

**REPORT**

Case File Number PLN17046

July 5, 2017

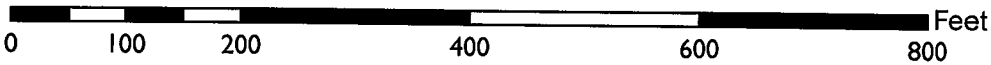
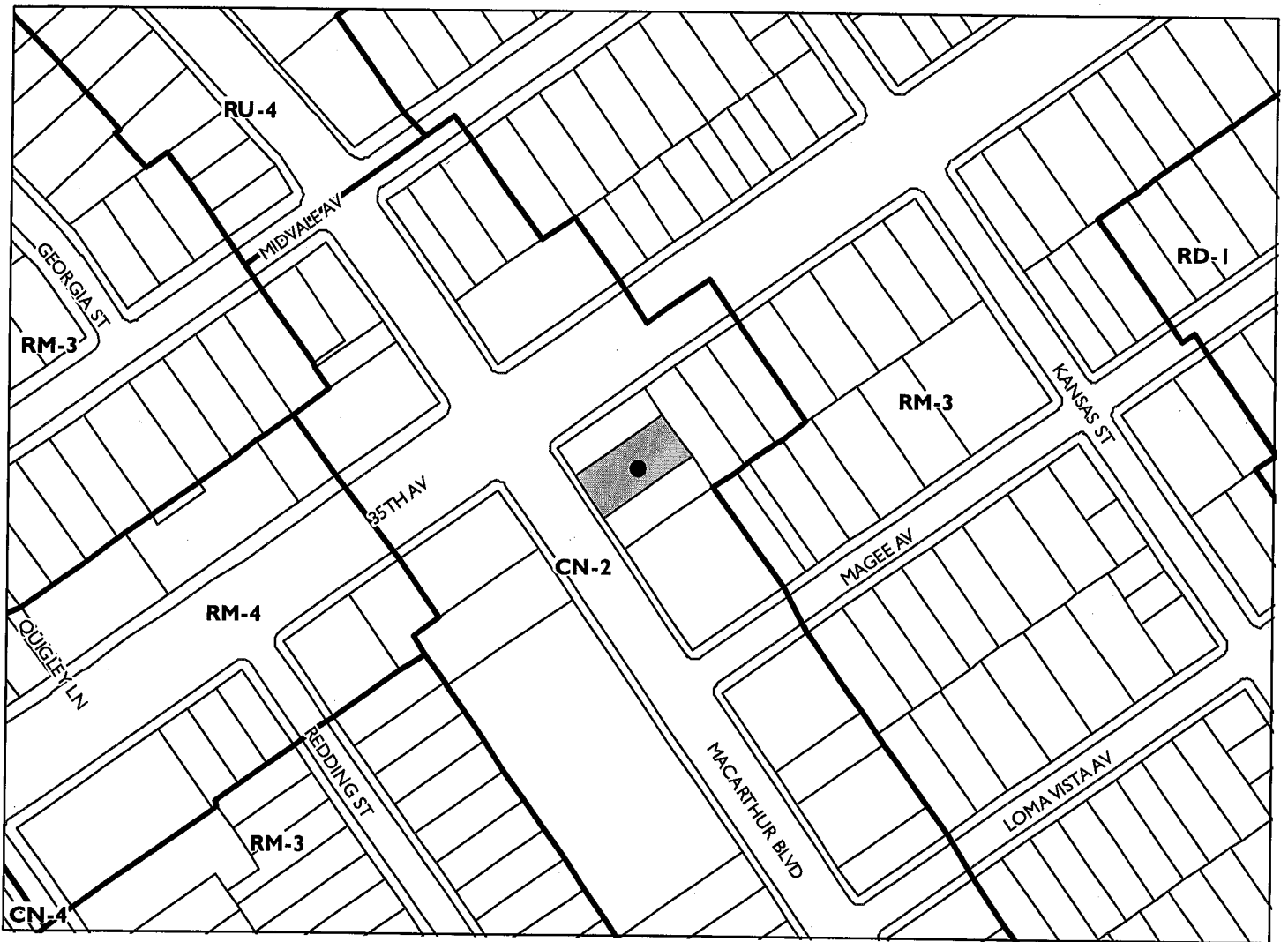
<b>Location:</b>	3506 Macarthur Boulevard (see map on reverse)
<b>Assessor's Parcel Number:</b>	030 -1898-012-00
<b>Proposal:</b>	To serve alcoholic beverages at a full service restaurant "Burger & BBQ" with a requested 12:00 A.M. closing time.
<b>Applicant:</b>	Jemma Lester
<b>Phone Number:</b>	(510) 289-3958
<b>Owner:</b>	Best By Farr, Inc.
<b>Planning Permits Required:</b>	Major Conditional Use Permit to serve alcoholic beverages at a Full Service Restaurant Commercial Activity located along a 'restricted street' (OMC Sec. 17.103.030(B)(2)), Minor Conditional Use Permit to allow for open facilities.
<b>General Plan:</b>	Neighborhood Commercial Mixed Use
<b>Zoning:</b>	CN-2 Neighborhood Commercial Zone
<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
<b>Historic Status:</b>	Non historic property
<b>City Council District:</b>	4
<b>Date Filed:</b>	February 16, 2017
<b>Finality of Decision:</b>	<i>Appealable to City Council within 10 days</i>
<b>For Further Information:</b>	Contact case planner <b>Moe Hackett</b> at (510) 238-3973 or <a href="mailto:mhackett@oaklandnet.com">mhackett@oaklandnet.com</a>

**SUMMARY**

The applicant requests Planning Commission approval of a Major Conditional Use Permit to serve beer and wine on-site with meals at an existing full service restaurant ("Burger & BBQ") on a restricted street with both an indoor dining area and a rear open dining patio. Alterations to the facility have been previously approved as a Small Project Design Review (DS160541), to allow for a 95% expansion of the existing building. Revisions to that approval are part of the subject proposal to reduce area impacts and provide a more functional operation. The applicant requests a 12:00 A.M. closing time and a Type 47 liquor license for beer, wine, and sprits. Staff is recommending a 10:00 P.M. closing time for outdoor activity and a 11:00 P.M. closing time for indoor activity. Staff will also require a six-month trial period at a Type 41 beer & wine only license, with an option to upgrade to the Type 47 license and a possible expansion of the indoor operational hours if no verified complaints are recorded.

Staff recommends approval subject to conditions of approval as described in this report.

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN17046  
Applicant: Jemma Lester  
Address: 3506 MacArthur Boulevard  
Zone: CN-2

## **PROPERTY DESCRIPTION**

The property is located on Macarthur Boulevard near the intersection of 35<sup>th</sup> Avenue (one building in from the southeast corner). The 5,254 square-foot lot contains a small, one-story commercial building facing Macarthur at zero lot line to the sidewalk. The building contains a (now closed) restaurant with a front entrance, dining room, kitchen, restroom and storage. The 764 square-foot building was constructed circa 1950. To the rear and side of the building is an open parking lot accessed via Macarthur Boulevard. The lot measures approximately 50-feet from the rear fence to the nearest residential property. The subject lot is adjacent to a lot with both a commercial building (facing Macarthur) and a detached residential building at 3512 Macarthur Boulevard. The residential building is to the rear of the commercial building at mid-lot, and is not clearly visible from the street. The next nearest residential lot (3633 Magee Avenue) is approximately 50 feet away, and separated by a parcel containing a driveway. Both residential lots are screened by an existing lot-line wall which is proposed to be further expanded.

The site is located near a relatively large intersection: Macarthur Boulevard and 35<sup>th</sup> Avenue consists of 65-foot and 90-foot public right-of-ways respectively. The streets contain sidewalks with corner ADA ramps. The adjacent property along 35<sup>th</sup> Avenue at the southeast corner of the intersection contains a liquor store. The south side of the subject lot contains a fenced driveway. The remainder of the site is a paved lot. At Macarthur Boulevard and 35<sup>th</sup> Avenue to the south is an AC Transit bus stop and a monument arch over the street announcing the entrance to the Laurel District. The opposite corners contain a grocery market with no alcohol sales (Farmer Joe's), a fast food restaurant (Taco Bell) and a mixed-use apartment building with a commercial ground floor. In addition to the liquor store (Lafranchi Liquor) at 3500 Macarthur Boulevard, there is a night club (The Lounge 3211) serving beer and wine only, and a child care facility behind the subject lot. Macarthur Boulevard is a commercial corridor with a variety of shopping, dining, and other commercial uses.

## **PROJECT DESCRIPTION**

The proposal is to add sale of beer, wine, and potentially liquor at a full-service restaurant. The restaurant would retain and expand its full-service format. Alcoholic beverages would be sold for on-site consumption only with meals. Changes to the interior and exterior of the building have previously been approved as a Small Project Design Review (DS160541), and modification to that design incorporated in this proposal will be made as a revision to that approval. The applicant requests that closing time be 12:00 A.M.; staff supports a closing time of 11:00 P.m. for indoor activities and a 10:00 P.M. closing time for all outdoor activities. The closing time, with limitations for the open facility is described below in the Key Issues section of this report. Staff recommends a Type 41(On-Sale beer and wine) license for the first 6-months, with a possible upgrade to a type 47 license (On-Sale General for Bona Fide Public Eating Place) with the State of California's Alcoholic Beverages Control (ABC). Following is the ABC's description for both a type 41 and a type 47 license:

**ON SALE BEER & WINE – EATING PLACE** - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

**ON SALE GENERAL –EATING PLACE** - (Restaurant) Authorizes the sale of beer and wine and distilled spirits for consumption on the licensed premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

Neighborhood Service Coordinator staff, the Oakland Police Department Alcoholic Beverage Action Team (ABAT), and the Council District 4 office have been advised of the proposal. The applicant will attend

Neighborhood Crime Prevention Council (NCPC) and the Laurel District Association prior to the start of operations.

This proposal also requires a Conditional Permit to allow for open facilities (the outdoor dining area/patio). This area is located at the rear of the site and is accessible by walkway from the main building. It includes lighting and a sound system. The open facilities are separated from the automotive uses on site by fencing. This outdoor area should cease operations at 10:00 P.M., and the sound system should be shut down 30 minutes' prior at 9:30 P.M. the entire restaurant will maintain performance standards during all operational hours particularly with regard to noise and light.

### **GENERAL PLAN ANALYSIS**

The property is located in a Neighborhood Center Mixed Use area under the General Plan's Land Use & Transportation Element (LUTE). The Intent of the area is: "to identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale, pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses." A full service restaurant serving beer and wine and having a closing time as recommended by staff, subject to conditions described in the 'Key Issues and Impacts' section of this report, conforms to this intent.

The property is in a 'Grow and Change' area on the LUTE's Strategy Diagram. The proposal conforms to the following Goals and Policies of the LUTE:

#### **Industry and Commerce Goals**

- Ensure that the Oakland community has access to a wide variety of goods and services, meeting daily and long term needs.

#### **Policy I/C3.2 Enhancing Business Districts.**

Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.

#### **POLICY I/C3.4 STRENGTHENED VITALITY**

The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

#### **POLICY N2.3: LOCATING SERVICES ALONG MAJOR STREETS**

New large scale community, government, and institutional uses should be located outside of areas that are predominately residential. Preferably, they should be located along major thoroughfares with easy access to freeways and public transportation or in the Downtown.

#### **POLICY N9.6 RESPECTING DIVERSITY**

The City's diversity in cultures and populations should be respected and built upon.

Enhancing a full service restaurant by allowing alcohol to be served with meals is therefore consistent with the General Plan. Additional considerations are discussed in the Key Issues And Impacts section of this report.

### **ZONING ANALYSIS**

The property is located in the CN-2 Neighborhood Commercial Zone, The Intent of the CN-2 Zone is: "to enhance the character of established neighborhood commercial centers that have a compact, vibrant pedestrian

environment.” The proposal requires a Conditional Use Permit because it involves alcoholic beverage sales (beer, wine, and potentially spirits) at a full-service restaurant on a “restricted street” deemed to require heightened review under the Ordinance. The proposal also requires a Minor Conditional Use Permit to allow for open facilities (the rear yard dining area/patio). The proposal is not subject to variances, additional findings for alcoholic beverage sales, or for Public Convenience or Necessity because it involves a full-service restaurant, and is not a bar.

As discussed in the ‘Key Issues and Impacts’ section of this report, a full-service restaurant serving beer, wine, and potentially spirits having an indoor 11:00 closing time (with a potential indoor closing time of 12:00 A.M. after a six-month review period) and an outdoor closing time of 10:00, subject to conditions, conforms to this intent.

## **ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15301 of the State CEQA Guidelines exempts projects involving *operation and licensing of existing private facilities*. The proposal sale of alcoholic beverages at a full-service restaurant meets this description: the project would constitute operation of an existing private facility and is therefore exempt under CEQA Guidelines section 15301. Section 15183 of the State CEQA Guidelines, which relates to Projects Consistent with a Community Plan, General Plan or Zoning, also serves as a separate and independent basis for CEQA clearance. The project adheres to this section, as described above. The project is, therefore, not subject to further Environmental Review.

## **KEY ISSUES AND IMPACTS**

Sale of alcoholic beverages for on-site consumption in conjunction with a restaurant is usually non-problematic. This is especially true with a full-service format, a reasonable closing time, and no cabaret component. The proposal meets all of these considerations. As conditioned with limitations on operational hour of 11:00 P.M. indoors and 10:00 P.M. outdoors, the operation will not have substantial noise impacts on neighboring properties. The civic use adjacent to the rear is not directly accessible to the project site and will generally operate at morning and daytime hours during weekdays. As such, the two activities will not generally operate during the same peak hours. Furthermore, there is no allowance for off-site bottle sales of alcohol. The greatest impact is to a residential dwelling located at the interior portion of the adjacent lot (3512 Macarthur Boulevard). This detached residential dwelling, though sited in a commercial zone, will be in very close proximity to the open dining facilities of the proposed restaurant. The nearest home is situated to the rear is over 65-feet from the rear of the restaurant where there is no exit; however, it is also located near the open facility dining/ patio area. The revised site plans include screening and buffering provided by a high wall and landscaping that is intended to block the sound associated with the outdoor dining area during the hours of operation.

Additionally, staff has conditioned a closing time of the rear yard open facility dining area at 10:00 P.M.. with no amplified sound system after 9:30 P.M. Staff recommends that, in addition to draft standard conditions of approval that are attached, that the applicant display signage within the restaurant and within the open dining area/patio indicating patrons should be quiet after 6:00 P.M.

In conclusion, staff recommends approval subject to conditions of approval.

**RECOMMENDATIONS:**

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

Prepared by:

*Aubrey Rose - FOR -*

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MOE HACKETT  
Planner II

Approved by:

*Scott Miller*

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SCOTT MILLER  
Zoning Manager

Approved for forwarding to the  
City Planning Commission:

*[Signature]*

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DARIN RANELLETTI, Interim Director  
Planning and Building Department

**ATTACHMENTS:**

- A. Findings
- B. Conditions of Approval
- C. Plans/Photographs
- D. Menu
- E. Area Crime Statistics
- F. Correspondences

**Attachment A: Findings**

This proposal meets the required findings under **General Conditional Use Permit Criteria (OMC Sec. 17.134.050) and Fast-Food Restaurant, Convenience Market, and Alcoholic Beverage Sales Commercial Activities (OMC Sec. 17.103.030(A))** of the **Oakland Planning Code (Title 17)** as set forth below. Required findings are shown in **bold type**; explanations as to why these findings can be made are shown 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 proposal will be located at the site of an existing restaurant and will expand that operation to include greater floor area, outdoor dining, and alcoholic beverage sales. The sale of alcohol associated with a full service restaurant does not require a Conditional Use Permit, but the sales of Alcoholic beverage at this portion of Macarthur Boulevard does require a Use Permit, as it is deemed to be a restricted street. The onsite consumption of Alcohol in association with a full dining experience will be compatible with the intended uses on the corridor and will not have adverse effects due to the containment of these activities on site and the separation from other sensitive uses. Specifically, the hours of operation, location of access, limitations of open facility use, and the design of the facility high rear sound and screening wall(s) will greatly limit the propagation of noise and light across property lines and limit casual visual exposure to the onsite activities. The expansion of the restaurant will be sited towards the rear of the site, in what currently exists as a screened portion of the lot. As an ongoing use the expansion of the existing restaurant to allow outdoor use and accessory alcoholic beverage sales will be compatible with the neighborhood and commercial district and will enhance the potential for development. The Laurel district contains ample on-street metered parking and well managed and metered traffic flow. This proposal will not significantly or negatively impact the development of the surrounding areas, and will be an appropriate addition to the Laurel commercial district.

**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 involves expanding an existing limited service restaurant into a full service restaurant. The restaurant and its site layout are appropriate for a commercial corridor. The full service restaurant will include full table service as well. The building expansion will modernize the rear area of the site. The front façade of the building will not be significantly altered, and will retain the historic and character defining elements of the existing diner and 50's era sign. As proposed, the restored street facing elements and signage will create an iconic landmark in the Laurel District.

**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 dining options available in the Laurel District, and establish a unique family friendly destination at the northern gateway to the district. A wide variety of restaurants and shopping venues will help further the reemergence of the Laurel as a shopping, dining, and entertainment destination.

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

Changes to the interior and exterior of the building have previously been approved. The project site consists of a 764 square-foot one-story diner-style restaurant at the front/left-side of the property with a right-side driveway and parking lot encompassing most the property. The front door is to be relocated from front to right side and existing front door to be closed off and made into a window to match the adjacent windows on either side. An outdoor seating area in the rear parking lot will be constructed to measure 728 square feet of lot coverage. The existing non-conforming signs attached to the front roof of the building will be removed with a pole sign to remain, including neon elements and bare bulbs ("marquee sign"), with the only changes being to some of the sign copy. Changes shall conform closely to existing style in font, color, and character, and final details shall be reviewed by the Office of Oakland Cultural Heritage Survey prior to installation. Any further modifications to that design incorporated in this proposal will be made as a revision to that 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.**

As detailed in the Report, hereby incorporated by reference, the property is located in a Neighborhood Center Mixed Use area under the General Plan's Land Use & Transportation Element (LUTE). The Intent of the area is: "to identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses." The proposal conforms to the General Plan Policies described in the 'General Plan Analysis' section of staff's report to the Planning Commission and hereby incorporated by reference.

A full service restaurant with open facilities (outdoor dining at the rear) serving beer, wine, and potentially spirits, and having an initial 10:00 A.M. closing time (with a six month review to allow for a path to a 12:00 A.M. indoor closing time), subject to conditions, conforms to this intent.

**Fast-Food Restaurant, Convenience Market, and Alcoholic Beverage Sales Commercial Activities (OMC Sec. 17.103.030(A))**

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

The project maintains and enhances an existing restaurant in a neighborhood commercial district and features site improvements to reduce its automobile-orientation as is desired in the CN Zone.

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

The site abuts to the rear a pre-school at 3616 35<sup>th</sup> Avenue. The rear property line abuts a portion of the school's right-side property line. The school building runs along the left half of the rear property line and its playground runs along the right. The project site's rear yard will be converted from parking lot to outdoor seating area. However, the uses are anticipated to experience peak operation at alternate days and times. Additionally, Conditions require an 8-foot tall fence be installed along the rear property line, and landscaped, for sound-dampening.

