Agenda Date: <u>09/12/2017</u> Agenda Item: 4.1



STAFF REPORT

Approved and Forwarded to City Council:

Bryan H. Montgomery, City Manager

Date:

September 12, 2017

To:

Bryan H. Montgomery, City Manager

From:

Kenneth W. Strelo, Senior Planner

SUBJECT:

McDonald's Renovation Design Review (DR 07-17)

Summary

This is an application by McDonald's USA (Tom Clark) and Stantec Architecture (Zorah Mariano) ("Applicant") requesting Design Review approval for McDonald's restaurant to do a façade remodel (including mansard removal, entry tower modifications, and new paint, trellis, and signage), and conversion of the single lane drive-thru into a side-by-side drive-thru. Other site modifications include relocation of the trash enclosure, removal of three parking stalls, and making ADA site improvements. The project is located at 914 Main Street and zoned C (General Commercial) District. APN 051-052-062.

Staff recommends the City Council adopt the resolution approving McDonald's Renovation Design Review (DR 07-17), as conditioned.

Background

General Plan and Zoning

- General Plan Land Use Designation: Commercial (C) (Figure 2-2 "Land Use Diagram" of the Oakley 2020 General Plan).
- Zoning District: C (General Commercial) District.

Surrounding Uses

- North: Best Western Plus Delta Inn & Suites and vacant parcels.
- East: Shell gas station on northwest corner of Main Street and Bridgehead Road; Arco AMPM gas station on northeast corner of Main Street and Bridgehead Road; Dutch Bros coffee east of Arco AMPM.
- South, across Main Street: Chevron gas station on southwest corner of Main Street and Neroly Road; Carl's Jr. – Green Burrito combined quick serve restaurant just east of northbound Highway 160 off-ramp onto Main Street.
- West: Starbucks drive-thru and Highway 160 beyond.

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Project Description

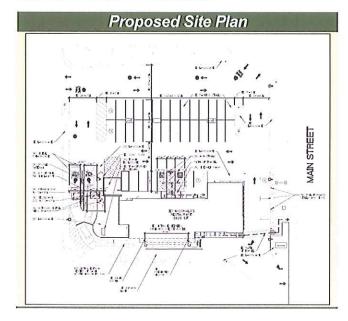
The applicant is proposing to renovate the exterior, as well as modify the site plan to convert the drive-thru into a side-by-side system that is common with newer McDonald's drive-thru restaurants. For the building, this will result in an update to the materials and color scheme. The updated design will include a neutral grey stucco main body, white and grey trim, horizontal window overhangs, standing seam metal roof, metal wall trellises, and new wall signage. A picture of the existing building and proposed rendering of the front elevation that faces Main Street is shown below in Figure 1.

Figure 1. Existing and Proposed Front Elevation



Changes to the site plan include removing some of the drive-thru area near the menu board so it may be revamped to accommodate the double-menu board, side-by-side design, relocating the trash enclosure so it is more accessible to trash and recycling pick up

Figure 2. Proposed Site Plan



vehicles, and restriping some pf the parking near the building entrance that will be impacted by the design changes. The redesign will also include a reduction of 3 parking spaces (40 to 37), but will retain the same number of ADA spaces (2 with 1 van accessible), and will convert two standard spaces to compact spaces. Figure 2 shows the proposed site plan.

Environmental Review

This project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 "Existing Facilities" (Class 1).

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Analysis

The proposed plans were analyzed for consistency with the adopted <u>City of Oakley Commercial and Industrial Guidelines</u> ("Guidelines"). Since the site is already developed and there are only minor changes proposed to the site plan, the focus on this design review analysis is towards the architectural modifications to the building.

The main difference between the existing building and proposed building is the color change. The updated grey tones will still bring attention to the tower element, and also create more contrast with the trim and signage. The proposed colors will create a cleaner appearance to the building. Stucco will remain the main exterior material; however, the proposed design will include large metal trellises on the upper portions of the exterior walls for added architectural interest. Also, the existing window canopies that cover a portion of the upper windows will be replaced with a horizontal window overhang. This will result in opening up the façade while maintaining some relief from high sun period of the day. Finally, the roof material will be switched from concrete tile to standing seam metal. The latter will blend better with the grey color scheme and metal trellises.

