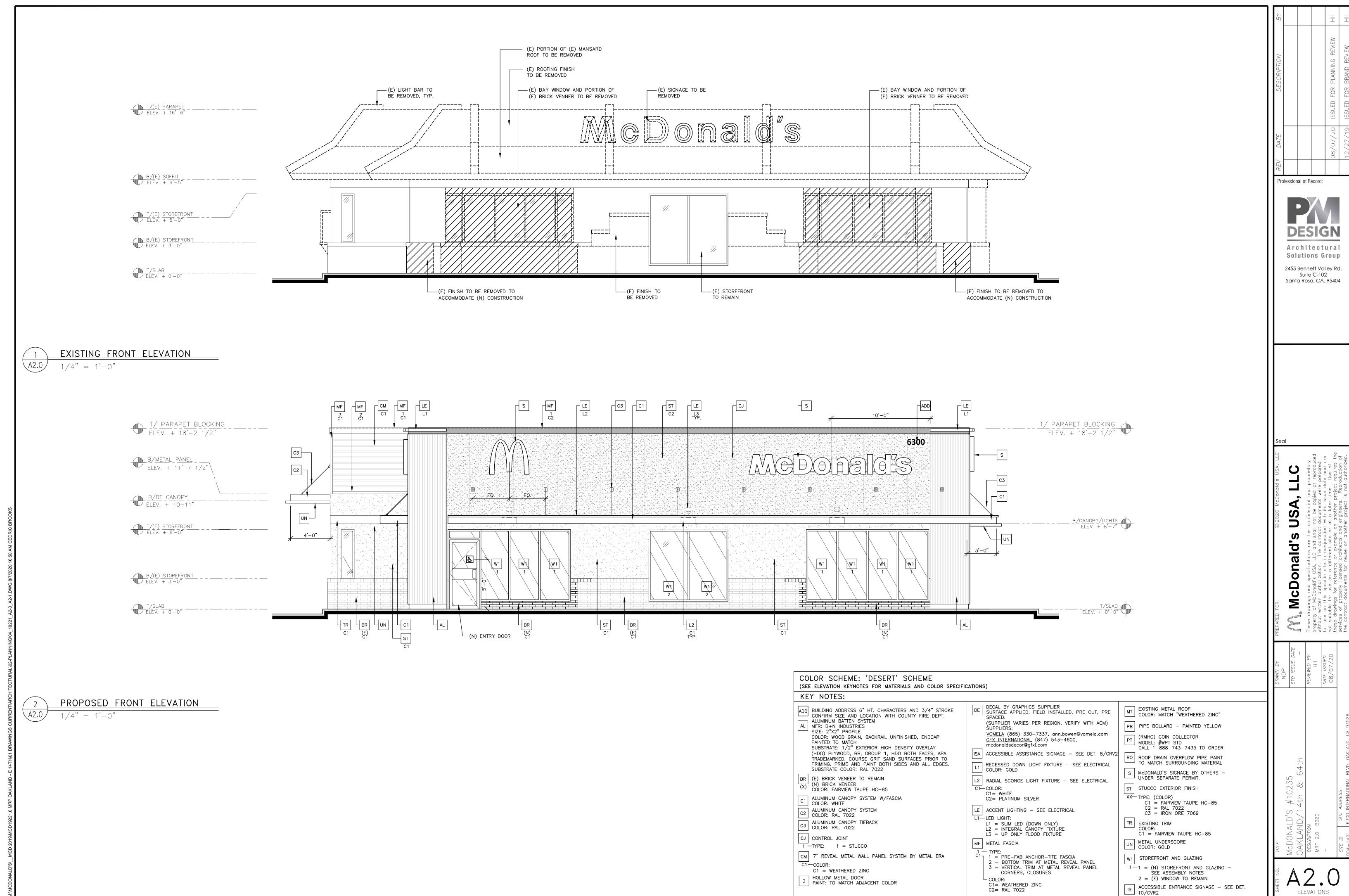
SCALE: 1"=20'-0"











ELEVATIONS