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



The project involves the conversion of a parking lot into outdoor dining and thus there is less potential for use of the site's existing driveway along MacArthur Boulevard.

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

The proposal includes minor façade changes to the existing building and its site, which includes relocation of the front door to the right side, with the existing front door to be closed off and made into a window to match the adjacent windows on either side. An outdoor seating area in the rear parking lot will be constructed to measure 728 square-feet of lot coverage. The existing non-conforming signs attached to front roof of the building will be removed with a pole sign to remain, including neon elements and bare bulbs ("marquee sign"), with the only changes being to some of the sign copy. Changes shall conform closely to existing style in font, color, and character, and final details shall be submitted to Oakland cultural heritage survey staff for final sign-off prior to installation. Any further modifications to that design incorporated in this proposal will be made as a revision to that approval.

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

Changes to the interior and exterior of the building have previously been approved. The project site consists of a 764 square-foot one-story diner-style restaurant at the front/left-side of the property with a right-side driveway and parking lot encompassing most the property. The front door is to be relocated from front to right side and existing front door to be closed off and made into a window to match the adjacent windows on either side. An outdoor seating area in the rear parking lot will be constructed to measure 728 square-feet of lot coverage. The existing non-conforming signs attached to front roof of the building will be removed with a pole sign to remain, including neon elements and bare bulbs ("marquee sign"), with the only changes being to some of the sign copy. Changes shall conform closely to existing style in font, color, and character, and final details shall be submitted to Oakland cultural heritage survey staff for final sign-off prior to installation. Any further modifications to that design incorporated in this proposal will be made as a revision to that approval.

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

The proposal is for a full-service restaurant and litter receptacles are therefore not necessary; nonetheless, conditions of approval ensure that staff maintain cleanliness of the fronting public right-of-way (sidewalk and gutter) daily.

**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. The same criteria shall apply to all conditional use permits required by Subsection B. of this Section for sale of alcoholic beverages at full-service restaurants;**

The site abuts a residence to the east (right). The property at 3512 MacArthur Boulevard contains a residence behind the commercial building at the front of the lot. The project site's open rear parking lot runs along the left side of the residence. The project involves converting the site's rear lot into outdoor seating. This will eliminate the possibility of vehicles accessing the lot, which was not subject to specific hours. Additionally, Conditions will require a 10:00 P.M. closing time in the outdoor seating area of the restaurant, and, installation of an 8-foot tall landscaped wall along the right-side property line for buffering.

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

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

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**Attachment B: Conditions of Approval**

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**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **submitted April 27, 2017**, 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 calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire two calendar years from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this 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, 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**

Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning. 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. Such changes may include the expansion of the closure of the open facilities from 10:00 P.M. to 12:00 A.M., and the potential addition of hard spirits and a type 47 Liquor License. A Revision to DS160541 or 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 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 60 days of approval, unless an earlier date is specified elsewhere.

**8. Indemnification**

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.

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 the Bureau of Building, if directed by the Building Official, Director of City Planning, 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, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

**12. 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.

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

**PROJECT SPECIFIC CONDITIONS**

**13. Maintenance of Full-Service Restaurant**

***Ongoing***

The establishment must operate as a full-service restaurant to sell alcohol. To that end, the following requirements must be adhered to:

- i. The monthly gross sales of alcoholic beverages shall not exceed 40-percent of gross sales during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.
- ii. The premises shall be maintained as a bona fide eating place and shall provide a menu containing an assortment of foods normally offered in such restaurants.
- iii. The premises shall be equipped and maintained in good faith and shall possess, in operative condition, such convenience for cooking foods such as a stove, ovens, broilers, or other devices as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed.
- iv. The premises shall possess the necessary utensils, table service, and condiment dispensers with which to serve meals to the public.
- v. The licensee shall comply with the provisions of Section 23038 B&P, and acknowledge the incidental, sporadic or infrequent sales of meals or a mere offering of meals without actual sales shall not be deemed sufficient to consider the premises in compliance with the afore mentioned code section.

**14. Alcoholic Beverage Control Approvals**

***Prior to commencement of liquor sales***

The applicant shall obtain a type 41 license for restaurant with beer and wine from the ABC.

**15. Hours of Operation and Open Facility Closing Time**

***Ongoing***

Closing shall be 11:00 P.M. for indoor operations and 10:00 P.M. for the outdoor dining area. After 6 months of alcoholic beverage sales, as part of the required Compliance review stipulated under Condition of Approval #18, the applicant may request up to a 12:00 A.M. closing time for the indoor dining, which staff may grant should there be no verified complaints. Any subsequent requests for later closing times would require approval of a publicly-noticed revision case application.

**16. Sale of Alcoholic Beverages**

***Ongoing***

**a. Location and manner of alcohol consumption**

Alcohol sale is on-sale, for on-site consumption only, and is intended to be served with meals. No beer or wine bottle sales ("to-go") are permitted. Food service shall be available at all hours that alcoholic beverages are served.

**b. Nuisances**

Crime, litter, noise, or disorderliness conduct associated with alcohol sales at the establishment will result in a revocation of the Major Conditional Use Permit or a review to revoke.

**c. Conformance with State Department of Alcoholic Beverage Control regulations**

*Ongoing*

This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these Conditional Use Permit conditions in a place visible to the public. This use shall also conform to all State Retail Operating Standards, Section 25612.5 of the Business and Professions Code and local Performance Standards, Section 15210, where applicable including any future changes in the above regulations. The intent of these standards is to reduce nuisance, litter, loitering, and crime associated with alcohol outlets. The City Conditions of Approval shall be forwarded to the Department of Alcoholic Beverage Control.

**e. Compliance with City of Oakland special regulations for Alcoholic Beverage Sales Commercial**

**Activities**

*Ongoing*

**i. Signage**

i Within 30 days of the date of decision, at least one sign (one square foot maximum) shall be posted and maintained in a legible condition at each public entrance to the building prohibiting littering and loitering. Required signage prohibiting open containers and drinking in public shall also be maintained in legible condition near each public entrance to bar. The "No Open Container" signs are available from the cashier located on the second floor of 250 Frank H. Ogawa Plaza.

ii. Additionally, signage shall posted inside the restaurant and within the parking lot facing inward on each of three sides opposite Seminary Avenue indicated that patrons leaving the restaurant towards closing time should be quiet in the parking lot.

**ii. Loitering**

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 hanging around 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.

**iii. Securing Site**

Applicant shall conform to Ordinance 12390 related to securing sites after hours to discourage loitering and crime in parking lots.

**iv. Deemed Approved Alcoholic Beverage Sale Regulations**

The applicant and proprietor voluntarily agree to conform to the Oakland Planning Code Deemed Approved Alcoholic Beverage Sale Regulations (OMC Sec. 17.156) and/or any requirements of ABAT.

**f. Trash and litter**

*Ongoing*

The licensees/property owners shall clear the gutter and sidewalks along International Boulevard and Seminary Avenue plus twenty feet beyond the property lines along these streets of litter twice daily or as needed to control litter. In addition to the requirements of B&P Section 25612.5, (sweep or

mechanically clean weekly) the licensee shall clean the sidewalk with steam or equivalent measures once per month.

**g. Signage**

***Prior to constructing signage***

The design for signage must be approved by the Bureau of Planning.

**h. Noise**

***Ongoing***

The proprietor shall ensure noise generated by the restaurant is not audible outside of the building subject to Performance Standards (OMC Sec. 17.120.050). Signage shall be clearly posted in several areas requesting the patrons of the open facilities to avoid making loud noises and to be respectful of neighbors at all time, and specifically after 6:00 or sunset. Exterior amplified sound systems shall be shut down 30 minutes prior to the 10:00 outdoor closing time.

**i. Cabaret**

***Ongoing***

The proprietor shall not establish a cabaret unless permits are obtained for a small cabaret, only, featuring music not audible from outside of the building.

**j. Accessory activity: Catering preparation**

***Ongoing***

Catering production must be subordinate to the restaurant and adhere to Planning Code Sec. 17.10.040(F) for Accessory Activities.

**k. Private parties**

***Ongoing***

Private parties shall adhere to all conditions.

**l. Smoking**

***Ongoing***

No smoking is allowed on the rear seating area or elsewhere at the property.

**17. Future Operators**

***Ongoing***

Any future operators of the restaurant are subject to these conditions and shall register with the Bureau of Planning and with ABAT.

**18. Compliance Review**

***After six months of commencement of activity***

The applicant shall return to the Bureau of Planning to report their progress and to provide for an assessment of compliance with Conditions of Approval. Should any complaints regarding on-sale provision or other issues regarding sale of alcohol be identified, staff may refer the item back to the Planning Commission under a Director's Report. In that case, the applicant shall submit for a Compliance Review, and pay all appropriate fees consistent with the current Master Fee Schedule at that time (currently \$1,310.00). The Compliance Review will be agendized for an upcoming Planning Commission meeting. The Compliance Review shall provide an opportunity for the Commission and the public to provide comment on the operation and determine whether there is a violation of any term, Conditions or project description relating to the Approvals or if there is violation of any provision of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance or there exists adverse impacts caused. As a result of the hearing, the Commission may direct staff to initiate

***Conditions of Approval***



enforcement proceedings pursuant to Condition of Approval 5C, and/or may impose additional conditions related to the operation.

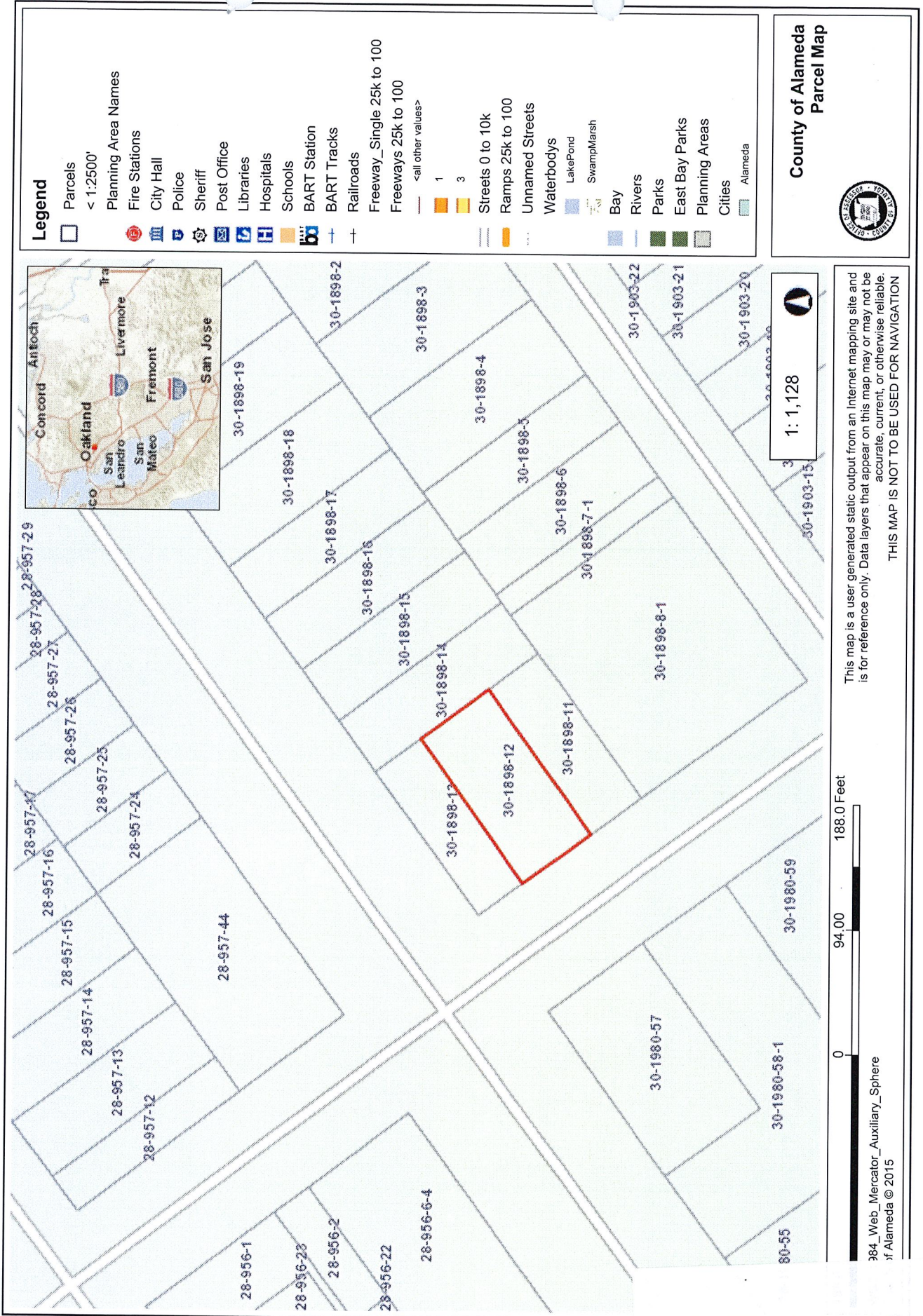
**19. Open Facility Screening Wall and Landscaping**

***After Prior to issuance of building permits and Ongoing***

The applicant shall submit detailed plans for sound and light screening wall located at the southeast corner of the site. The wall shall be located at a minimum of 30-feet in length across the rear property line, overlapping the center line of the lot, and 45-feet from the rear corner towards the front of the lot on the southernmost property line. This fence shall be constructed at a minimum of 8 feet tall, and shall incorporate on site landscaping (vines, trees, or other) to further dampen and screen sound and light from the neighboring properties to the rear, south, and southeast of the site. The final design shall be approved by the Zoning Manager or his/her designee and shall be modified as needed to further avoid impacts associated with the open facility operations. The wall and landscaping elements shall be maintained in good condition and be repaired or replaced as needed.

**APPROVED BY:**

City Planning Commission: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)



3506 MacArthur Boulevard, Oakland, CA 94619

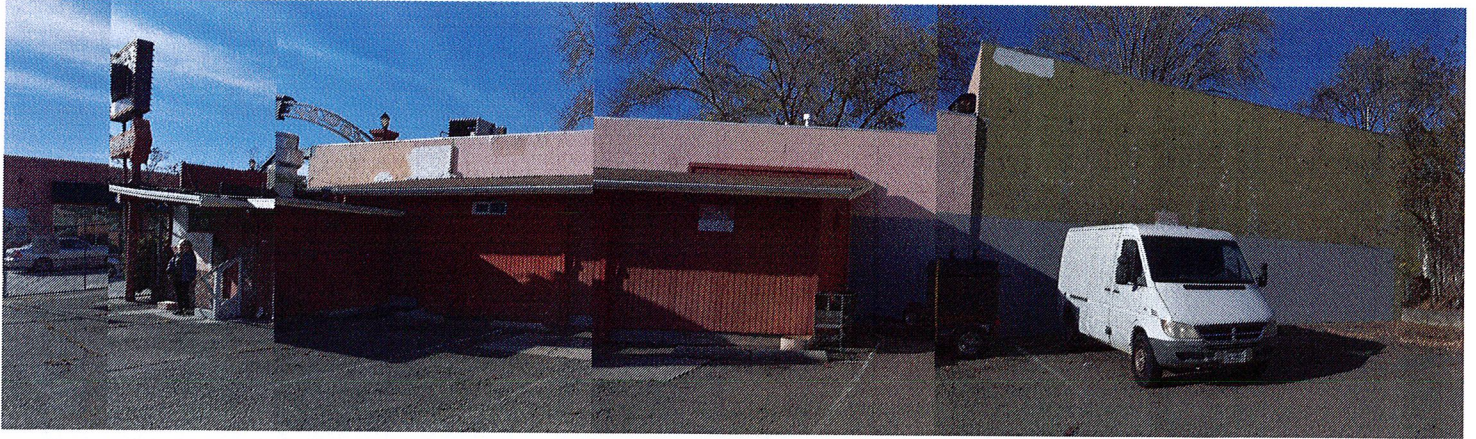


View from across the street.

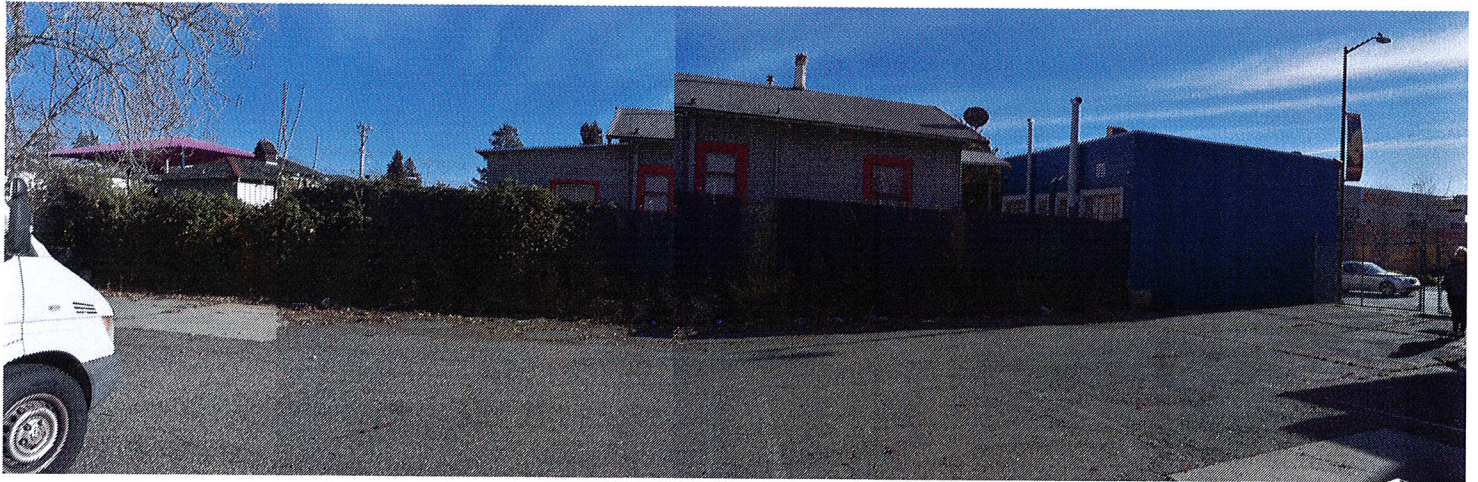


View from front property line looking toward the back.

3506 MacArthur Boulevard, Oakland, CA 94619



View from side 1 (facing existing structures).



View from side 2 (standing next to existing structures).

3506 MacArthur Boulevard, Oakland, CA 94619



Detail of trees along rear property line. (Not to be removed.)



View from rear property line.