As stated in the project description, the site modifications will cause the loss of three parking spaces, resulting in a total of 37 off-street parking spaces. Oakley Municipal Code section 9.1.1402 "Off-Street Parking" includes a table of minimum off-street parking spaces specific to certain land uses. "Eating and Drinking Establishments" are required to provide one (1) parking space for each 150 square feet of net public use. The McDonald's restaurant is approximately 5,620 square feet in total. When using the entire building area to calculate the required parking spaces, a total of 37 spaces would be required (37.47 rounded down); however, several areas of the building would not be included in the "net public use" area. Therefore, the actual number of required spaces is less than 37.

Citizen Planning Advisors

The project description and plans were forwarded to the Citizen Planning Advisors on July 27, 2017. No comments were received.

Findings

Draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt the resolution approving McDonald's Renovation Design Review (DR 07-17), as conditioned.

Attachments

- 1. Vicinity Map
- 2. Public Hearing Notice
- 3. Applicant's Plans
- 4. Draft Resolution

Vicinity Map McDonald's Renovation Design Review (DR 07-17) 914 Main Street





City of Oakley 3231 Main Street Oakley, CA 94561 www.oakleyinfo.com

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **September 12**, **2017** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for **Design Review**.

Project Name: McDonald's Renovation Design Review (DR 07-17).

Project Location: 914 Main Street, Oakley, CA 94561. APN 051-052-062.

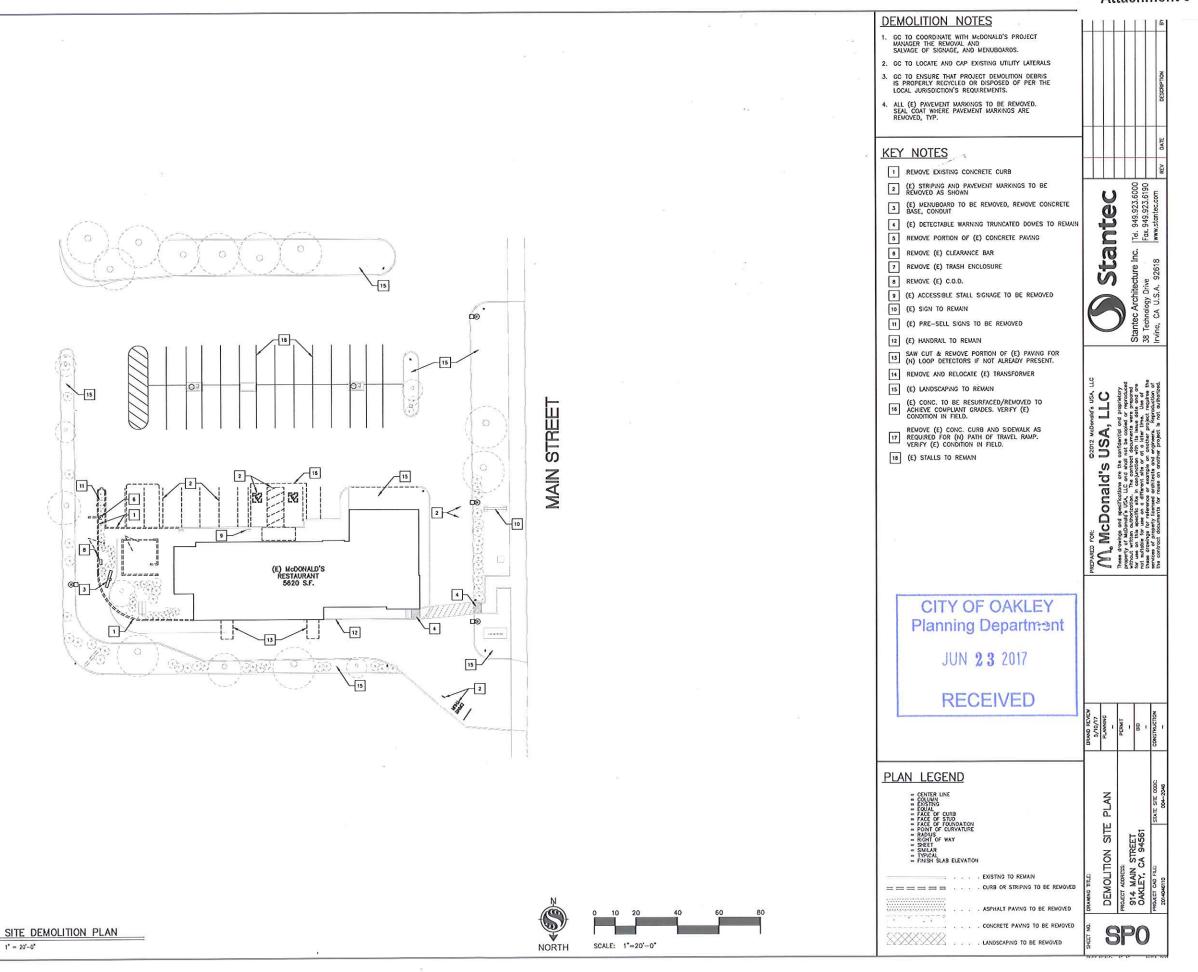
Applicant: McDonald's USA (Tom Clark) and Stantec Architecture (Zorah Mariano).

