# AGENDA

# REGULAR JOINT MEETING OF THE OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY/ OAKLEY PUBLIC FINANCING AUTHORITY

**Tuesday, February 08, 2022**
**6:30 PM**

**Oakley City Council Chambers located at 3231 Main Street, Oakley, California 94561**
**Per the Health Officer of the County of Contra Costa, ORDER NO. HO-COVID19-51 dated August 2, 2021, mandates the wearing of face coverings in indoor public setting by all persons.**
**We highly recommend all visitors do a self-administered temperature check before entering the Council Chambers. A touchless temperature kiosk is located in the City Hall Administrative Lobby for visitor use.**

**MISSION STATEMENT:** The City of Oakley exists to build and enhance a quality community and to serve the public in a friendly, efficient, responsive manner.

**VISION STATEMENT:** The City of Oakley will be recognized as a model of civic participation and a vibrant Delta community where families live, work, play, shop and visit.

Agendas are posted in Oakley at Oakley City Hall-3231 Main Street, outside the gym at Delta Vista Middle School-4901 Frank Hengel Way and outside the Library at Freedom High School-1050 Neroly Road; agendas are also posted on the City's Internet Website www.ci.oakley.ca.us.

A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley City Council and/or City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency or Oakley Public Financing Authority regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561.

Agendas may be picked up at the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561 for no charge. To request information regarding placement on the City's agenda e-mail distribution list, please contact us at (925) 625-7000.

We provide social media options to stay connected to City Hall through Facebook, Twitter, Next Door and

Instagram. Other opportunities to connect with City Hall include Engage In Oakley, Oakley OnDemand on the city's website; and by emailing info@ci.oakley.ca.us. Constant Contacts. Please contact us at (925) 625-7000 for additional information or at www.oakleyinfo.com.

If you have a physically challenging condition and require special accommodations, please call the City Clerk's office at (925) 625-7013.

**Please keep cell phones/electronic devices turned off during the meeting. Please be advised that City Council meetings are video recorded and attendees may appear on video.**

Members of the public may address the Council on items of interest that are within the City's jurisdiction. Public comment on items not listed on the agenda will be heard under the Public Comments section of the agenda. In compliance with State law, the Council may not take action on an item that is not specifically listed on the agenda. If you would like to speak on any agenda item, please fill out a blue speaker card available in the lobby and submit it to the City Clerk prior to the agenda item being called. The Mayor will call you by name to the podium to hear your comments and you have up to 3 minutes to speak.

## 1.OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

### 1.1 Call to Order and Roll Call of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

### 1.2 Pledge of Allegiance to the Flag

## 2.PUBLIC COMMENTS

At this time, the public is permitted to address the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority on non-agendized items. PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES. In accordance with State Law, however, no action or discussion may take place on any item not appearing on the posted agenda. Information provided on Speaker Request Forms, including email addresses, are public record.

## 3.CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority with one single action. Members of the audience, Staff or the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor remove the item. Members of the public should submit any Speaker Cards related to the Consent Calendar in advance of the Consent Calendar being considered.

**3.1 Approve Minutes from the Special Oakley City Council Meeting held January 25, 2022 (Libby Vreonis, City Clerk)**
Minutes 01-25-22 Sp

**3.2 Accept Report Out of Closed Session Memo (Derek Cole, City Attorney)**
Memo

**3.3 City of Oakley Quarterly Investment Report (2nd Quarter FY 2021/22) (Tim Przybyla, Finance Director)**

Staff Report
1. City of Oakley Investment Report for the quarter ended December 31, 2021

**3.4 City of Oakley as Successor Agency to the Oakley Redevelopment Agency – Quarterly Investment Report (2nd Quarter FY 2021/22) (Tim Przybyla, Finance Director)**

Staff Report
1. City of Oakley as Successor Agency to the Redevelopment Agency Investment Report for the quarter ended December 31, 2021

## 4.PUBLIC HEARINGS

**4.1 Wendy's Drive-Through Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21) (Ariana Ruiz, Planning Technician)**
Suggested Action: Staff Recommendation: 1) Receive the Staff Report, 2) Receive Questions from the City Council, 3) Open the Public Hearing, 4) Receive Comments from the Applicant, 5) Receive Public Testimony, 6) Close the Public Hearing, 7) Deliberate, 8) Summarize the Deliberation 9) Adopt the Resolution
Staff Report
1. Vicinity Map
2. Public Hearing Notice
3. Applicant's Plans
4. Traffic Memo
5. Draft Resolution

**4.2 CR-A (Commercial Recreation-Aquatic) District Zoning Text Amendment (RZ 02-21) Project (Ken Strelo, Planning Manager with Cindy Gnos, Senior Vice President, Raney Planning & Management, Inc)**
Suggested Action: Staff Recommendation: 1) Receive the Staff Report, 2) Receive Questions from the City Council, 3) Open the Public Hearing, 4) Receive Comments from the Applicant, 5) Receive Public Testimony, 6) Close the Public Hearing, 7) Deliberate, 8) Summarize the Deliberation 9) Adopt the Project's Initial Study/Negative

Declaration 10) Waive the First Reading and Introduce the Proposed Ordinance
Staff Report
1. Map of CR-A District Areas
2. Notice of Public Hearing
3. Applicant's Justification for Zoning Text Amendment
4. Zoning Text Amendment with Proposed New Text Double Underlined and Proposed Deleted Text Struck Through
5. Proposed Ordinance

## 5.REGULAR CALENDAR

**5.1 Adopt a Resolution Appointing Conan Moats to the Planning Commission to Serve a 2-year term and Changing the Term for Planning Commissioner Shannon Shaw from 2-years to 4-years (Joshua McMurray, City Manager)**

Staff Report
1. January 25, 2022 Staff Report
2. Draft Resolution

**5.2 Proclamation Policy (Joshua McMurray, City Manager)**
Staff Report
1. Summary Table of Contra Costa cities

## 6.REPORTS

**6.1 CITY MANAGER**
**(a) City Manager**
**(b) Hybrid Meeting Discussion Follow-Up**
**(c) City Park Policy Discussion**

**6.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY**

**(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency**

**(b) Requests for Future Agendas**

## 7.WORK SESSIONS

## 8.CLOSED SESSION

**8.1 CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION**
**Pursuant to Government Code Section 54956.9(b)**
**Two potential cases.**

**8.2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
**Pursuant to Government Code Section 54956.9(d)(1)**
**City of Oakley v. Scelsi, et al.**
**Contra Costa Superior Court Case No. MSN16-1620**

9.ADJOURN

# Minutes of the Special Meeting of the Oakley City Council held January 25, 2022

## 1.Call to Order and Roll Call

Mayor Randy Pope called the meeting to order at 5:31 p.m. in the Oakley City Council Chamber located at 3231 Main Street, Oakley, California. Councilmembers Anissa Williams, George Fuller and Sue Higgins were in attendance. Mayor Pope announced Mayor Aaron Meadows would be joining (Closed Session) via teleconference.

## 2.Pledge of Allegiance to the Flag

Mayor Pope led the Pledge of Allegiance.

## 3.Public Comments

No public comments were submitted.

## 4.Closed Session

**4.1 CONFERENCE WITH LABOR NEGOTIATORS-Labor Negotiations with the Oakley Police Officers Association**
**Pursuant to Government Code Section 54957.6(a)**

**City Designated Representatives: Jack Hughes, Legal Counsel, Liebert Cassidy Whitmore**

**Represented Employees: Employees Covered by the Police Officers Association**

Mayor Pope announced the closed session item.

The City Council conducted the discussion in the Council antechamber.

## 5.Adjourn

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk

OAKLEY
CALIFORNIA

# MEMORANDUM

*Office of the City Attorney*

Date: January 26, 2022

To: Mayor and Members of City Council

From: Derek P. Cole, City Attorney

Cc: Joshua McMurray, City Manager

Subject: Closed Session Report-Out Memo

FOR CONSIDERATION AT THE CITY COUNCIL MEETING OF FEBRUARY 8, 2022

Background and Analysis

The City Council considered the following closed session item during its special meeting held January 25, 2022:

CONFERENCE WITH LABOR NEGOTIATORS-Labor Negotiations with the Oakley Police Officers Association
Pursuant to Government Code Section 54957.6(a)

City Designated Representative: Jack Hughes, Legal Counsel, Liebert Cassidy Whitmore

Represented Employees: Employees Covered by the Police Officers Association

Direction was provided to staff. There was no reportable action.

Fiscal Impact

None.

Recommendation

Receive and file this report.

Attachments

None.

# STAFF REPORT

**DATE:** February 8, 2022

**TO:** Joshua McMurray, Interim City Manager Approved and Forwarded to the City Council

**FROM:** Tim Przybyla, Finance Director

**SUBJECT:** **City of Oakley Quarterly Investment Report (2nd Quarter FY 2021/22)**

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## Background and Analysis

California law and the City's Investment Policy require the City's fiscal officer to submit a quarterly investment report to the City Council at the end of each quarter. The report should contain information on all securities held, and include a statement denoting the ability of the local agency to meet its expenditure requirements for the next six months.

## Fiscal Impact

City resources are organized and accounted for on a fund basis with some of those funds being restricted for specified uses and others that are unrestricted. For investment purposes, however, the funds are invested as a pool. The Investment Report for the Period Ending December 31, 2021 attached shows a combined pool balance of $82,279,146.96. In addition, the pool had combined 2nd Quarter accrued interest earnings of $30,199.01. Interest for the period continues to reflect the lower rates currently being offered on safe, short-term investments.

The City is in compliance with the adopted investment policy and able to meet its expenditure requirements for the next six months.

## Staff Recommendation

Staff recommends the City Council accept the investment report for the 2nd Quarter of Fiscal Year 2021/22.

## Attachments

City of Oakley Investment Report for the quarter ended December 31, 2021.

OAKLEY
CALIFORNIA

# Quarterly Investment Report

For the Quarter Ended December 31, 2021

| Type* | Name of Institution | Rate | Maturity**** | Cost Amount | Market Value** |
|---|---|---|---|---|---|
| **Investments in Wells Fargo Bank Account** | | | | | |
| 12 | Overnight Sweep Investment | 0.000% | 12/31/2021 | $ 11,386,606.62 | $ 11,386,606.62 |
| **Investments with Wells Fargo Investment Advisors:** | | | | | |
| 9 | Institutional Money Market | 0.010% | N/A | 1,814,408.77 | 1,814,408.77 |
| **Investments with State of California:** | | | | | |
| 3 | Local Agency Investment Fund (LAIF)-City | 23.000% | N/A | 48,801,369.64 | 48,676,395.19 |
| **Investments with CalTRUST** | | | | | |
| 11 | Short-Term Investment Account-City | 0.013% | N/A | 273,684.57 | 273,684.57 |
| **Total Investments Other than Bond Proceeds** | | | | **62,276,069.60** | **62,151,095.15** |
| **Investments with Wells Fargo Trust (bond proceeds): *** ** | | | | | |
| | **2021 Refunding Revenue Bonds** | | | | |
| 9 | ***Government Money Market*** | | | | |
| | Wells Fargo Advantage Gov MM Svc | 0.005% | N/A | 139,576.31 | 139,576.31 |
| 4 | ***Certificates of Deposit (3)*** | | | | |
| | **2014 Refunding Revenue Bonds** | | | | |
| 9 | ***Government Money Market*** | | | | |
| | Wells Fargo Advantage Gov MM Svc | 0.005% | N/A | 350,880.44 | 350,880.44 |
| **Investments with USBank Trust (bond proceeds): *** ** | | | | | |
| | **2016 Lease Revenue Bonds** | | | | |
| 9 | ***Government Money Market*** | | | | |
| | USBank - First American Government Obligation | 0.000% | N/A | 321.27 | 321.27 |
| **Total Investments of Bond Proceeds** | | | | **490,778.02** | **490,778.02** |
| **Managed Investments with PFM (Detail Attached)** | | | | | |
| | CAMP POOL | | See Detail | 72,299.34 | 72,299.34 |
| | Managed Investments | | See Detail | 19,890,000.00 | 19,805,897.38 |
| **Total Managed Investments** | | | | **19,962,299.34** | **19,878,196.72** |
| | **Total All City Investments** | | | **$ 82,729,146.96** | **$ 82,520,069.89** |

**Accrued Interest of Investments other than Bond Proceeds:**

| | |
|---|---|
| Wells Fargo Investment Advisors | 15.41 |
| Local Agency Investment Fund | 30,183.60 |
| Accrued Interest as of 03/31/21 | $ 30,199.01 |

* **Type of investment** as described in Authorized Investments section of the City's adopted Investment Policy

| | | |
|---|---|---|
| 1. U.S Government Securities | 5. Bankers Acceptance | 9. Money market funds |
| 2. U.S. Government Agency Securities | 6. Commercial Paper | 10. Repurchase agreements |
| 3. Local Agency Investment Fund | 7. Medium term notes | 11. CalTRUST Short Term Account |
| 4. Certificates of Deposit | 8. Mutual funds | 12. Overnight Sweep |

** **Market Valuation** for LAIF was obtained at https://www.treasurer.ca.gov/pmia-laif/mktvalue/2021/202112.pdf
Market value for all other investments was obtained from FT Interactive Data. As the City holds its investments to maturity, market value fluctuations are not significant.

*** **Investment of bond proceeds** is governed by each bond's Trust Agreement. All of the amounts with Wells Fargo Trust are debt service reserve funds. Investment income remains with the individual bond accounts.

**** With the exception of CD's, all accounts have same day or next day liquidity

The City of Oakley is in compliance with the City's annually adopted investment policy and is able to meet its operating expenditure requirements for the next six months.

Approved by Tim Przybyla
Finance Director

1/19/22
Date

# Commercial Checking Acct Public Funds

Account number: **4121285886** ■ December 1, 2021 - December 31, 2021 ■ Page 1 of 4

WELLS FARGO

CITY OF OAKLEY GENERAL ACCOUNT
ATTN TIM L PRZYBYLA
3231 MAIN ST
OAKLEY CA 94561-3147

**Questions?**

Call your Customer Service Officer or Client Services
**1-800-AT WELLS** (1-800-289-3557)
5:00 AM TO 6:00 PM Pacific Time Monday - Friday

*Online: wellsfargo.com*

*Write:* Wells Fargo Bank, N.A. (182)
PO Box 63020
San Francisco, CA 94163

## Account summary

### *Commercial Checking Acct Public Funds*

| *Account number* | *Beginning balance* | *Total credits* | *Total debits* | *Ending balance* |
|---|---|---|---|---|
| 4121285886 | $319,988.00 | $146,860,998.77 | -$146,880,986.77 | $300,000.00 |

## Credits

**Electronic deposits/bank credits**

| *Effective date* | *Posted date* | *Amount* | *Transaction detail* |
|---|---|---|---|
| | 12/01 | 1,748,609.65 | Stagecoach Sweep Credit |
| | 12/01 | 22,050.61 | ZBA Funding Account Transfer From 4121285894 |
| | 12/02 | 1,350,413.28 | Stagecoach Sweep Credit |
| | 12/02 | 1,554.48 | ZBA Funding Account Transfer From 4121285894 |
| | 12/03 | 1,252,663.43 | Stagecoach Sweep Credit |
| | 12/03 | 7,339.51 | ZBA Funding Account Transfer From 4121285894 |
| | 12/06 | 1,190,783.91 | Stagecoach Sweep Credit |
| | 12/06 | 11,757.93 | ZBA Funding Account Transfer From 4121285894 |
| | 12/07 | 987,654.31 | Stagecoach Sweep Credit |
| | 12/07 | 41,804.79 | ZBA Funding Account Transfer From 4121285894 |
| | 12/08 | 995,951.56 | Stagecoach Sweep Credit |
| | 12/08 | 930,642.11 | ZBA Funding Account Transfer From 4121285894 |
| | 12/09 | 921,449.17 | Stagecoach Sweep Credit |
| | 12/09 | 3,579.14 | ZBA Funding Account Transfer From 4121285894 |
| | 12/10 | 1,851,231.79 | Stagecoach Sweep Credit |
| | 12/10 | 2,036,749.91 | ZBA Funding Account Transfer From 4121285894 |
| | 12/13 | 3,849,803.58 | Stagecoach Sweep Credit |
| | 12/13 | 3,583.54 | ZBA Funding Account Transfer From 4121285894 |
| | 12/14 | 3,872,937.05 | Stagecoach Sweep Credit |
| | 12/14 | 176,302.62 | ZBA Funding Account Transfer From 4121285894 |
| | 12/15 | 3,893,547.67 | Stagecoach Sweep Credit |
| | 12/15 | 18,269.65 | ZBA Funding Account Transfer From 4121285894 |
| | 12/16 | 3,742,448.02 | Stagecoach Sweep Credit |
| | 12/16 | 54,057.77 | ZBA Funding Account Transfer From 4121285894 |
| | 12/17 | 3,694,399.93 | Stagecoach Sweep Credit |

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WELLS FARGO

***Electronic deposits/bank credits*** *(continued)*

| *Effective date* | *Posted date* | *Amount* | *Transaction detail* |
|---|---|---|---|
| | 12/17 | 4,445.19 | ZBA Funding Account Transfer From 4121285894 |
| | 12/20 | 779,618.51 | Stagecoach Sweep Credit |
| | 12/20 | 10,811,359.90 | ZBA Funding Account Transfer From 4121285894 |
| | 12/21 | 11,449,916.96 | Stagecoach Sweep Credit |
| | 12/21 | 59,659.68 | ZBA Funding Account Transfer From 4121285902 |
| | 12/22 | 11,509,576.64 | Stagecoach Sweep Credit |
| | 12/22 | 68,745.95 | ZBA Funding Account Transfer From 4121285894 |
| | 12/23 | 11,537,155.89 | Stagecoach Sweep Credit |
| | 12/23 | 190.00 | ZBA Funding Account Transfer From 4121285894 |
| | 12/24 | 11,279,855.02 | Stagecoach Sweep Credit |
| | 12/24 | 209,903.32 | ZBA Funding Account Transfer From 4121285894 |
| | 12/27 | 11,471,623.26 | Stagecoach Sweep Credit |
| | 12/28 | 11,420,298.64 | Stagecoach Sweep Credit |
| | 12/28 | 95.00 | ZBA Funding Account Transfer From 4121285894 |
| | 12/28 | 2,313.26 | ZBA Funding Account Transfer From 4121285902 |
| | 12/29 | 11,422,706.90 | Stagecoach Sweep Credit |
| | 12/30 | 11,008,641.77 | Stagecoach Sweep Credit |
| | 12/30 | 78,700.85 | ZBA Funding Account Transfer From 4121285894 |
| | 12/31 | 11,086,606.62 | Stagecoach Sweep Credit |
| | | **$146,860,998.77** | **Total electronic deposits/bank credits** |
| | | **$146,860,998.77** | **Total credits** |

## Debits

### Electronic debits/bank debits

| *Effective date* | *Posted date* | *Amount* | *Transaction detail* |
|---|---|---|---|
| | 12/01 | 115,439.74 | ZBA Funding Account Transfer to 4121285902 |
| | 12/01 | 318,451.24 | ZBA Funding Account Transfer to 4426972212 |
| | 12/01 | 1,350,413.28 | Stagecoach Sweep Debit |
| | 12/02 | 103,364.33 | ZBA Funding Account Transfer to 4121285902 |
| | 12/02 | 1,252,663.43 | Stagecoach Sweep Debit |
| | 12/03 | 10,097.97 | WT 211202-213785 M and T Bank /Bnf=Icma-RC 457 Plan 304431 Srf# Gw00000046894786 Trn#211202213785 Rfb# 866 |
| | 12/03 | 1,470.00 | WT 211202-213789 M and T Bank /Bnf=Icma-RC Rhs Plan #800037 Srf# Rhs Plan #800037 Trn#211202213789 Rfb# 868 |
| | 12/03 | 699.41 | WT 211202-213784 M and T Bank /Bnf=Icma-RC 401 Plan 107037 Srf# Gw00000046894785 Trn#211202213784 Rfb# 865 |
| | 12/03 | 90.00 | WT 211202-213786 M and T Bank /Bnf=Icma-RC Roth IRA Plan #706301 Srf# IRA Plan 706301 Trn#211202213786 Rfb# 867 |
| | 12/03 | 59,145.65 | ZBA Funding Account Transfer to 4121285902 |
| | 12/03 | 1,190,783.91 | Stagecoach Sweep Debit |
| | 12/06 | 205,820.53 | ZBA Funding Account Transfer to 4121285902 |
| | 12/06 | 987,654.31 | Stagecoach Sweep Debit |
| | 12/07 | 3,867.54 | ZBA Funding Account Transfer to 4121285902 |
| | 12/07 | 995,951.56 | Stagecoach Sweep Debit |
| | 12/08 | 114,797.50 | ZBA Funding Account Transfer to 4121285902 |
| | 12/08 | 921,449.17 | Stagecoach Sweep Debit |

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STATEMENT OF ASSETS AND LIABILITIES
AS OF DECEMBER 31, 2021

CITY OF OAKLEY - CUSTODY
ACCOUNT NUMBER 20078100

# STATEMENT OF ASSETS AND LIABILITIES

| PAR VALUE/SHARES | DESCRIPTION | COST VALUE / UNIT COST | MARKET VALUE / UNIT PRICE | % TOTAL MARKET | UNREALIZED GAIN/LOSS | ACCRUED INCOME |
|---|---|---|---|---|---|---|
| CASH EQUIVALENTS | | | | | | |
| 1,814,393.36 | WFB PUBLIC INSTITUTIONAL BANK DEPOSIT ACCOUNT | 1,814,393.36<br>1.0000 | 1,814,393.36<br>1.0000 | 100.00 | 0.00 | 15.41 |
| TOTAL CASH EQUIVALENTS | | 1,814,393.36 | 1,814,393.36 | 100.00 | 0.00 | 15.41 |
| **TOTAL INVESTMENTS** | | **1,814,393.36** | **1,814,393.36** | **100.00** | **0.00** | **15.41** |
| TOTAL ACCRUALS | | 15.41 | 15.41 | | | |
| **TOTAL ACCRUALS AND INVESTMENTS** | | **1,814,408.77** | **1,814,408.77** | | | |