3506 MacArthur Boulevard, Oakland, CA 94619

DIMOND  
BEAUTY

3514 MACARTHUR



SHELL

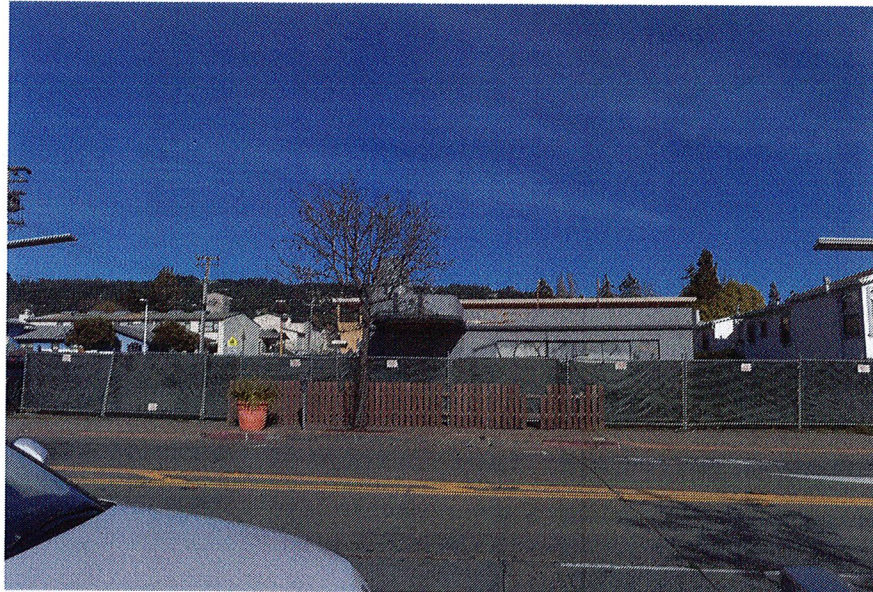
3530 MACARTHUR



3506 MacArthur Boulevard, Oakland, CA 94619

VACANT

3600 MACARTHUR



RESIDENCE

3618 MACARTHUR



DENTIST +  
OPTOMETRY  
OFFICE

3628 MACARTHUR



3506 MacArthur Boulevard, Oakland, CA 94619

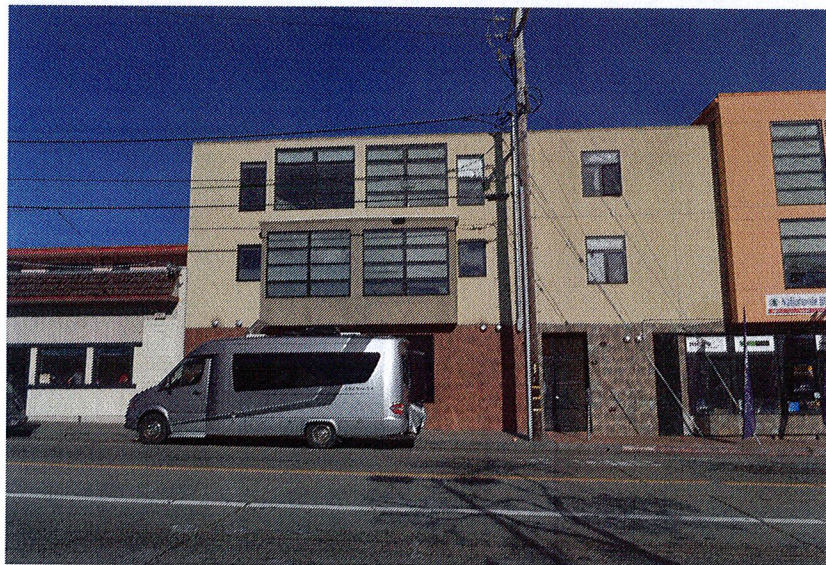
LAFRANCHI'S  
LIGUOR  
3500 MACARTHUR



METRO PCS  
3615 35th Ave  
#7



3448 MACARTHUR





3506 MacArthur Boulevard, Oakland, CA 94619

ACTION  
LAUNDRY  
3410 MACARTHUR



MAIL BOX  
RENTALS  
3400 MACARTHUR



3506 MacArthur Boulevard, Oakland, CA 94619

LA PLAZITA  
PRESCHOOL

3625 MACARTHUR



DOMINO'S  
PIZZA

3639 MACARTHUR



USA NAILS

3643 MACARTHUR



3506 MacArthur Boulevard, Oakland, CA 94619

GOODWILL/AUTOZONE  
SHOPPING

3525 MACARTHUR



PARKING LOT  
(2ND VIEW)  
3525 MACARTHUR



LAUREL  
WELLNESS  
CENTER

3523 MACARTHUR



3506 MacArthur Boulevard, Oakland, CA 94619

TACO BELL  
3535 35<sup>th</sup> AVE



FARMER JOE'S  
3501 MACARTHUR



FARMER  
JOE'S ADJACENT  
PARKING LOT  
(MONITORED)



3506 MacArthur Boulevard, Oakland, CA 94619

VACANT  
3401 MACARTHUR



LOUNGE 3411  
3411 MACARTHUR



KING KONG  
BBQ  
3421 MACARTHUR



**GENERAL NOTES**

- ALL CONSTRUCTION TO CONFORM TO THE 2013 CITY OF OAKLAND BUILDING CODE, CONSISTING OF THE 2013 CALIFORNIA BUILDING CODE (CBC), 2013 CALIFORNIA MECHANICAL CODE (CMC), 2013 CALIFORNIA PLUMBING CODE (CPC), 2013 CALIFORNIA FIRE CODE (FC), 2013 CALIFORNIA ELECTRICAL CODE (CEC), AS ADOPTED AND AMENDED BY THE CITY OF OAKLAND, AS WELL AS THE 2013 CALIFORNIA ENERGY STANDARDS.
- ALL WORK SHALL CONFORM TO THE CONTRACT, THE DRAWINGS, SPECIFICATIONS AND ALL ADDENDA AND MODIFICATIONS ISSUED BY THE DESIGNER.
- THE CONTRACTOR SHALL REVIEW ALL DOCUMENTS AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS AND SHALL CONFIRM THAT WORK IS BUILDABLE AS SHOWN. ANY CONFLICT DESIGNER FOR CLARIFICATION PRIOR TO THE PERFORMANCE OF ANY WORK IN QUESTION.
- IN CASE OF CONFLICT BETWEEN DESIGNERS AND DESIGN MATERIALS SPECIFICATIONS, THE DESIGNERS DRAWINGS SHALL GOVERN.
- THE DESIGNER HAS NO KNOWLEDGE OF AND SHALL NOT BE RESPONSIBLE FOR ANY HAZARDOUS MATERIALS ON THE JOBSITE OR IN THE VICINITY THEREOF. THE CONTRACTOR SHALL LOCATE AND IDENTIFY ALL HAZARDOUS MATERIALS AND SHALL ISOLATE THE AFFECTED AREA AND CONTACT THE OWNER FOR FURTHER INSTRUCTIONS BEFORE PROCEEDING.
- ALL WORK SHALL BE PERFORMED DURING REGULAR BUSINESS HOURS WHENEVER POSSIBLE. WORK INVOLVING EXCESSIVE NOISE OR DUST, OR WHICH WOULD OTHERWISE INTERFERE WITH THE NORMAL OPERATION OF THE FACILITY SHALL BE DONE ON SUNDAYS, HOLIDAYS, NON-REGULAR BUSINESS HOURS HAS TO BE COORDINATED WITH THE OWNERS REPRESENTATIVE.
- CONTRACTOR SHALL NOTIFY DESIGNER IMMEDIATELY OF ALL UTILITIES DETERMINED IN THE COURSE OF CONSTRUCTION, AS WELL AS ANY UTILITIES NOT SHOWN ON THE DRAWINGS. OTHERS HAVE NOT BEEN IDENTIFIED BY THE CONTRACTOR. CONTRACTOR SHALL REMOVE SUCH UTILITIES ONLY AFTER CONSULTATION WITH DESIGNER AND OWNERS REPRESENTATIVE. WHETHER PREDETERMINED IN THE DRAWINGS OR OTHERWISE, CONTRACTOR SHALL DISCONNECT, CAP, BACK TO SOURCE, AND CAP AND ALTER IN FIELD, SERVICES REMOVED. SEAL ALL PENETRATIONS CREATED BY REMOVAL OF UTILITIES TO MATCH ADJACENT CONSTRUCTION AND FINISHES.
- SUBMITTALS, DESIGNERS OR CHANGES MUST BE SUBMITTED TO DESIGNER IMMEDIATELY UPON RECEIPT OF SPECIFIED PROCEDURES) PRIOR TO PURCHASE, FABRICATION OR INSTALLATION.
- REMOVE TOOLS AND EQUIPMENT FROM SITE UPON COMPLETION OF WORK. ALL TOOLS AND EQUIPMENT TO BE CLEAN, ORDEALY AND IN CONDITION ACCEPTABLE FOR NEW OR OTHER CONSTRUCTION.
- ALL WORK SHALL BE COORDINATED WITH THE OWNERS REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERIES, BUILDING ACCESS, BUILDING FACILITIES DURING ALL PHASES OF WORK. MINIMUM DISTURBANCE OF EXISTING BUILDING FUNCTIONS AND OCCUPANTS IS ESSENTIAL.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN ALL PARTITION LOCATIONS. IN CASE OF UNCLEARITY OR CONFLICT, NOTIFY DESIGNER BEFORE PROCEEDING. FLOOR FINISHES TO BE VERIFIED BY DESIGNER BEFORE PROCEEDING. VERIFY EXACT CONDITIONS IN FIELD; ALL DIMENSIONS ARE TO FACE OF FINISH U.O.N.

**GENERAL NOTES, CONT.**

- "ALIGN" SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLACE.
- "TYPICAL" OR "TYP" SHALL MEAN THAT THE CONDITION IS REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT UNLESS OTHERWISE NOTED. DETAILS ARE USUALLY KEVED AND NOTED "TYP" ONLY ONCE, WHEN THEY FIRST OCCUR.
- "SIMILAR" OR "SIM" MEANS COMPARABLE CHARACTERISTICS FOR THE CONDITIONS NOTED. VERIFY DIMENSIONS AND ORIENTATIONS ON PLANS AND ELEVATIONS.
- WORK AREAS ARE TO REMAIN SECURE AND LOCKABLE THROUGHOUT CONSTRUCTION. CONTRACTOR SHALL COORDINATE TO ENSURE SECURITY.
- REMOVE FROM SITE AND LEGALLY DISPOSE OF DAILY ALL EXCESSIVE MATERIALS RESULTING FROM DEMOLITION OPERATIONS. BURNING OF DEBRIS ON SITE SHALL NOT BE PERMITTED.
- THE CONTRACTOR SHALL OBTAIN ALL PERMITS AND APPROVALS AND COMPLY WITH ALL CODES, LAWS, ORDINANCES, REGULATIONS, LOCAL GOVERNING AUTHORITIES (FEDERAL, STATE, LOCAL) GOVERNING THE WORK AND THE MOST STRINGENT ORDINANCES, RULES AND REGULATIONS SHALL APPLY.
- THE CONTRACT DOCUMENTS ARE COMPLIANT WITH WHAT IS SHOWN OR REFERRED TO ON ANY DRAWING SHALL BE PROVIDED AS THOUGH SHOWN ON ALL.
- SUBMITTALS, DESIGNERS OR CHANGES MUST BE SUBMITTED TO DESIGNER IMMEDIATELY UPON RECEIPT OF SPECIFIED PROCEDURES) PRIOR TO PURCHASE, FABRICATION OR INSTALLATION.
- REMOVE TOOLS AND EQUIPMENT FROM SITE UPON COMPLETION OF WORK. ALL TOOLS AND EQUIPMENT TO BE CLEAN, ORDEALY AND IN CONDITION ACCEPTABLE FOR NEW OR OTHER CONSTRUCTION.
- ALL WORK SHALL BE COORDINATED WITH THE OWNERS REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERIES, BUILDING ACCESS, BUILDING FACILITIES DURING ALL PHASES OF WORK. MINIMUM DISTURBANCE OF EXISTING BUILDING FUNCTIONS AND OCCUPANTS IS ESSENTIAL.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN ALL PARTITION LOCATIONS. IN CASE OF UNCLEARITY OR CONFLICT, NOTIFY DESIGNER BEFORE PROCEEDING. FLOOR FINISHES TO BE VERIFIED BY DESIGNER BEFORE PROCEEDING. VERIFY EXACT CONDITIONS IN FIELD; ALL DIMENSIONS ARE TO FACE OF FINISH U.O.N.

**GENERAL NOTES, CONT.**

- THE CONTRACTOR SHALL COORDINATE ALL WORK WITH MECHANICAL, ELECTRICAL, PLUMBING, FIRE-PROTECTION, AND DESIGN-BUILD CONTRACTORS AND SUBMIT ALL DRAWINGS TO THE DESIGNER FOR REVIEW PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL PROVIDE SUBMITTALS FOR ALL SHOP DRAWINGS, FOR FABRICATED ITEMS, CATALOG CUTS OF ALL FITTINGS AND EQUIPMENT, AND SAMPLES OF ALL FINISHES CALLED FOR TO THE DESIGNER FOR APPROVAL TWO (2) WEEKS PRIOR RELEASE FOR FABRICATION/PURCHASING.
- THE SCOPE OF WORK AND ADJACENT AREAS INCLUDING "PATH OF ACCESS" AND LOBBY WHERE IT APPLIES TO THIS WORK SHALL BE PROTECTED FROM ANY DAMAGE THAT OCCURS SHALL BE THE FINANCIAL RESPONSIBILITY OF THE CONTRACTOR.
- ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, USED, AND STORED IN A CLEAN, DRY, UNCLE, AND UNCONTAMINATED MANNER. MANUFACTURERS INSTRUCTIONS, IN CASE OF DIFFERENCES BETWEEN THE MANUFACTURERS INSTRUCTIONS AND THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE DESIGNER BEFORE PROCEEDING.
- ALL WORK NOTED "BY OTHERS" OR "N/C" SHALL BE PROVIDED BY OWNER OR UNDER SEPARATE CONTRACT. INCLUDE SCHEDULE REQUIREMENTS FOR THIS "OTHER" CONTRACTOR IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE REQUIRED TO ASSURE ORDERLY SEQUENCE OF INSTALLATION.

**PROJECT DIRECTORY**

**OWNER**  
4662 MEATS  
705 DUNBAR ST  
SAN FRANCISCO, CA 94117  
Phone: 415-317-7778  
ATTN: RYAN PARR  
(ryan@wylleprich.com)

**DESIGNER**  
WYLE PRICE  
2000 CALIFORNIA AVE  
OAKLAND, CA 94612  
Phone: 510-823-2498  
ATTN: WYLE PRICE  
(wyle@wylleprich.com)

**STRUCTURAL ENGINEER**  
TOWNSEND BROWN STRUCTURAL ENGINEERING  
100 COVER ST  
OAKLAND, CA 94612  
Phone: 510-526-7173  
ATTN: TOWNSEND BROWN

**CONTRACTOR**  
ACI  
1846 FRANCISCO BLVD E SITE 42  
SAN RAFAEL, CA 94901  
Phone: 415-451-1616  
Fax: 925-382-1818  
(info@aci.com)

**MEP**  
MHC ENGINEERS, INC.  
150 9TH STREET  
SAN FRANCISCO, CA 94103  
Phone: 415-527-7141  
Fax: 415-527-7120  
(info@mhceng.com)

**PROJECT SCOPE**

REMODEL AND ADDITION TO EXISTING RESTAURANT

**BUILDING CODE DATA**  
APR: 30-1888-12  
PRESENT OCCUPANCY: RESTAURANT  
PROPOSED OCCUPANCY: RESTAURANT - FEWER THAN 50 OCCUPANTS  
RESTAURANT - FEWER THAN 50 OCCUPANTS

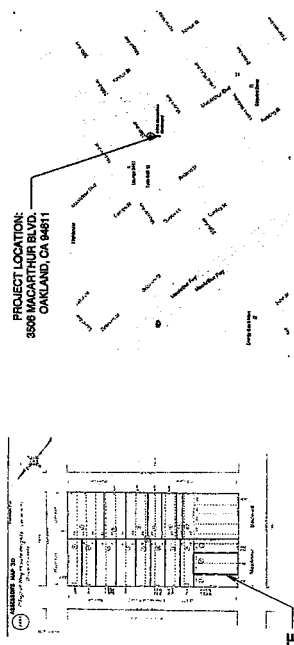
**STORIES:**  
1 STORY  
FLOOR AREA: 146 SF

**OCCUPANCY NOTES**  
- SEE ABOVE DATA FOR CONSTRUCTION TYPE AND OCCUPANCY FOR THIS PROJECT; OCC LOADS BASED ON FOLLOWING AREA CALC.

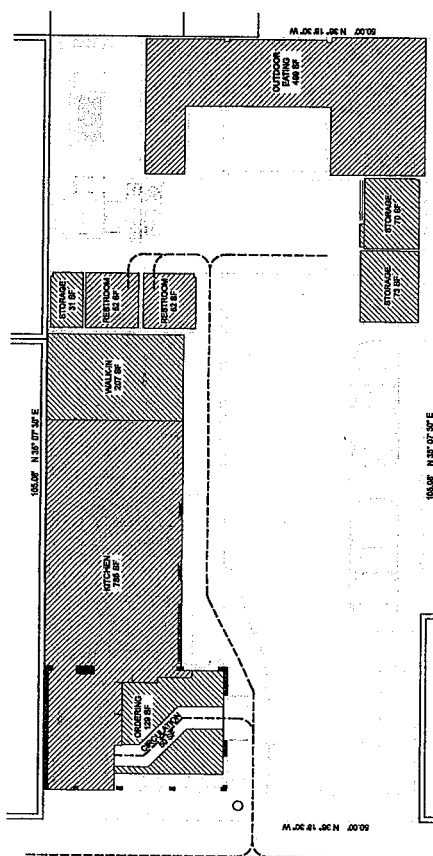
FLOOR TYPE	TOTAL AREA	OCC. LOAD
ORDERING & INDOOR EATING	129 SF	(1:15)
KITCHEN	785 SF	(1:200)
OUTDOOR EATING	498 SF	(1:15)
WALK-IN	207 SF	
STORAGE	174 SF	
RESTROOMS	104 SF	
<b>TOTAL OCCUPANT LOAD</b>		<b>47</b>

**TOTAL NUMBER OF EMPLOYEES NOT TO EXCEED: 4**

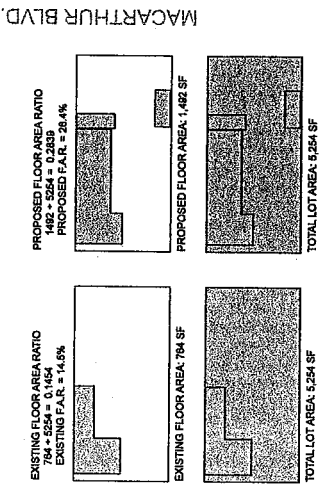
- POST SIGNAGE IN CLEARLY VISIBLE LOCATION STATING MAXIMUM OCCUPANT LOAD IN RETAIL AREA IS 47  
- ADDRESS POSTING, EMERGENCY LIGHTING AND EXIT SIGNS TO BE FIELD VERIFIED BY FIRE INSPECTOR.  
- FIRE DEPARTMENT LOCK BOX IS REQUIRED.