Request: Request for Design Review approval for McDonald's restaurant to do a façade remodel (including mansard removal, entry tower modifications, and new paint, trellis, and signage), and conversion of the single lane drive-thru into a side-by-side drive-thru. Other site modifications include relocation of the trash enclosure, removal of four parking stalls, and making ADA site improvements. The project is zoned C (General Commercial) District.

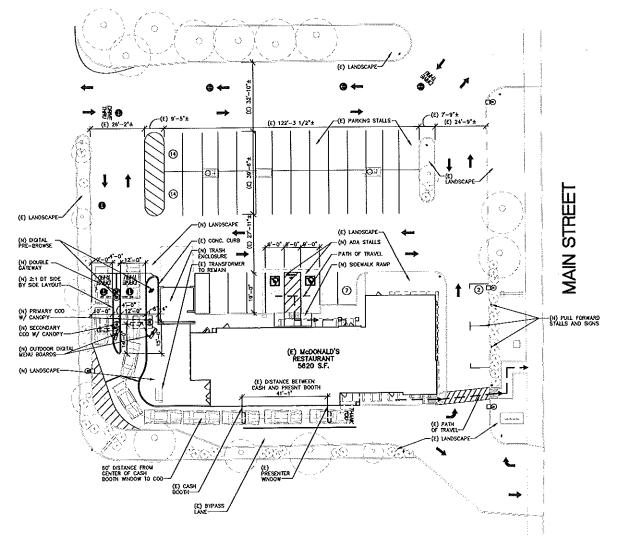
How to Review: The Staff Report and its attachments will be available for public review, on or before September 7, 2017 at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the September 7, 2017 agenda and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). The project description and plans may be accessed at: https://tinyurl.com/y8gsjbfe

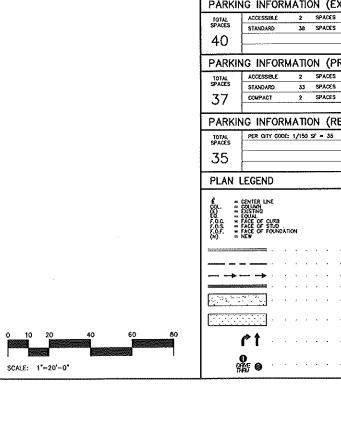
Interested persons are invited to submit written comments prior to, and may testify at, the public hearing. Written comments may be submitted to Kenneth W. Strelo, Principal Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@ci.oakley.ca.us.

NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.