# BETTY T. YEE

## California State Controller

### LOCAL AGENCY INVESTMENT FUND
### REMITTANCE ADVICE

| | | |
|---|---|---|
| Agency Name | | CITY OF OAKLEY |
| Account Number | | 98-07-597 |

As of 01/14/2022, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 12/31/2021.

| | | |
|---|---|---|
| Earnings Ratio | | .00000625812849570 |
| Interest Rate | | 0.23% |
| Dollar Day Total | $ | 4,823,102,782.74 |
| Quarter End Principal Balance | $ | 48,801,369.64 |
| Quarterly Interest Earned | $ | 30,183.60 |

# State of California
# Pooled Money Investment Account
# Market Valuation
# 12/31/2021

| Description | Carrying Cost Plus Accrued Interest Purch. | Amortized Cost | Fair Value | Accrued Interest |
|---|---|---|---|---|
| | | | | |
| United States Treasury: | | | | |
| Bills | $ 43,569,286,927.30 | $ 43,578,148,587.65 | $ 43,566,910,500.00 | NA |
| Notes | $ 75,086,412,242.60 | $ 75,080,652,906.63 | $ 74,687,028,500.00 | $ 109,370,054.00 |
| | | | | |
| Federal Agency: | | | | |
| SBA | $ 350,740,581.41 | $ 350,740,581.41 | $ 351,306,665.72 | $ 148,390.75 |
| MBS-REMICs | $ 6,715,516.12 | $ 6,715,516.12 | $ 6,985,051.69 | $ 30,724.20 |
| Debentures | $ 10,439,956,592.62 | $ 10,439,204,370.45 | $ 10,416,451,600.00 | $ 9,420,765.50 |
| Debentures FR | $ - | $ - | $ - | $ - |
| Debentures CL | $ 800,000,000.00 | $ 800,000,000.00 | $ 790,694,000.00 | $ 762,194.00 |
| Discount Notes | $ 19,162,958,897.16 | $ 19,165,010,905.46 | $ 19,157,738,000.00 | NA |
| | | | | |
| Supranational Debentures | $ 2,219,658,716.35 | $ 2,218,983,369.12 | $ 2,204,343,500.00 | $ 6,007,849.50 |
| Supranational Debentures FR | $ 50,000,000.00 | $ 50,000,000.00 | $ 50,001,500.00 | $ 5,495.49 |
| | | | | |
| CDs and YCDs FR | $ - | $ - | $ - | $ - |
| Bank Notes | $ 50,000,000.00 | $ 50,000,000.00 | $ 49,999,510.67 | $ 29,305.56 |
| CDs and YCDs | $ 13,350,000,416.66 | $ 13,350,000,000.00 | $ 13,346,930,419.28 | $ 6,017,777.79 |
| Commercial Paper | $ 11,491,501,972.14 | $ 11,495,349,152.68 | $ 11,494,513,733.35 | NA |
| | | | | |
| Corporate: | | | | |
| Bonds FR | $ - | $ - | $ - | $ - |
| Bonds | $ 310,090,245.37 | $ 309,862,368.98 | $ 307,103,440.00 | $ 1,913,014.98 |
| | | | | |
| Repurchase Agreements | $ - | $ - | $ - | $ - |
| Reverse Repurchase | $ - | $ - | $ - | $ - |
| | | | | |
| Time Deposits | $ 3,807,500,000.00 | $ 3,807,500,000.00 | $ 3,807,500,000.00 | NA |
| PMIA & GF Loans | $ 743,769,000.00 | $ 743,769,000.00 | $ 743,769,000.00 | NA |
| | | | | |
| TOTAL | $ 181,438,591,107.73 | $ 181,445,936,758.50 | $ 180,981,275,420.71 | $ 133,705,571.77 |

Fair Value Including Accrued Interest $ 181,114,980,992.48

Repurchase Agreements, Time Deposits, PMIA & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (0.99743912). As an example: if an agency has an account balance of $20,000,000.00, then the agency would report its participation in the LAIF valued at $19,948,782.39 or $20,000,000.00 x 0.99743912.

CalTRUST
c/o Ultimus Fund Solutions
PO Box 541150
Omaha, NE 68154-9150
www.caltrust.org
Email: CalTRUSTSupport@ultimusfundsolutions.com
Fax: 402-963-9094
Phone: 833-CALTRUST (225-8787)

# Investment Account Summary

12/01/2021 through 12/31/2021

## SUMMARY OF INVESTMENTS

| Fund | Account Number | Total Shares Owned | Net Asset Value per Share on Dec 31 ($) | Value on Dec 31 ($) | Average Cost Amount ($) | Cumulative Unrealized Gain/(Loss) ($) |
|---|---|---|---|---|---|---|
| **CITY OF OAKLEY** | **20100003410** | | | | | |
| CalTRUST Short Term Fund | 20100003410 | 27,178.210 | 10.07 | 273,684.57 | 271,624.82 | 2,059.75 |
| | **Portfolios Total value as of 12/31/2021** | | | **273,684.57** | | |

## DETAIL OF TRANSACTION ACTIVITY

| Activity Description | Activity Date | Amount ($) | Amount in Shares | Balance in Shares | Price per Share ($) | Balance ($) | Average Cost Amt ($) | Realized Gain/(Loss) ($) |
|---|---|---|---|---|---|---|---|---|
| **CalTRUST Short Term Fund** | | **CITY OF OAKLEY** | | | | | **Account Number: 20100003410** | |
| Beginning Balance | 12/01/2021 | | | 27,174.660 | 10.08 | 273,920.57 | | |
| Accrual Income Div Reinvestment | 12/31/2021 | 35.75 | 3.550 | 27,178.210 | 10.07 | 273,684.57 | 0.00 | 0.00 |
| Unrealized Gain/(Loss) | | | | | | (271.75) | | |
| **Closing Balance as of** | **Dec 31** | | | **27,178.210** | **10.07** | **273,684.57** | | |

Please note that this information should not be construed as tax advice and it is recommended that you consult with a tax professional regarding your account.

STATEMENT OF ASSETS
AS OF DECEMBER 31, 2021

OAKLEY PFA 2021 RESERVE FUND
ACCOUNT NUMBER 92393204

# STATEMENT OF ASSETS

| PAR VALUE/SHARES | DESCRIPTION | COST VALUE / UNIT COST | MARKET VALUE / UNIT PRICE | UNREALIZED GAIN/LOSS | ACCRUED INCOME |
|---|---|---|---|---|---|
| | CASH | 1.84 | 1.84 | | |
| CASH EQUIVALENTS | | | | | |
| 139,574.47 | ALLSPRING GOVERNMENT MONEY MARKET SERVICE - #743 | 139,574.47<br>1.0000 | 139,574.47<br>1.0000 | 0.00 | 1.84 |
| TOTAL CASH EQUIVALENTS | | 139,574.47 | 139,574.47 | 0.00 | 1.84 |
| **TOTAL INVESTMENTS** | | **139,576.31** | **139,576.31** | **0.00** | **1.84** |

# STATEMENT OF ASSETS

| PAR VALUE/SHARES | DESCRIPTION | COST VALUE / UNIT COST | MARKET VALUE / UNIT PRICE | UNREALIZED GAIN/LOSS | ACCRUED INCOME |
|---|---|---|---|---|---|
| | CASH | 4.64 | 4.64 | | |
| CASH EQUIVALENTS | | | | | |
| 350,875.8 | ALLSPRING GOVERNMENT MONEY MARKET SERVICE - #743 | 350,875.80<br>1.0000 | 350,875.80<br>1.0000 | 0.00 | 4.64 |
| TOTAL CASH EQUIVALENTS | | 350,875.80 | 350,875.80 | 0.00 | 4.64 |
| MISCELLANEOUS ASSETS | | | | | |
| 1 | MUNICIPAL BOND DEBT SERVICE RESERVE INSURANCE POLICY NO: 2014R0556 | 0.00<br>0.0000 | 0.00<br>0.0000 | 0.00 | 0.00 |
| TOTAL MISCELLANEOUS ASSETS | | 0.00 | 0.00 | 0.00 | 0.00 |
| **TOTAL INVESTMENTS** | | **350,880.44** | **350,880.44** | **0.00** | **4.64** |

**ACCOUNT NUMBER: 250549004**
**OAKLEY PUBLIC FINANCING AUTHORITY**
**2016 LEASE REVENUE BONDS**
**PROJECT FUND**

This statement is for the period from
December 1, 2021 to December 31, 2021

## ASSET DETAIL AS OF 12/31/21

| Shares or Face Amount | *Security Description* | Market Value/ Price | Tax Cost/ Unit Cost | % of Total Yield at Market | Est Ann Inc |
|---|---|---|---|---|---|
| **Cash Equivalents** | | | | | |
| 321.270 | First American Government Oblig Fd Cl D *#3802* 31846V401 | 321.27 1.0000 | 321.27 1.00 | 100.0 .01 | 0.02 |
| **Total Cash Equivalents** | | **$321.27** | **$321.27** | **100.0** | **$.02** |
| **Cash** | | | | | |
| | Principal Cash | - 60,824.95 | - 60,824.95 | -932.7 | |
| | Income Cash | 60,824.95 | 60,824.95 | 932.7 | |
| | Total Cash | **$0.00** | **$0.00** | **0.0** | |
| **Total Assets** | | **$321.27** | **$321.27** | **100.0** | **$.02** |

## ASSET DETAIL MESSAGES

Time of trade execution and trading party (if not disclosed) will be provided upon request.

Publicly traded assets are valued in accordance with market quotations or valuation methodologies from financial industry services believed by us to be reliable. Assets that are not publicly traded may be reflected at values from other external sources. Assets for which a current value is not available may be reflected at a previous value or as not valued, at par value, or at a nominal value. Values shown do not necessarily reflect prices at which assets could be bought or sold. Values are updated based on internal policy and may be updated less frequently than statement generation.

For further information, please contact your Analyst.

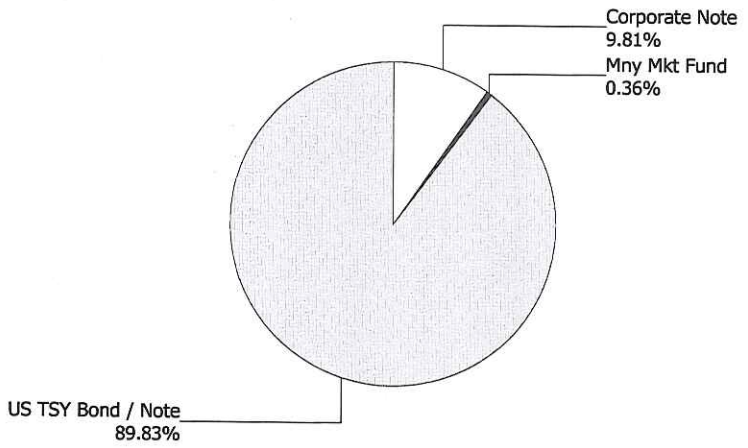
Yield at Market and Estimated Annual Income are estimates provided for informational purposes only and should not be relied on for making investment, trading, or tax decisions. The estimates may not represent the actual value earned by your investments and they provide no guarantee of what your investments may earn in the future.

City of Oakley - City of Oakley - 6111-01 - (12516206)

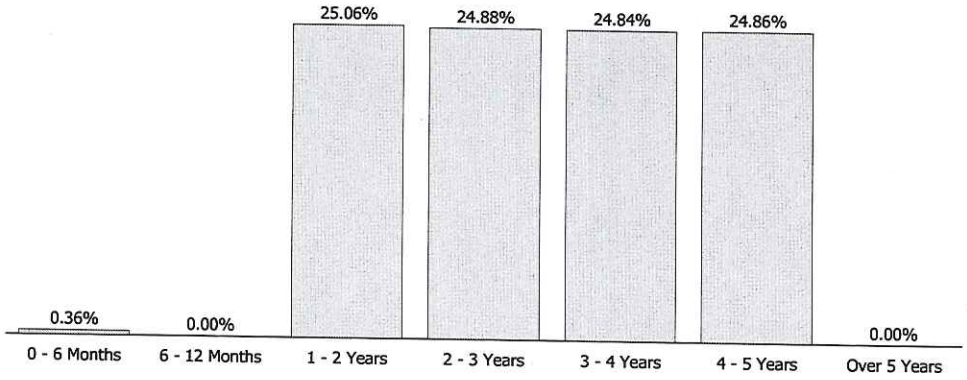
## Account Summary

| Description | Par Value | Market Value | Percent |
|---|---|---|---|
| U.S. Treasury Bond / Note | 17,990,000.00 | 17,817,052.15 | 89.83 |
| Corporate Note | 1,900,000.00 | 1,946,107.24 | 9.81 |
| **Managed Account Sub-Total** | **19,890,000.00** | **19,763,159.39** | **99.64%** |
| Accrued Interest | | 42,737.99 | |
| **Total Portfolio** | **19,890,000.00** | **19,805,897.38** | |
| CAMP Pool | 72,299.34 | 72,299.34 | 0.36 |
| **Total Investments** | **19,962,299.34** | **19,878,196.72** | **100.00%** |
| **Unsettled Trades** | **0.00** | **0.00** | |

## Sector Allocation




## Maturity Distribution




## Characteristics

| | |
|---|---|
| Yield to Maturity at Cost | 0.71% |
| Yield to Maturity at Market | 0.98% |
| Weighted Average Days to Maturity | 1091 |

OAKLEY
CALIFORNIA

# STAFF REPORT

**DATE:** February 8, 2022

**TO:** Joshua McMurray, Interim City Manager

Approved and Forwarded to the City Council

**FROM:** Tim Przybyla, Finance Director

**SUBJECT:** **City of Oakley as Successor Agency to the Oakley Redevelopment Agency – Quarterly Investment Report (2nd Quarter FY 2021/22)**

---

## Background and Analysis

California law and the City's Investment Policy require the Agency's fiscal officer to submit a quarterly investment report to the Agency's governing board. The report should contain information on all securities held, and include a statement denoting the ability of the local agency to meet its expenditure requirements for the next six months.

## Fiscal Impact

The Investment Report for the Period Ending September 30, 2021 attached shows a balance of $24,630.38 in cash for operations. To increase annual cash flow savings of refunding bonds, cash reserves were applied to bond insurance with Build America Mutual (BAM). The Reserve Requirements are satisfied in face amounts of $571,000 for 2015 Bonds and $1,827,318.76 for 2018 Bonds.

The Agency is in compliance with the City's annually adopted investment policy. The tax revenues distributed to the Agency is sufficient to make the Agency's enforceable obligation payments as approved by the Department of Finance.

## Staff Recommendation

Staff recommends the City Council, as the Board of the Successor Agency, accept the investment report for the 2nd Quarter of Fiscal Year 2021/22.

## Attachments

City of Oakley as Successor Agency to the Redevelopment Agency Investment Report for the quarter ended December 31, 2021.

OAKLEY
CALIFORNIA

# City of Oakley as Successor Agency to the Oakley Redevelopment Agency

## Quarterly Investment Report

For the Quarter Ended December 31, 2021

| Type* | Name of Institution | Rate | Maturity*** | Cost Amount | Market Value |
|---|---|---|---|---|---|
| **Investments in Wells Fargo Bank Account** | | | | | |
| | Successor Agency Checking | 0.160% | N/A | $ 24,630.38 | $ 24,630.38 |
| **Total Investments Other than Bond Proceeds** | | | | **24,630.38** | **24,630.38** |
| **Investments with US Bank Trust (bond proceeds): **** | | | | | |
| | **20015 A&B Tax Allocation Refunding Bonds** | | | - | - |
| | **2018 Tax Allocation Refunding Bonds** | | | - | - |
| **Total Investments of Bond Proceeds** | | | | - | - |
| | **Total Agency Investments** | | | **$ 24,630.38** | **$ 24,630.38** |

* **Type of investment** as described in Authorized Investments section of the City's adopted Investment Policy

| | | |
|---|---|---|
| 1. U.S Government Securities | 5. Bankers Acceptance | 9. Money market funds |
| 2. U.S. Government Agency Securities | 6. Commercial Paper | 10. Repurchase agreements |
| 3. Local Agency Investment Fund | 7. Medium term notes | 11. CalTRUST Short Term Account |
| 4. Certificates of Deposit | 8. Mutual funds | 12. Overnight Sweep |

** **Investment of bond proceeds** is governed by each bond's Trust Agreement. Reserve Requirements are satisfied by BAM surety policy in face amounts equal to $571,000 for 2015 Bonds and $1,827,318.76 for 2018 Bonds.

*** All Successor Agency accounts have same day or next day liquidity

The City of Oakley, as Successor Agency to the Oakley Redevelopment Agency, is in compliance with the City's annually adopted investment policy.

Approved by: Tim Przybyla
Finance Director

1/19/22
Date

# Commercial Chkg Acct W Int Pub Funds

Account number: **4122244601** ■ December 1, 2021 - December 31, 2021 ■ Page 1 of 2

WELLS FARGO

THE CITY OF OAKLEY
CITY REDEVELOPMENT ACCOUNT
3231 MAIN ST
OAKLEY CA 94561-3147

**Questions?**

Call your Customer Service Officer or Client Services
**1-800-AT WELLS** (1-800-289-3557)
5:00 AM TO 6:00 PM Pacific Time Monday - Friday

*Online: wellsfargo.com*

*Write:* Wells Fargo Bank, N.A. (182)
PO Box 63020
San Francisco, CA 94163

## Account summary

### *Commercial Chkg Acct W Int Pub Funds*

| *Account number* | *Beginning balance* | *Total credits* | *Total debits* | *Ending balance* |
|---|---|---|---|---|
| 4122244601 | $24,790.91 | $3.35 | -$163.88 | $24,630.38 |

### Interest summary

| | |
|---|---|
| Annual percentage yield earned this period | 0.16% |
| Interest earned during this period | $3.35 |
| Year to date interest and bonuses paid | $1,369.27 |

### Credits

**Electronic deposits/bank credits**

| *Effective date* | *Posted date* | *Amount* | *Transaction detail* |
|---|---|---|---|
| | 12/31 | 3.35 | Interest Payment |
| | | **$3.35** | **Total electronic deposits/bank credits** |
| | | **$3.35** | **Total credits** |

### Debits

**Electronic debits/bank debits**

| *Effective date* | *Posted date* | *Amount* | *Transaction detail* |
|---|---|---|---|
| | 12/13 | 163.88 | Client Analysis Srvc Chrg 211210 Svc Chge 1121 000004122244601 |
| | | **$163.88** | **Total electronic debits/bank debits** |
| | | **$163.88** | **Total debits** |

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WELLS FARGO

## Daily ledger balance summary

| *Date* | *Balance* | *Date* | *Balance* | *Date* | *Balance* |
|---|---|---|---|---|---|
| 11/30 | 24,790.91 | 12/13 | 24,627.03 | 12/31 | 24,630.38 |
| **Average daily ledger balance** | **$24,690.57** | | | | |

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OAKLEY
CALIFORNIA

# STAFF REPORT

**DATE:** February 08, 2022

**TO:** Joshua McMurray, City Manager *Approved and Forwarded to the City*

**FROM:** Ariana Ruiz, Planning Technician

**SUBJECT:** **Wendy's Drive-Through Quick Serve Restaurant Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21) – Request for approval to construct and operate a 2,331 square-foot quick serve restaurant with dine-in and drive-through service; APN 037-040-021.**

## Summary

This is an application by Ken Price on behalf of Weaver Consultants Group ("Applicant") requesting Design Review (DR 05-21) approval for a new 2,331 square-foot restaurant. The project includes dine in and drive-through service with associated site improvements allocated on an approximately 0.76-acre parcel. The applicant also requests approval of a Conditional Use Permit (CUP 2-21) to operate the drive-through service ("Project"). The project site is located approximately 295 feet east of the northeast intersection of Bridgehead Road and Main Street. The site is zoned C (General Commercial) District. APN: 037-040-021.

### Staff Recommendation

Staff recommends the City Council approve the project titled, "Wendy's Restaurant Drive-Through Quick Serve Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21)," as conditioned.

## Fiscal Impact

This is a developer funded account. All Staff time and City of Oakley generated material related to the processing of this application, including reproduction of physical copies and postage for public hearing notices are charged to the account.

## Background

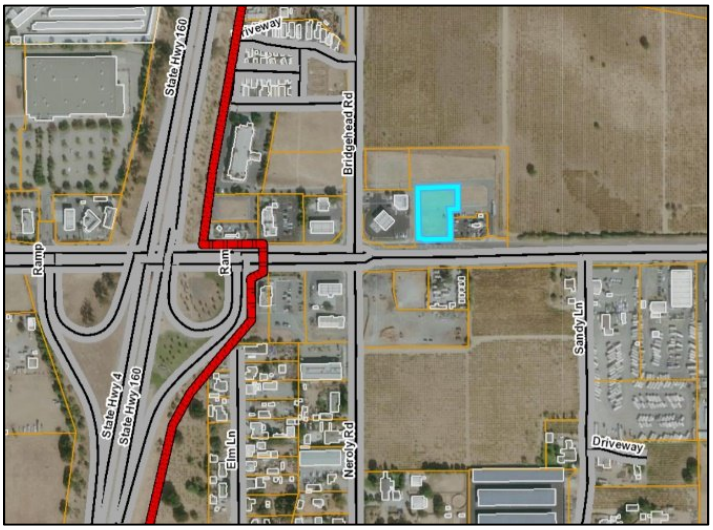
### General Plan and Zoning

- The General Plan Land Use Designation for the project site is *Commercial,* as depicted in the Oakley 2020 General Plan Figure 2-2 (Land Use Diagram).
- The project site is zoned General Commercial (C) District.

## Existing Conditions and Surrounding Land Uses

The approximately 0.76-acre project site is located on the north side of Main Street, approximately 295 feet east of the Main Street and Bridgehead Road intersection. The site is currently undeveloped.

*Figure 1. Aerial of Project Site*




The project site is located on a main City arterial, Main Street, and is bounded by existing commercial uses to the west and east of the project site. There is an existing ARCO gas station to the west of the project site and a drive-through coffee shop located to the east of the project site. The property located to the north is currently vacant. All properties in the immediate vicinity are designated and zoned for commercial land uses. Adjacent from the project site, located south of Main Street, is a legal non-conforming mobile home park. Figure 1 (left) shows an aerial view of the site from the Contra Costa County GIS website (https://ccmap.cccounty.us).