**VICINITY PLAN**  
NOT TO SCALE



**PROPOSED SITE PLAN WITH SITE ACCESS**  
SCALE: 1/16" = 1'-0"



**DRAWING INDEX**

- A0 COVER SHEET & SITE PLAN INCL. DRAWING INDEX.
- A0.1 PROJECT DATA & GENERAL NOTES
- A0.2 PROPOSED SITE PLAN
- A0.3 EXISTING SITE PLAN
- A1 FINISH FLOOR PLAN
- A2 FURNISHINGS, FIXTURES AND EQUIPMENT PLAN
- A3 REFLECTED CEILING PLAN
- A4 ROOF PLAN
- A5.0 EXTERIOR SIGNAGE
- A5.1 EXTERIOR ELEVATIONS - EXISTING
- A5.2 EXTERIOR ELEVATIONS - PROPOSED
- A5.3 EXTERIOR ELEVATIONS - PROPOSED
- P0 EQUIPMENT SCHEDULE
- P10 EQUIPMENT PLAN
- P11 SITE PHOTOS
- P2 NEIGHBORHOOD STREET PHOTOS
- SIGN EXTERIOR SIGNAGE - PROPOSED

DESIGN NO: 160541

**APPROVED**

City of Oakland: I. Sunny & R. Zoning

Signature: *[Signature]* Date: 1/11/17

WYLIE PRICE  
2276 TELEGRAPH AVE  
OAKLAND CA 94612  
OFFICE@WYLIEPRICE.COM 510 833 2498

# EXISTING SITE PLAN

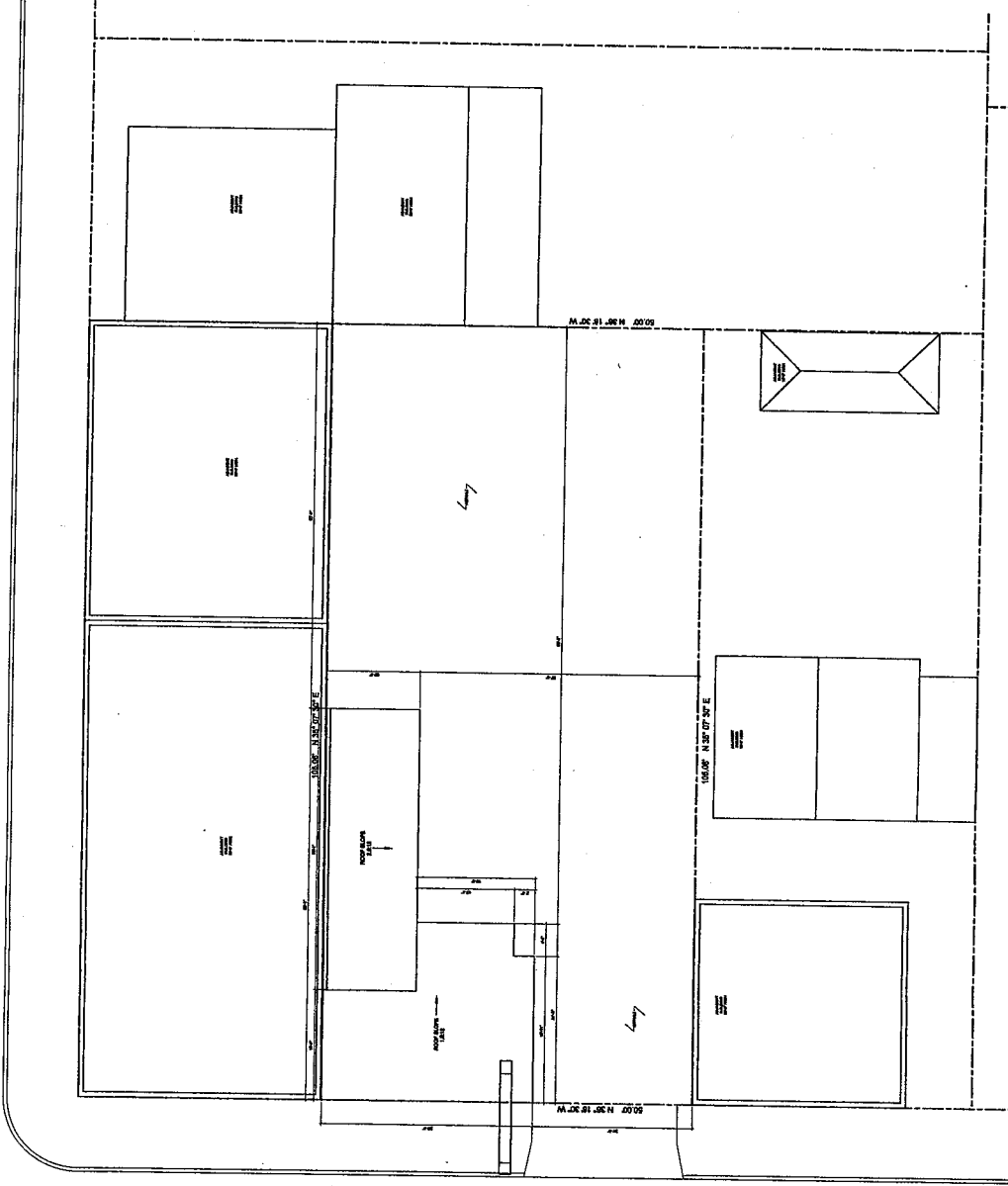
4505 BURGERS & BBQ  
3506 MACARTHUR BLVD  
OAKLAND, CA 94619

DATE: 08/14/19  
BY: J. WYLIE  
SCALE: 1/8" = 1'-0"

A0.1



35TH AVENUE



MACARTHUR BLVD.

EXISTING SITE PLAN

SCALE: 1/8" = 1'-0"

# PROPOSED SITE PLAN

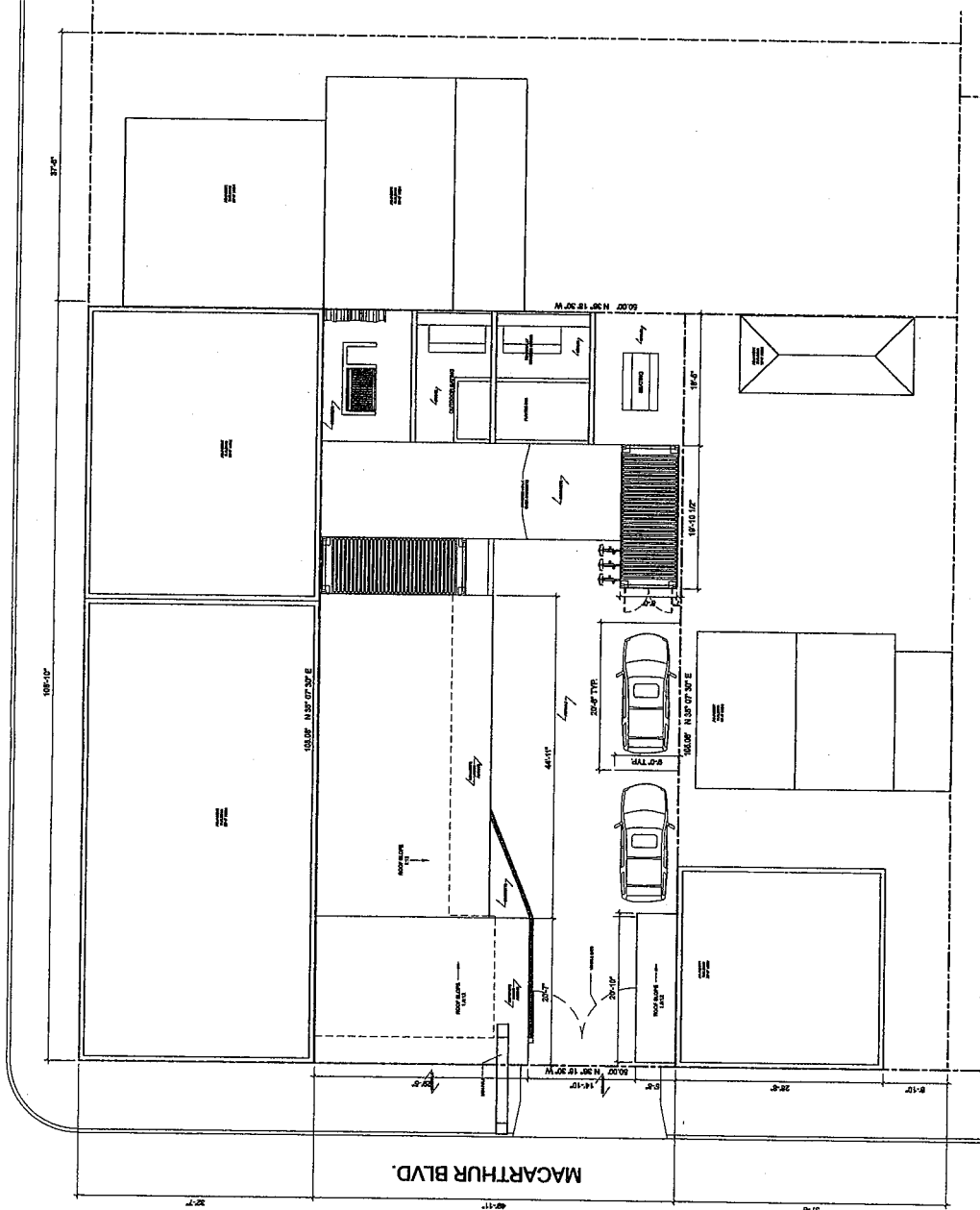
4505 BURGERS & BBQ  
 3506 MACARTHUR BLVD  
 OAKLAND, CA 94619

DATE: 04/13/2020  
 DRAWN: J. B. / J. P.

A0.2



35TH AVENUE



PROPOSED SITE PLAN  
 SCALE: 1/8" = 1'-0"

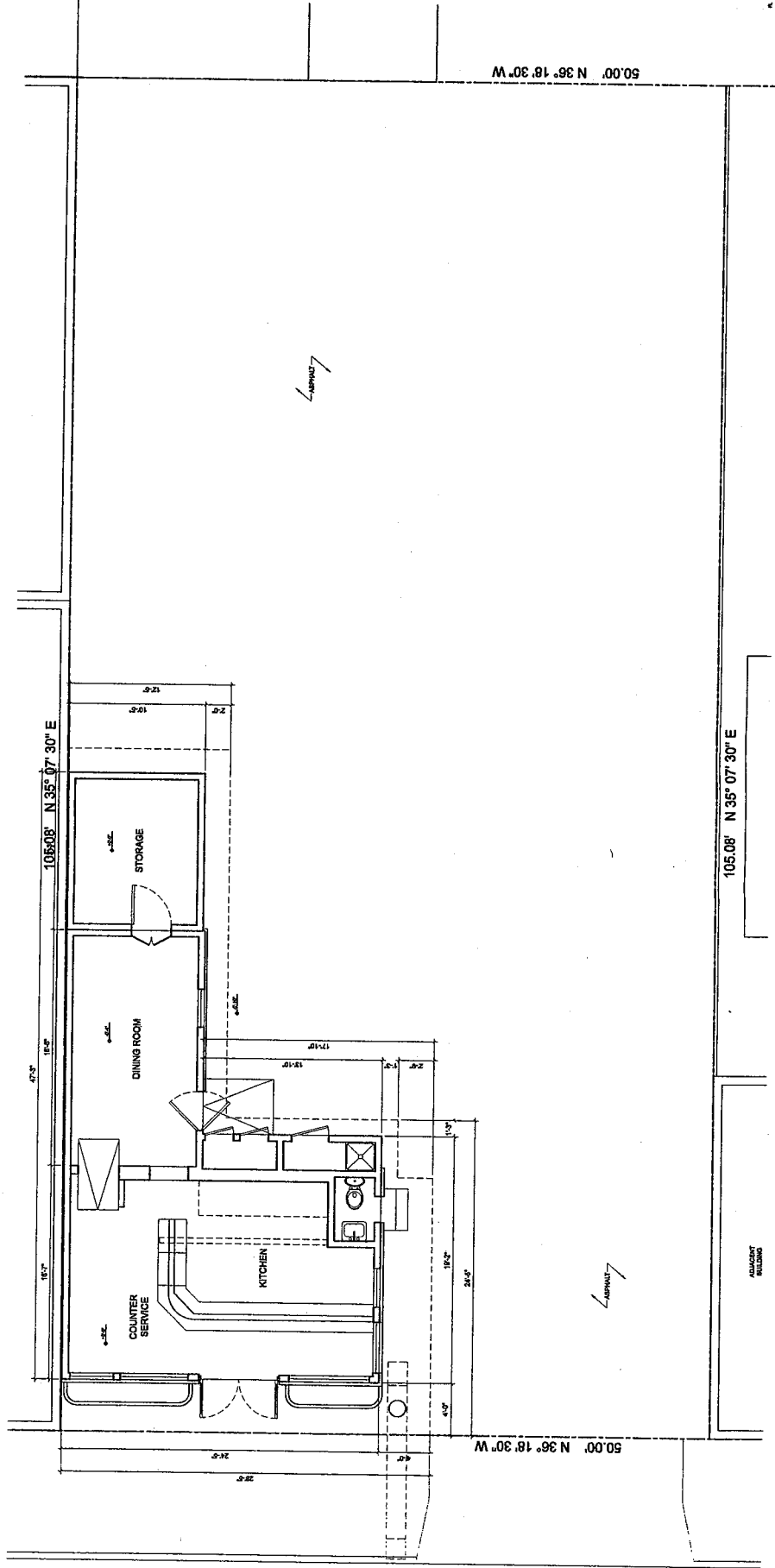


EXISTING FLOOR PLAN

4505 BURGERS & BBQ  
3506 MACARTHUR BLVD  
OAKLAND, CA 94619

DATE: 08/11/10  
DRAWN BY: WYLIE PRICE  
CHECKED BY: WYLIE PRICE  
SCALE: 1/8" = 1'-0"

A0.3



EXISTING FLOOR PLAN  
SCALE: 1/8" = 1'-0"

FINISH FLOOR PLAN

4505 BURGERS & BBQ  
 3506 MACARTHUR BLVD  
 OAKLAND, CA 94619

DATE: 08/11/11  
 PROJECT: 4505 BURGERS & BBQ  
 DRAWING: FINISH FLOOR PLAN

A1

**FINISH SCHEDULE**

ROOM NO.	ROOM NAME	FLOOR	BASE	WALLS	CEILING	COMMENTS	90 FT
101	INTERIOR EATING & ORDERING SERVICE COUNTER	TF-1	TB-1	PLTW-1	PL	SANITARY FINISH CONDITIONS	-SF
102	KITCHEN	EF	TB-2	SSTW-2PL	PL	SANITARY FINISH CONDITIONS	-SF
103	WALK-IN REFR	EF	TB-1	PL	PL	SANITARY FINISH CONDITIONS	-SF
104	FREEZER	EF	TB-3	SS	PL	SANITARY FINISH CONDITIONS	-SF
105	RESTROOM	EF	EB	SS	PL	SANITARY FINISH CONDITIONS	-SF
106	RESTROOM	EF	EB	SS	PL	SANITARY FINISH CONDITIONS	-SF
107	EXTerior BARBECUE	CT-2	CTB-1	SBCCT-1	P-3	SANITARY FINISH CONDITIONS	-SF
108	STORAGE	EF	CTB-1	CT-2P-3	P-3	SANITARY FINISH CONDITIONS	-SF
109	STORAGE	EF	TB	SS	P-3	SANITARY FINISH CONDITIONS	-SF
110	STORAGE	EF	CTB-1	CT-2P-3	P-3	SANITARY FINISH CONDITIONS	-SF
111	TRASH ENCLOSURE	EF	CTB-1	CT-2P-3	P-3	SANITARY FINISH CONDITIONS	-SF
112	TRASH ENCLOSURE	EF	CTB-1	CT-2P-3	P-3	SANITARY FINISH CONDITIONS	-SF

**FINISH SPEC**

**FLOORING**  
 CF EXISTING CONCRETE FLOOR WITH CLEAR SEALER, ALL HOLES AND CRACKS FILLED  
 EF EPOXY FLOORING WITH NON-SLIP SURFACE - POLYURETHANE HF BY DURACRETE (1/4" MIN)  
 TF-1 CONCRETE TILE - GRANADA TILE MFC, 6x6, COLOR 1

**BASES**  
 EB WOOD BASE - SATIN GRADE, 1X12  
 TB-1 GLAZED CERAMIC TILE BASE, TBD  
 CTB-1 CONCRETE TILE BASE - GRANADA TILE MFC, 6x6, COLOR TBD

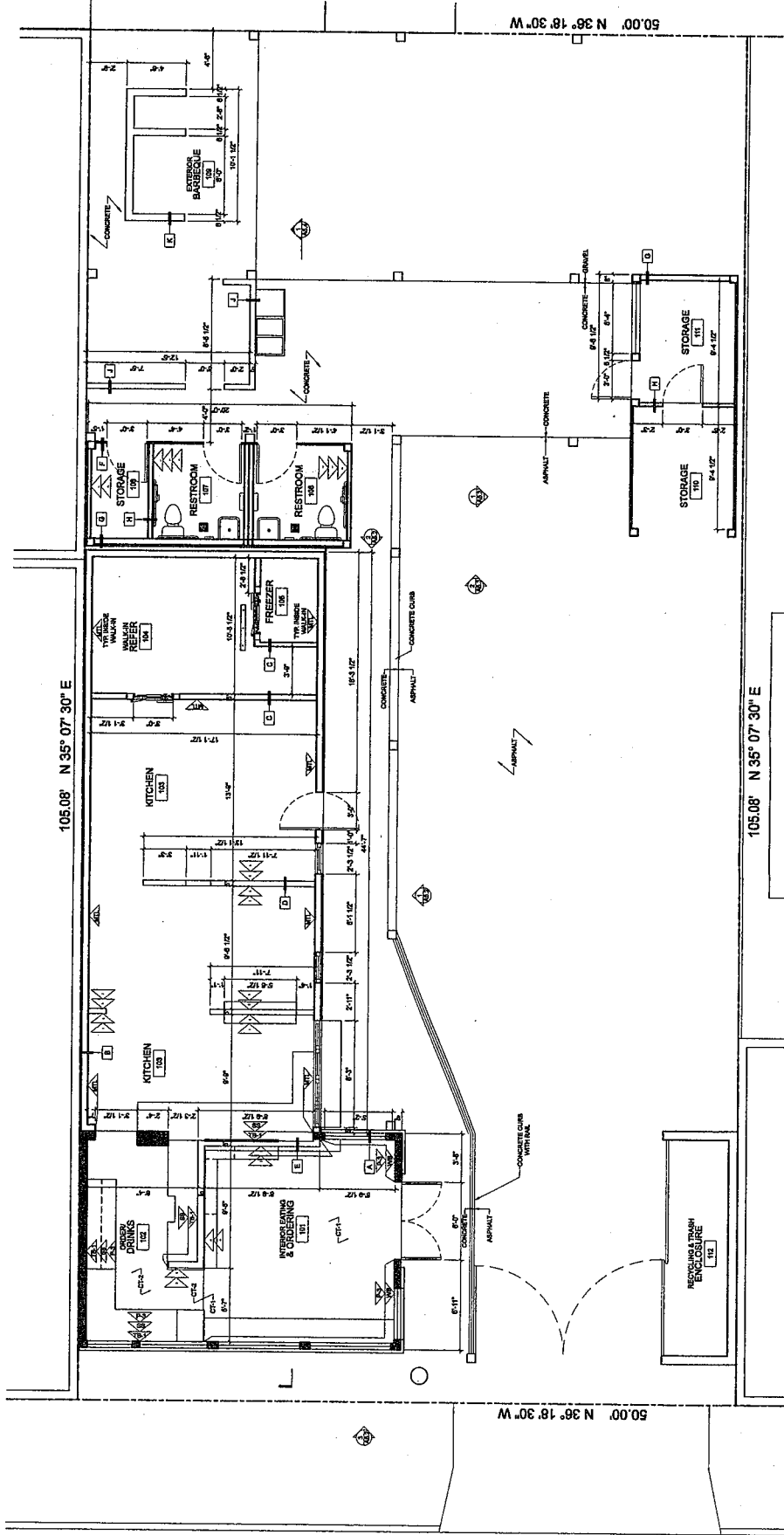
**WALL/CEILING FINISHES**  
 PL LIME AND SAND PLASTER, WITH CLEAR EGG SHELL SEALER  
 P-1 PAINT: BENJAMIN MOORE # EGG SHELL, OP PVA DRYWALL SEALER TYP.  
 P-2 PAINT: BENJAMIN MOORE # SATIN, OP PVA DRYWALL SEALER TYP.  
 P-3 PAINT: BENJAMIN MOORE # WALKER, OP PVA DRYWALL SEALER TYP.  
 SS STAINLESS STEEL WALL LINER OR TOP, 24 GA., 360 RANDOM ORBIT FINISH  
 CT-1 GLAZED CERAMIC TILE WALL, TBD  
 CT-2 GLAZED CERAMIC TILE WALL, TBD  
 TW-2 CONCRETE TILE - GRANADA TILE MFC, 6x6, COLOR TBD