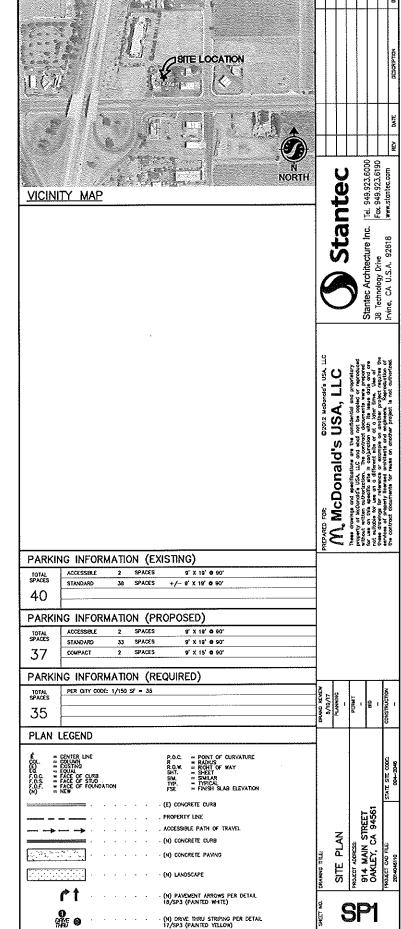


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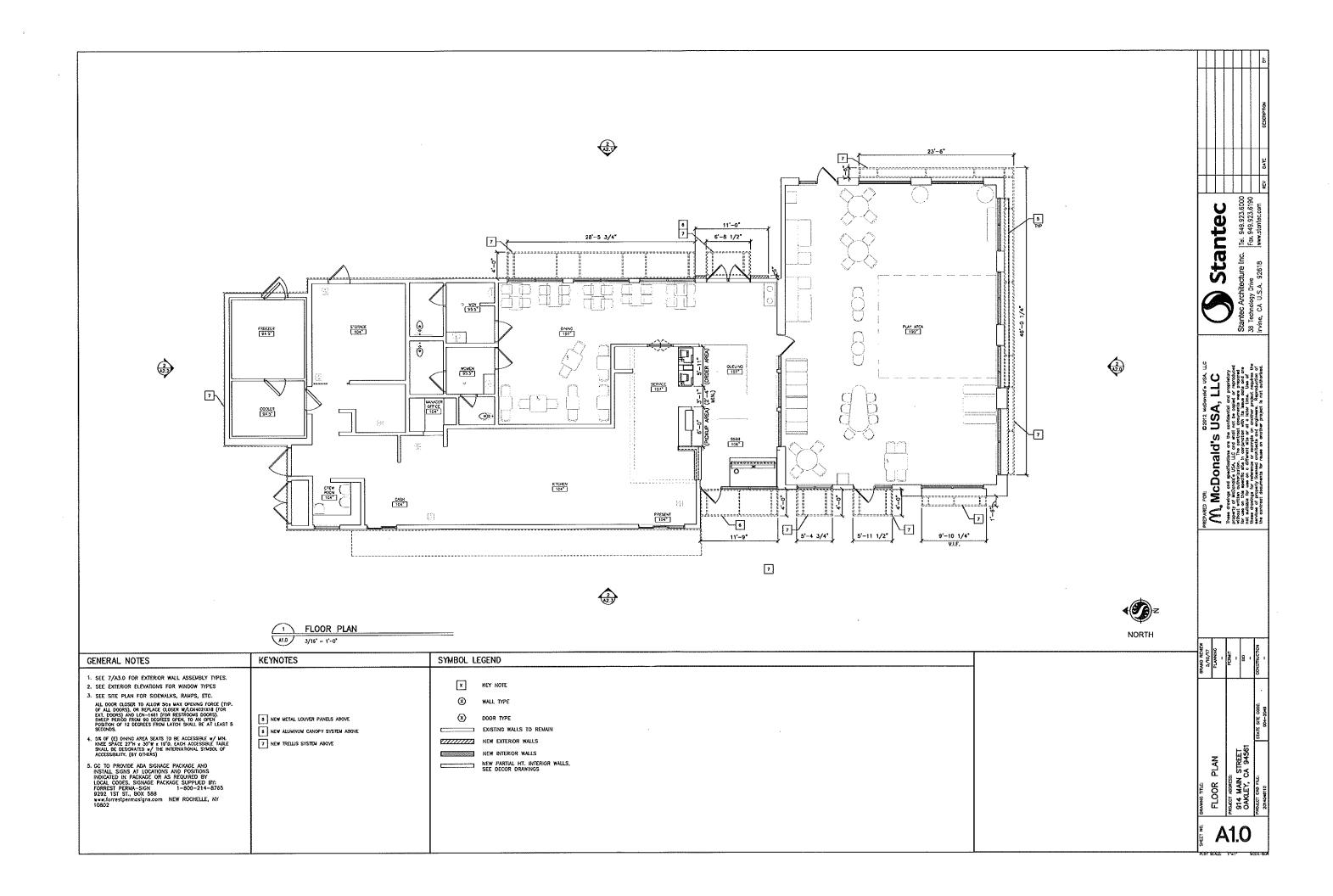