## Project Description

### Background

In August of 1998, an application was submitted for a minor subdivision (MS 16-98) to the Contra Costa County Community Development Department. The site is known as "The Lodge" property located approximately 250 feet east of the intersection of Main Street and Bridgehead Road. The parcel map was recorded in 2002, with a total of four (4) parcels now consisting of one fully developed parcel, and three vacant parcels.

Through the history of the site there have been multiple easements recorded to the property. These easements allow patrons to gain access to the site from multiple directions including off Main Street and Bridgehead Road, and the adjacent site to the east.

### Conditional Use Permit

Per the Oakley Municipal Code (OMC), a Conditional Use Permit (CUP) is required to establish a land use within a land district that does not allow establishment by right but does allow the granting of a land use permit after a public hearing. Within the C District, a CUP is required when "Drive-through Restaurant and Services" are proposed. This

application requests to operate a drive-through component in association with the proposed restaurant. The restaurant component is permitted by right and not subject to any discretion.

Traffic and On-Site Circulation

The City of Oakley requires a Traffic Impact Analysis is performed for projects that generate more than 100 vehicle trips during either the weekday morning or evening peak hours. However, a Traffic Memo was requested to evaluate the potential traffic congestion created by the new restaurant and drive-through and existing Dutch Bros drive-through. More detailed analysis of the conducted Traffic Memo has been provided in the Analysis.

Design Review

Per the OMC, Design Review shall be required in any residential, commercial, industrial, or public and semi-public zoning district for any permitted or conditionally permitted establishment of use on a property that is not already developed with full frontage improvements and on-site improvements. The Design Review process also allows for the review and analysis of the proposed project's design, including the site plans, architectural elevations, conceptual landscape plans, and other physical development for all lots within the zoning district.

Site Plan

The project includes a 2,331 square-foot restaurant with a drive-through, trash enclosure, a parking lot with drive aisles and parking spaces, pavement striping, landscaping, lighting, and pedestrian walkways. There are two (2) driveways on each side of the site that enter from Main Street and one (1) driveway from Bridgehead Road.

Proposed Architecture

The 2,331 square-foot, one-story restaurant building is proposed at a total height of approximately twenty-two (22) feet. The building uses various heights and building articulation to provide high quality building exterior and reduce the appearance of the building's mass. The proposed architecture also uses a combination of various textures and materials to compliment the building. The main body uses a finishing of three primary colors, as noted in Figure 2. The applicant has also proposed to install stone veneer along portions of the base of the building. The flat roof includes a parapet that will screen the mechanical equipment. A metal fascia band comprises of the roof cap treatment. Metal canopies are proposed over the entryway, windows, and drive-through window to add architectural features to the building. Figure 2 shows a color rendering of the north (faces interior parking lot) and south (alongside main drive-through aisle and facing Main Street) elevations.

The trash enclosure is located within the parking lot and will be fully screened with a six-foot (6') decorative concrete masonry unit (CMU) wall. The split-face CMU color will match the architecture seen throughout the primary building. The enclosure will be covered with a galvanized corrugated roof, colors to be consistent with the architecture.

*Figure 2. Color Rendering of West and North Elevations*




## Signage

Signage has been proposed as a part of the design review. Per the definitions listed within OMC's Regulations of Signs and Outdoor Advertising, the project is permitted both primary and secondary signs. Based on the project site's location and configuration, it has been determined there will be two (2) primary and two (2) secondary signs. The primary signs will include the restaurant's full name and the secondary signs will include the restaurant's logo.

The application also consists of a request to install a freestanding monument sign with a total height of eight (8) feet. The sign will incorporate the business name and logo. The proposed base of the sign is noted as faux stone masonry to match the existing architecture of the commercial building.

Landscaping

As noted within the DR requirements landscaping is required as a part of this project. The OMC requires landscaping is installed adjacent to the public ROW and within the parking lot. The applicant is proposing landscaping throughout the entire development. The southern portion of the site will be fully landscaped creating a buffer between the drive-through aisle and the public right-of-way. Proposed landscaping includes the installation of Coast Live Oak, White Crepe Myrtle, and Emerald Green Arborvitae trees, as well as drought-tolerant shrubs, and grass. Proposed landscaping and irrigation will comply with the Landscape Water Efficient Ordinance set forth within the OMC as shown within the proposed landscape plans (Attachment 3).

## Environmental Review

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Class 32 – Infill Development Projects).

## Analysis

Conditional Use Permit

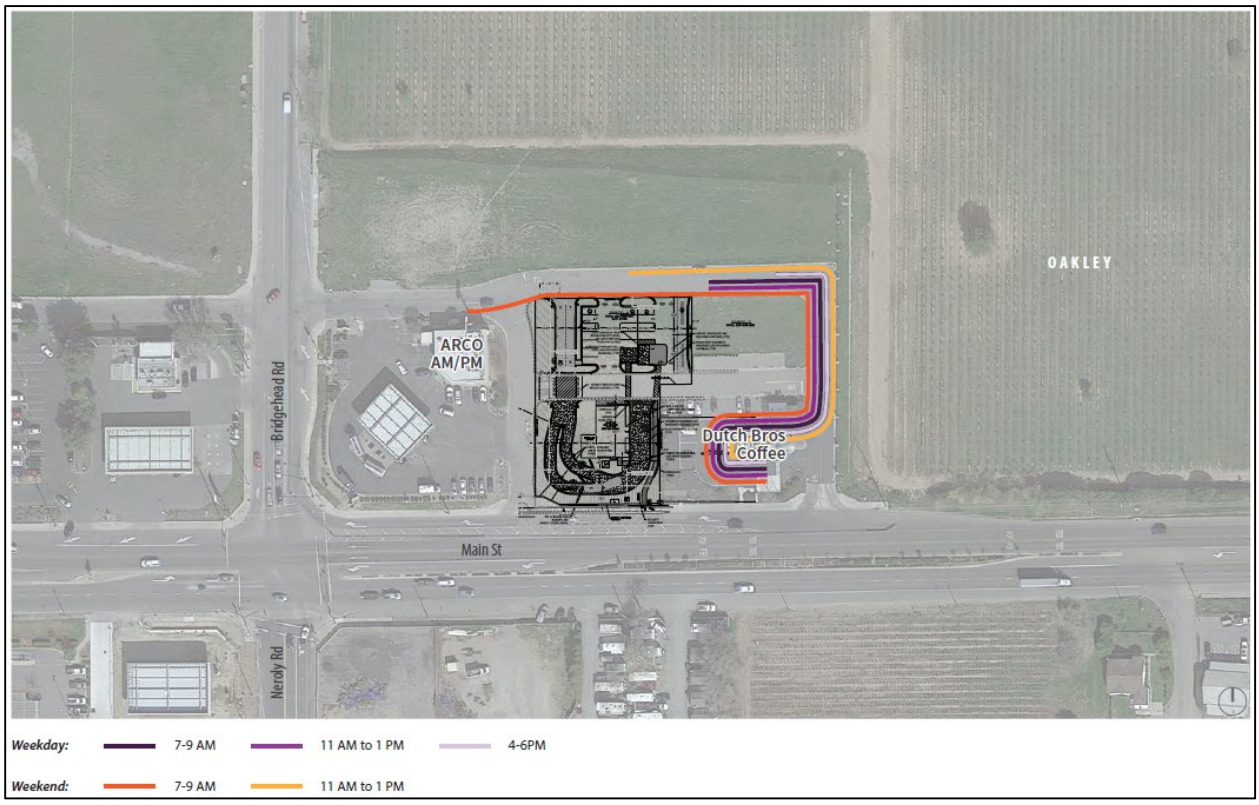
The proposed use is defined as "Drive-through Restaurant and Services", which is allowed in the C District with the approval of a (CUP). The purpose of a CUP is to allow for uses that are not allowed by right, and to ensure that the proposed land use is compatible with the surrounding land uses in the neighborhood. CUPs are governed by section 9.1.1602 Variance and Conditional Use Permits of the Oakley Municipal Code. CUP's may be granted when it can be shown the project shall comply with the following:

1. That the site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this title to adapt the use with land and uses in the neighborhood;
2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
3. The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential character of the area from that intended by the general plan and the applicable zoning ordinances;
4. That the proposed use provides for the continued growth and orderly development of the community and is consistent with the various elements and objectives of the general plan; and
5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act.

Traffic Memo

Per the study conducted by traffic consultants, Fehr & Peers, this restaurant is estimated to generate 49 new vehicles trips during the morning hours and 38 vehicle trips during the evening hours. During the peak hours in the morning and evening, the queue is not expected to exceed approximately eight (8) cars during these times.

The study also evaluated nearby traffic generated due to the coffee shop and drive-through adjacent to the site, to mitigate potential traffic issues. The below image notes Fehr & Peers observations conducted during peak hours in August and November of 2021.




Although there is no directional signage or striping for the Dutch Bro's queue and parking lot, the vehicles were observed to enter through the northern portion of the site and line up along the drive aisle to Bridgehead Road. The queue provided by the applicant is a two-lane queue, with the potential to hold twenty-four (24) vehicles at one time. The study ultimately concluded the drive-through queue for the proposed project is sufficient as spill-back of the site is not anticipated.

Staff's analysis finds that the proposed "Drive-through Restaurant and Services" use, as proposed and conditioned is found to be consistent with the required findings as found in

OMC Section 9.1.1602(f). Complete findings are found in the attached Proposed Resolution.

Design Review

Design Review are governed by section 9.1.1604 Design Review of the Oakley Municipal Code. A Design Review application may be granted when the following standards have been met:

a) Site planning, including building siting (location), setback and orientation; entries, circulation, and parking; landscape setbacks and buffers; and location of trash, loading and service areas, and mechanical equipment.
b) Architecture, including massing and grouping; facades, entries, and roofs; materials and colors; and screening of trash, loading and service areas, and mechanical equipment.
c) Landscaping and site elements, including general landscape areas; entry and plaza enhancements; parking lot landscaping; walls and fences; and lighting.
d) Streetscapes, including major community entries; highlighted intersections; and district entries.

The proposed plans were also analyzed for consistency with the applicable development regulations in the Oakley Municipal Code and adopted City of Oakley Commercial and Industrial Guidelines ("Guidelines").

Circulation/ Parking Requirements

The project site can be accessed by two existing driveways off of Main Street and one existing driveway off of Bridgehead Road. Vehicular access to both the drive-through and parking lot would take place along the northern side of the site. The drive-through allows vehicular access to the drive-through window on the east side of the building. The drive aisle to the drive-through has a minimum width of 23 feet allowing the site to facilitate two drive-through lanes around the building. The site plan is included within Attachment 3.

Per the OMC 9.1.1402 Off-Street parking; the number of required parking spaces for eating and drinking establishments as related to the primary use shall be 1 per 150 square-feet of net public area. The proposed building has a net public area of 990 square-feet- requiring a total of fifteen (15) parking stalls. The applicant has proposed a total of 19 parking stalls, including one (1) ADA parking stall and two (2) oversized parking stalls. These parking stalls are approximately fifteen (15) by forty-two (42) feet and can accommodate semitrailers. All other requirements pertaining to OMC 9.1.1402 have been satisfied.

Pedestrian

A walkway has been proposed to take access off Main Street and continue along the east side of the building. The walkway leads to the entry of the restaurant, with appropriate signage to enhance pedestrian safety. The on-site pedestrian walkway will provide adequate lighting to enhance pedestrian safety and allow its use at night.

Building Design

This section analyzes the proposed building's compliance with applicable development regulations and design guidelines. The proposed rectangular building is 21.8 feet tall at the highest point of the parapet. OMC allows buildings up to 35 feet tall in the C District; therefore, the proposed height complies with the municipal code. Maximum site coverage and floor area ratio[1] (FAR) for the C District are 40% and 1.0, respectively. The building occupies approximately 7% of the site and since it is a single-story building, results in a FAR of approximately .07. The proposed site coverage and FAR, even with the trash enclosure, are well below the maximum allowances, and comply with the municipal code.

## Findings

Draft findings for the Conditional Use Permit and Design Review can be found in the proposed resolution.

## Staff Recommendation

Staff recommends the City Council approve the project titled, "Wendy's Drive-Through Quick Serve Restaurant Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21)," as conditioned.

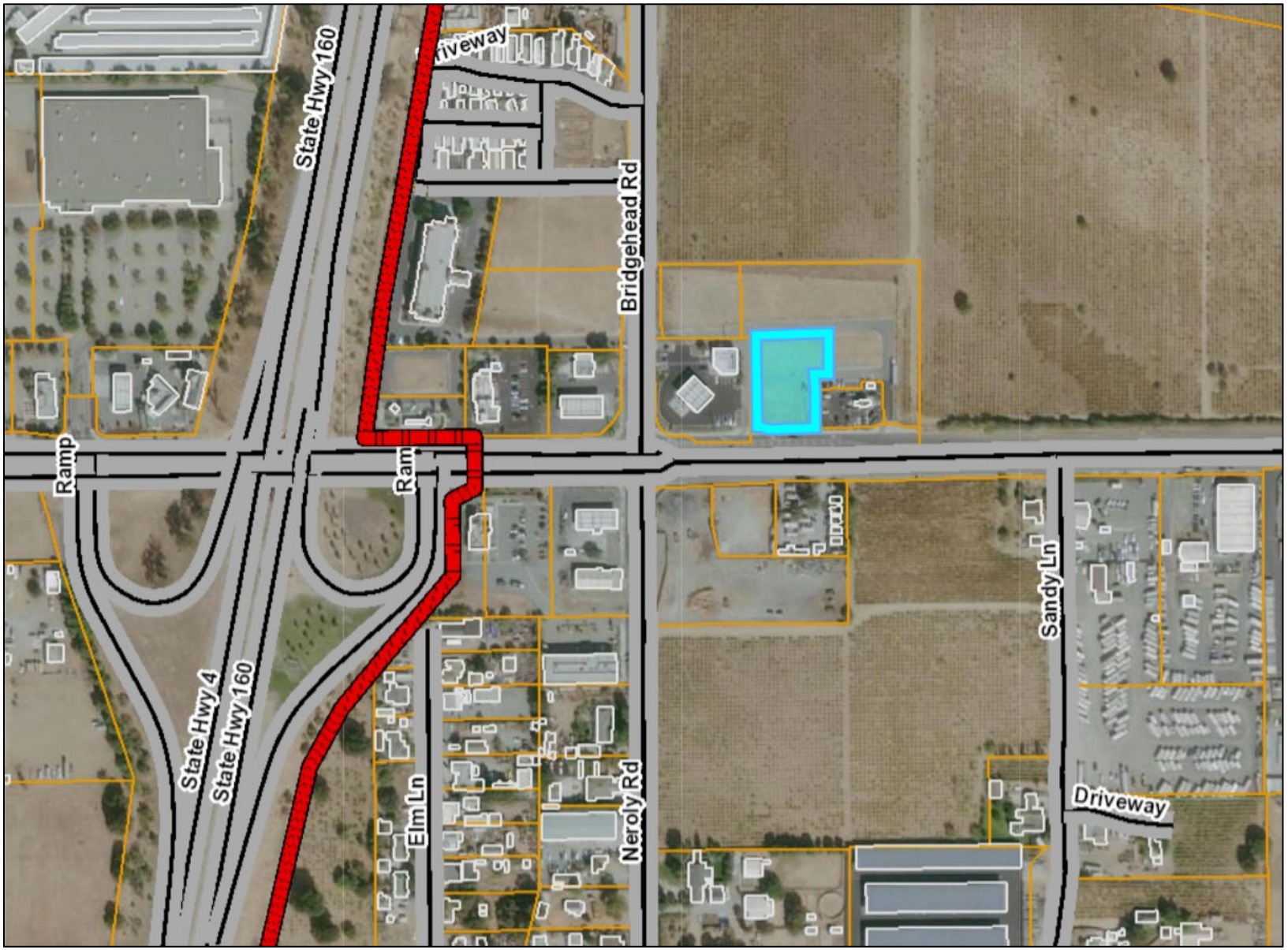
## Attachments

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

[1] Floor area ratio is the ratio of floor area (not just building coverage) of a building or buildings to the site they occupy.

# Vicinity Map

**Wendy's Drive-Through Restaurant Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21) APN: 035-282-048**



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

# NOTICE OF PUBLIC HEARING

Notice is hereby given that on **February 8, 2022** 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 item as described below:

**Project Name:** Wendy's Restaurant Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21).

**Project Location:** Northeast corner of the intersection of Bridgehead Road and Main Street, Oakley, CA 94561. APN: 037-040-021.

**Applicant:** Ken Price, 1316 Bond Street, Suite 108, Naperville, IL 60563.

**Request:** This is a public hearing on an application by Ken Price on behalf of the Weaver Consultant Group ("Applicant") requesting Design Review (DR 05-21) approval to construct a new 2,331 square foot restaurant. The project includes dine in and drive-through service with associated site improvements located on an approximately 0.76-acre parcel. The applicant is also requesting approval of Conditional Use Permit (CUP 02-21) to operate the drive-through service. The project site is located approximately 295 feet northeast from the intersection of Bridgehead Road and Main Street. The site is zoned C (General Commercial) District. APN: 037-040-021.

**How to Review:** The Staff Report and its attachments will be available for public review, on or before **February 3, 2022** 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 **February 8, 2022** agenda. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). Interested persons are invited to submit written comments prior to 5:00 P.M. the day of, and may testify at, the public hearing. **Written comments may be submitted to Ariana Ruiz, Planning Technician at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to ruiz@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.

# WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)

PRELIMINARY CIVIL ENGINEERING PLANS

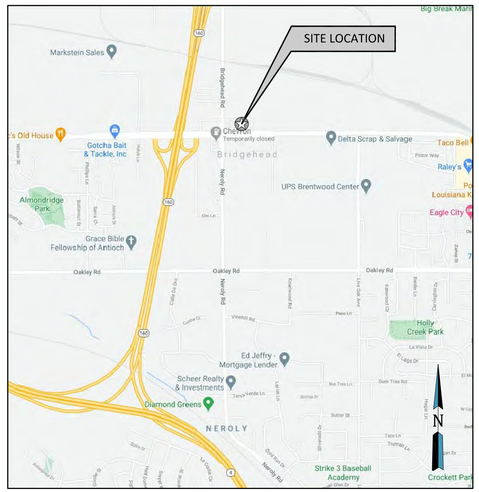
1082 E. MAIN STREET

OAKLEY, CA




STATE OF CALIFORNIA - CONTRA COSTA COUNTY

NOT TO SCALE




SITE LOCATION KEY

NOT TO SCALE

## SHEET INDEX

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## DESIGN TEAM CONTACT INFORMATION

ROGUE ARCHITECTURE
513 MAIN STREET #300,
FORT WORTH, TX 76102
817.820.0433

CIVIL ENGINEER
LANDSCAPE ARCHITECT
Weaver Consultants Group

LAND SURVEYOR
COOK SURVEYING & ASSOCIATES, LLC
331 S. RIO GRANDE STREET SUITE 320
SALT LAKE CITY, UTAH 84101
901-364-4051

COOK SURVEYING & ASSOCIATES

## CITY & UTILITY CONTACT INFORMATION

CITY OF OAKLEY
3231 MAIN STREET
OAKLEY, CA 94561
ZONING ADMINISTRATOR:
ARIANA RUIZE
925-625-7000
REVIEW ENGINEER:
BILLILEE SAENGCHALERN, P.E., T.E.
925-625-7154

AT&T ROW MANAGER
ED BEYER
650-575-2405

PG&E
P.O. BOX 997300
SACRAMENTO, CA 95899-7300
1-800-PGE-5000

DIABLO WATER DISTRICT
P.O. BOX 127
87 CAROL LANE
OAKLEY, CA 94561
925-625-0588

IRONHOUSE SANITARY DISTRICT
P.O. BOX 1105
OAKLEY, CA 94561
925.809.3003

| OWNER INFORMATION: | APPLICANT INFORMATION: |
|---|---|
| NICK DHILLON<br>2937 BAILEY WAY<br>SAN RAMON, CA 94582<br>925-365-1375 | WEAVER CONSULTANTS GROUP<br>1316 BOND ST. SUITE 108<br>NAPERVILLE, IL 60563<br>630-717-4848 |

## SURVEY INFORMATION:

ALTA/ACSM LAND TITLE SURVEY TOPOGRAPHY
COOK SURVEYING & ASSOCIATES
801-364-4051
SURVEY DATE: 10/20
SURVEY NUMBER: 20-10-144

**NOTE:** CONTRACTOR(S) TO VERIFY THEY HAVE THE CURRENT PLAN SET PRIOR TO CONSTRUCTION.

Call 811 or Click Before you Dig.
It's a Free Service

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

COVER SHEET

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

Weaver Consultants Group

OFFICE LOCATION:
WEAVER CONSULTANTS GROUP
1316 BOND STREET, SUITE 108
NAPERVILLE, ILLINOIS 60563
(630) 717-4848
wcgrp.com

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SHEET #: C-1

F:\PROJECTS\5325 - Dependable Food\5300 - Oakley CA\32\Dwg\5325-300-32-01.dwg\WCGv19R5\kprice;December 8, 2021