**LEGEND**

EXISTING WALL  
 NEW INTERIOR WALL  
 SEE STRUCTURAL DRAWINGS FOR PARTITION & WALL TYPES

BASE FINISH  
 PARTITION TYPE A:  
 WOOD GRAINED FULL HT. - 8'-0"  
 NO. 2 D.F. STUDS AT 16" OC  
 PT BOT PLATE  
 PARTITION TYPE B:  
 WOOD GRAINED BAR DIE  
 W/ 2" PLATE  
 NO. 2 D.F. STUDS AT 16" OC  
 HEIGHT INDICATED BY # IN INCHES

ROOM NAME  
 ROOM NUMBER  
 WALL BLOCKING FOR SHELVING  
 OR SHUTTERS AND W.D.  
 BLOCKING INSTALLED  
 ALONG LENGTH GIVEN  
 3/8" AFF TO 6/8" AFF



FINISH FLOOR PLAN  
 SCALE: 1/4" = 1'-0"

**GENERAL NOTES FOR ALL DOORS**

**HANDLE:**  
ALL DOORS EQUIPPED WITH SINGLE-EFFORT NON-GRASP HARDWARE (I.E. LEVER) CENTERED BETWEEN 30" AND 44" ABOVE THE FLOOR. (CBC 115382.6.2)

**CLOSER:**  
IF A DOOR IS EQUIPPED WITH A CLOSER THEN THE SWEEP PERIOD OF THE CLOSER SHALL BE ADJUSTED SO THAT FROM AN OPEN POSITION OF 70-DEGREES THE DOOR WILL TAKE 15 SECONDS TO MOVE TO A POINT 3" BEYOND THE CLOSURE AT THE LANDING EDGE OF THE DOOR. (CBC 115382.6.1)

**THRESHOLD:**  
ADA COMPLIANT TRANSITION

**ACCESSORIES:**  
WHERE DOORS ARE GLAZED, PROVIDE 10" KICK PLATE AT BOTTOM OF GLAZED DOOR. (CBC 115382.6)

**FF&E KEY NOTES**

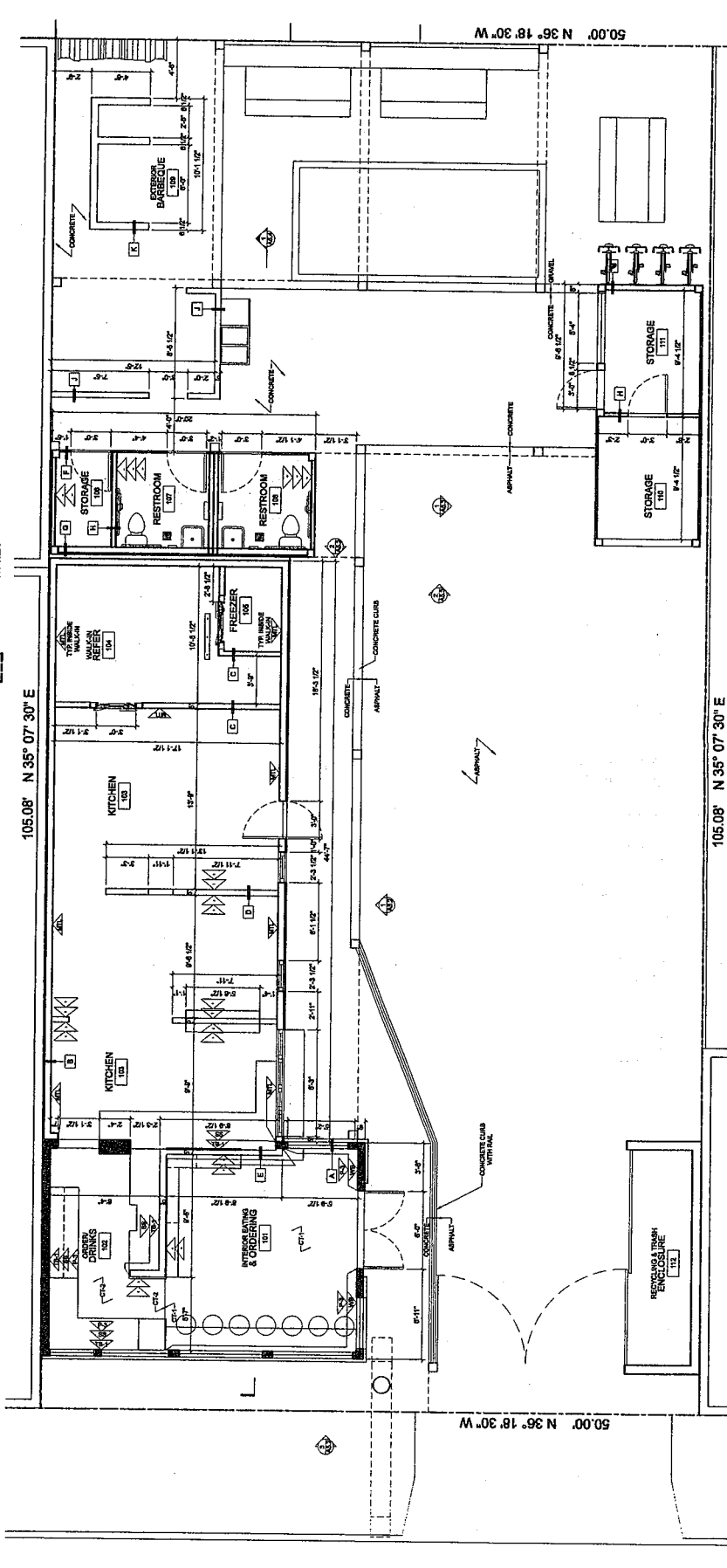
- ◆ LOCATION OF 2A-10BC FIRE EXTINGUISHER
- ◆ EMPLOYEE STORAGE LOCKERS
- ◆ LOCKERS MUST BE INSTALLED ON 8" HIGH EASILY CLEANABLE ROUND OR SQUARE LEGS, NO L-ANGLE LEGS. LOCKERS TO ACCOMMODATE 4 EMPLOYEES WITH A MIN. 12"X12"X12" SPACE PER PERSON
- ◆ SIGHT IMPAIRED TACTILE EXIT SIGNAGE, PER SAN FRANCISCO BUILDING CODE
- ◆ SIGN POSTED TO READ: MAXIMUM OCCUPANT LOAD 24 PEOPLE
- ◆ ACCESSIBLE BAR, 34" MAX/27" MIN. HEIGHT, 19" DEPTH
- ◆ SIGHT IMPAIRED TACTILE RESTROOM SIGNAGE, PER CBC SEC. 115B.6, 115B.5.1 ITEM 1, 115B.7
- ◆ ADA RESTROOM SIGN ON DOOR, 1/4" THICK BY 12" ROUND ACCESSIBLE SIGN PER CBC SEC. 115B.6, 115B.5.1 ITEM 1, 115B.7

**ADA REQUIRED CLEAR SPACES**

- [A201] 44" WIDE ACCESSIBLE AISLE
- [A202] 30" X 48" CLEAR AREA, 19" DEPTH FOR KNEE SPACE
- [A203] 60" MIN CLEAR RADIUS CIRCLE
- [A204] 60" X 80" CLEAR AREA

**LEGEND**

- EXISTING WALL
- NEW INTERIOR WALL, SEE STRUCTURAL DRAWINGS FOR PARTITION & WALL TYPES

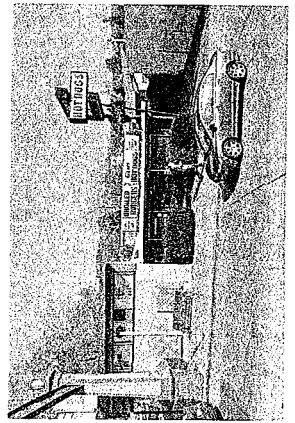
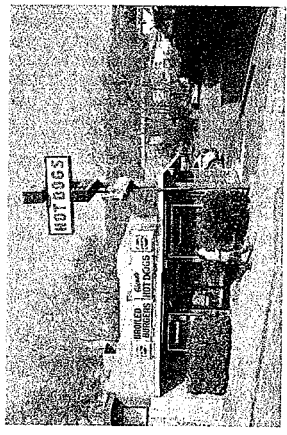
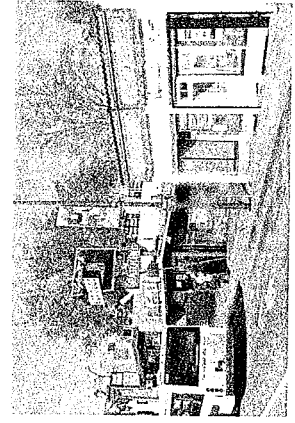
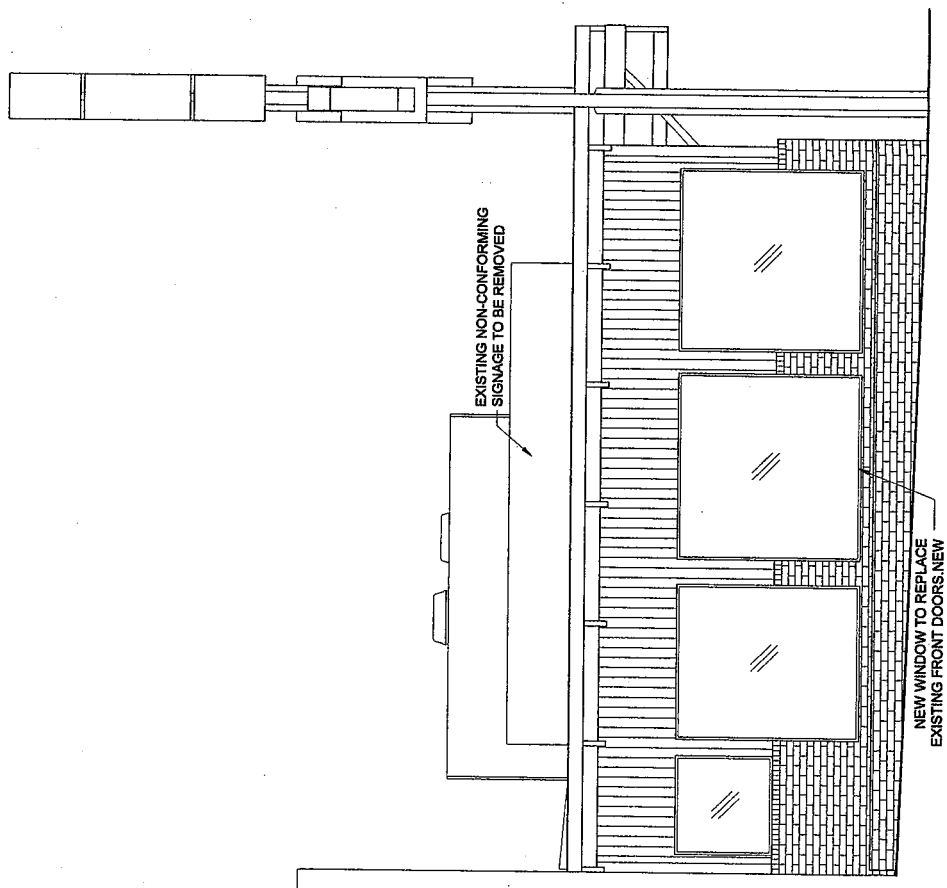
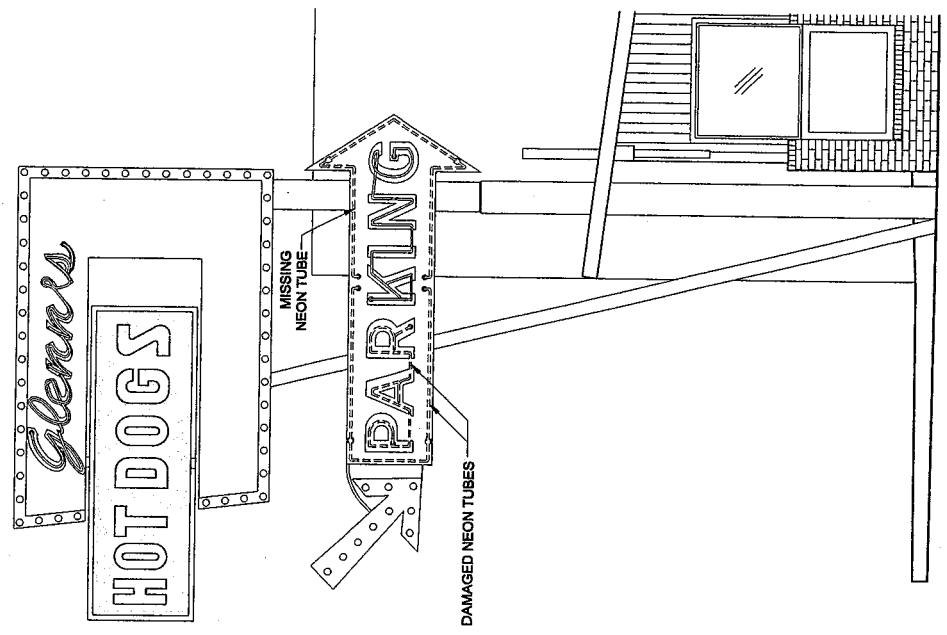


**FURNISHINGS, FIXTURES & EQUIPMENT PLAN**  
SCALE: 1/4" = 1'-0"

4505 BURGERS & BBQ  
 3506 MACARTHUR BLVD  
 OAKLAND, CA 94619

EXTERIOR SIGNAGE - EXISTING

WYLIE PRICE  
 2278 TELEGRAPH AVE  
 OAKLAND CA 94612  
 OFFICE@WYLIEPRICE.COM 510.833.2498



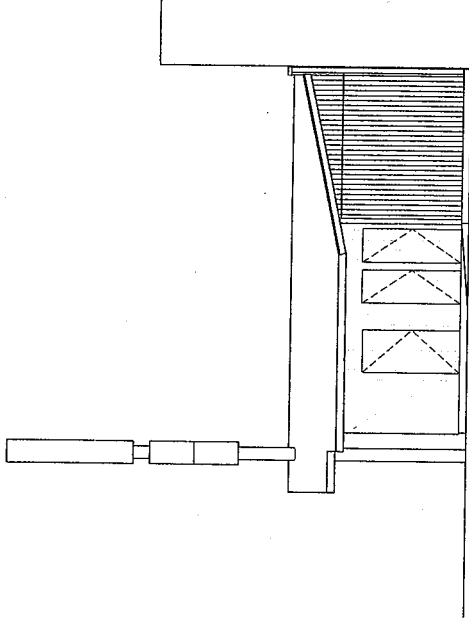
WYLIE PRICE  
2276 TELEGRAPH AVE  
OAKLAND CA 94612  
OFFICE@WYLIEPRICE.COM 510 833 2493