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Color Legend:



Front Elevation (West)



Prefinished Metal - White



Prefinished Metal - Aluminim Trellis



Coping - Metal

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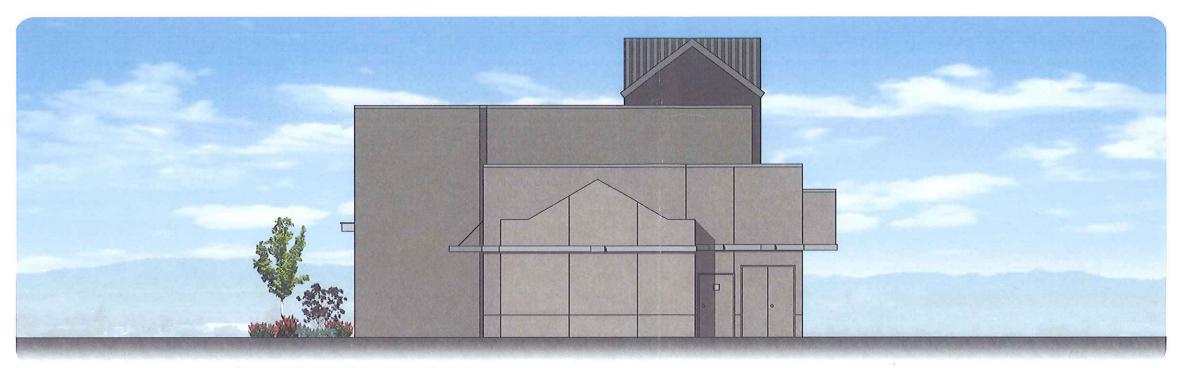


Non-Drive-Thru Elevation (East)

playplace







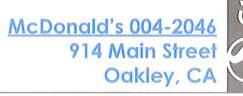
Color Legend: Stucco - Benjamin Moore #HC-168 "Chelsea Gray" Stucco - Benjamin Moore #2134-30 "Iron Mountain"

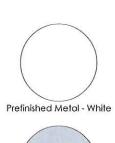
Rear Elevation (East)



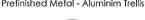
Drive-Thru Elevation (North)















Gold Underscore

RESOLUTION NO. XX-17

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING THE MCDONALD'S RENOVATION DESIGN REVIEW (DR 07-17) (APN 051-052-062)

FINDINGS

WHEREAS, on June 23, 2017, McDonald's USA (Tom Clark) and Stantec Architecture (Zorah Mariano) ("Applicant") filed an application requesting Design Review approval for McDonald's restaurant to do a façade remodel (including mansard removal, entry tower modifications, and new paint, trellis, and signage), and conversion of the single lane drive-thru into a side-by-side drive-thru ("Project"). Other site modifications include relocation of the trash enclosure, removal of three parking stalls, and making ADA site improvements. The project is located at 914 Main Street and zoned C (General Commercial) District. APN 051-052-062; and

WHEREAS, on <u>July 31, 2017</u>, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Commercial* in the Oakley 2020 General Plan, and zoned General Commercial (C) District; and