## SPECIFICATIONS - GENERAL

1. **STANDARDS AND SPECIFICATIONS:** ALL APPLICABLE REQUIREMENTS OF THE ORDINANCES OF AUTHORITIES HAVING JURISDICTION (INCLUDING BUT NOT LIMITED TO THE STATE AND MUNICIPALITY) SHALL GOVERN THIS WORK.
2. **ENGINEER OF RECORD:** THE ENGINEER OF RECORD (ENGINEER) IS WEAVER CONSULTANTS GROUP NORTH CENTRAL, LLC (WEAVER). WEAVER'S REPRESENTATIVES MAY OBSERVE THE CONSTRUCTION AND COMMUNICATE WITH THE CONTRACTOR.
3. **EXAMINATION OF THE SITE:** PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THAT ALL DIMENSIONS AND CONDITIONS AFFECTING THE WORK WITH THE ACTUAL CONDITIONS AT THE JOB SITE. IN ADDITION, THE CONTRACTOR MUST VERIFY THE ENGINEER'S LINE AND GRADES. IF THERE ARE ANY DISCREPANCIES FROM WHAT IS SHOWN ON THE CONSTRUCTION PLANS, THE CONTRACTOR SHALL SECURE WRITTEN INSTRUCTION FROM THE ENGINEER PRIOR TO PROCEEDING WITH ANY PART OF THE WORK AFFECTED BY OMISSION OR DISCREPANCIES. FAILING TO SECURE SUCH INSTRUCTION, THE CONTRACTOR WILL BE CONSIDERED TO HAVE PROCEEDED AT HIS OWN RISK AND EXPENSE.
4. **CURRENT SET OF PLANS:** THE CONTRACTOR SHALL VERIFY THAT THEY ARE WORKING WITH THE CURRENT SET OF PLANS AND SHALL HAVE ONE (1) SIGNED COPY OF THE PLANS AND A COPY OF ANY PERMITS AND EXTENSION AGREEMENTS AT THE JOB SITE AT ALL TIMES. THE CONTRACTOR SHALL ONLY BUILD FROM THE SET OF PLANS LABELED "ISSUED FOR CONSTRUCTION".
5. **INDEMNIFICATION:** THE CONTRACTOR SHALL INDEMNIFY THE ENGINEER OF RECORD, THE ARCHITECT OF RECORD, THE OWNER AND THE OWNER'S AGENTS, THE MUNICIPALITY AND ALL OTHER AGENCIES FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION, INSTALLATION, AND TESTING OF THE WORK ON THIS PROJECT.
6. **TOPOGRAPHIC SURVEY:** TOPOGRAPHIC SURVEY INFORMATION SHOWN ON THE PLANS IS PROVIDED FOR INFORMATIONAL PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE INFORMATION SHOWN IS CORRECT AND SHALL NOTIFY THE ENGINEER IMMEDIATELY OR ANY ERRORS, DISCREPANCIES OR OMISSIONS TO THE SURVEY INFORMATION PROVIDED. ANY COSTS INCURRED AS THE RESULT OF NOT CONFIRMING THE ACTUAL SURVEY SHALL BE BORNE BY THE CONTRACTOR.
7. **UNDERGROUND UTILITIES:** THE LOCATION OF EXISTING UTILITIES IS APPROXIMATE. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY WHATSOEVER IN RESPECT TO THE SUFFICIENCY OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS RELATIVE TO THE LOCATION OF UNDERGROUND UTILITY FACILITIES OR THE MANNER IN WHICH THEY ARE TO BE REMOVED OR ADJUSTED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE ACTUAL LOCATION OF ALL SUCH FACILITIES. THE CONTRACTOR SHALL ALSO OBTAIN FROM THE RESPECTIVE UTILITY COMPANIES, DETAILED INFORMATION RELATIVE TO THE LOCATION OF THEIR FACILITIES AND THE WORKING SCHEDULES OF THE UTILITY COMPANIES FOR REMOVING OR ADJUSTING THEM.
8. **SUBSURFACE INVESTIGATION:** SUBSURFACE EXPLORATION TO ASCERTAIN THE NATURE OF SOILS, INCLUDING THE AMOUNT OF ROCK, IF ANY, IS THE RESPONSIBILITY OF THE CONTRACTOR. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAKE SUCH SUBSURFACE INVESTIGATIONS AS DEEMED NECESSARY TO DETERMINE THE NATURE OF THE MATERIAL TO BE ENCOUNTERED. SOME SUBSURFACE EXPLORATION HAS BEEN PERFORMED BY THE GEOTECHNICAL ENGINEER OF RECORD ON THE PROJECT AND IS PROVIDED FOR INFORMATIONAL PURPOSES. THE DEVELOPER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY, TRUE LOCATION AND EXTENT OF THE SOILS INFORMATION THAT HAS BEEN PREPARED BY OTHERS. THEY FURTHER DISCLAIM RESPONSIBILITY FOR INTERPRETATION OF THAT DATA BY THE CONTRACTOR, AS IN PROJECTING SOIL BEARING VALUES, ROCK PROFILES, SOILS STABILITY AND THE PRESENCE, LEVEL AND EXTENT OF UNDERGROUND WATER.
9. **PERMITS AND LICENSES:** THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE PERMITS AND LICENSES AS REQUIRED BY STATE AND LOCAL AGENCIES. WHENEVER THE WORK REQUIRES THE OBTAINING OF PERMITS FROM THE GOVERNING AUTHORITIES, THE CONTRACTOR SHALL FURNISH DUPLICATE COPIES OF SUCH PERMITS TO THE DEVELOPER AND ENGINEER BEFORE THE WORK COVERED THEREBY IS STARTED. NO WORK WILL BE ALLOWED TO PROCEED BEFORE SUCH PERMITS ARE OBTAINED.
10. **BONDS:** PERFORMANCE, PAYMENT AND MAINTENANCE BONDS MAY BE REQUIRED FROM THE CONTRACTOR FOR ALL WORK CONSIDERED TO BE "PUBLIC" IMPROVEMENTS. BONDS SHALL BE IN THE FORM AND IN THE AMOUNTS AS REQUIRED BY THE GOVERNING AGENCIES.
11. **SAFETY:** WARNING DEVICES TO INFORM AND PROTECT THE PUBLIC DURING ALL PHASES OF CONSTRUCTION ARE REQUIRED. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE SAFETY OF EMPLOYEES ON THE PROJECT AND SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF FEDERAL, STATE, AND MUNICIPAL SAFETY LAWS AND BUILDING CODES. CONTRACTOR SHALL ERECT AND PROPERLY MAINTAIN, AT ALL TIMES, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR PROTECTION OF WORKMEN AND THE PUBLIC AND SHALL POST DANGER SIGNS WARNING AGAINST KNOWN OR UNUSUAL HAZARDS.
12. **NOTIFICATIONS:** A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY ALL AGENCIES HAVING JURISDICTION OVER THE PROJECT, THE ENGINEER OF RECORD AND THE LOCAL UNDERGROUND LOCATE COMPANY FOR STAKING THE LOCATION OF EXISTING UNDERGROUND UTILITIES.
13. **INSPECTIONS:** INSPECTION OF THE PROPOSED CONSTRUCTION WILL BE PROVIDED BY THE GOVERNING AUTHORITIES AND/OR THE DEVELOPER OR ASSIGNED AGENTS. THE CONTRACTOR SHALL PROVIDE ASSISTANCE BY PROVIDING EXCAVATION, TRENCH SAFETY, OR OTHER WORK NECESSARY TO FACILITATE INSPECTION ACTIVITIES, AND SHALL GIVE SUFFICIENT NOTICE WELL IN ADVANCE OF PENDING CONSTRUCTION ACTIVITIES TO THE GOVERNING AUTHORITIES AND/OR DEVELOPER FOR SCHEDULING OF INSPECTION SERVICES. CONTRACTOR SHALL BE RESPONSIBLE FOR THE DETERMINATION OF ANY REQUIRED INSPECTIONS, THE SCHEDULING AND CONTROL OF INSPECTIONS AND THE ACCEPTANCE OF ALL PUBLIC AND/OR PRIVATE UTILITIES BY THE APPROPRIATE GOVERNING AUTHORITY PRIOR TO TRENCH BACKFILLING.
14. **SHOP DRAWINGS:** PROPOSED CONSTRUCTION MATERIALS SHALL BE SUBMITTED TO THE OWNER AND ENGINEER FOR APPROVAL IN ADVANCE OF MOBILIZATION. ANY DEVIATION FROM THE APPROVED CONSTRUCTION MATERIALS LIST MUST BE APPROVED BY THE ENGINEER IN WRITING.
15. **CONSTRUCTION DEBRIS:** IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM THE CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER. WHENEVER, DURING CONSTRUCTION OPERATIONS, ANY LOOSE MATERIAL IS DEPOSITED IN THE FLOW OF GUTTERS, DRAINAGE STRUCTURES, DITCHES, ETC. SUCH THAT THE NATURAL FLOW LINE OF WATER IS OBSTRUCTED, THE LOOSE MATERIAL WILL BE REMOVED AT THE END OF EACH WORKING DAY. AT THE CONCLUSION OF CONSTRUCTION OPERATIONS, ALL DRAINAGE STRUCTURES AND FLOW LINES SHALL BE FREE FROM DIRT AND DEBRIS. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT.
16. **SITE DRAINAGE:** DURING CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL ENSURE POSITIVE SITE DRAINAGE AT THE CONCLUSION OF EACH DAY. ALL DRAINAGE MAY BE ACHIEVED BY DITCHING, PUMPING OR OTHER METHODS ACCEPTABLE TO THE ENGINEER.
17. **DISPOSITION AND DISPOSAL OF EXCESS MATERIALS:** ALL MATERIALS TO BE REMOVED FROM THE SITE, INCLUDING, BUT NOT LIMITED TO EXCESS MATERIALS AND UNSUITABLE MATERIALS SUCH AS CONCRETE, ASPHALT, LARGE ROCKS, REFUSE AND OTHER DEBRIS, SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OUTSIDE THE LIMITS OF THE PROJECT AT THE CONTRACTOR'S EXPENSE. DISPOSAL OF MATERIALS SHALL BE IN STRICT ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL RULES AND REGULATIONS.
18. **CONSTRUCITON STAKING:** ALL SURVEYING REQUIRED FOR CONSTRUCTION STAKING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE DEVELOPER SHALL PROVIDE THE PROPERTY CORNERS AND TWO BENCHMARKS FOR USE AS HORIZONTAL AND VERTICAL DATUM. THE CONTRACTOR SHALL EMPLOY A REGISTERED PROFESSIONAL LAND SURVEYOR TO PERFORM ALL ADDITIONAL SURVEY, LAYOUT AND MEASUREMENT WORK NECESSARY FOR THE COMPLETION OF THE PROJECT. THE CONTRACTOR SHALL VERIFY THE SITE BENCHMARKS' ELEVATION SHOWN ON THE PLANS AND REPORT ANY DISCREPANCIES TO THE OWNER AND ENGINEER PRIOR TO ANY CONSTRUCTION STAKING. ALL CONSTRUCTION TRADES SHALL COORDINATE THROUGH THE GENERAL CONTRACTOR USING THE SAME BENCHMARKS FOR VERTICAL CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE REMOVAL, REPLACEMENT AND REDESIGN OF ANY IMPROVEMENTS CONSTRUCTED PRIOR TO CHECKING HORIZONTAL/VERTICAL CONTROL AND PLAN DIMENSIONS AND NOTIFICATION OF ANY DISCREPANCIES TO THE OWNER AND ENGINEER. ALL INSTRUMENTS ARE TO BE PROPERLY CALIBRATED PRIOR TO USE.
19. **PROPERTY CORNERS:** THE CONTRACTOR SHALL PROTECT ALL PROPERTY CORNER MARKERS AND BENCHMARKS, AND WHEN ANY SUCH MARKERS OR MONUMENTS ARE IN DANGER OF BEING DISTURBED, THEY SHALL BE PROPERLY REFERENCED AND IF DISTURBED SHALL BE RESET BY A REGISTERED PUBLIC SURVEYOR AT THE EXPENSE OF THE CONTRACTOR.
20. **RECORD DRAWINGS:** THE CONTRACTOR IS RESPONSIBLE TO PROVIDE TO THE ENGINEER OF RECORD AND THE OWNER RECORD DRAWINGS, PREPARED BY A LICENSED LAND SURVEYOR, OF ALL SITE IMPROVEMENTS. THESE RECORD DRAWINGS SHALL INCLUDE ALL DEVIATIONS TO THE DESIGN PLANS, ALL AS-CONSTRUCTED SPOT GRADES ON THE GRADING PLAN AND ALL AS-CONSTRUCTED GRADES INCLUDING RIMS, INVERTS AND PIPE SLOPES ON THE UTILITY PLAN. CONTRACTOR IS ALSO RESPONSIBLE TO MAKE ANY CORRECTIONS AS DETERMINED NECESSARY BY THE ENGINEER, OWNER AND/OR MUNICIPALITY AND UPDATE THE RECORD DRAWINGS ACCORDINGLY.
21. **SOIL STABILIZATION:** THE CONTRACTOR SHALL COMPLY WITH THE CONDITIONS OF THE EROSION CONTROL SPECIFICATIONS. ALL SOIL SHALL BE STABILIZED PRIOR TO ISSUANCE OF FINAL APPROVAL. SEE LANDSCAPE PLAN FOR DETAILS.

## SPECIFICATIONS - PAVEMENT

1. **STANDARDS AND SPECIFICATIONS:** THE CURRENT EDITION OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) STANDARD SPECIFICATIONS SHALL GOVERN THIS WORK.
2. **PAVING CONDITIONS:** THE BITUMINOUS MATERIALS SHALL ONLY BE LAID ON A SURFACE WHICH IS DRY AND WHEN THE WEATHER CONDITIONS ARE SUITABLE. THE BITUMINOUS BINDER COURSE SHALL BE PLACED ONLY WHEN THE TEMPERATURE IN THE SHADE IS AT LEAST 45 DEGREES F, WHEN THE TEMPERATURE IN THE SHADE FOR THE PREVIOUS 24 HOURS IS AT LEAST 32 DEGREES F AND WHEN RISING TEMPERATURES ARE FORECAST. THE SURFACE COURSE SHALL BE PLACED ONLY WHEN THE TEMPERATURE IN THE SHADE IS AT LEAST 50 DEGREES F, WHEN THE TEMPERATURE IN THE SHADE FOR THE PREVIOUS 24 HOURS IS AT LEAST 40 DEGREES F, AND WHEN RISING TEMPERATURES ARE FORECAST. ANY PAVEMENT ACTIVITY SHOULD BE STOPPED IN THE EVENT OF RAIN, REGARDLESS OF TEMPERATURE.
3. **SUB-GRADE PREPARATIONS:** IN ACCORDANCE WITH THE GOVERNING AUTHORITIES' SPECIFICATIONS AND THE GEOTECHNICAL REPORT, THE SUB-GRADE SHALL BE PROOF-ROLLED WITH HEAVY PNEUMATIC EQUIPMENT AND ANY SOFT OR PUMPING AREAS SHALL BE EXCAVATED TO FIRM SUB-GRADE AND BACKFILLED AND RE-COMPACTED. PAVEMENT SUB-GRADE SHALL NOT BE ALLOWED TO RETAIN WATER. WET MATERIAL SHALL BE REMOVED TO DRY.
4. **INSPECTIONS:** PAVEMENT SUB-BASE, BASE AND SURFACE MUST EACH BE INSPECTED BY THE OWNER'S REPRESENTATIVE PRIOR TO THE NEXT PHASE OF WORK. PROOF ROLLING AND NUCLEAR DENSITY TESTING WILL BE UTILIZED IF REQUESTED BY OWNER.
5. **CONCRETE TESTING:** CONTRACTOR SHALL EMPLOY AN INDEPENDENT TESTING ENGINEER TO VERIFY THE SLUMP, AIR ENTRAINMENT AND PROVIDE (3) CYLINDER SAMPLES FOR EACH DAYS POUR, OR 50 C.Y. OF CONCRETE WHICHEVER OCCURS MORE OFTEN. COPIES OF ALL TEST RESULTS SHALL BE FORWARDED TO THE OWNER'S REPRESENTATIVE FOR APPROVAL.
6. **JOINT SEALANT:** JOINT SEALANT SHALL BE A GRAY ELASTOMERIC SILICONE OR POLYURETHANE SEALANT DESIGNED FOR CONCRETE EXPANSION AND CONTROL JOINTS CONFORMING TO ASTM C920, OR APPROVED EQUAL.
7. **CONCRETE SEALER:** "SCOFIELD" CEMENTONE CLEAR SEALER OR APPROVED EQUAL SHALL BE APPLIED TO ALL CONCRETE PER MANUFACTURER'S RECOMMENDATIONS.
8. **CURB TAPERS:** DUB DOWN (TAPER) CONCRETE CURBS TO ZERO HEIGHT AT SIDEWALKS. RAMP SIDEWALKS AS REQUIRED TO MEET EXISTING AND PROPOSED ADJACENT GRADES.
9. **CONSTRUCTION TOLERANCE:** PAVEMENT SUB-GRADE SHALL BE FINISHED TO O.10' +/- OF DESIGN SUB-GRADE ELEVATIONS. ALL PROPOSED CURB, SIDEWALK AND PAVEMENT SHALL BE CONSTRUCTED TO WITHIN 0.05' +/- OF THE DESIGN GRADES.
10. **STRUCTURE ADJUSTMENTS:** ALL EXISTING STRUCTURES (MANHOLES, CATCH BASINS, VALVE BOXES, ETC.) SHALL BE ADJUSTED TO MEET THE FINAL PAVEMENT OR GROUND SURFACE ELEVATION AS REQUIRED.
11. **SAW CUTTING:** REMOVAL OF ALL PAVEMENT, SIDEWALK AND/OR CURB SHALL BE ACCOMPLISHED BY SAW CUTTING IN ACCORDANCE WITH THE STATE DOT SPECIFICATIONS.
12. **CONCRETE CURB AT ENTRANCES:** SAW CUTTING OF EXISTING CURB HEAD TO PROVIDE DEPRESSED CURB AT ENTRANCES IS PROHIBITED. THE CONTRACTOR SHALL SAW CUT EXISTING CURB AT LIMITS OF WORK AND REPLACE WITH DEPRESSED CURB AT ALL ENTRANCES. DRILL AND DOWEL ALL CURB INCLUDING DEPRESSED CURB TO EXISTING CURB PER THE DETAIL.
13. **CONNECTION TO EXISTING CONCRETE:** WHERE PROPOSED CONCRETE IS TO CONNECT TO EXISTING CONCRETE, AT LEAST 15" OF REINFORCING STEEL SHALL BE EXPOSED FROM THE EXISTING CONCRETE OR THE CONTRACTOR SHALL PROVIDE NEW HORIZONTAL DOWEL BARS PER THE DETAILS.
14. **ACCESSIBILITY SPECIFICATIONS:** SEE ACCESSIBILITY SPECIFICATIONS FOR MORE INFORMATION REGARDING PAVING IN THE ACCESSIBLE AREAS.

## SPECIFICATIONS - GRADING

1. **EROSION CONTROL MEASURES:** CONTRACTOR SHALL COMPLY WITH THE EROSION CONTROL PLAN INCLUDING, BUT NOT LIMITED TO, PERIMETER SILT FENCE AND INLET PROTECTION, PRIOR TO THE START OF DEMOLITION.
2. **TESTING:** ALL EARTHWORK OPERATIONS SHALL BE OBSERVED AND TESTED ON A CONTINUING BASIS BY THE GEOTECHNICAL ENGINEER FOR CONFORMANCE WITH THE REQUIREMENTS SET FORTH IN THE GEOTECHNICAL REPORT.
3. **UNDISTURBED AREAS:** PRIOR TO GRADING, BRUSH REMOVAL, OR SITE CONSTRUCTION, THE CONTRACTOR SHALL MEET WITH THE DEVELOPER AND/OR ENGINEER AT THE SITE TO ASCERTAIN THE AREAS OF THE PROJECT SITE THAT ARE TO BE PROTECTED AND PRESERVED. REFER TO THE LANDSCAPE PLANS AND TREE PROTECTION PLANS FOR ALL CONSTRUCTION IN THE VICINITY OF EXISTING TREES.
4. **STRIPPING AND DEBRIS REMOVAL:** THE BUILDING PAD SITES, AREAS TO BE PAVED, AND ALL AREAS THAT ARE TO RECEIVE FILL MATERIAL SHALL BE STRIPPED OF VEGETATION, TREES, ROOTS, STUMPS, DEBRIS, AND OTHER ORGANIC MATERIAL. STRIPPED TOPSOIL SHALL BE STOCKPILED IN A LOCATION ON-SITE APPROVED BY THE DEVELOPER IF IT HAS BEEN DETERMINED THAT IT CAN BE RE-USED ON THE SITE. ALL TREES INCLUDING STUMPS AND ROOT SYSTEMS, VEGETATION, DEBRIS, AND OTHER OBJECTIONABLE MATERIAL SHALL BE REMOVED AND DISPOSED OFF-SITE. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS GOVERNING SPILLAGE OF DEBRIS WHILE TRANSPORTING TO A DISPOSAL SITE. ALL COSTS ASSOCIATED WITH DISPOSAL OF MATERIAL SHALL BE INCLUDED IN THE CONTRACT AMOUNT.
5. **PROOF ROLLING:** UPON COMPLETION OF STRIPPING OPERATIONS, AND PRIOR TO PLACEMENT OF ANY FILL MATERIALS, THE STRIPPED AREAS SHOULD BE OBSERVED TO DETERMINE IF ADDITIONAL EXCAVATION IS REQUIRED TO REMOVE WEAK OR OTHERWISE OBJECTIONABLE MATERIALS THAT WOULD ADVERSELY AFFECT THE FILL PLACEMENT. THE SUB-GRADE SHOULD BE FIRM AND ABLE TO SUPPORT CONSTRUCTION EQUIPMENT WITHOUT DISPLACEMENT. SOFT OR YIELDING SUB-GRADE SHOULD BE CORRECTED AND MADE STABLE BEFORE CONSTRUCTION PROCEEDS. PROOF ROLLING SHOULD BE PERFORMED USING A HEAVY PNEUMATIC TIRE ROLLER, LOADED DUMP TRUCK, OR SIMILAR PIECE OF EQUIPMENT WEIGHING 25 TONS. THE PROOF ROLLING OPERATIONS SHOULD BE OBSERVED BY THE GEOTECHNICAL ENGINEER OR HIS REPRESENTATIVE.
6. **CONTROLLED FILL:** ALL SOILS USED FOR CONTROLLED FILL SHOULD BE FREE OF ROOTS, VEGETATION, AND OTHER DELETERIOUS OR UNDESIRABLE MATTER. SOILS IMPORTED FROM OFF-SITE FOR USE AS FILL SHOULD BE APPROVED BY THE GEOTECHNICAL ENGINEER. THE FILL MATERIAL SHOULD BE PLACED IN LEVEL, UNIFORM LIFTS, WITH EACH LIFT COMPACTED TO THE MINIMUM DRY DENSITY WITHIN THE COMPACTION SOIL MOISTURE RANGES RECOMMENDED. THE LOOSE LIFT THICKNESS SHOULD NOT EXCEED 10 INCHES. EACH LAYER SHOULD BE PROPERLY PLACED, MIXED, SPREAD, AND COMPACTED TO BETWEEN 95 AND 100 PERCENT OF STANDARD PROCTOR DENSITY AS DETERMINED BY ASTM D-698.
7. **SOIL COMPACTION:** UNLESS OTHERWISE SPECIFIED BY THE GEOTECHNICAL ENGINEER, WITHIN THE LIMITS OF PROPOSED GRADING, THE SOIL SHALL BE COMPACTED IN 6" MAXIMUM LIFTS OF DRY SUB-GRADE, BACKFILL OR FILL MATERIAL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MODIFIED PROCTOR DRY DENSITY IN ACCORDANCE WITH ASTM D 1157-78:
8. **UNDER STRUCTURES AND PAVEMENTS:** 95% MODIFIED PROCTOR DRY DENSITY.
9. **UNDER PARKWAY OR UNPAVED AREAS:** 85% MODIFIED PROCTOR DRY DENSITY.
10. **PROPOSED GRADES:** THE PROPOSED CONTOURS INDICATED ON THE GRADING PLAN ARE FINISHED GRADES AND ARE SHOWN AT ONE-FOOT INTERVALS. SPOT ELEVATIONS SHOWN ARE FINAL GRADES AND ARE NOTED WITH A PREFIX AS IDENTIFIED IN THE LEGEND.
11. **TOLERANCE:** ALL SUB-GRADE SHALL BE GRADED TO WITHIN 0.1' +/- OF THE PROPOSED SUBGRADE ELEVATIONS. ALL FINAL GRADES IN LANDSCAPE AREAS SHALL BE WITHIN 0.1' +/- OF THE PROPOSED GRADES AND CONTOUR LINES. SEE PAVING SPECIFICATIONS FOR TOLERANCE ON PAVED SURFACES.
12. **SITE DRAINAGE:** DURING CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL ENSURE POSITIVE SITE DRAINAGE AT THE CONCLUSION OF EACH DAY. ALL DRAINAGE MAY BE ACHIEVED BY DITCHING, PUMPING OR OTHER METHODS ACCEPTABLE TO THE ENGINEER.
13. **TOPSOIL:** SEE LANDSCAPE PLAN FOR DETAILS AND SPECIFICATIONS. AT A MINIMUM, ALL LANDSCAPE AREAS SHALL BE RESPREAD WITH 4" OF FRIABLE, WEED FREE, AND ROCK FREE TOPSOIL.