# EXTERIOR ELEVATIONS

4505 BURGERS & BBQ  
3506 MACARTHUR BLVD  
OAKLAND, CA 94619

DATE: 01/15/14  
BY: WYLIE PRICE  
CHECKED: WYLIE PRICE  
JOB: 14-001 - 14-001

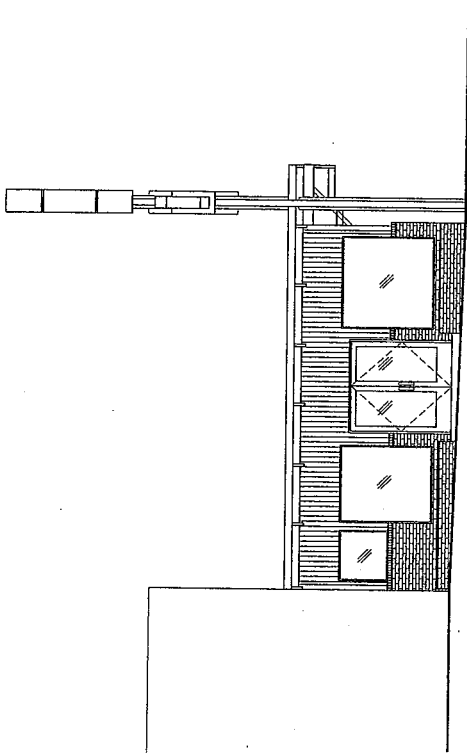
A5.1



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

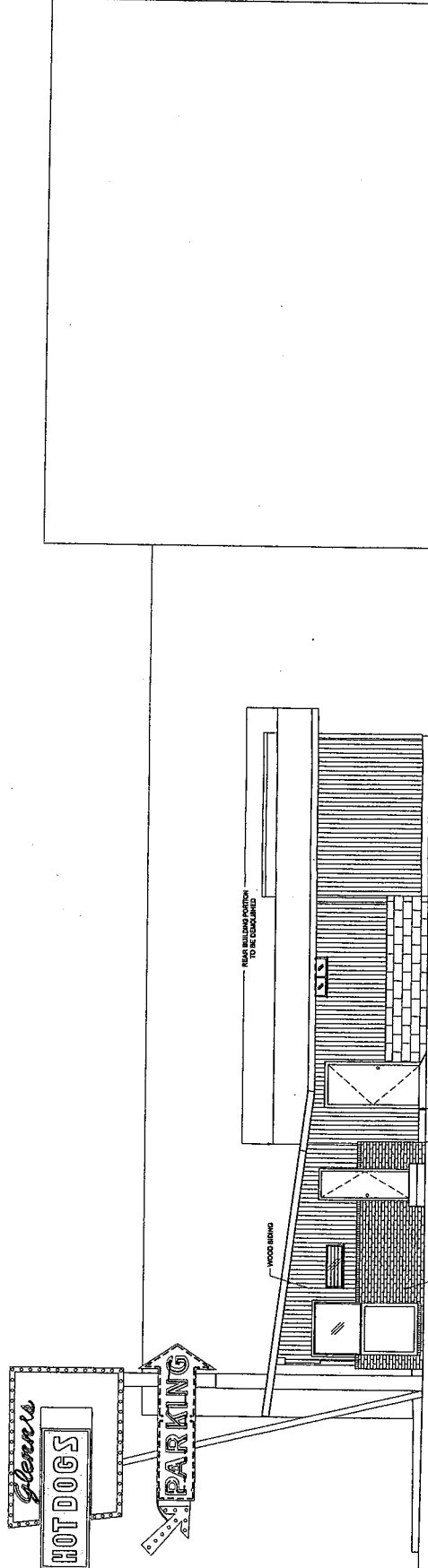
2



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

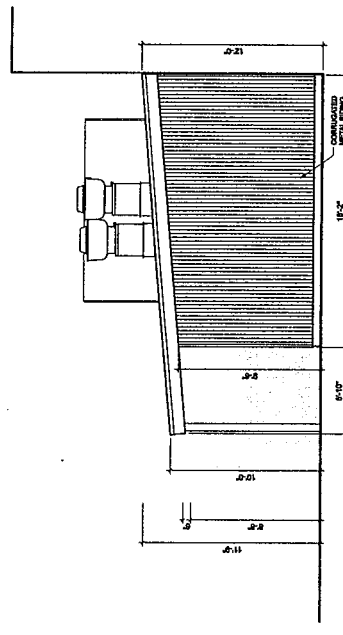
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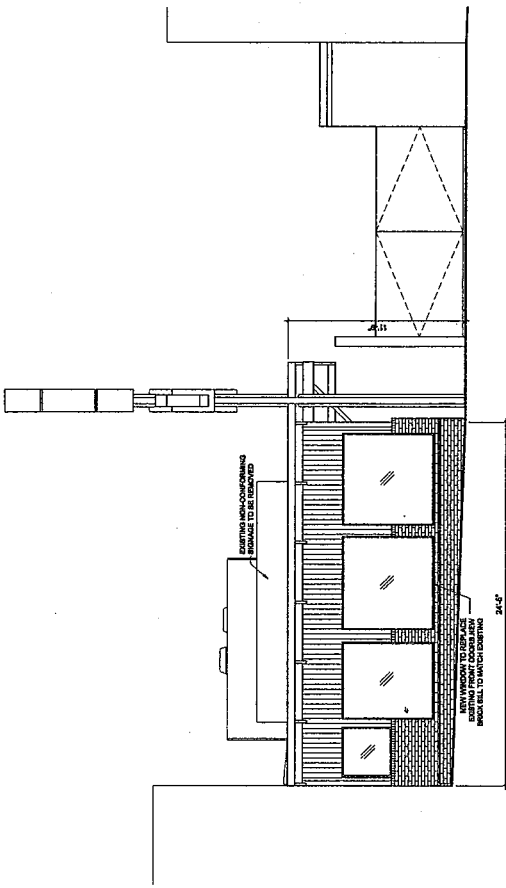
EAST ELEVATION

SCALE: 1/4" = 1'-0"

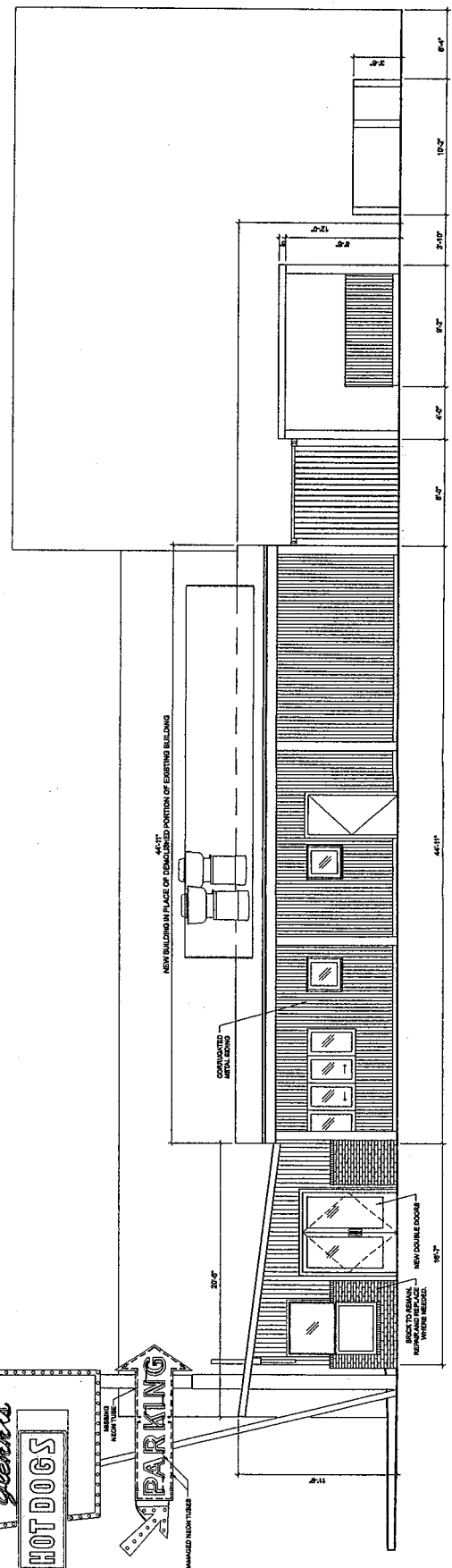
1



**2**  
 NORTH ELEVATION  
 SCALE: 1/4" = 1'-0"

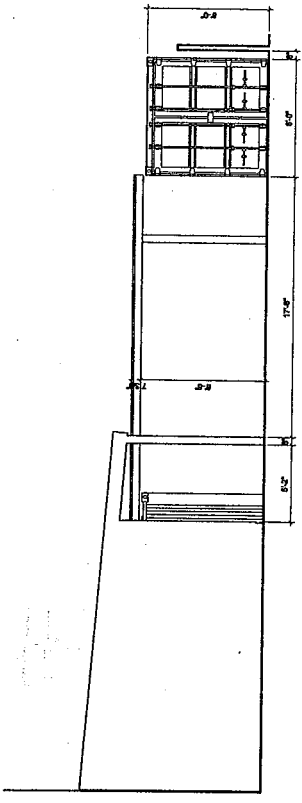


**3**  
 SOUTH ELEVATION  
 SCALE: 1/4" = 1'-0"



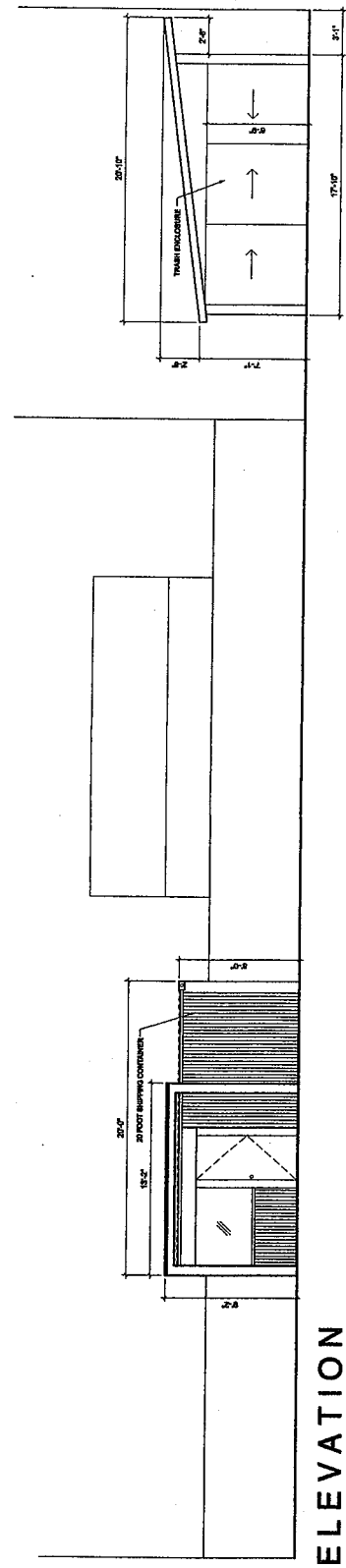
**1**  
 EAST ELEVATION  
 SCALE: 1/4" = 1'-0"

THIS DOCUMENTATION AND THE CONCEPTS EXPRESSED IN THEREIN ARE THE PROPERTY OF WYLIE PRICE AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



**SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

2



**WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

1

THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

DB/1

A

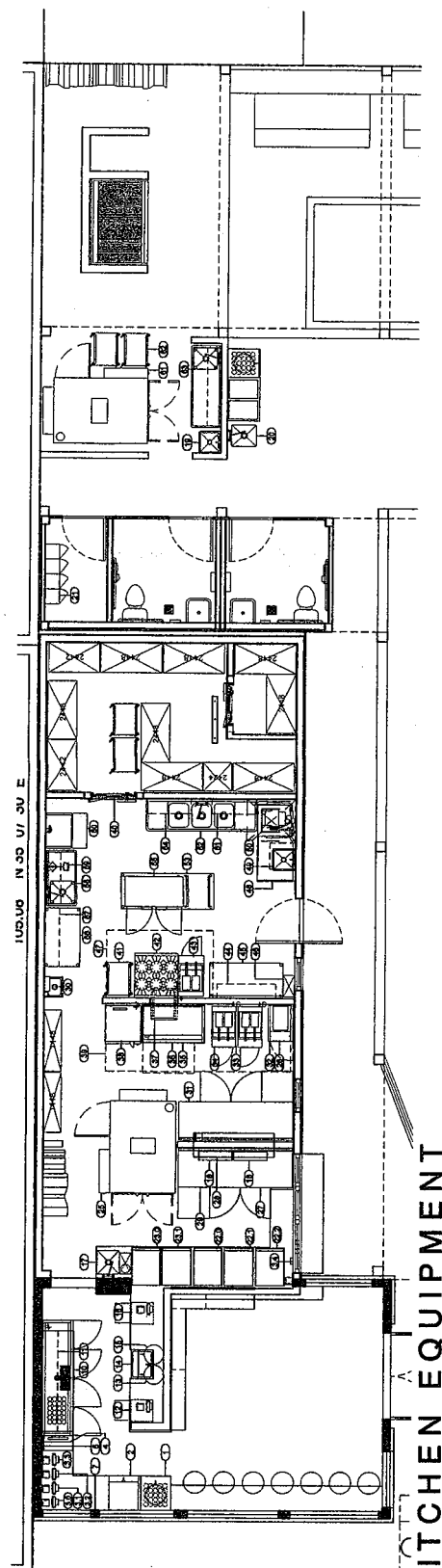
4505 RIVERBENDS & BBO

TYFFIN

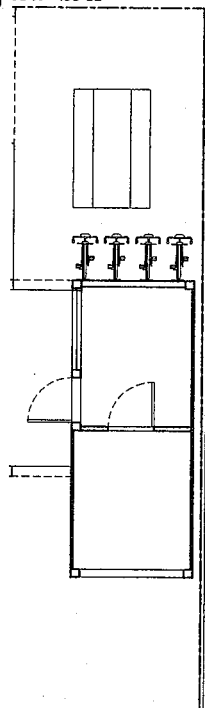
1/22/10







**KITCHEN EQUIPMENT**  
SCALE: 1/4" = 1'-0"



**KITCHEN EQUIPMENT**  
SCALE: 1/4" = 1'-0"

**HEALTH DEPARTMENT NOTES**

1. WALLS TO BE FINISHED TO THE BALCONY WALLS AND CEILING ON ALL SIDES.
2. COMPARTMENTS AND CABINETS ARE TO BE SUPPORTED OFF THE FLOOR ON EACH SIDE BY 1/2\"/>

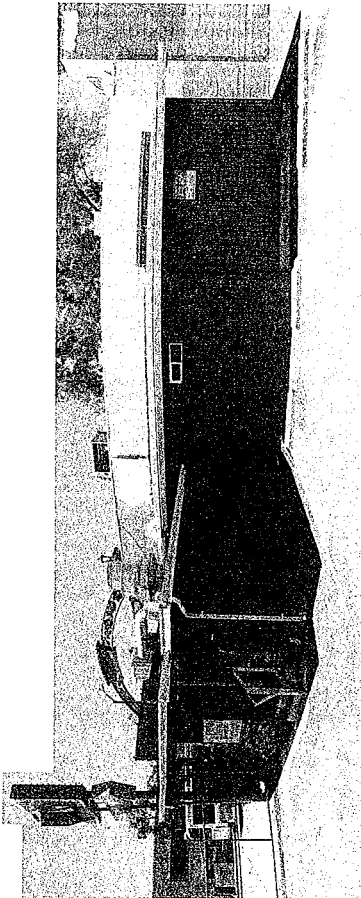
4505 BURGERS & BROS

FLOOR PLAN

DATE



**TWO VIEWS OF SOUTHERN LOT LINE FROM STREET**  
NOT TO SCALE



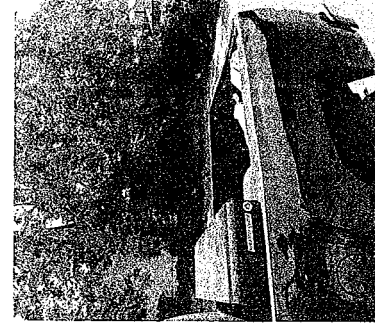
**VIEW FROM EASTERN LOT LINE**  
NOT TO SCALE



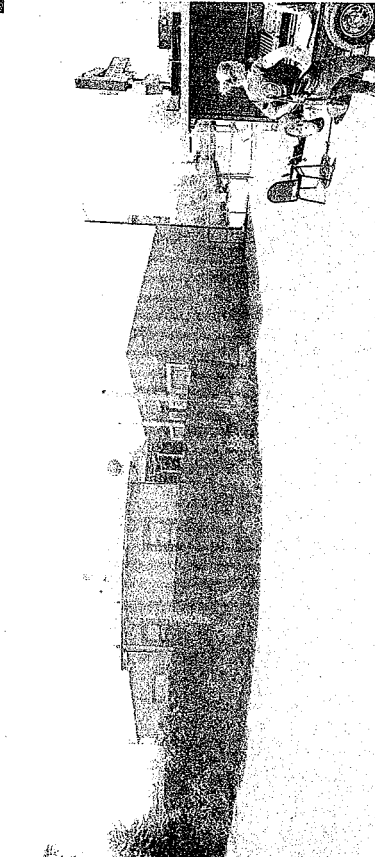
**VIEW FROM NORTHERN LOT LINE**  
NOT TO SCALE



**VIEW OF NORTHERN LOT LINE FROM SOUTH**  
NOT TO SCALE



**VIEW FROM WESTERN LOT LINE**  
NOT TO SCALE



**1**

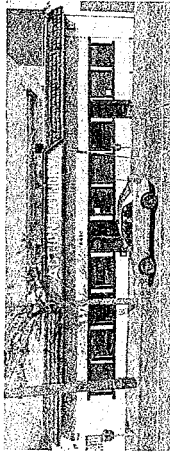
4505 RIRGERS & BR  
DB7



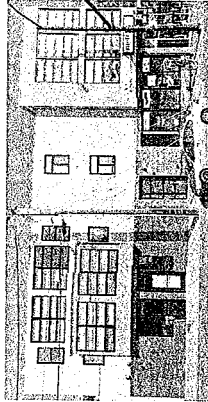
3350 MACARTHUR BLVD



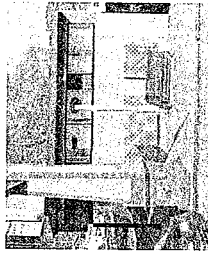
3400 MACARTHUR BLVD



3410 MACARTHUR BLVD



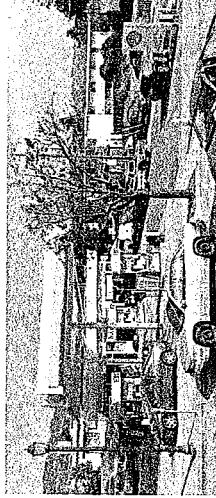
3615 35ST. (MACARTHUR SIDE)



3500 MACARTHUR BLVD



3512&14 MACARTHUR BLVD



3530 MACARTHUR BLVD



3600 MACARTHUR BLVD

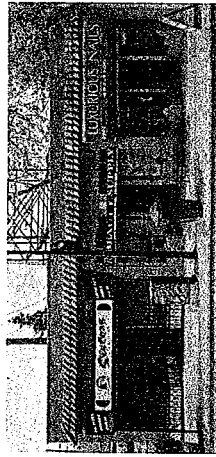


3618 MACARTHUR BLVD

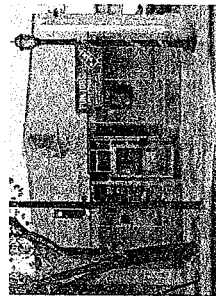


3626&30 MACARTHUR BLVD

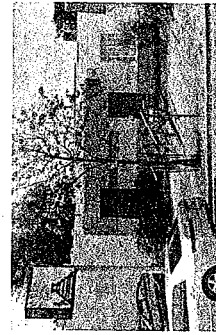
NORTH-EAST SIDE OF MACARTHUR BLVD.



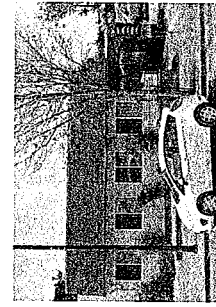
3643&45 MACARTHUR BLVD



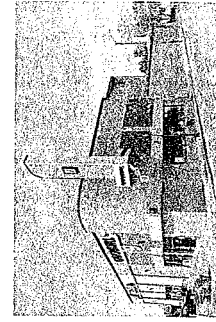
3639 MACARTHUR BLVD



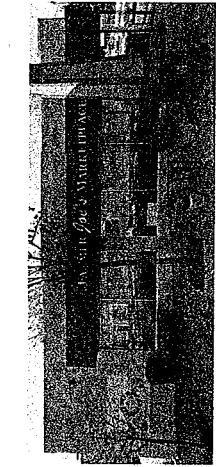
3625 MACARTHUR BLVD



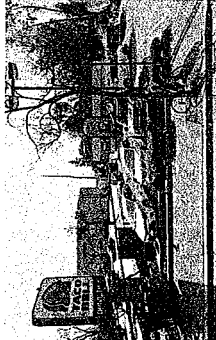
3623 MACARTHUR BLVD



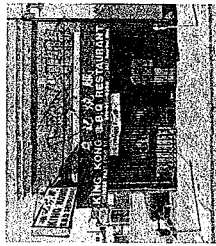
3525 MACARTHUR BLVD



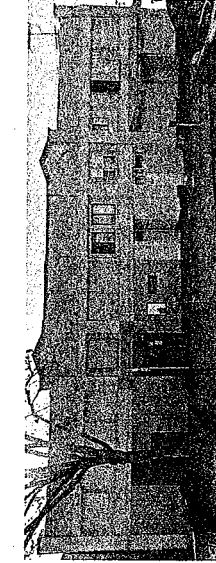
3501 MACARTHUR BLVD



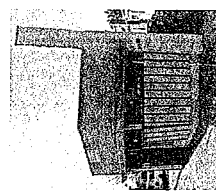
3535 35TH ST. (MACARTHUR SIDE)



3421 MACARTHUR BLVD



3405-11 MACARTHUR BLVD



3361 MACARTHUR

SOUTH-WEST SIDE OF MACARTHUR BLVD.