WHEREAS, on or before August 31, 2017, the Notice of Public Hearing for the Project was duly noticed by being posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, and mailed or emailed to parties requesting such notice, and to outside agencies; and

WHEREAS, the project is exempt from requiring an Initial Study analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, "Class 1 – Existing Facilities"; and

WHEREAS, on September 12, 2017, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as conditioned; and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based upon the City's General Plan, the City's Zoning Ordinance, the City's Commercial and Industrial Design Guidelines, and the information submitted to the City Council at its <u>September 12, 2017</u> meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the project (hereinafter the "Record"); and

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

- A. In regards to the application requesting Design Review approval as described in the project Staff Report and this resolution for the project titled, "McDonald's Renovation Design Review (DR 07-17)":
 - 1. The proposed project is consistent with the Oakley 2020 General Plan in that the modification and upgrades of a commercial restaurant will ensure longevity of a commercial use within the Commercial land use designation.
 - 2. The proposed project is consistent with the applicable sections of the Zoning Ordinance in that:
 - a. The proposed use is conditionally permitted in the C (General Commercial) District, under Oakley Municipal Code ("OMC") section 9.1.506(c)(14); and
 - b. The project is consistent with the applicable C District Development Regulations; and
 - c. The proposed site plan is shown to have adequate parking and internal circulation for the proposed use.
 - 3. The proposed project is consistent with the applicable guidelines set forth in the Oakley Commercial and Industrial Design Guidelines in that the proposed modifications to the building will result in upgrades to the materials, roofing, color scheme, and signage. They will also include additional materials (i.e. metal trellises), and a more open appearance to the building frontage through the removal of window canopies and replacing them with window overhangs.
- B. The project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves of the Applicant's request for Design Review approval, subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Community Development Department on **June 23, 2017**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO A CERTIFICATE OF OCCUPANCY UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

- 1. This <u>Design Review (DR 07-17)</u> is approved, as shown on the plans date stamped by the Planning Division on <u>June 23, 2017</u>, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
- 2. This approval shall be effectuated within a period of one (1) year from the effective date of this resolution by pulling a building permit or when clear and visible evidence is demonstrated on the subject property as to its beginning and continual development thereafter until completed, and if not effectuated shall expire on September 12, 2018. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.
- 3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on September 12, 2017, and as modified by the condition of approval herein.
- 4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
- 5. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
- 6. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the

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- significance of the find and suggest appropriate mitigation(s), if deemed necessary.
- 7. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

Site Plan:

- 8. The two proposed compact spaces shall allow for a minimum of one foot of overhang to meet the minimum length of 16 feet per Oakley Municipal Code ("OMC") section 9.1402(f)(1).
- 9. All menu boards and directional signs shall comply with the applicable requirements of the Oakley Sign Ordinance (OMC Chapter 9.5).
- 10. The proposed trash enclosure shall implement any applicable National Pollutant Discharge Elimination System ("NPDES") requirements for stormwater drainage.

Architecture:

- 11. The building colors and materials for the proposed modular buildings and main building shall match those approved by the City Council on <u>September 12</u>, 2017.
- 12. The proposed trash enclosure shall use materials and colors that match the main building.

Signage:

13. All future signage shall meet the requirements of the City's Zoning Ordinance. All proposed signage not otherwise exempt from Planning approval and a building permit shall be reviewed by the Planning and Building Departments.

Building Division Conditions

- 14. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy Requirements per the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625 7005.
- 15. Prior to requesting a Certificate of Occupancy from the Building Division all Conditions of Approval required to occupancy must be completed.

Advisory Notes

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Ordinance Code.
- C. Comply with the requirements of the Ironhouse Sanitary District.
- D. Comply with the requirements of the East Contra Costa Fire Protection District.
- E. Comply with the requirements of the Diablo Water District.
- F. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, PO Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 12th day of September, 2017, by the following vote:

Libby Vreonis, City Clerk	Date	
ATTEST:		
	Sue Higgins, Mayor	Date
	APPROVED:	
ABSTENTIONS:		
ABSENT:		
NOES:		
AYES:		