## SPECIFICATIONS - UTILITIES

1. **STANDARDS AND SPECIFICATIONS:** THE CURRENT EDITIONS OF THE "STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN CALIFORNIA" SHALL GOVERN THE PERFORMANCE OF THE WORK. "TRENCHING" AND "OPEN EXCAVATION" OPERATIONS SHALL COMPLY WITH ALL CURRENT O.S.H.A. REGULATORY REQUIREMENTS.
2. **EXISTING UTILITIES:** THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATIONS AND PROTECTION OF ALL EXISTING UTILITIES SHOWN, ALL EXISTING UTILITIES NOT SHOWN, AND ALL PROPOSED UTILITIES ON THESE PLANS.
3. **TEMPORARY ROADWAY PATCHES:** IT IS THE CONTRACTORS RESPONSIBILITY TO MAINTAIN ANY TEMPORARY ROADWAY PATCHES THAT MAY OCCUR IN ORDER TO REOPEN A ROADWAY WHILE CONSTRUCTION ACTIVITY PROGRESSES, UNTIL SUCH TIME A PERMANENT PATCH CAN BE INSTALLED.
4. **TRENCH BACKFILL IN RIGHT OF WAYS:** CARE SHALL BE TAKEN IN PARKWAYS AREAS TO ASSURE COMPACTION ACCEPTABLE FOR THE FUTURE STABILITY OF DRIVEWAYS AND SIDEWALKS. WHILE SPECIAL BACKFILL MATERIAL IS NOT REQUIRED, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT AGAINST POTENTIAL FUTURE SETTLEMENT OF BACKFILLED AREAS.
5. **TRENCH BACKFILL:** TRENCH BACKFILL MATERIAL (SEE DETAIL), SHALL BE PROVIDED UNDER AND WITHIN TWO FEET OF ALL PROPOSED AND FUTURE SIDEWALK, CURBS AND PAVEMENT.
6. **STRUCTURE BEDDING:** ALL STRUCTURE BEDDING SHALL BE COMPACTED CRUSHED STONE OR LIMESTONE..
7. **WATER AND SEWER SEPARATION:** ALL SEWERS SHALL BE LAID AT LEAST 10 FEET HORIZONTALLY FROM ANY EXISTING OR PROPOSED WATER MAIN. THE DISTANCE SHALL BE MEASURED EDGE TO EDGE. ALL SEWERS CROSSING WATER MAINS SHALL BE LAID TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 18 INCHES BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF THE SEWER. THIS SHALL BE THE CASE WHERE THE WATER MAIN IS EITHER ABOVE OR BELOW THE SEWER. THE CROSSING SHALL BE ARRANGED SO THAT THE SEWER JOINTS WILL BE EQUIDISTANT AND AS FAR AS POSSIBLE FROM THE WATER MAIN JOINTS. WHERE A WATER MAIN CROSSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT SHALL BE PROVIDED FOR THE SEWER TO PREVENT DAMAGE TO THE WATER MAIN AND THE SEWER SHALL BE CONSTRUCTED OF WATERMAIN QUALITY MATERIALS FOR 10' ON EITHER SIDE OF THE PIPE. WHEN IT IS IMPOSSIBLE TO OBTAIN PROPER HORIZONTAL AND/OR VERTICAL SEPARATION AS STIPULATED ABOVE, THE SEWER SHALL BE CONSTRUCTED WITH WATER MAIN QUALITY MATERIALS.
8. **TRANSFORMER PAD:** THE CONTRACTOR IS RESPONSIBLE FOR THE ELECTRICAL TRANSFORMER CONCRETE PAD PER THE UTILITY COMPANY SPECIFICATIONS.
9. **SEWER LID LETTERING:** ALL SANITARY SEWER CASTINGS TO BE LETTERED "SANITARY SEWER". ALL STORM SEWER SOLID LID CASTINGS SHALL BE LETTERED "STORM SEWER". ALL WATER CASTINGS TO BE LETTERED "WATER". ALL FRAMES AND CASTINGS SHALL MEET ALL MUNICIPAL, STATE AND REGULATORY AGENCY REQUIREMENTS AND SPECIFICATIONS.
10. **FRAME AND GRATES:** UNLESS OTHERWISE SPECIFIED ON A DETAIL OR WITHIN MUNICIPAL SPECIFICATIONS, ALL FRAME AND GRATES TO BE:
    - 10.1. STORM STRUCTURES WITH OPEN LIDS IN STANDARD CURBS: EJIW 7220 FRAME WITH TYPE M1 GRATE AND T1 CURB BOX, OR APPROVED EQUAL.
    - 10.2. STORM STRUCTURES WITH OPEN LIDS IN DEPRESSED CURBS: EJIW 5120 F&G, OR APPROVED EQUAL.
    - 10.3. STORM STRUCTURES WITH OPEN LIDS IN PAVEMENT: EJIW 1022 FRAME WITH TYPE M1 RADIAL FLAT GRATE, OR APPROVED EQUAL.
    - 10.4. STORM STRUCTURES WITH OPEN LIDS IN LANDSCAPE AREAS: EJIW 6527N 2" BEEHIVE GRATE, OR APPROVED EQUAL.
    - 10.5. STORM STRUCTURES WITH CLOSED LIDS: EJIW 1022 FRAME WITH TYPE A SOLID COVER, OR APPROVED EQUAL.
    - 10.6. WATER VALVES: EJIW 1022-A, OR APPROVED EQUAL.
    - 10.7. SANITARY SEWER: EJIW 1022 WITH WATERTIGHT LID AND CONCEALED PICK HOLE, OR APPROVED EQUAL.
11. **WATER MAIN BURY DEPTH:** THE MINIMUM COVER FOR WATER MAIN SHALL BE 24" FROM THE FINISHED GRADE TO THE TOP OF THE MAIN.
12. **CONDUIT AND SLEEVES:** ALL UNDERGROUND CONDUIT AND SLEEVES ARE TO BE PLACED BEFORE SITE PAVING CONSTRUCTION COMMENCES AND SHALL BE BURIED A MINIMUM OF 24" BELOW THE BOTTOM OF THE PAVEMENT EXCEPT ELECTRICAL CONDUIT WHICH SHALL BE A MINIMUM OF 36" DEEP. ALL CONDUIT SHALL EXTEND TWO FEET BEYOND THE BACK OF CURB OR EDGE OF SIDEWALK. CONTRACTOR SHALL FURNISH ALL CONDUIT AS NECESSARY FOR UTILITY SERVICES. GAS, TELEPHONE AND ELECTRIC LOCATIONS MAY BE SHOWN ON THE PLAN AS A GUIDE. EXACT LOCATIONS SHALL BE DETERMINED BETWEEN THE CONTRACTOR AND UTILITY COMPANIES.
13. **WATER MAIN TESTING:** ALL WATER LINES, FITTINGS AND VALVES SHALL BE TESTED FOR PRESSURE AND LEAKAGE IN ACCORDANCE WITH AWWA C600 AND FLUSHED AND DISINFECTED IN ACCORDANCE WITH AWWA C651. ALL VAULTS SHALL BE VACUUM TESTED TO PREVENT INFILTRATION. ALL TESTING, FLUSHING AND DISINFECTION SHALL BE WITNESSED AND APPROVED AND SHALL BE IN COMPLIANCE WITH ALL MUNICIPAL, STATE AND REGULATORY AGENCY GUIDELINES, REQUIREMENTS AND SPECIFICATIONS.
14. **SANITARY SEWER TESTING:** ALL SANITARY SEWER SHALL BE INSPECTED AND TESTED UPON COMPLETION OF INSTALLATION TO THE APPROVAL OF THE MUNICIPALITY AND/OR SANITARY DISTRICT AND IEPA. EXFILTRATION TESTING (LEAKAGE SHALL NOT EXCEED 240 GALLONS PER INCH OF PIPE DIAMETER PER MILE PER DAY) OR AIR TESTING PER ASTM F-1417 (PLASTIC) OR ASTM C-828 (CLAY) AS WELL AS AND DEFLECTION TESTING ARE REQUIRED FOR THE SEWER. LEAKAGE TESTING PER ASTM C-969 OR VACUUM TESTING PER ASTM C-1244 ARE REQUIRED FOR MANHOLES.
15. **SEDIMENT REMOVAL:** ALL DRAINAGE STRUCTURES, PIPES AND PAVEMENT SURFACES WITHIN THE LIMITS OF CONSTRUCTION SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO FINAL ACCEPTANCE AND AS MAY BE PERIODICALLY REQUIRED DURING THE COURSE OF CONSTRUCTION.
16. **FLARED END SECTION GRATES:** ALL FLARED END SECTIONS SHALL HAVE GRATES AND THE GRATES SHALL FOLLOW THE INTENT OF THE CALTRANS STANDARD.
17. **STEPS IN STRUCTURE:** ALL STRUCTURE STEPS SHALL BE GREY CAST IRON ASTM A-48 OR POLYPROPYLENE COATED STEEL REINFORCING RODS WITH LOAD AND PULLOUT RATINGS MEETING OSHA STANDARDS.

## DIABLO WATER DISTRICT - GENERAL NOTES

1. WATER SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE DIABLO WATER DISTRICT (DISTRICT). CONTRACTOR TO HAVE THE JUNE 2019 STANDARD SPECIFICATIONS AND DRAWINGS BOOK ON SITE AT ALL TIMES. THIS CAN BE SEEN ONLINE AT WWW.DIABLOWATER.ORG UNDER "CONSTRUCTION SERVICES". ANY AND ALL UPDATES TO THE DISTRICT'S SPECIFICATIONS WILL BE AVAILABLE ON THE DISTRICT'S WEBSITE. HARD COPIES OF THE STANDARDS AND SPECIFICATIONS ARE AVAILABLE AT THE DISTRICT'S OFFICE AT 87 CAROL LANE, OAKLEY, CA, PHONE: (925) 625-3798, FOR A COST OF $50.
2. ANYONE WHO TAKES WATER FROM THE DISTRICT'S WATER SYSTEM WITHOUT PROPER METERING SHALL BE SUBJECT TO THE DISTRICT'S TAMPERING CHARGE, FEES AND COSTS AS PER THE DISTRICT'S REGULATIONS AND MAY BE SUBJECT TO CRIMINAL PROSECUTION PURSUANT TO CALIFORNIA PENAL CODE SECTION 498 OR OTHER APPLICABLE STATUTES.
3. THE DEVELOPER/CONTRACTOR SHALL SUBMIT TO THE DISTRICT THE SOIL CORROSION ANALYSIS AND DESIGN AS REQUIRED BY THE DISTRICT'S SPECIFICATIONS AFTER ROUGH GRADING OF THE SITE HAS BEEN COMPLETED. NO WORK ON THE DISTRICT'S WATER SYSTEM SHALL COMMENCE UNTIL THE DISTRICT HAS GIVEN ITS APPROVAL OF THE SOIL ANALYSIS AND CORROSION PROTECTION DESIGN.
4. ALL WATER MAINS SHALL BE AWWA C900 CLASS 150 PVC UNLESS OTHERWISE NOTED ONTHESE PLANS. ALL PLASTIC PVC WATER MAINS AND SERVICES SHALL INCLUDE A 12-GAUGE, SINGLE STRAND, COPPER WIRE TAPED TO THE TOP OF THE PIPE. TOP OF CURB SHALL BE STAMPED WITH A "W" TO MARK THE LOCATION OF THE WATER LATERAL.
5. WATER LINES SHALL HAVE A MINIMUM COVER OF 3 FEET, AND NOT MORE THAN 4.5 FEET (UNLESS PRE-APPROVED BY THE DISTRICT) FROM FINISH ROADWAY AND SHALL HAVE CONTINUOUS WARNING TAPE INSTALLED 18" ABOVE ALL WATER MAINS, SERVICE LINES, HYDRANT LINES AND BLOW-OFF LINES, UNLESS OTHERWISE NOTED. WARNING TAPE SHALL BE BLUE, 6" WIDE, PLASTIC PRINTED CONTINUOUSLY WITH THE WORDS "CAUTION BURIED WATER LINE BELOW". (REF:SEC. 02620-2.03B)
6. BASIC SEPARATION REQUIREMENTS FOR WATER MAINS AND SANITARY SEWERS: NEW WATER MAINS AND NEW SUPPLY LINES SHALL NOT BE INSTALLED IN THE SAME TRENCH AS, AND SHALL BE INSTALLED FROM OUTSIDE TO OUTSIDE OF PIPE AT LEAST 10-FEET HORIZONTALLY FROM AND ONE FOOT VERTICALLY ABOVE, ANY PARALLEL PIPELINE CONVEYING UNTREATED SEWAGE, DISINFECTED SECONDARY RECYCLED WATER, AND HAZARDOUS FLUIDS.
7. BASIC SEPARATION REQUIREMENTS FOR WATER MAINS AND STORM DRAINAGE AND RECYCLED WATER PIPELINES: NEW WATER MAINS AND NEW SUPPLY LINES SHALL BE INSTALLED FROM OUTSIDE TO OUTSIDE OF PIPE AT LEAST 4-FEET HORIZONTALLY FROM, AND ONE FOOT VERTICALLY ABOVE, ANY PARALLEL PIPELINE CONVEYING STORM DRAINAGE AND DISINFECTED TERTIARY RECYCLED WATER.
8. IF CROSSING A SANITARY SEWER OR STORM DRAIN PIPELINE OR RECYCLED WATER PIPELINE, A NEW WATER MAIN SHALL BE CONSTRUCTED NO LESS THAN 45-DEGREES TO AND AT LEAST ONE FOOT ABOVE THAT PIPELINE. NO CONNECTION JOINTS SHALL BE MADE IN THE WATER MAIN WITHIN EIGHT HORIZONTAL FEET OF THE PIPELINE BEING CROSSED.
9. SPECIAL CONSTRUCTION REQUIREMENTS FOR WATER MAINS: WHERE A WATER MAIN IS TO BE LOCATED PARALLEL TO OR CROSS A SANITARY SEWER OR STORM DRAIN PIPELINE OR RECYCLED WATER PIPELINE WITH LESS THAT THE REQUIRED SEPARATION, THE INSTALLATION AND MATERIALS SHALL CONFORM TO THE STATE OF CALIFORNIA, DIVISION OF DRINKING WATER, CALIFORNIA REGULATIONS RELATED TO DRINKING WATER, AND SHALL BE SUBJECT TO THE APPROVAL OF THE DIVISION OF DRINKING WATER.
10. MAINTAIN 5.0' MINIMUM SEPARATION BETWEEN WATER SERVICES AND SANITARY SEWER LATERALS.
11. PUBLIC FIRE HYDRANTS SHALL HAVE 1-4 ½" & 2-2 ½" OUTLETS, AND EACH HYDRANT SHALL BE ISOLATED FROM THE MAIN LINE BY A 6" GATE VALVE AND SHALL RECEIVE TWO (2) COATS OF RUSTOLEUM V7400 SAFETY YELLOW. VALVE CAN LIDS FOR 6" FIRE HYDRANT SHUT-OFF VALVE SHALL BE PAINTED WITH KRYLON INTERIOR/EXTERIOR FLAT WHITE – BLANCO MATE #1502 AS PER FIRE DEPARTMENT REQUIREMENTS.
12. USE MUELLER STREAMLINE PVC COATED COPPER FOR SERVICE LINE AND ARV PIPING.
13. CONTRACTOR SHALL INSTALL CURB STOPS AND METER BOXES ACCEPTABLE TO DIABLO WATER DISTRICT AT EACH LOT IMMEDIATELY PRIOR TO JUMPER BEING REMOVED. AT THE EXPENSE OF THE DEVELOPER/CONTRACTOR, PAD LOCKS WILL BE INSTALLED BY DIABLO WATER DISTRICT AT EACH ANGLE STOP.
14. USE 304 STAINLESS STEEL NUTS AND BOLTS FOR ALL BOLT-UPS AS WELL AS GATE VALVE BONNETS AND STUFFING BOX NUTS AND BOLTS. BOLTS SHALL BE MARKED 'F-593C' OR 'F-593D' ONLY. HEADS WITH TWO SLASH MARKS ARE NOT TO BE USED.
15. THE CONTRACTOR SHALL MAINTAIN WATER SERVICE TO ALL RESIDENCES AT ALL TIMES DURING CONSTRUCTION.
16. NO WORK SHALL COMMENCE UNTIL ALL SUBMITTALS HAVE BEEN APPROVED.
17. THRUST BLOCKS (OR OTHER PIPE JOINT RESTRAINTS) SHALL BE PROVIDED AT ALL ANGLE POINTS ON THE WATER SYSTEM. THRUST BLOCKS FOR TREATED WATER PIPELINES (W) SHALL BE PER THE DWD DETAILS.
18. WORK HOURS SHALL BE MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M. EXCEPT FOR DISTRICT OBSERVED HOLIDAYS. ANY REQUESTS FOR WORKING OUTSIDE THESE TIMES MUST BE SUBMITTED TO THE DISTRICT INSPECTOR AT LEAST 48 HOURS IN ADVANCE. IT IS RECOMMENDED THAT REQUESTS FOR SATURDAY WORK BE MADE BY THE CLOSE OF BUSINESS THE WEDNESDAY PRIOR. REQUESTS FOR SATURDAY WORK MAY BE APPROVED OR DENIED DEPENDING ON INSPECTOR AVAILABILITY. A REQUEST FOR WORK DURING A DISTRICT HOLIDAY SHALL NOT BE PERMITTED.
19. ALL JOINT TRENCH UTILITIES SHALL CROSS UNDERNEATH ALL WATER FACILITIES. IF THESE CRITERIA CANNOT BE MET, THE DEVELOPER/CONTRACTOR SHALL INSTALL A RED CONCRETE CAP OVER THE JOINT TRENCH FACILITIES.
20. ALL BUTTERFLY VALVES (BFVS) SHALL BE EPOXY LINED AND COATED. LINING SHALL BE CERTIFIED BY THE FACTORY TO BE HOLIDAY FREE.
21. ALL HOT TAPS SHALL BE PERFORMED BY TAP MASTER, INC. OF CONCORD, CALIFORNIA, PHONE: 925-439-7975. TAPPING SLEEVE SHALL BE STAINLESS STEEL TYPE JCM 432, NO EQUAL.
22. NO TREES SHALL BE PLANTED, OR LIGHT/UTILITY POLES INSTALLED WITHIN 10' OF ANY WATER MAINS, FIRE SERVICES, OR FIRE HYDRANT LATERALS. MEASUREMENT SHALL BE TAKEN AS THE CLEAR DISTANCE BETWEEN THE ROOT BALL AND WATER MAIN.
23. ALL LOCATOR WIRES SHALL BE TESTED, AND TEST RESULTS SHALL BE INCLUDED IN THE CATHODIC PROTECTION TEST REPORT.
24. ALL WATER METERS SHALL BE PROVIDED WITH A 520M-FLEXNET MTX UNIT. METER BOXES FOR METERS LESS THAN 1-1/2 INCH IN SIZE SHALL HAVE CHRISTY B12P001-F (FLEXNET) LIDS. ALL METER BOX LIDS SHALL HAVE DRILLED HOLES FOR FLEXNET 520M UNITS.
25. WATER METERS 5/8" IN SIZE SHALL BE SENSUS 5/8" X 3/4" SRII LOW LEAD, 1 CUBIC FOOT, LABELED 5/8" X 3/4". WATER METERS 1" IN SIZE SHALL BE SENSUS 1" SRII LOW LEAD, 1 CUBIC FOOT. FLOW METERS 1-1/2" THROUGH 4" IN SIZE SHALL BE SENSUS OMNI C2. COMPOUND METERS (CUBIC FEET).
26. JDH CORROSION CONSULTANTS, INC., 1100 WILLOW PASS COURT, CONCORD, CA, 925-927-6630, SHALL CONDUCT ALL FINAL CATHODIC PROTECTION TEST REPORTS AT THE EXPENSE OF THE DEVELOPER/CONTRACTOR.
27. INSTALL A BALL SHUT-OFF VALVE AND BOX ON CUSTOMER'S SIDE AFTER BACKFLOW DEVICE FOR NEW CONSTRUCTION AS REQUIRED BY THE CITY OF OAKLEY'S SPECIFICATIONS.
28. THE DEVELOPER/CONTRACTOR SHALL PROVIDE THE GLOBAL POSITIONING SYSTEM (GPS) COORDINATES OF ALL BURIED FITTINGS (EXCLUDING SADDLES AND CORPORATION STOPS) AND ALL ABOVE GROUND FACILITIES AS DETERMINED BY THE DISTRICT IN A SHAPEFILE DATA FORMAT AS DEFINED BY ESRI. GPS COORDINATES OF EXISTING WATER FACILITIES THAT ARE EXPOSED DURING ANY CONSTRUCTION ACTIVITY SHALL ALSO BE PROVIDED. ALL GPS COORDINATES SHALL BE TO WITHIN AN ACCURACY OF TEN (10) CENTIMETERS AND SHALL INCLUDE LATITUDE, LONGITUDE AND ELEVATION.
29. THE CONTRACTOR SHALL RE-CHLORINATE AND RETEST ANY LINES THAT DO NOT PASS THE FIRST OR SUBSEQUENT ROUND OF BACTERIOLOGICAL TESTING OR AS DIRECTED BY DIABLO WATER DISTRICT.
30. ALL MATERIALS AND PRODUCTS SHALL BE NSF 61 CERTIFIED THAT ARE IN CONTACT WITH AND POTENTIALLY IN CONTACT WITH POTABLE WATER, INCLUDING SURFACES WITHIN THE AIR SPACE OF THE WATER.
31. CONTRACTORS USING THEIR WATER METER FOR THE TEMPORARY JUMPER, MUST HAVE YEARLY CALIBRATION TESTS PERFORMED AND SHALL SUBMIT THE REPORT TO THE DISTRICT.