EXTERIOR SIGNAGE - PROPOSED

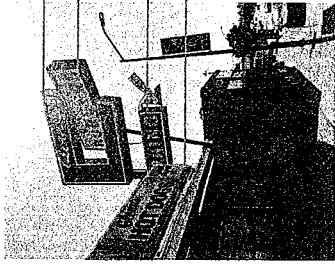
4505 BURGERS & BBQ  
 3506 MACARTHUR BLVD  
 OAKLAND, CA 94619

DATE: 08/11/19  
 BY: [illegible]  
 PROJECT: [illegible]  
 02/17/2019 - 08/11/2019

SIGN

Sign Design Diagram and Installation Details  
 Side 2

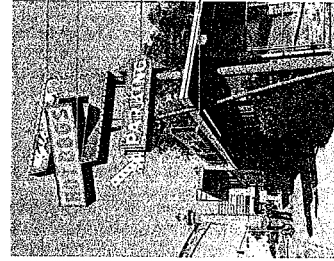
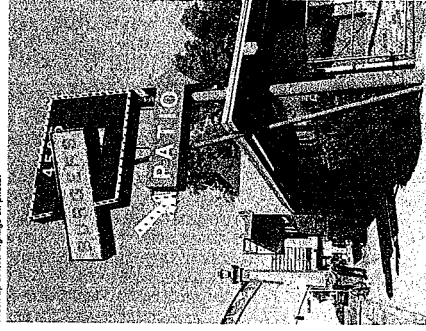
Mock up of new signage on photo.



- Old neon to be removed.  
To be painted, new neon to be installed.
- Old lettering to be removed.  
New dimensional lettering to be installed.
- Old neon to be removed.  
To be painted, new neon to be installed.  
To be removed.

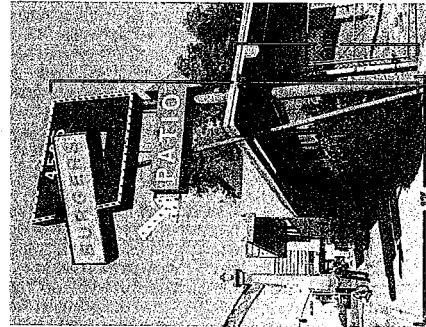
Sign Design Diagram and Installation Details  
 Side 1

Mock up of new signage on photo.



- Old neon to be removed.  
To be painted, new neon to be installed.
- Old lettering to be removed.  
New dimensional lettering to be installed.
- Old neon to be removed.  
To be painted, new neon to be installed.  
To be removed.

Installation Elevation and Image



- Sign Location:
- Height of Building - 10'
- Distance to Curb - 12'
- Top of Sign Post - approx. 25' off ground.

CALL FOR TO-GO ORDERS

415.231.6993

WE CATER PARTIES OF ALL SIZES

## SMOKED MEAT PLATE

each plate comes with your choice of two sides (or two fixin's for +.75 each), pickles & a warm buttery parker house roll

- #1 CHOOSE ONE MEAT ..... 12.50
- #2 CHOOSE TWO MEATS ..... 16.50
- #3 CHOOSE THREE MEATS ..... 22.50
- THE PRESIDENTIAL ..... 100

(Feeds 6) ALL meats with

ALL sides and ALL the fixins (Dine In Only)

### MEATS

pulled pork shoulder • pulled smoked chicken  
beef brisket • hot sausage

## SMOKED RIB PLATE

three quarters of a pound of ribs  
with two sides (or two fixin's for +.75 each),  
pickles & a warm buttery parker house roll

17

## SMOKED MEAT by the POUND

each item comes with pickles,  
iced sweet Vidalia onion & white bread

- NET ..... 28.75
- KED CHICKEN PULLED 21.75 / BONE-IN 16
- AGE ..... 19.75
- ño & Cheddar Hot Link
- SHOULDER ..... 19.75
- SPARE RIBS ... 1lb 14 / 2lb 28 / 3lb 42
- 12-14 bones and approx. 2 1/2 lbs.

## SANDWICHES & MORE

### BEST DAMN GRASS FED CHEESEBURGER

quarter pound grass fed beef patty with lettuce,  
onion, Gruyere cheese, and secret sauce on a  
buttery, griddled sesame & scallion bun

- single / double ..... 9.75 / 13.75
- add bacon ..... 2
- add an egg ..... 2

### BBQ SANDWICH

..... 9.75

choose from pulled pork, brisket, pulled chicken,  
fried chicken strips or sausage topped with  
slaw, sauce & pickles

### GRITS & EGG VEGETARIAN SANDWICH 9.75

with roasted green chili peppers, Oaxacan cheese  
& an egg on a buttery, griddled bun

### GRILLED CHEESE

..... 5

white bread & cheddar, served with pickles

### 4505 HOT DOG

..... 6

bacon studded dog on a bun, served with pickles

### CHICKEN STRIPS

..... 6

hand-made strips, served with small slaw & pickles

## LARGE SALADS

want to add meat? just ask!

- CLASSIC CAESAR ..... 9.75
- ORGANIC GREEN SALAD ..... 8.75
- with farmers' market veggies & balsamic vinaigrette
- COBB SALAD ..... 11.75
- bacon, avocado, egg, blue cheese, red onion, and  
honey mustard vinaigrette

## SIDES

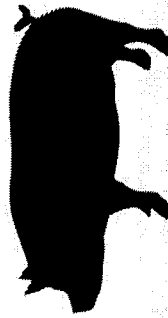
- COLE SLAW ..... side / pint  
4/7.50
- POSOLE ..... 4/7.50
- red chili broth, smoked meat & hominy
- BAKED BEANS ..... 4/7.50
- POTATO SALAD ..... 4/7.50
- FRENCH FRIES ..... 4
- hand cut & fried in tallow

## FIXN'S

- FRANKARONI ..... 4.75
- crispy fried mac & cheese with hot dog inside
- SPICY FRIES ..... 5.50
- chimichurri sauce & lemon parsley aioli
- BAG OF CHICHARRONES ..... 4
- 4505 Kettle Cooked Style

## ICE CREAM

- VANILLA ICE CREAM ..... 5.50
- one scoop of "Humphry Slocombe"
- ROOT BEER FLOAT ..... 7.50
- with one scoop



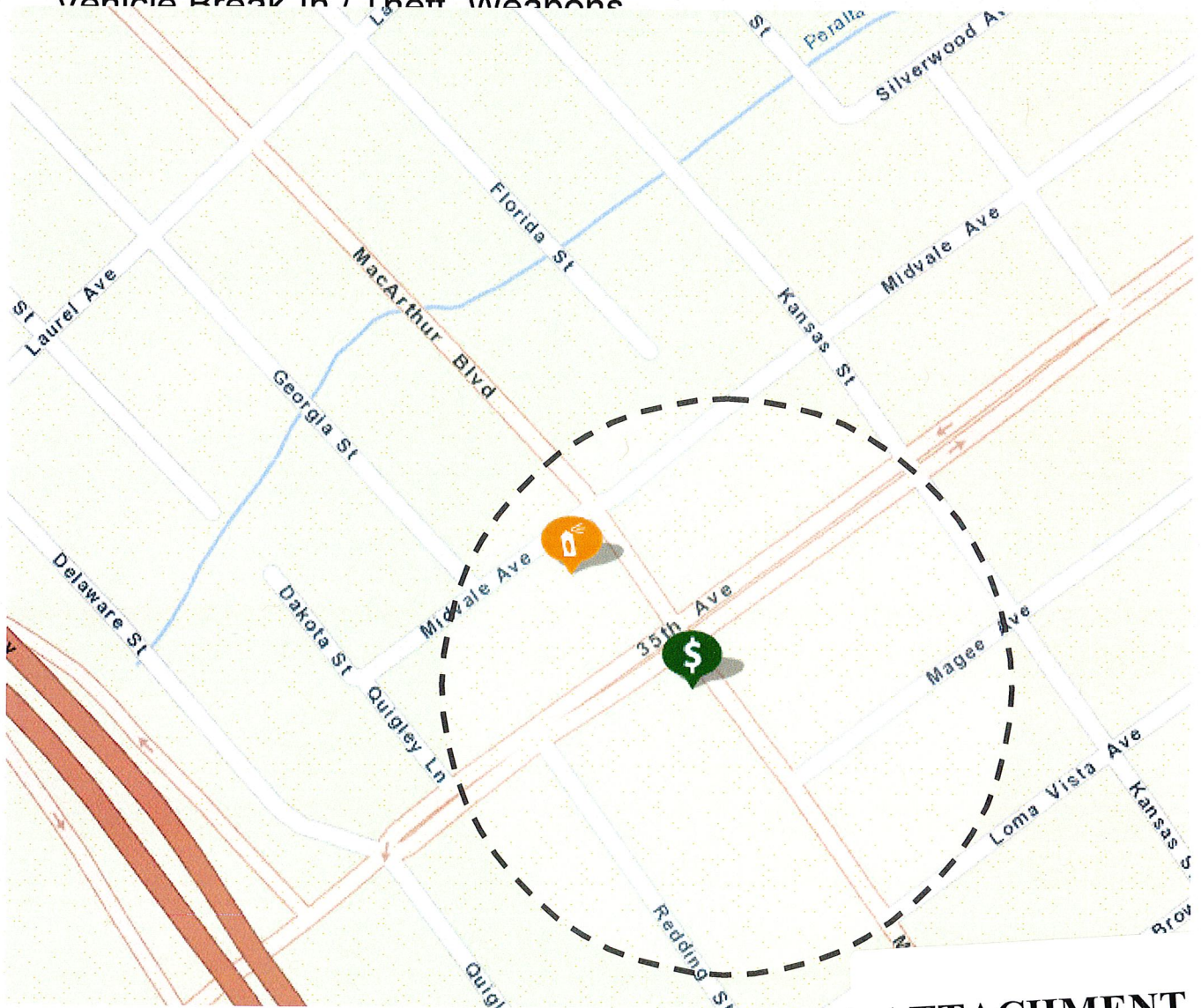
tax & sf ordinances compliance surcharge not included in menu items

 Print

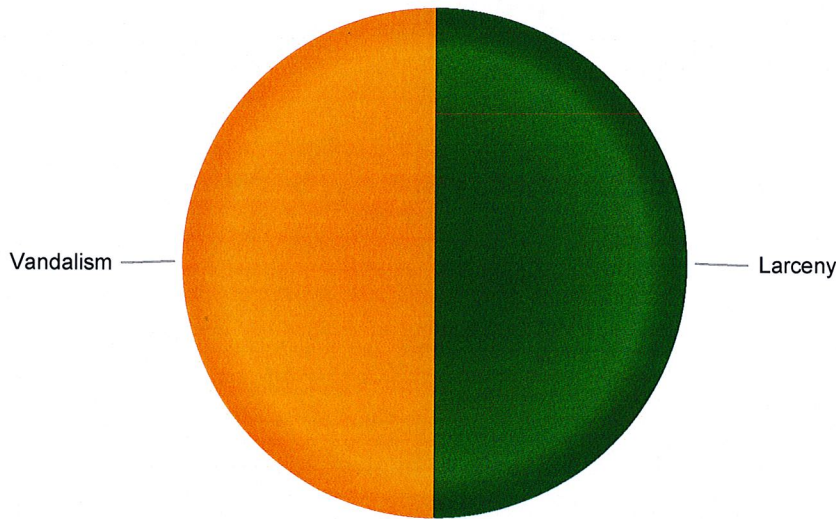
# CrimeMapping.com Map

**Monday, May 22, 2017 through Sunday, June 18, 2017**



**Showing crime types:** Arson, Assault, Burglary, Disturbing the Peace, Drugs / Alcohol Violations, DUI, Fraud, Homicide, Motor Vehicle Theft, Robbery, Sex Crimes, Theft / Larceny, Vandalism, Vehicle Break In / Theft, Weapons



**ATTACHMENT E**



## Crime Report

Type	Description	Incident #	Location	Address
	VANDALISM	17-909204		Oak
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-908177		Oak

**Laurel District Association**  
**Laurel Business Improvement District**  
**Oakland, CA**  
**Grow the Laurel!**



June 5, 2017

Aubry Rose  
City of Oakland  
Planning Department  
250 Frank H Ogawa Plaza, 2nd Floor  
Oakland CA 94612-2031

**RE: 4505 Burgers & BBQ - 3506 MacArthur Blvd.**

Dear Mr. Rose,

I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. I have had the opportunity to meet with the owners and discuss their vision for the space and feel this will be an excellent addition to the Laurel commercial district. Their restoration and modernization of the building will honor the history and character of the MacArthur corridor, and create much needed outdoor, family-style, seating at what will sure to become a celebrated gathering space.

4505 will be presenting their plans to the full Laurel District Association board on June 19<sup>th</sup>. Each board member has been briefed on the project and they look forward to enthusiastically supporting the application. The Board is aware the application will include full liquor. In working with the owners/operators over the past few months, I am confident they will honor their pledge to maintain a family friendly establishment, and provide alcohol in a manner that is appreciated and enjoyed responsibly by the Laurel community.

The Laurel currently has insufficient full service restaurants serving both lunch and dinner. More foot traffic, more people in the Laurel later into the evenings, will add to the safety of the community. The LDA is excited to see this location become a lively gathering spot for the families of the Laurel, something the neighborhood has wanted for a number of years.

I hope this letter of support will assist in the effort to move their project through the final stages of permitting. I will follow up with another letter of support based on the LDA's vote on June 19<sup>th</sup>. We appreciate your service to Oakland and look forward to coming together on the patio at 4505 in the Laurel!

Sincerely,

Daniel Swafford  
Executive Director  
Laurel District Association

**Laurel District Association**  
**Laurel Business Improvement District**  
**4222 MacArthur Blvd.**  
**Oakland, CA 94619**  
**LaurelDistrictAssociation@yahoo.com**  
**LaurelDistrictAssociation.org**

**ATTACHMENT F**





# La Plazita Preschool

www.laplazitapreschool.com  
3625 MacArthur Blvd. Oakland, CA 94602  
(510) 402-8715

May 30, 2017

To whom it may concern:

This letter is in support of the new business that will be moving into the MacArthur and 35<sup>th</sup> street sight of the old hot dog and restaurant located at 3506 MacArthur Blvd. We share a property line with this business and have found them extremely open and willing to work with us to establish a great relationship. They will be maintaining the trees that provide us with excellent shade and therefore we have no apprehensions in having them as our new neighbors.

Having been a part of the Laurel business transformation since 2012 we are very aware of our neighborhood and happy to see the transformation it is going through. We think 4505 will be a great addition to the family neighborhood food options. We look forward to them moving into the space and working together for years to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Krystell M Guzman'. The signature is stylized and somewhat abstract, with a long horizontal line extending to the right.

Krystell M Guzman

Dear Mr. Rose,


I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. Our organization has known Ryan, the founder, for the last 5 years, and we have come to know his leadership team over the past year through the work we are doing together in our Good Jobs Accelerator.

4505 Burgers & BBQ has the potential to be a lively gathering spot for the families of the Laurel, and can add so much to the close-knit and vibrant business community. They more we understand and support the 4505 team with their vision of a thriving and supportive business that values the communities they are in and their team members.

- **They have a history of investing in their community.** Through their philanthropy program Feed the Pig, they choose six non-profit partners per year and donate approximately \$1000 per month to them (that's \$2000 over the course of the partnership). Since announcing their Oakland plans, they have already partnered with three Oakland non-profits: WOW Farms, City Slicker Farms, and East Oakland Boxing Association.
- **They have progressive employment practices.** 4505 has created an environment of support and engagement: they pay above the minimum wage and work hard to structure wages in an equitable way across the business (in accordance with Measure FF here in Oakland), unlimited paid time off to managers, loans to employees to help secure housing in this especially difficult market, and professional and personal development opportunities. They are projecting creating 20 - 40 jobs at this location and hope to grow beyond those numbers.
- **They are making a long-term investment in the Laurel.** 4505 purchased the building at 3506 MacArthur when its previous owners were ready for retirement. They are excited to become a neighborhood institution where one day young adults will come back to with fond memories of eating cheeseburgers there as kids and running around the patio.
- **They are a family-owned business.** Ryan Farr, the founder, started 4505 in his apartment just before his first child was born and he is dedicated to creating and maintaining a work environment that is focused on creating a supportive and accepting work environment. Everyone on the 4505 team is family and he wants to extend that family to our neighborhood.

I hope you will take this letter as a sign of support and do what you can to move their project through the final stages of permitting. We look forward to celebrating with them when they open in the Laurel.

Sincerely,



06/07/17

Ingrid Jacobson  
Managing Director, Entrepreneur Services  
ICA Fund Good Jobs  
2335 Broadway, Suite 102, Oakland, CA 94612



May, 2017



Dear Mr. Rose,

I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. 4505 has potential to be a lively gathering spot for the families of the Laurel, something the neighborhood has wanted for a number of years. The more I learn about 4505 and how they do business, the more excited I am about this project.

- **They have a history of investing in their community.** Through their philanthropy program Feed the Pig, they choose six non-profit partners per year and donate approximately \$1000 per month to them (that's \$2000 over the course of the partnership). Since announcing their Oakland plans, they have already partnered with three Oakland non-profits: WOW Farms, City Slicker Farms, and East Oakland Boxing Association.
- **They have progressive employment practices.** I am impressed to learn about how they support their staff. They pay above the minimum wage and work hard to structure wages in an equitable way across the business (in accordance with Measure FF here in Oakland). They offer Unlimited Paid Time Off to managers, loans to employees to help secure housing in this especially difficult market, and training on life skills that will help them succeed beyond the walls of work. I understand they will have 25-40 jobs at this location when they open and hope to grow beyond those numbers.
- **They are making a long-term investment in the Laurel.** 4505 purchased the building at 3506 Macarthur when its previous owners were ready for retirement. They are excited to become a neighborhood institution where one day young adults will come back to with fond memories of eating cheeseburgers there as kids and running around the patio.
- **They are a family-owned business.** Ryan Farr, the founder, started 4505 in his apartment just before his first child was born and his Midwestern family values have reached far beyond his love of barbecue. He and the leadership speak from the heart when they talk of the 4505 Family, and he wants to extend that family to our neighborhood.

I hope you will take this letter (and others I hope) as a sign of support from fellow business owners and do what you can to move their project through the final stages of permitting. We've been doing business alongside them in San Francisco for three years and you're lucky to have them opening in the Laurel! We look forward to coming together on their patio!

Sincerely,

A handwritten signature in black ink, appearing to be "Solomon Howard", written over a horizontal line.

Solomon Howard  
Executive Director  
East Oakland Boxing Association  
816 98th Ave, Oakland, CA, 94603

# CUESA

CULTIVATING A HEALTHY  
FOOD SYSTEM

June 2, 2017

Dear Mr. Rose,

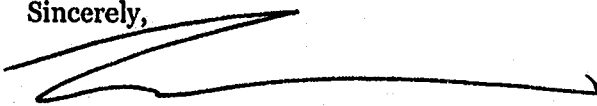
I am the Executive Director of the non-profit Center for Urban Education About Sustainable Agriculture (CUESA). We operate 3 Farmers Markets weekly at the Ferry Building in San Francisco and 1 weekly Sunday Farmers Market in Oakland's Jack London Square.