## IRON HOUSE SANITARY DISTRICT - GENERAL NOTES

1. ALL SANITARY SEWER CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE IRONHOUSE SANITARY DISTRICT (ISD) AND BE SUBJECT TO INSPECTION BY AN INSPECTOR REPRESENTING ISD. COPIES OF THE STANDARD PLANS AND SPECIFICATIONS ARE AVAILABLE AT THE DISTRICT OFFICE, 450 WALNUT MEADOWS DRIVE, OAKLEY, CA 94561. PHONE: 925-625-2279.
2. ALL GRAVITY SANITARY SEWER PIPE SHALL BE POLYVINYL CHLORIDE PIPE CONFORMING TO ASTM D 3034, SDR 26, UNLESS OTHERWISE NOTED. ALL SANITARY SEWER FORCEMAINS SHALL CONFORM TO AWWA C900, CLASS 200 (DR14). CONTRACTOR SHALL OBTAIN APPROVAL FROM ISD FOR SANITARY SEWER PIPE OR FORCEMAIN THAT DEVIATES FROM THIS CRITERIA.
3. GRAVITY SANITARY SEWERS SHALL BE LAID AT THE FOLLOWING MINIMUM SLOPES:

| SEWER SIZE (INCHES) | MINIMUM SLOPE FEET/FT |
|---|---|
| 8 | 0.0035 |
| 10 | 0.0028 |
| 12 | 0.0017 |
| 12 | 0.0015 |

4. MANHOLES SHALL BE PLACED AT INTERVALS NOT GREATER THAN THREE-HUNDRED (300) FEET.
5. ALL PIPES DELIVERED TO JOB SITE ARE TO BE MARKED AS TO PIPE TYPE, STRENGTH, CLASS AND BRAND NAME.
6. FINAL TESTS OF THE SANITARY SEWER ARE TO BE PERFORMED AFTER 100% ROCK IS PLACED AND COMPACTION TEST RESULTS ARE SATISFACTORY TO ISD, AS PER THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION, CENTRAL CONTRA COSTA SANITARY DISTRICT SECTION 18-03, CLEANING AND TESTING.
7. PLASTIC PIPE SHALL BE MANDRELED WITH RIGID MANDREL WITH EFFECTIVE CIRCULAR CROSS SECTION HAVING A DIAMETER OF AT LEAST 95% OF THE SPECIFIED AVERAGE INSIDE DIAMETER OF PIPE.
8. ALL SEWER LINES SHALL BE AIR TESTED AS PER THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION, CENTRAL CONTRA COSTA SANITARY DISTRICT SECTION 18-03, CLEANING AND TESTING.
9. ALL SEWER LINES SHALL BE BALL FLUSHED AS PER THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION, CENTRAL CONTRA COSTA SANITARY DISTRICT SECTION 18-03, CLEANING AND TESTING.
10. ALL SEWER LINES 6-INCHES AND LARGER WILL BE TELEVISED BY AN ISD APPROVED COMPANY. THE TELEVISING CONTRACTOR SHALL BE APPROVED BY THE DISTRICT AT LEAST TWO WEEKS IN ADVANCE OF THE WORK. AN ISD INSPECTOR MUST BE PRESENT DURING THE TELEVISING PROCESS.
11. DEVELOPER SHALL FURNISH COMPACTION TEST OF SEWER TRENCH AT 400 FOOT INTERVALS BY A QUALIFIED LAB PER CENTRAL CONTRA COSTA SANITARY DISTRICT SPECIFICATION 20.03E.
12. ALL PLASTIC SANITARY SEWER LINES AND LATERALS SHALL HAVE ROCK MATERIAL BEDDING AND SHADING WITHIN THE RIGHT-OF-WAY IN ACCORDANCE WITH CENTRAL CONTRA COSTA SANITARY DISTRICT SECTION 28-21.
13. ALL 6-INCH LATERALS MUST BE TIED INTO A MANHOLE. NO DIRECT CONNECTION OF A 6-INCH LATERAL INTO A SEWER MAIN IS ALLOWED.
14. MINIMUM SLOPES FOR LATERALS ARE 4-INCH AT 2% AND 6-INCH AT 1%.
15. ISD SHALL RECEIVE ONE SET OF MYLAR AS-BUILTS AND CD OF AS-BUILTS IN AUTOCAD FORMAT. ACTUAL LOCATIONS OF HOUSE LATERALS ARE TO BE SHOWN ON "AS-BUILTS" AS ARE ALL DEVIATIONS FROM CONSTRUCTION PRINT.
16. EACH SEWER SERVICE LATERAL SHALL BE MARKED WITH A 2-INCH HIGH "S" INSCRIBED ON THE CURB DIRECTLY ABOVE THE SERVICE. LATERAL TO BE MARKED WITH A 2" X 4' STAKE PAINTED GREEN AND LEFT IN PLACE THROUGH THE FINAL YARD GRADE.
17. MINIMUM VERTICAL CLEARANCE BETWEEN SEWER MAIN AND ALL OTHER UTILITY CROSSINGS SHALL BE ONE (1) FOOT. IF LESS THAN ONE (1) FOOT THEN A SIX (6) INCH CONCRETE CAP SHALL BE PLACED OVER THE SEWER PIPE AS DIRECTED IN THE FIELD BY THE ISD INSPECTOR.
18. CONTRACTORS ARE REQUIRED TO FOLLOW ALL LOCAL, STATE, AND FEDERAL CONSTRUCTION REGULATIONS. BEFORE ENTERING ISD'S CONFINED SPACES CONTRACTORS ARE REQUIRED TO PROVIDE ISD THE FOLLOWING:
    - CONTRACTORS CONFINED SPACE PROGRAM,
    - CONFINED SPACE PERMIT FORM,
    - PERSONNEL TRAINING RECORDS OF CONFINED SPACE SUPERVISOR, ATTENDANT, ENTRANT, AND RESCUE PERSON, AND
    - RESPIRATOR FIT TEST RECORD OF RESCUE PERSON.

CONTRACTORS WILL NOT RELY ON LOCAL FIRE DEPARTMENT PERSONNEL TO PROVIDE CONFINED SPACE RESCUES.

## SYMBOLS AND ABBREVIATIONS LEGEND

- FLAG POLE
- SIGN
- SIGN IN BOLLARD
- DOUBLE FACED SIGN
- DOUBLE FACED SIGN IN BOLLARD
- BOLLARD
- PARKING LOT LIGHT POLE
- WALL SCONCE
- GREASE TRAPS
- (S) SANITARY MANHOLE
- CO SANITARY CLEANOUT
- CO SEWER CLEANOUT
- STORM SEWER CB/ INLET
- STORM MANHOLE
- FLARED END SECTION
- RDO DSO DOWNSPOUT/ ROOF DRAIN AT GRADE
- RD DS DOWNSPOUT/ ROOF DRAIN CONNECTION
- (W) WATER VAULT
- FIRE HYDRANT
- WV BB B-BOX/ WATER VALVE
- PC PRESSURE CONNECTION
- SPIGOT / IRRIGATION STUB
- GM GAS METER
- GV GAS VALVE
- PROPOSED OVERFLOW ROUTE — PROPOSED OVERLAND FLOW ROUTE
- 0.00% FLOW ARROW (PAVEMENT)
- FLOW ARROW (LANDSCAPE)
- EM ELECTRIC METER
- TR. ELECTRIC TRANSFORMER
- CTV CABLE TV STRUCTURE
- FBR FIBER OPTIC STRUCTURE
- TEL TELEPHONE STRUCTURE
- ORNAMENTAL METAL FENCE
- WOOD FENCE
- CONSTRUCTION SITE FENCE
- SF — SILT FENCE
- GUARDRAIL
- 799 — MINOR CONTOUR
- 800 — MAJOR CONTOUR
- HWL — HIGH WATER LINE
- NWL — NORMAL WATER LINE
- FPL — FLOODPLAIN
- FWY — FLOODWAY
- WTLD — WETLAND
- 50' BUFFER — 50' BUFFER
- 100' BUFFER — 100' BUFFER
- XXXX — DEMO
- TPF — TREE PROTECTION FENCE
- OHE — OVERHEAD ELECTRIC
- UGE — UNDERGROUND ELECTRIC
- CATV — CABLE/TV
- FO — FIBER OPTIC LINE
- GAS — GAS LINE
- WM 4" — WATER MAIN
- LF~PIPE SIZE SLOPE% >> — STORM SEWER PIPE
- LF~PIPE SIZE SLOPE% )) — SANITARY SEWER PIPE
- LF~PIPE SIZE SLOPE% >) — COMBINED SEWER PIPE
- TC803.00 / FL802.50 — PROPOSED SPOT GRADE

| | | | |
|---|---|---|---|
| TC | (TOP OF CURB) | TOW | (TOP OF WALL) |
| FL | (FLOW LINE) | BOW | (BOTTOM OF WALL) |
| BC | (BACK OF CURB) | TF | (TOP OF FOUNDATION) |
| DC | (DEPRESSED CURB) | GF | (GRADE AT FOUNDATION) |
| FC | (FACE OF CURB) | FNC | (FENCE) |
| W | (TOP OF WALK) | WTLD | (WETLAND) |
| P | (PAVEMENT) | BLDG | (BUILDING) |
| E | (EDGE) | FLP | (FLOODPLAIN) |
| | | FLW | (FLOODWAY) |

MUNICIPAL/AGENCY APPROVAL STAMP

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

SPECIFICATIONS & LEGENDS

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

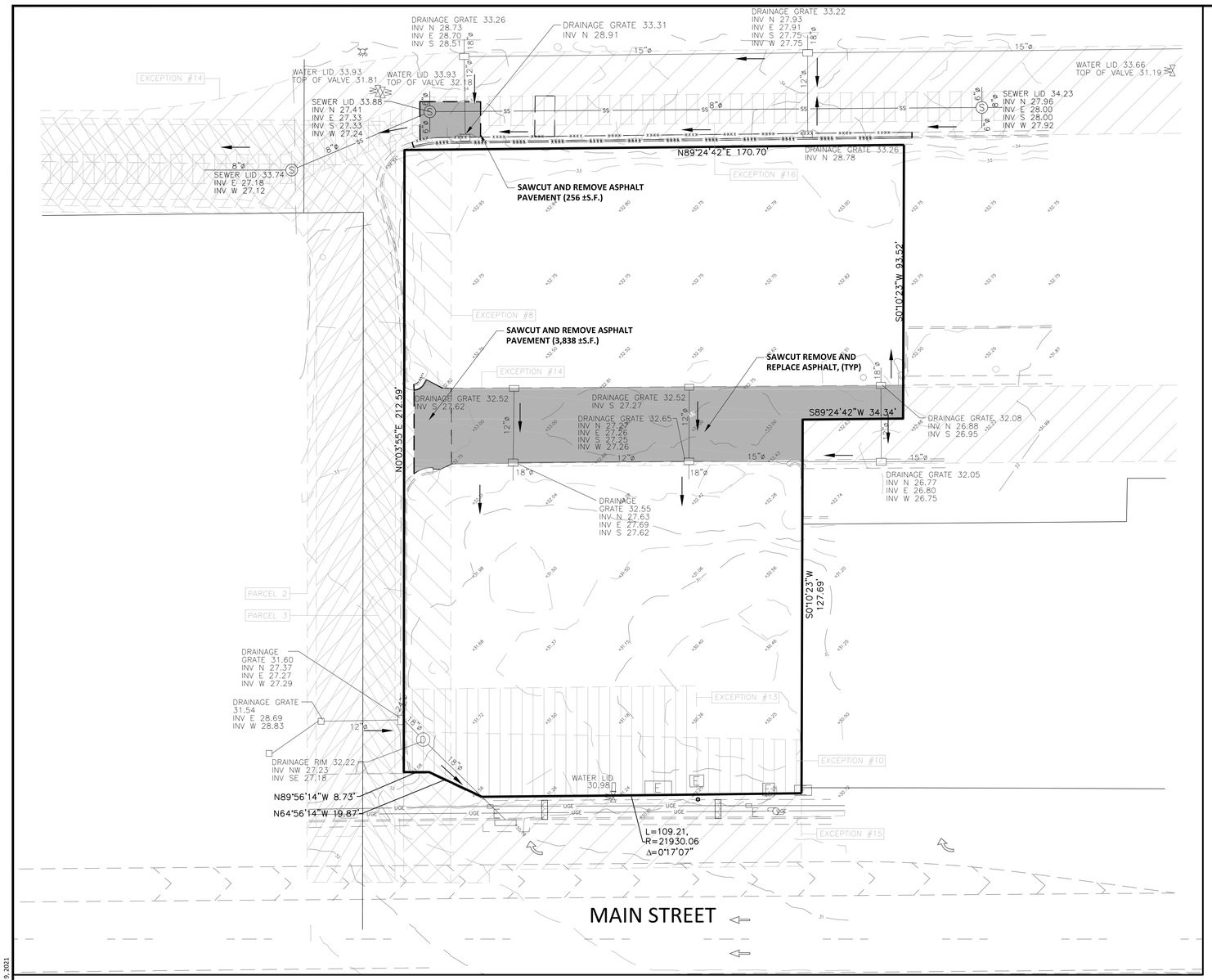
Weaver Consultants Group

OFFICE LOCATION:
WEAVER CONSULTANTS GROUP
1316 BOND STREET, SUITE 108
NAPERVILLE, ILLINOIS 60563
(630) 717-4848
wcgrp.com

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SHEET #: C-2

F:\PROJECTS\5325 - Dependable Foods\300 - Oakley Ca\32\Dwg's\5325-300-32-01.dwg;WCGv19b5;kprice;December 8, 2021




## DEMOLITION - KEY LEGEND

| SYMBOL | DESCRIPTION |
|---|---|
| | REMOVE ASPHALT |
| | REMOVE CONCRETE |
| — xxxx — xxxx — | REMOVE CURB |
| — xxxx — xxxx — | REMOVE ITEM |
| | REMOVE ITEM |

MUNICIPAL/AGENCY APPROVAL STAMP

## SPECIFICATIONS - DEMOLITION

1. **PERMITS:** CONTRACTOR SHALL APPLY FOR AND OBTAIN ALL REQUIRED PERMITS PRIOR TO DEMOLITION.
2. **EROSION CONTROL MEASURES:** CONTRACTOR SHALL COMPLY WITH THE EROSION CONTROL PLAN INCLUDING, BUT NOT LIMITED TO, PERIMETER SILT FENCE AND INLET PROTECTION, PRIOR TO THE START OF DEMOLITION.
3. **STRIPPING AND DEBRIS REMOVAL:** THE BUILDING PAD SITES, AREAS TO BE PAVED, AND ALL AREAS THAT ARE TO RECEIVE FILL MATERIAL SHALL BE STRIPPED OF VEGETATION, TREES, ROOTS, STUMPS, DEBRIS, AND OTHER ORGANIC MATERIAL. STRIPPED TOPSOIL SHALL BE STOCKPILED IN A LOCATION ON-SITE APPROVED BY THE DEVELOPER IF IT HAS BEEN DETERMINED THAT IT CAN BE RE-USED ON THE SITE. ALL TREES INCLUDING STUMPS AND ROOT SYSTEMS, VEGETATION, DEBRIS, AND OTHER OBJECTIONABLE MATERIAL SHALL BE REMOVED AND DISPOSED OFF-SITE. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS GOVERNING SPILLAGE OF DEBRIS WHILE TRANSPORTING TO A DISPOSAL SITE. ALL COSTS ASSOCIATED WITH DISPOSAL OF MATERIAL SHALL BE INCLUDED IN THE CONTRACT AMOUNT.
4. **BURNING:** BURNING SHALL NOT BE PERMITTED ON THE PROJECT SITE UNLESS APPROVED IN WRITING BY THE GOVERNING AUTHORITIES AND THE DEVELOPER.
5. **EXISTING UTILITIES:** ALL EXISTING UTILITIES ARE TO BE PROTECTED UNLESS OTHERWISE NOTED OR AGREED TO BY THE OWNER AND ENGINEER. ALL EXISTING UTILITIES THAT ARE NOTED TO BE REMOVED SHALL BE CAPPED AND REMOVED AS INDICATED AFTER EXISTING LINES ARE TAKEN OUT OF SERVICE AND UTILITY COMPANY APPROVALS ARE OBTAINED. EXISTING UTILITIES THAT ARE NOTED TO BE ABANDONED SHALL BE FILLED OR CRUSHED TO AVOID FUTURE PIPE FAILURE.
6. **RE-USE OF EXISTING MATERIALS:** CONTRACTOR SHALL RE-USE EXISTING MATERIALS ON THE SITE FOR BACKFILL AND/OR SUB-GRADE ONLY IF APPROVAL IS OBTAINED IN WRITING FROM THE OWNER, ENGINEER AND GEOTECHNICAL ENGINEER. DURING BIDDING, CONTRACTOR SHALL NOT ASSUME THAT MATERIALS CAN BE RE-USED ON-SITE.
7. **PLUGGING EXISTING SANITARY SEWERS:** CONTRACTOR SHALL PLUG DOWNSTREAM END OF EXISTING SANITARY SEWER PRIOR TO DEMOLITION TO PREVENT STORMWATER AND DEBRIS FROM ENTERING THE SEWER.
8. **DRAINAGE:** POSITIVE DRAINAGE SHALL BE MAINTAINED THROUGHOUT DEMOLITION. CONTRACTOR SHALL PLAN DEMOLITION IN STAGES TO PREVENT EXCESS PONDING OR BLOCKAGE OF DRAINAGE. ALL STORM SEWER OR FIELD TILES DAMAGED DURING DEMOLITION SHALL BE REPAIRED AND/OR RECONNECTED BEFORE THE END OF THE WORKDAY.
9. **REMOVAL OF BELOW GRADE IMPROVEMENTS:** ANY BUILDINGS, FOUNDATIONS, WALLS, FOOTINGS, CONCRETE, ETC. THAT ARE SHOWN TO BE REMOVED SHALL BE REMOVED TO THE FULL DEPTH UNLESS APPROVED BY THE OWNER AND ENGINEER.
10. **TREE PROTECTION:** CONTRACTOR SHALL FOLLOW THE TREE PROTECTION PLAN IF IT HAS BEEN PROVIDED AS A PART OF THIS CONSTRUCTION SET. ANY TREES REMOVED THAT WERE INDICATED TO BE PROTECTED SHALL BE REPLACED BY THE CONTRACTOR AND FINED ACCORDINGLY.

ALL UTILITIES TO BE PROTECTED IN PLACE, CONTRACTOR RESPONSIBLE TO REPLACE/ REPAIR ANY DAMAGES

N

SCALE: 1" = 20'

0 10' 20' 40'

Wendy's

**WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)**
1082 E. MAIN STREET
OAKLEY, CA

# EX. COND & DEMO PLAN

| NO. | DATE | REVISION DESCRIPTION | BY |
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| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

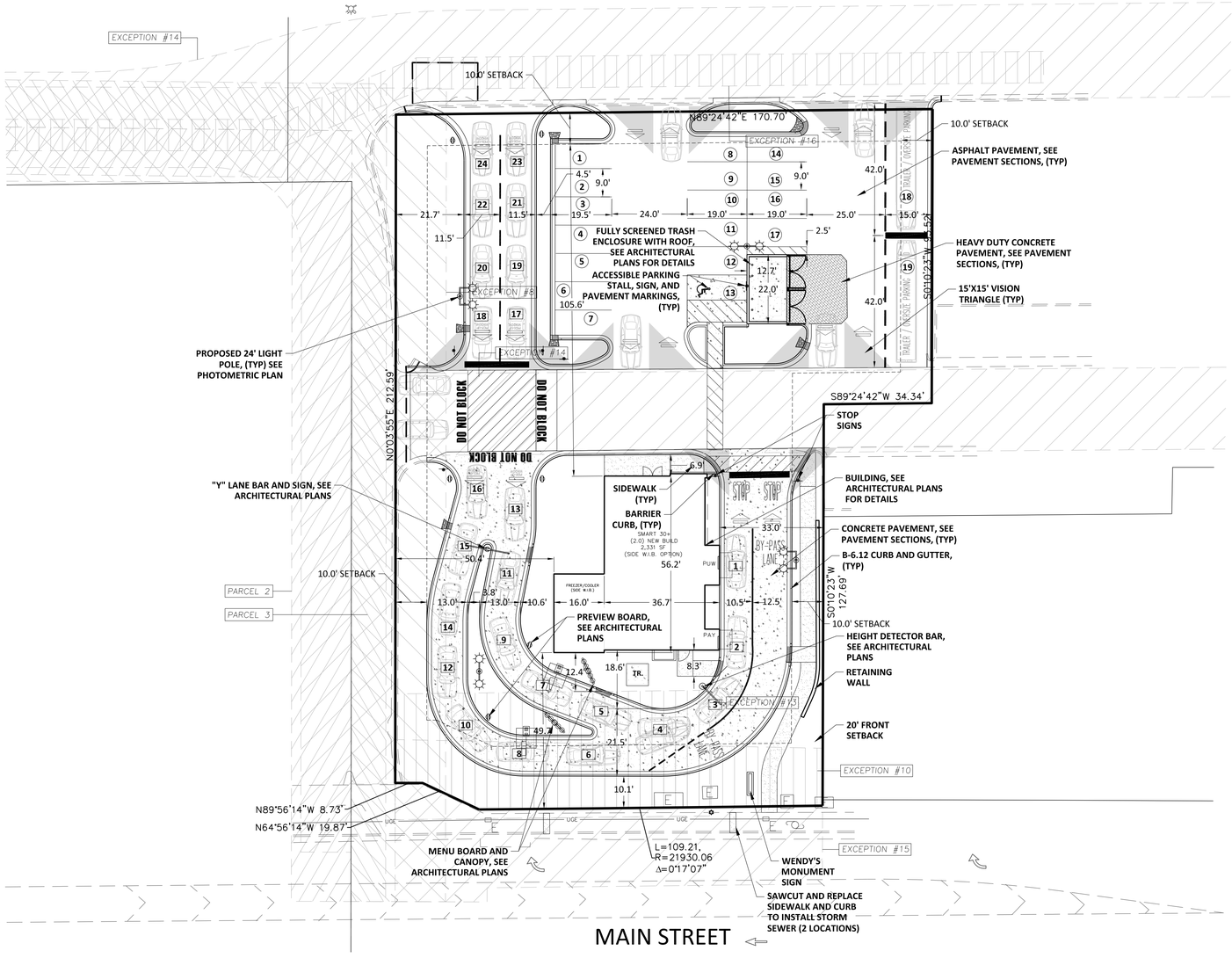
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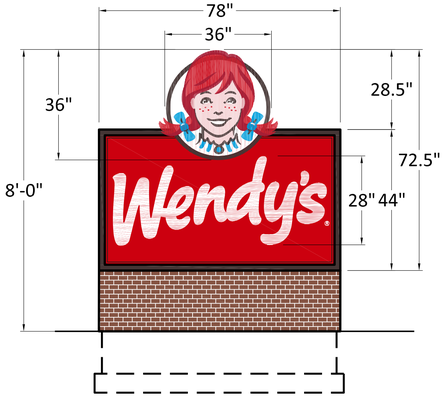
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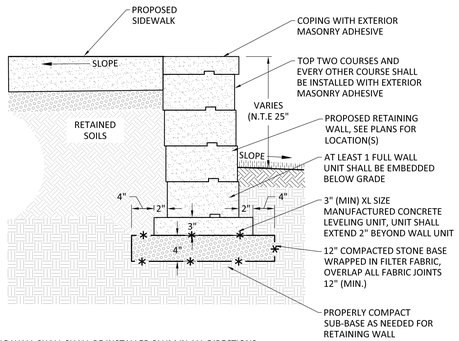
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WENDY'S MONUMENT SIGN (WM-25)

NOT TO SCALE




1. RETAINING WALL SHALL SHALL BE INSTALLED PLUM IN ALL DIRECTIONS.
2. CONTRACTOR SHALL CONFIRM RETAINING WALL UNITS AND COPING MANUFACTURER, LAYING PATTERN, AND COLOR(S) WITH OWNER.
3. RETAINING WALL SHALL BE INSTALLED BY A CERTIFIED COMPANY AND CREW, CREW SHALL FOLLOW ALL MANUFACTURE'S RECOMMENDATIONS.
4. CONTRACTOR IS RESPONSIBLE TO VERIFY SUB-BASE IS PROPERLY COMPACTED AND STRUCTURAL SOILS ARE ADEQUATE FOR SUPPORTING RETAINING WALL.
5. ALL RETAINING WALL COMPONENTS SHALL BE COMMERCIAL GRADE STRUCTURAL WALL UNITS.

RETAINING WALL - N.T.E. (NOT TO EXCEED) 25" IN HEIGHT

NOT TO SCALE

## PAVEMENT KEY SYMBOL

| | |
|---|---|
| NO HATCH — STANDARD DUTY ASPHALT PAVEMENT | CONCRETE SIDEWALK |
| | STANDARD CONCRETE PAVEMENT |
| | HEAVY DUTY CONCRETE PAVEMENT |

MUNICIPAL/AGENCY APPROVAL STAMP

## SITE DATA:

| | | |
|---|---|---|
| GP LAND USE DESIGNATION: | | COMMERCIAL |
| SITE AREA | = | 33,186 S.F. |
| BUILDING AREA | = | 2,331 S.F. |
| NET PUBLIC AREA | = | 990 S.F. |
| LOT COVERAGE | = | 24,412 S.F. |
| PROPOSED PARKING STALLS | = | 19 INCLUDES ADA STALLS |
| REQUIRED PARKING STALLS | = | 15 1 / 150 SF OF NET PUBLIC AREA |
| 1ST DRIVE THRU QUEUE | = | 16 CARS |
| DRIVE THRU OVERFLOW QUEUE | = | 8 CARS |
| TOTAL DRIVE THRU QUEUE | = | 24 CARS |

## SITE NOTES:

1. THE BASELINE FOR GEOMETRIC LAYOUT IS THE WESTERN PROPERTY LINE.
2. ALL DIMENSIONS ARE TO THE BACK OF CURB, OUTSIDE FACE OF BUILDING, AND EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
3. ALL PARKING LOT STRIPING SHALL BE 4" WIDE YELLOW PAINT UNLESS OTHERWISE NOTED ON THE PLANS.
4. ALL ITEMS NOTED ON PLANS REFER TO A PROPOSED CONDITION OR ITEM UNLESS OTHERWISE NOTED ON PLANS OR IDENTIFIED ON THE SURVEY.

FOR EXCEPTION 13 - RESTRICTIONS FOR ANY IMPROVEMENTS PER THE RECORDED DOCUMENT 2004-242564, SECTION 2.11. THIS RESTRICTION WILL EXPIRE ON OCTOBER 14, 2023; 25 YEARS AFTER THE AGREEMENT.

N

SCALE: 1" = 20'

0 10' 20' 40'

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

GEOMETRIC PLAN

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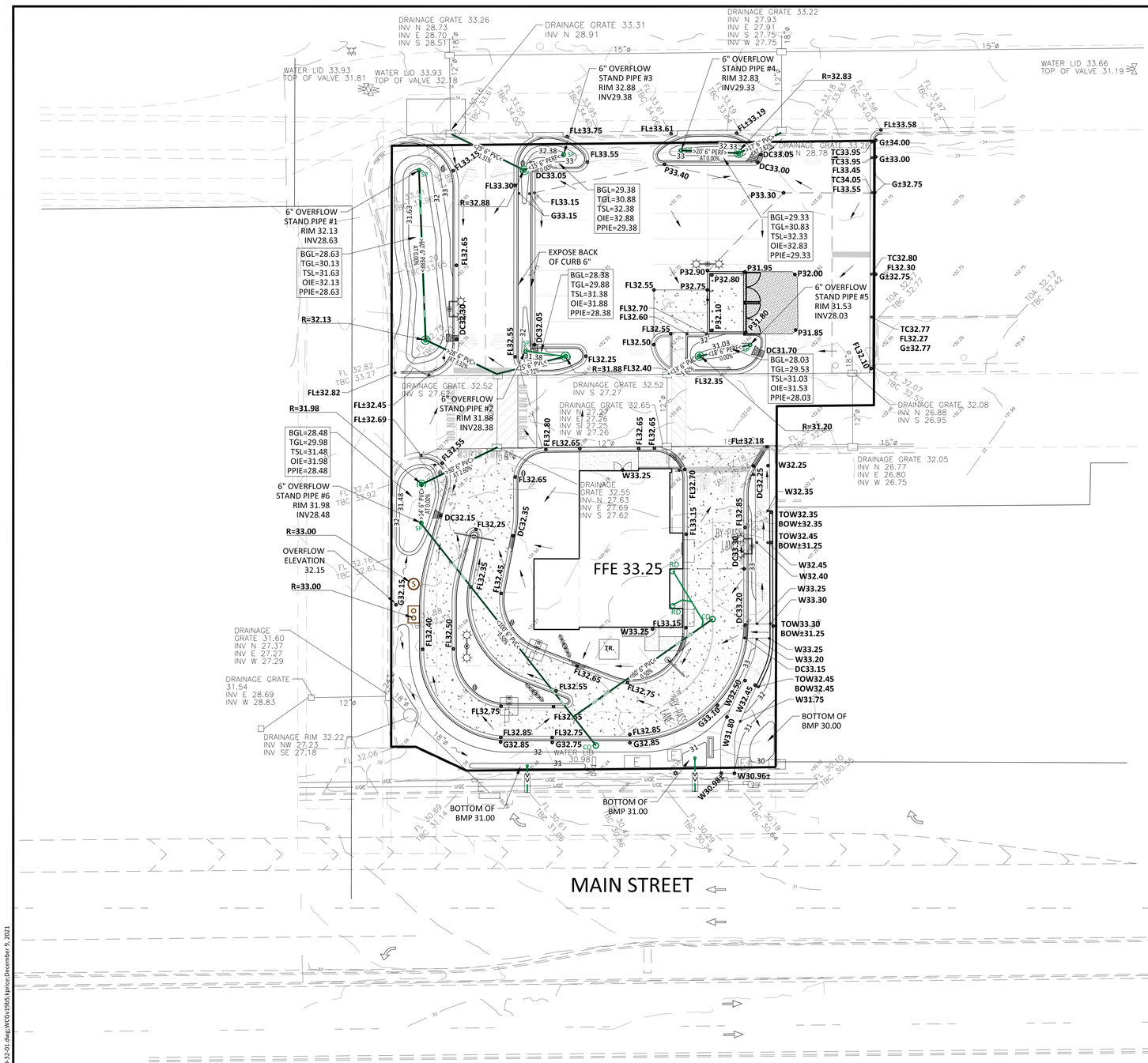
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SHEET #: C-4

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## GRADING NOTES:

1. UNLESS OTHERWISE SPECIFIED, ADD 0.5' TO ALL FLOWLINE (FL) OR PAVEMENT (P) GRADES TO OBTAIN TOP OF CURB (TC) ELEVATION.
2. CONTRACTOR TO MATCH EXISTING GRADE (ME) AT PERIMETER CONDITIONS. ALL GRADES SHOWN AS (+/-) HAVE BEEN INTERPRETED FROM THE SURVEY AND SHALL BE VERIFIED PRIOR TO CONSTRUCTION OF ADJACENT IMPROVEMENTS.
3. SEE ACCESSIBILITY PLAN FOR ADDITIONAL GRADES, DETAILS, AND REQUIREMENTS WITHIN THE ACCESSIBILITY AREAS.

## STORMWATER DETENTION SUMMARY:

JURISDICTIONAL AUTHORITY IS:
CITY OF OAKLEY
STORMWATER DETENTION IS NOT REQUIRED FOR THIS SITE.
BMP'S ARE REQUIRED FOR THIS SITE.

| | | |
|---|---|---|
| SITE AREA | = | 33,186 S.F. |
| EXISTING PERVIOUS AREA | = | 29,055 S.F. |
| PROPOSED PERVIOUS AREA | = | 8,663 S.F. |
| NET PERVIOUS AREA | = | 20,392 S.F. |

## GRADING CALCULATIONS:

| | | |
|---|---|---|
| PROPOSED CUT | = | 530 C.Y. |
| PROPOSED FILL | = | 133 C.Y |

MUNICIPAL/AGENCY APPROVAL STAMP

N

SCALE: 1" = 20'

0 10' 20' 40'

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

GRADING & STM WATER PLAN

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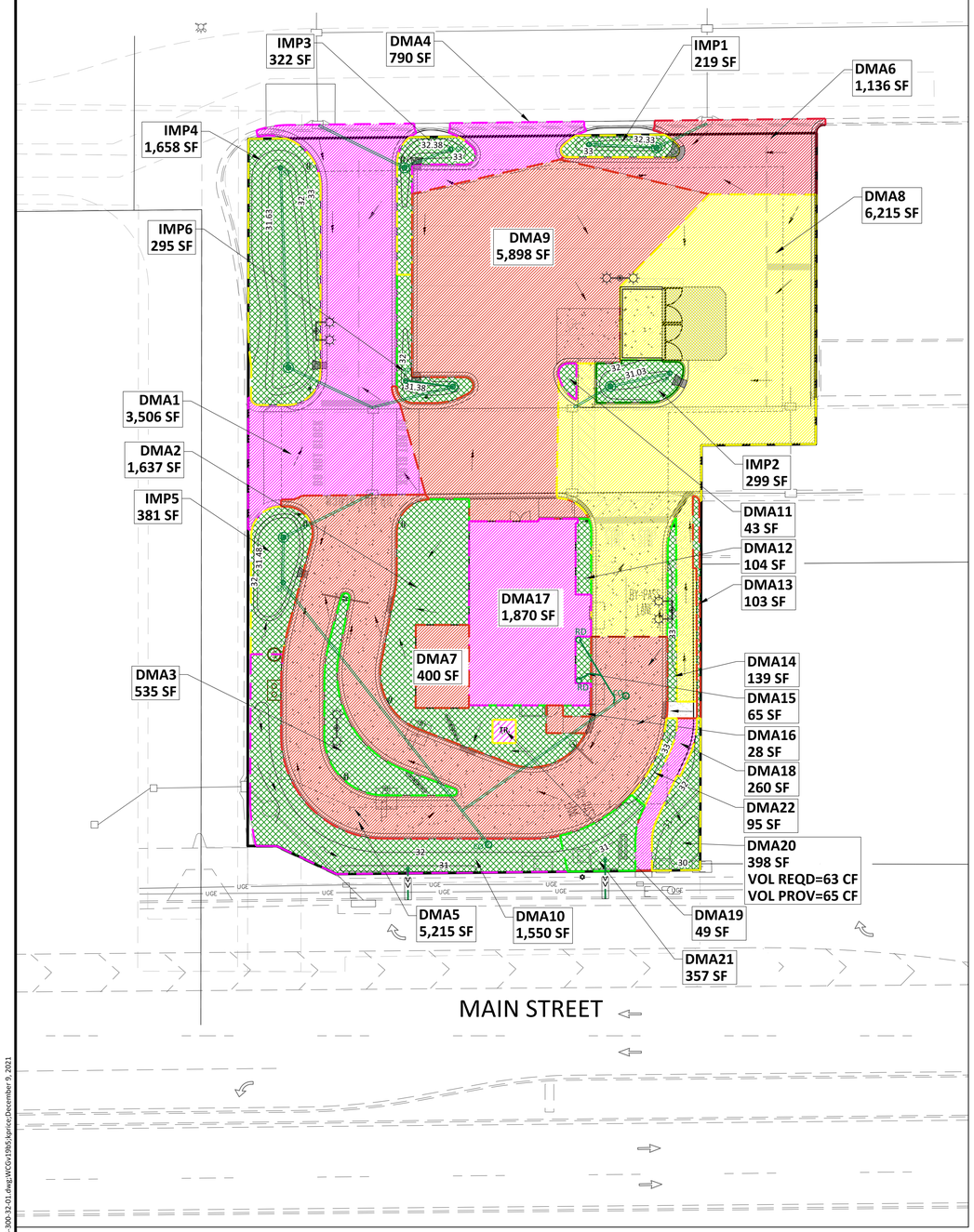
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SHEET #: C-5

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**Project Name: Wendy's - Oakley CA**
**Project Type: Treatment Only**
**APN: 037-040-021**
**Drainage Area: 34,055**
**Mean Annual Precipitation: 12.5**

## Self-Treating DMAs

| DMA Name | Area (sq ft) |
|---|---|
| DMA10 | 1,550.0 |
| DMA13 | 103.0 |
| DMA21 | 357.0 |

## II. Self-Retaining Areas

| Self-Retaining DMA | |
|---|---|
| **DMA Name** | **Area (sq ft)** |
| DMA20 | 398 |

## III. Areas Draining to Self-Retaining Areas

| DMA Name | Area (sq ft) | Surface Type | Runoff Factor | Product (Area x Runoff Factor) [A] | Receiving Self Retaining DMA | Receiving Self-Retaing DMA Area (sq ft) [B] | Ratio [A]/[B] |
|---|---|---|---|---|---|---|---|
| DMA18 | 260 | Concrete or Asphalt | 1.0 | 260.0 | DMA20 | 398 | 0.65 |
| DMA22 | 95 | Landscape | 0.1 | 9.5 | DMA20 | 398 | 0.02 |

## IV. Areas Draining to IMPs

**IMP Name: IMP1**
**IMP Type: Bioretention Facility**
**Soil Group: IMP1**

| DMA Name | Area (sq ft) | Post Project Surface Type | DMA Runoff Factor | DMA Area x Runoff Factor | IMP Sizing |
|---|---|---|---|---|---|
| DMA6 | 1,136 | Concrete or Asphalt | 1.00 | 1,136 | IMP Sizing Factor |
| | | | Total | 1,136 | Rain Adjustment Factor |
| | | | | Area | 0.040 |

| Minimum Area or Volume | Proposed Area or Volume |
|---|---|
| 45 | 319 |

**IMP Name: IMP2**
**IMP Type: Bioretention Facility**
**Soil Group: IMP2**

| DMA Name | Area (sq ft) | Post Project Surface Type | DMA Runoff Factor | DMA Area x Runoff Factor | IMP Sizing |
|---|---|---|---|---|---|
| DMA8 | 6,215 | Concrete or Asphalt | 1.00 | 6,215 | IMP Sizing Factor |
| DMA11 | 43 | Landscape | 0.10 | 4 | Rain Adjustment Factor |
| DMA12 | 104 | Landscape | 0.10 | 10 | |
| DMA14 | 139 | Landscape | 0.10 | 14 | |
| | | | Total | 6,244 | |
| | | | | Area | 0.040 |

| Minimum Area or Volume | Proposed Area or Volume |
|---|---|
| 250 | 299 |

**IMP Name: IMP3**
**IMP Type: Bioretention Facility**
**Soil Group: IMP3**

| DMA Name | Area (sq ft) | Post Project Surface Type | DMA Runoff Factor | DMA Area x Runoff Factor | IMP Sizing |
|---|---|---|---|---|---|
| DMA4 | 790 | Concrete or Asphalt | 1.00 | 790 | IMP Sizing Factor |
| | | | Total | 790 | Rain Adjustment Factor |
| | | | | Area | 0.040 |

| Minimum Area or Volume | Proposed Area or Volume |
|---|---|
| 32 | 322 |

**IMP Name: IMP4**
**IMP Type: Bioretention Facility**
**Soil Group: IMP4**

| DMA Name | Area (sq ft) | Post Project Surface Type | DMA Runoff Factor | DMA Area x Runoff Factor | IMP Sizing |
|---|---|---|---|---|---|
| DMA1 | 3,506 | Concrete or Asphalt | 1.00 | 3,506 | IMP Sizing Factor |
| | | | Total | 3,506 | Rain Adjustment Factor |
| | | | | Area | 0.040 |

| Minimum Area or Volume | Proposed Area or Volume |
|---|---|
| 140 | 1,658 |

**IMP Name: IMP5**
**IMP Type: Bioretention Facility**
**Soil Group: IMP5**

| DMA Name | Area (sq ft) | Post Project Surface Type | DMA Runoff Factor | DMA Area x Runoff Factor | IMP Sizing |
|---|---|---|---|---|---|
| DMA2 | 1,637 | Landscape | 0.10 | 164 | IMP Sizing Factor |
| DMA3 | 535 | Landscape | 0.10 | 54 | Rain Adjustment Factor |
| DMA5 | 5,215 | Concrete or Asphalt | 1.00 | 5,215 | |
| DMA7 | 400 | Landscape | 0.10 | 40 | |
| DMA15 | 65 | Landscape | 0.10 | 7 | |
| DMA16 | 28 | Landscape | 0.10 | 3 | |
| DMA17 | 1,870 | Conventional Roof | 1.00 | 1,870 | |

| Minimum Area or Volume | Proposed Area or Volume |
|---|---|
| | |

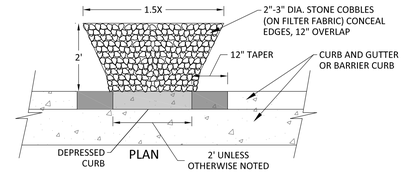
| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| DMA19 | 49 | Concrete or Asphalt | 1.00 | 49 | | | | |
| | | | Total | 7,401 | | | | |
| | | | | Area | 0.040 | 1.000 | 296 | 381 |