I am writing to you today in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District of Oakland. 4505 got their start at our weekly farmers markets in San Francisco, and through this relationship we gained an intricate knowledge of their business ideals and practices. It has been a privilege to work with Ryan Farr and to watch the 4505 team evolve their concept into a brick and mortar reality. I wholeheartedly endorse this project for the following reasons:

- **4505 has a history of investing in their community.** Through their philanthropy program Feed the Pig, they choose six non-profit partners per year and donate approximately \$2,000 to each. Since announcing their Oakland build out, they have partnered with three Oakland non-profits: WOW Farms, City Slicker Farms, and East Oakland Boxing Association. They have also contributed financially, and donated labor, product and time to CUESA events for years.
- **4505 has progressive employment practices.** They are supportive of their staff by structuring wages in an equitable way across the business, offering paid time off, loans to employees to help secure housing, and training that will help them succeed beyond their work. I understand they estimate 25-40 new jobs at the Laurel District location and that they hope to grow larger over time.
- **4505 is making a long-term investment in the Laurel.** 4505 purchased the building at 3506 Macarthur when its previous owners were ready for retirement. They are excited to become a neighborhood institution and strive to establish a place that people fondly return to for years to come.

I hope you will take this letter as a sign of support, and help move their project through the final stages of permitting. Please do not hesitate to contact me if you have questions or concerns.

Sincerely,



Marcy Coburn  
Executive Director

One Ferry Building, Suite 50  
San Francisco, CA 94111  
T/ 415.291.3276  
F/ 415.291.3275  
Info@cuesa.org  
www.cuesa.org

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Executive Director  
Marcy Coburn

Dear Mr. Rose,

I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. 4505 has potential to be a lively gathering spot for the families of the Laurel, something the neighborhood has wanted for a number of years. The more I learn about 4505 and how they do business, the more excited I am about this project.

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- **They have progressive employment practices.** I am impressed to learn about how they support their staff. They pay above the minimum wage and work hard to structure wages in an equitable way across the business (in accordance with Measure FF here in Oakland). They offer Unlimited Paid Time Off to managers, loans to employees to help secure housing in this especially difficult market, and training on life skills that will help them succeed beyond the walls of work. I understand they will have 25-40 jobs at this location when they open and hope to grow beyond those numbers.
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I hope you will take this letter (and others I hope) as a sign of support from neighbors and fellow business owners, and do what you can to move their project through the final stages of permitting. I've been enjoying their business in San Francisco for three years and you're lucky to have them opening in the Laurel! We look forward to coming together on their patio!

Sincerely,



Justin Coburn (Neighbor)  
923 Central Ave  
San Francisco, CA 94115

Dear Mr. Rose,

I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. 4505 has potential to be a lively gathering spot for the families of the Laurel, something the neighborhood has wanted for a number of years. The more I learn about 4505 and how they do business, the more excited I am about this project.

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Sincerely,

Name: *Kristen Sanuwatan*  
Business (if applicable):  
Business Address (if applicable):

Dear Mr. Rose,

I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. 4505 has potential to be a lively gathering spot for the families of the Laurel, something the neighborhood has wanted for a number of years. The more I learn about 4505 and how they do business, the more excited I am about this project.

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Sincerely,

Name: Torey Kromnick  
Business (if applicable):  
Business Address (if applicable):

Dear Mr. Rose,

I am writing to you in support of the new 4505 Burgers & BBQ located at 3506 MacArthur Blvd in the Laurel District. 4505 has potential to be a lively gathering spot for the families of the Laurel, something the neighborhood has wanted for a number of years. The more I learn about 4505 and how they do business, the more excited I am about this project.

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Sincerely,

Name:

Business (if applicable):

Business Address (if applicable):

*Nathan Enright*



## Rose, Aubrey

---

**From:** Susan Schacher <susan4@jps.net>  
**Sent:** Friday, June 16, 2017 12:23 PM  
**To:** Rose, Aubrey; Hackett, Maurice  
**Subject:** concerns about 3506 MacArthur Blvd proposal

Mr Rose and Mr Hackett,

I live near 3506 MacArthur Blvd. I have some concerns about a proposed new restaurant at that address.

Neighborhood residents have had experiences with noise, loud music, and rowdy behavior at existing bars in the neighborhood. I understand that staff is recommending that this new restaurant have a closing time of 11 PM indoors and 10 PM outdoors. Both times are too late.

To avoid additional problems, I oppose a conditional use liquor license.

I am also also concerned about the lack of on-site parking. The MacArthur/35th Ave intersection is a busy one, and it is hard to find parking on the small side streets in the area.

Thank you,  
Susan Schacher  
3500 35th Ave, Apt 27

## **Rose, Aubrey**

---

**From:** Joyce E KLEINJAN <kleinjan@berkeley.edu>  
**Sent:** Monday, June 19, 2017 2:24 PM  
**To:** Hackett, Maurice  
**Cc:** Rose, Aubrey  
**Subject:** 3506 MacArthur Blvd Proposal for outdoor dining music and hard liquor

Hello, These are my thoughts. We have the Lounge at 3411 MacArthur and the liquor store next door. I guess more liquor isn't an issue. Be good to get it all out of the neighborhood! I am greatly disturbed by the loud music played for years at the Lounge. I don't hear the music, but the drum/bass vibrates. It used to be played until 2:00 am. I met with one of the owners recently and she kindly allows me to message her when it is too loud and it looks like they may quiet down now by 12:00. The problem with music is that it may not be "My music" and thus irritating. We could always try communicating if this becomes a problem. Thank you letting the neighbors talk. Sincerely Joyce

## Rose, Aubrey

---

**From:** Katie Mayfield <katie@4505meats.com>  
**Sent:** Tuesday, June 20, 2017 10:02 AM  
**To:** Rose, Aubrey  
**Cc:** Andrew Ghetia; Hackett, Maurice; Ryan Farr  
**Subject:** Re: Update from 4505 Burgers & BBQ, 3506 MacArthur Blvd  
**Attachments:** LDA Agenda 4505 6.19.17; LDA Presentation.docx

Hi Aubrey,

We presented last night at the Laurel District Association board meeting, and they voted unanimously to show their support for our project through a letter of support. I am working with them to get that letter for you. In the meantime, I've attached the following:

- 1) Last night's agenda with the 4505 presentation
- 2) The presentation document we distributed to the board.

I will send over the support letter (and also the letter from the NCPC 25X) as soon as I get them.

Thank you,  
Katie

**Katie Mayfield | Chief Operating Officer**  
4505 Meats  
415-255-3094 x103  
[katie@4505meats.com](mailto:katie@4505meats.com)  
[www.4505meats.com](http://www.4505meats.com)

On Jun 15, 2017, at 8:46 AM, Rose, Aubrey <[ARose@oaklandnet.com](mailto:ARose@oaklandnet.com)> wrote:

Received.

**From:** Andrew Ghetia [<mailto:andrew@4505meats.com>]  
**Sent:** Wednesday, June 14, 2017 6:06 PM  
**To:** Rose, Aubrey <[ARose@oaklandnet.com](mailto:ARose@oaklandnet.com)>  
**Cc:** Hackett, Maurice <[MHackett@oaklandnet.com](mailto:MHackett@oaklandnet.com)>; Katie Mayfield <[katie@4505meats.com](mailto:katie@4505meats.com)>; Ryan Farr <[ryan@4505meats.com](mailto:ryan@4505meats.com)>  
**Subject:** Re: Update from 4505 Burgers & BBQ, 3506 MacArthur Blvd

Hi Aubrey,

Please find a letter of support attached from La Plazita preschool.

Thank you!

**Andrew Ghetia | Area Director**

**4505 Burgers & BBQ**

705 Divisadero (at Grove St) SF, CA 94117

C 405-664-1486

[andrew@4505meats.com](mailto:andrew@4505meats.com)

[www.4505meats.com](http://www.4505meats.com)

On Mon, Jun 12, 2017 at 3:05 PM, Rose, Aubrey <[ARose@oaklandnet.com](mailto:ARose@oaklandnet.com)> wrote:

Sounds good – staff reports are available 4pm Fridays before a Wednesday hearing, check here 6/16/17 after 4pm for the 7/5/17 reports:

<http://www2.oaklandnet.com/government/o/PBN/OurOrganization/PlanningZoning/o/Commissions/index.htm>

**From:** Andrew Ghetia [mailto:[andrew@4505meats.com](mailto:andrew@4505meats.com)]

**Sent:** Monday, June 12, 2017 2:54 PM

**To:** Rose, Aubrey <[ARose@oaklandnet.com](mailto:ARose@oaklandnet.com)>

**Cc:** Hackett, Maurice <[MHackett@oaklandnet.com](mailto:MHackett@oaklandnet.com)>; Katie Mayfield <[katie@4505meats.com](mailto:katie@4505meats.com)>; Ryan Farr <[ryan@4505meats.com](mailto:ryan@4505meats.com)>

**Subject:** Re: Update from 4505 Burgers & BBQ, 3506 MacArthur Blvd

Hi Aubrey,

I don't think it's necessary for you to attend that meeting - I was mainly wondering because Bobbie said Moe is a frequent attendee.

When do you think the staff report will be available?

Thank you,

**Andrew Ghetia | Area Director**

**4505 Burgers & BBQ**

705 Divisadero (at Grove St) SF, CA 94117

C 405-664-1486

[andrew@4505meats.com](mailto:andrew@4505meats.com)

[www.4505meats.com](http://www.4505meats.com)

On Fri, Jun 9, 2017 at 11:59 AM, Rose, Aubrey <[ARose@oaklandnet.com](mailto:ARose@oaklandnet.com)> wrote:

Hi Andrew,

Good to hear from you, the progress sounds great – we are trying to have this on the 7/5/17 hearing – Moe is on family vacation after today so I'll assist – thanks for the letters; please provide any additional letters you received as soon as they come in – for any future items such as the 6/14 NCPC, we'll simply mention in the report and that should be OK (again Moe will be out of town, let me know if I should attend) – talk to you soon

Sincerely,  
Aubrey

**From:** Andrew Ghetia [mailto:[andrew@4505meats.com](mailto:andrew@4505meats.com)]  
**Sent:** Friday, June 09, 2017 10:15 AM  
**To:** Rose, Aubrey <[ARose@oaklandnet.com](mailto:ARose@oaklandnet.com)>; Hackett, Maurice <[MHackett@oaklandnet.com](mailto:MHackett@oaklandnet.com)>  
**Cc:** Katie Mayfield <[katie@4505meats.com](mailto:katie@4505meats.com)>; Ryan Farr <[ryan@4505meats.com](mailto:ryan@4505meats.com)>  
**Subject:** Re: Update from 4505 Burgers & BBQ, 3506 MacArthur Blvd

Hi Mr. Rose and Hackett,

Following up on my email from Wednesday, Katie and I met with Annie Campbell Washington and Jamila English yesterday onsite at 3506 MacArthur. Ms. Campbell Washington expressed her strong support for our project, feels extremely excited about the addition of full service family-focused lunch and dinner restaurant to the Laurel, especially with outdoor dining, and expressed that her constituents are equally enthusiastic.

Yesterday, I walked the block with the "Feet on the Streets" team, including Bobbie Bond. It was great to hear her experiences in the Laurel over the last 18yrs and be introduced to many of the merchants and residents of the Laurel. We will be attending the 25X NCPC Meeting on June 14th, and presenting there. Bobbie mentioned that you frequently attend, Mr. Hackett, will you be there on Wednesday?

Finally, I wanted to follow up on our place on the July 5th consent calendar.

Thank you and looking for your time,

**Andrew Ghetia | Area Director**  
**4505 Burgers & BBQ**  
705 Divisadero (at Grove St) SF, CA 94117  
C 405-664-1486  
[andrew@4505meats.com](mailto:andrew@4505meats.com)  
[www.4505meats.com](http://www.4505meats.com)

On Wed, Jun 7, 2017 at 4:37 PM, Andrew Ghetia <[andrew@4505meats.com](mailto:andrew@4505meats.com)> wrote:

Hi Mr. Rose and Hackett,

It was great to see you on Friday and to get a sense of the next steps you would like to see us take to move our 4505 Burgers & BBQ project at 3506 MacArthur Blvd forward.

I've included a link to a [Dropbox containing the letters of support we've received to date](#). You'll see we have been good neighbors and partners to a wide variety of organizations (both in San Francisco and Oakland), and some of our soon to be neighbors are eager to help us move this project forward and open as soon as possible.

I hope that per our earlier conversation this collection of letters, and specifically the inclusion of a letter by Daniel Swafford of the Laurel District Association (here attached), is enough to secure us a place on the Consent Calendar for July 5th.

Our outreach is not limited to these attached letters, however. I have attached another document detailing our efforts to date along with our plans for the immediate future. We are working hard to ensure that our positive impact in the Laurel District begins as soon as possible.

Lastly, if it is possible to be notified of when your Staff Recommendations report for our project is complete and if we may receive a copy, it would be incredibly helpful to our ability to move forward, respectfully and appropriately. Do you have a sense of when that may be complete?

Again, thank you for your time and attention,

**Andrew Ghetia | Area Director**

**4505 Burgers & BBQ**

705 Divisadero (at Grove St) SF, CA 94117

C 405-664-1486

[andrew@4505meats.com](mailto:andrew@4505meats.com)

[www.4505meats.com](http://www.4505meats.com)



**4505 Burgers & BBQ  
Presentation to Laurel District Association  
June 19, 2017**

We are pleased to join you tonight to introduce ourselves to you and let you know how we hope to integrate our business into the Laurel District. We are excited to join such a vibrant community of independent businesses and families. We hope to become a responsible, caring, and fun neighbor to all. Here is a little bit more information about us.

**Who is 4505 Burgers & BBQ?**

- ***History***  
4505 Meats started 8 years ago when our founder, Ryan Farr, created our now signature 4505 Chicharrones and sold them to local San Francisco bars and restaurants. Since that time, we have operated a farmers market stand, butcher shop, butchery classes, wholesale and retail products, and more. Today, we operate two divisions, our snack product, 4505 Chicharrones, and our restaurant side 4505 Burgers & BBQ.
- ***Our Founder, Chef Ryan Farr***  
Ryan began working in restaurants as a teenager, went to culinary school, and worked for more than a decade as a fine dining chef. As a chef, he began working with whole animal butchery. He left the restaurant life to teach culinary education at a SF nonprofit that aims to give skills to homeless and formerly incarcerated populations. To earn extra money, he created 4505 Chicharrones.
- ***4505 Burgers & BBQ Divisadero***  
In 2014, we opened our first barbecue restaurant in one of the few remaining historic pitt barbecue buildings in San Francisco, at the corner of Divisadero & Grove. It has become a vibrant dining destination for the community, serving unpretentious but quality-driven food in a relaxed, family-friendly environment.

## **4505 Burgers & BBQ at 3506 Macarthur Blvd**

- ***Passing the Torch***

In our search for a second restaurant location, we focused on Oakland, and in particular neighborhoods that were walkable and accessible to a good number of residences. We met David, the former owner of Glenn's Hot Dogs, who was ready to sell his business and retire. We purchased the building and business from him late last year.

- ***Heritage, Renewed***

We are excited to once again be going into a historic building that has always done what we do. We're revitalizing a old burger joint with a new burger joint! We hope to preserve and enhance the character this business contributed to the neighborhood.

- ***Family-focused Dining***

We intend to replicate our proven San Francisco concept, providing burgers and barbecue along with traditional sides in this space. It's food meant to enjoy with friends, family and neighbors. It's incredibly casual, a place to let the kids run around while enjoying a local craft beer. We're excited to provide this amenity to the neighborhood as we've heard over and over again that it is exactly what the families of the Laurel have been wishing for.

- ***Pleasant Patio***

With such a large lot, we are creating a casual and inviting patio space so our guests can enjoy the wonderful weather of the Laurel. We hope this contributes to the family-friendly nature of the restaurant, a place people can walk up to, park their stollers, and meet their neighbors.

## **4505 Community Involvement**

- ***Long Term Investment in the Laurel***

We are not investing in the Laurel as a short term project. We purchased this building and have every intention of being in operation 30 years from now.

- ***Feed The Pig - Our Philanthropy Program***

Two years ago we started a philanthropy arm of our business called Feed The Pig. We partner with local nonprofits who are dedicated to working with children, education, and food, and provide a portion of every Monday's proceeds to them. Thus far, we have worked with three Oakland-based organizations: East Oakland Boxing Association, WOW Farms, and City Slicker Farms. We hope to work with our new Oakland community to help us make connections with more organizations to partner with in this program.



## **4505 Is A People First Company**

- ***Family-owned Business***

From Day 1, Ryan has infused his Midwestern hardworking values into 4505's culture. He's a dad to a 5 and 7 year old, and family is at the root of every decision.

- ***Progressive Employment Practices***

As part of our deep family values, it is important to us that we are excellent employers. As such, we offer excellent benefits and training opportunities. We want our employees to stay with us for a long time, but if they don't we want them to leave with more skills than before. Examples include:

- Unlimited PTO for salaried managers
- Significant contribution to healthcare
- Competitive, and sometime above market wages
- Equitable tipping model across all employees
- Communication and life skills training
- Employee loans for housing and emergencies

Thank you for your time and attention this evening. We hope you will support our restaurant, both as we go through the last stages of permitting, and once we open, as our guests. Please feel free to reach out to us with any questions, concerns, ideas, or conversations about barbecue!

### **Contacts:**

**Andrew Ghetia**  
**Area Director**  
**andrew@4505meats.com**

**Katie Mayfield**  
**Chief Operating Officer**  
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**Good Night!**

## Rose, Aubrey

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**From:** ann mcclain <annmcclain@hotmail.com>  
**Sent:** Tuesday, June 20, 2017 12:26 PM  
**To:** Rose, Aubrey  
**Cc:** Hackett, Maurice  
**Subject:** 3506 MacArthur Blvd. Proposal For A Burger & BBQ Restaurant

Dear Mr. Rose,

I am the owner of a 24 unit building at 3500 35th Avenue in Oakland. I have a number of concerns about the proposed restaurant at 3506 MacArthur Blvd. The restaurant will be serving burgers and BBQ. I see absolutely no reason for hard liquor to be sold. Everette & Jones, down the street, has a very successful BBQ business, and they sell no alcohol at all. My objection to alcohol is not based on any religious belief, but rather the general problems associated with alcohol, especially in a family neighborhood.

My second concern involves the outdoor dining area, especially in regard to any music coming from that area. When I first took over my building seven years ago, there was an indoor club, half a block away, that played music that disturbed my tenants. Fortunately, it discontinued after a year or two. There is a straight shot from the outdoor dining area to my building, and I am very concerned.

My third concern involves the lack of parking. Where is everyone going to park? Farmer Joe's parking lot? I find it outrageous that what was very good parking on that parcel is going to be unavailable to customers.

Yours truly,

Ann McClain  
3500 35th Avenue, Apt 3  
Oakland, CA 94619

Cc: Maurice Hackett