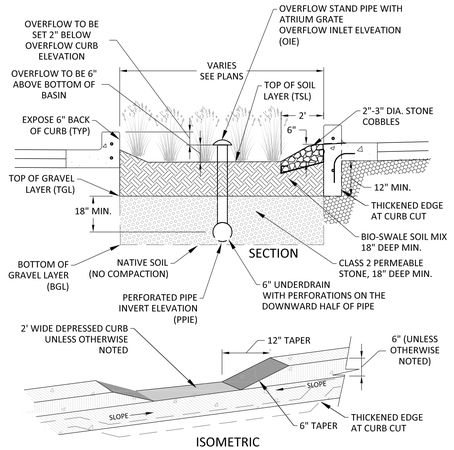
**IMP Name: IMP6**
**IMP Type: Bioretention Facility**
**Soil Group: IMP6**

| DMA Name | Area (sq ft) | Post Project Surface Type | DMA Runoff Factor | DMA Area x Runoff Factor | IMP Sizing |
|---|---|---|---|---|---|
| DMA9 | 5,898 | Concrete or Asphalt | 1.00 | 5,898 | IMP Sizing Factor |
| | | | Total | 5,898 | Rain Adjustment Factor |
| | | | | Area | 0.040 |

| Minimum Area or Volume | Proposed Area or Volume |
|---|---|
| 236 | 295 |

Report generated on 12/8/2021 12:00:00 AM by the Contra Costa Clean Water Program IMP Sizing Tool software (version 1.3.1.0)




1. BIO-SWALE SOIL MIX TO CONFORM TO APPENDIX B OF THE LATEST EDITION OF THE C.3 GUIDEBOOK SPECIFICATIONS.
2. SEE PLANS FOR LOCATIONS

## BIO-RETENTION CROSS SECTION

NOT TO SCALE

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

PRELIM. STORMWATER CONTROL PLAN

| NO. | DATE | REVISION DESCRIPTION | BY |
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REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01


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NAPERVILLE, ILLINOIS 60563
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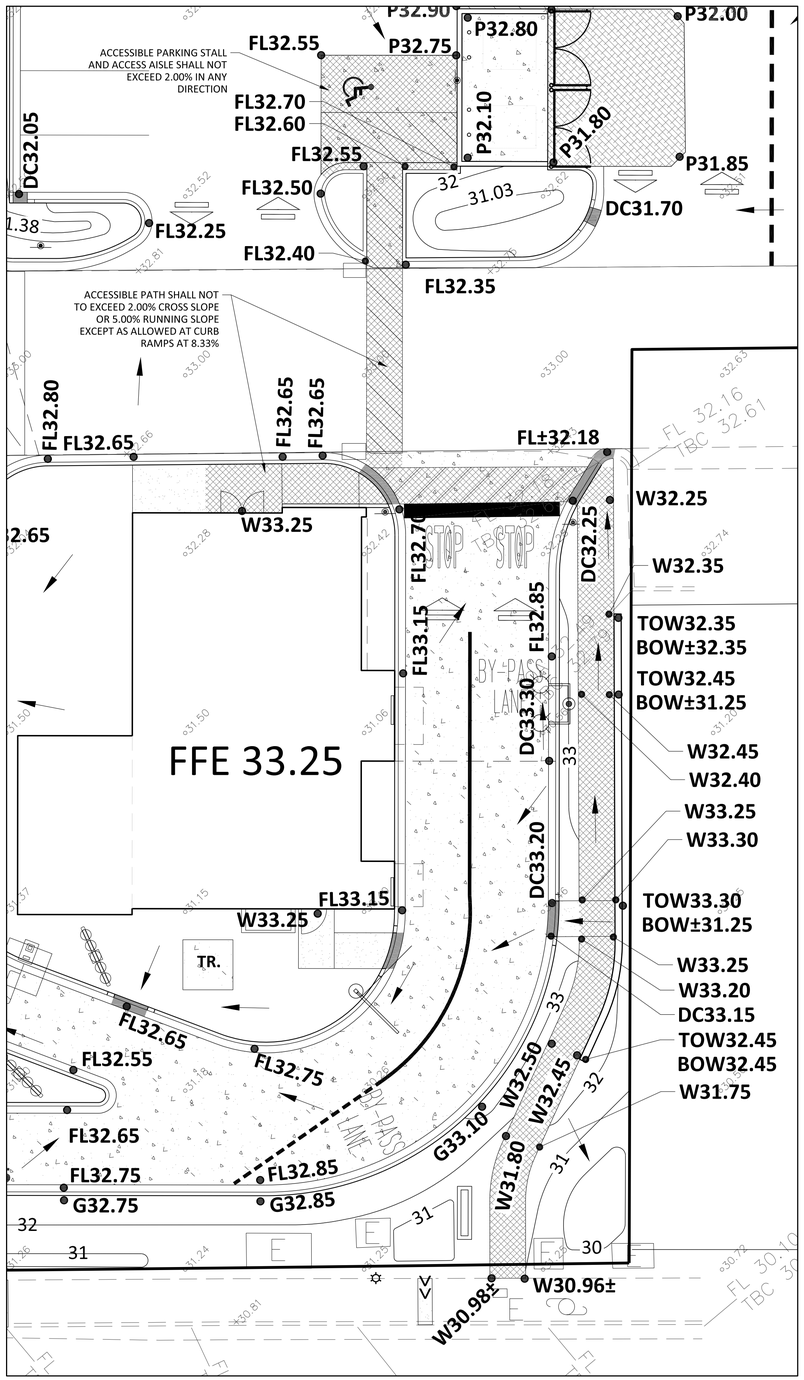
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SHEET #: C-5.1

N

SCALE: 1" = 20'
0 10' 20' 40'

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ACCESSIBLE PATH ENLARGEMENT

## ACCESSIBLE PATH - KEY

ACCESSIBLE ROUTE TO THE PUBLIC WAY AND ACCESSIBLE PARKING STALLS

MUNICIPAL/AGENCY APPROVAL STAMP

## ACCESSIBILITY NOTES:

1. THIS PLAN HAS BEEN INCLUDED FOR SPECIFIC GRADING WITHIN THE ACCESSIBILITY AREAS. SEE GRADING AND STORMWATER PLAN FOR ADDITIONAL GRADES THROUGHOUT THE SITE.

## SPECIFICATIONS - ACCESSIBILITY

1. **STANDARDS AND SPECIFICATIONS:** THE CURRENT EDITION OF THE "CALIFORNIA BUILDING CODE" (CBC) AND "ADAAG" STANDARDS FOR ACCESSIBLE DESIGN" SHALL GOVERN THIS WORK.
2. **VERIFY SLOPES PRIOR TO CONSTRUCTION:** EXISTING GRADES HAVE BEEN INTERPOLATED BASED ON ELEVATIONS PROVIDED ON THE SURVEY. PROPOSED GRADES NEAR EXISTING OR RECENTLY CONSTRUCTED STRUCTURES (BUILDINGS, PAVEMENT, SIDEWALKS, ETC) MAY REQUIRE MODIFICATIONS IN ORDER TO ACHIEVE COMPLIANCE. PRIOR TO INSTALLATION OF ANY ACCESSIBLE ROUTES, THE CONTRACTOR SHALL VERIFY THE SLOPE OF THE SUB-GRADE AND CONCRETE FORMS FOR COMPLIANCE WITH THE MAXIMUM SLOPES ALLOWABLE. IF ANY SLOPES ARE GREATER THAN ALLOWABLE, CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER IMMEDIATELY TO RE-DESIGN THE ACCESSIBLE ROUTE.
3. **DETECTABLE WARNINGS:** DETECTABLE WARNINGS ARE NOT REQUIRED ON PRIVATE PROPERTY UNLESS REQUIRED BY LOCAL REQUIREMENTS. DETECTABLE WARNINGS ARE REQUIRED IN THE PUBLIC RIGHT OF WAY AT STOP CONTROLLED INTERSECTIONS AND SHALL BE AN INTEGRAL PART OF THE RAMP. WARNINGS SHALL BE EAST JORDAN IRON WORKS (EJIW) SERIES 7005 CAST-IRON PLATE COLOR: BRICK RED, FEDERAL COLOR NO. 22144 OR APPROVED EQUAL.
4. **ACCESSIBLE ROUTES:** AT LEAST ONE ACCESSIBLE ROUTE SHALL BE PROVIDED WITHIN THE SITE FROM ACCESSIBLE PARKING SPACES AND ACCESSIBLE PASSENGER LOADING ZONES; PUBLIC STREET AND SIDEWALKS; AND PUBLIC TRANSPORTATION STOPS TO THE ACCESSIBLE BUILDING OR FACILITY ENTRANCE THEY SERVE. ACCESSIBLE ROUTES SHALL NOT HAVE A RUNNING SLOPE OF GREATER THAN **5.00%** NOR A CROSS SLOPE OF GREATER THAN **2.00%**.
5. **CURB RAMPS:** CURB RAMPS MAY BE PROVIDED WHEN A SIDEWALK MEETS A CURB. CURB RAMP SLOPES SHALL NOT EXCEED A RUNNING SLOPE OF GREATER THAN **8.33%** NOR A CROSS SLOPE OF GREATER THAN **2.00%**. A LANDING NO SHORTER THAN 36" SHALL BE PROVIDED AT THE TOP OF A CURB RAMP.
6. **ACCESSIBLE PARKING SPACES:** ACCESSIBLE PARKING SPACES SHALL BE PROVIDED AS SHOWN ON THE PLANS AND SHALL NOT HAVE A SLOPE THAT IS GREATER THAN 2% IN ANY DIRECTION. ACCESSIBLE PARKING SPACES SHALL BE DESIGNATED AS RESERVED BY PROVIDING A PERMANENTLY MOUNTED SIGN. SEE DETAILS FOR STRIPING AND SIGN REQUIREMENTS.
7. **RAMPS:** AN ACCESSIBLE ROUTE WITH A RUNNING SLOPE GREATER THAN 5% IS CONSIDERED A RAMP AND SHALL COMPLY WITH THE RAMP REQUIREMENTS INCLUDING HANDRAILS. SEE ARCHITECTURAL PLANS FOR RAMP DETAILS.

Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

# ACCESSIBILITY PLAN

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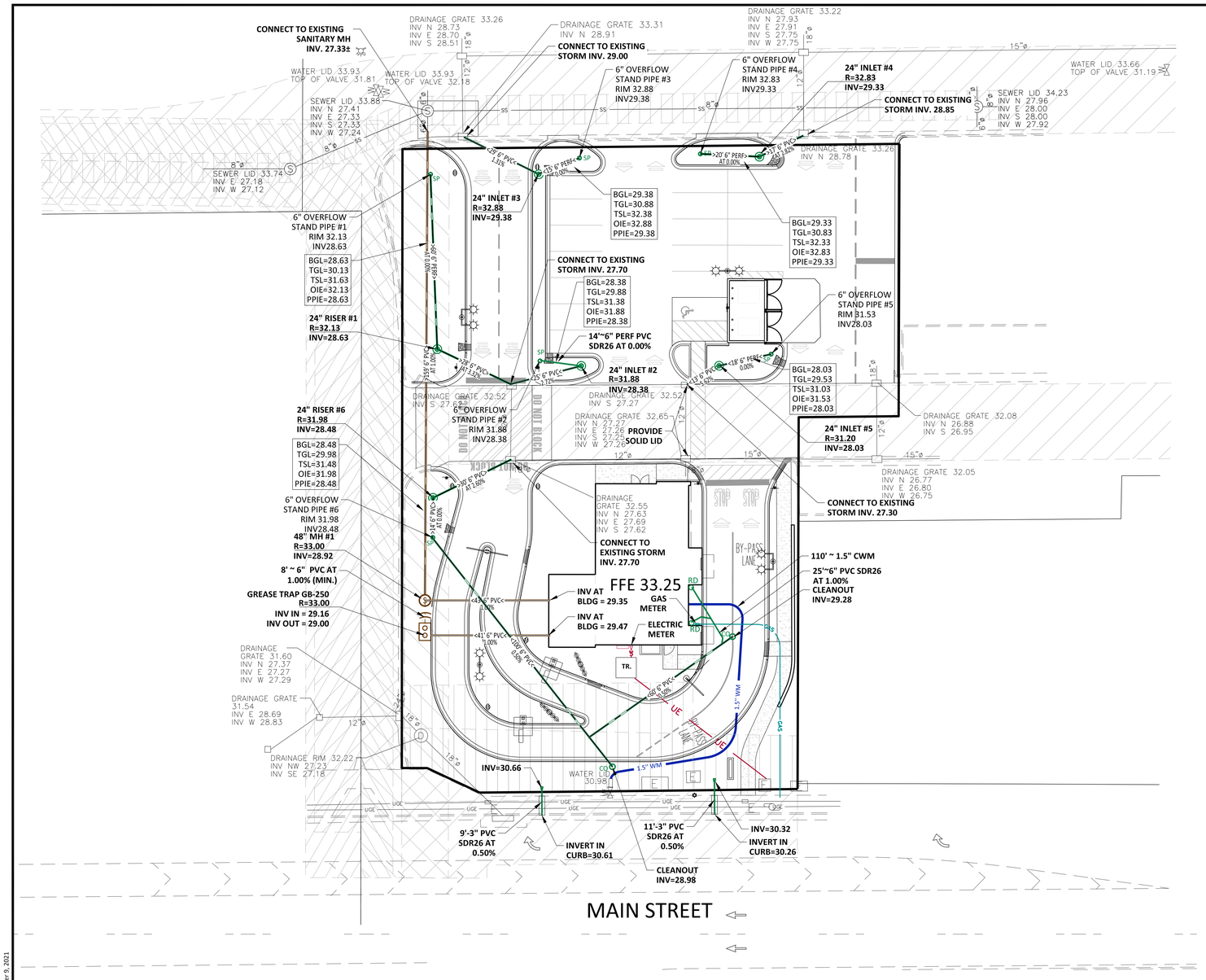
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SHEET #: C-6

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## UTILITY NOTES:

1. CONTRACTOR TO VERIFY WITH ARCHITECTURAL PLANS THAT THE UTILITIES AS THEY EXIT THE BUILDING ARE IN THE SAME LOCATION AS SHOWN ON THIS PLAN. NOTIFY THE DESIGN ENGINEER IF THERE ARE ANY DISCREPANCIES.
2. GAS, TELEPHONE, AND ELECTRIC LOCATIONS SHALL BE COORDINATED WITH THE UTILITY COMPANIES PRIOR TO INSTALLATION. LINES SHOWN ON THIS PLAN ARE FOR BUDGETING AND GUIDANCE ONLY.

## UTILITY LEGEND:

1. **RCP** = REINFORCED CONCRETE PIPE CLASS IV, ASTM C-76 PIPE, ASTM C-443 JOINTS
2. **RCPWM** = REINFORCED CONCRETE PIPE CLASS IV, ASTM C-76 PIPE, ASTM C-361 JOINTS
3. **PVC** = POLYVINYL CHLORIDE PIPE SDR26, ASTM D-3034 PIPE, ASTM D-3212 JOINTS
4. **PVCWM** = POLYVINYL CHLORIDE PIPE AWWA C900, OR AWWA C905 OR ASTM D-2241 PIPE, ASTM D-3139 JOINTS
5. **DIP** = DUCTILE IRON PIPE CLASS 52, CEMENT LINED, ANSI A21.51 PIPE, ANSI A21.11 JOINTS
6. **HDPE** = HIGH DENSITY POLYETHYLENE PIPE AASHTO M-294 (12"-60") AASHTO M-252 (3"-10")
7. **CWM** = TYPE "K" COPPER WATERMAIN ASTM B-88 AND ASTM B-251 WITH SWEATED JOINTS
8. **ESVCP** = EXTRA STRENGTH VITRIFIED CLAY PIPE ASTM C-700 PIPE, ASTM C-425 JOINTS.

## STORM SEWER PIPE SIZING CALCULATION:

**PROPOSED DEVELOPMENT CONNECTS TO THE EXISTING STORM SEWER WHICH WAS CONSTRUCTED AS A PART OF MS980016. THIS STORM SEWER CONNECTS DOWNSTREAM INTO THE EXISTING STORM SEWER ALONG THE NORTH SIDE OF MAIN STREET.**

**BIO-SWALES ARE PROPOSED ON-SITE TO PERCOLATE STORMWATER.**

**AREA=0.08 + 0.07 = 0.15 AC = 6,534 S.F.**

**INFILTRATION = 6IN/HR PER PERCOLATION TEST ON 7/19/2021 )**

**Q = (6,534 S.F.) x 6 IN / HR x 1FT / 12 IN x 1HR / 60 MIN x 1 MIN / 60 SEC = 0.9 CFS**

**PROPOSED FLOW FROM SITE**
**Q=CIA**

$$\frac{C = 0.9(0.63) + 0.1(0.08) + 0.45(0.07)}{0.78} = 0.78$$

**C = 0.9 IMPERVIOUS (.63 AC)**
**C = 0.1 BIO-SWALE (.08 AC)**
**C = 0.45 GRASS (.07 AC)**
**i = 2.46 IN/HR (10 YR, 24 HR STORM)**
**A = 0.78 AC**

**Q = (0.78)(2.46)(0.78)**
**Q = 1.50 CFS**

**THEREFORE: 1.50 CFS -0.90 CFS = 0.60 CFS GOING TO STORM SEWER**

**EXISTING 15" STORM SEWER RUNNING EAST/ WEST THROUGH THE SITE AT 0.78%**

**PIPE FLOWING FULL CAPACITY:**

$$Q = 35.615 \times \left[\frac{D}{12}\right]^{8/3} \times S^{0.5}$$

**Q = 5.7 CFS**

**CAPACITY IN PIPE (5.7 CFS) IS MUCH GREATER THAN PROPOSED DEVELOPMENT 0.60 CFS**

N

SCALE: 1" = 20'

0 10' 20' 40'

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

**WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)**
1082 E. MAIN STREET
OAKLEY, CA

# UTILITY PLAN

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

Weaver Consultants Group

OFFICE LOCATION:
WEAVER CONSULTANTS GROUP
1316 BOND STREET, SUITE 108
NAPERVILLE, ILLINOIS 60563
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SHEET #: C-7

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

**WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)**
1082 E. MAIN STREET
OAKLEY, CA

# SOIL EROSION CONTROL PLAN

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

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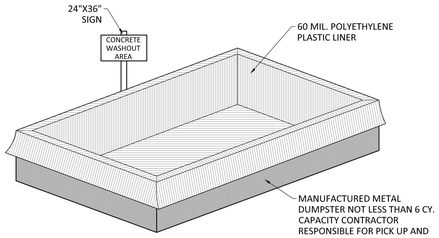
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SHEET #: C-8

N

SCALE: 1" = 20'
0 10' 20' 40'

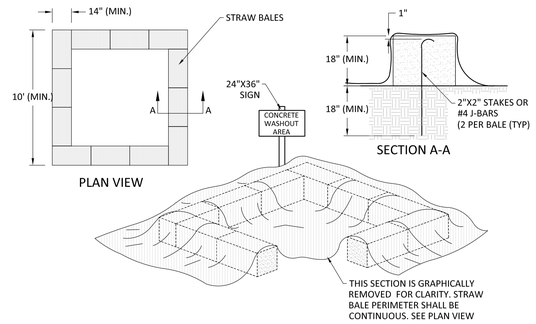
F:\PROJECTS\5325 - Dependable Foods\300 - Oakley CA\32\Dwg\51525-300-32-01.dwg;WCGv1985;kprice;December 9, 2021




1. FACE SIGN TOWARD NEAREST STREET OR ACCESS POINT.
2. CONCRETE WASHOUT SHALL BE LOCATED BEHIND THE CURB AND 50' (MIN.) FROM NEAREST DRAINAGE INLET OR WATER COURSE.

## CONCRETE WASHOUT IN DUMPSTER - OPTION

NOT TO SCALE




1. FACE SIGN TOWARD NEAREST STREET OR ACCESS POINT.
2. CONCRETE WASHOUT SHALL BE LOCATED BEHIND THE CURB AND 50' (MIN.) FROM NEAREST DRAINAGE INLET OR WATER COURSE.

## CONCRETE WASHOUT

NOT TO SCALE

| DESCRIPTION | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| TEMPORARY SEEDING | | | | 21ST | | | | | 30TH | | | |
| OAT COVER CROP (90 LBS/AC.) (NOTE 2) | | | | 1ST | | | 4TH | | | | | |
| WHEAT COVER CROP (90 LBS/ AC.) (NOTE 2) | | | | 1ST | | | | | 30TH | | | |
| ANNUAL RYE COVER CROP (90 LBS. AC.) (NOTE 2) | | | | 1ST | | | | | 30TH | | | |

NOTE 1: CONTRACTOR TO COORDINATE WITH GROWER/ SUPPLIER TO ENSURE AVAILABILITY.
NOTE 2: COVER CROPS AS SHOWN MAY BE SUPERCEDED IN NATIVE SEED AREAS. SEE SPECIFICATION FOR NATIVE AREAS FOR SPECIFIC APPLICATIONS.

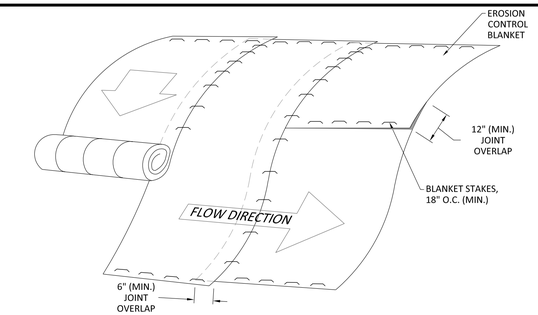
### CONSTRUCTION SEQUENCE

1. MOBILIZE TO THE SITE.
2. INSTALL SOIL EROSION CONTROL MEASURES.
3. CONSTRUCT A TEMPORARY CONSTRUCTION ENTRANCE/ EXIT.
4. TOPSOIL STRIPPING AND STOCKPILING. PROVIDE TEMPORARY SEEDING ON STOCKPILES AND ALL OTHER AREAS OF THE SITE THAT WILL REMAIN UNDISTURBED FOR 30 DAYS OR MORE. REFER TO LANDSCAPE PLAN FOR SEEDING.
5. MASS GRADING OF DISTURBED SITE.
6. INSTALLATION OF BUILDING FOUNDATIONS.
7. INSTALLATION OF ALL UNDERGROUND UTILITIES.
8. INSPECT SOIL EROSION CONTROL MEASURES AND MAINTAIN OR REPLACE AS NECESSARY.
9. INSTALLATION OF PARKING LOT SUB-BASE MATERIAL.
10. INSTALLATION OF PARKING LOT BASE COURSE MATERIALS.
11. INSTALLATION OF PERMANENT SOIL STABILIZATION MEASURES AND RE-SPREAD TOPSOIL.
12. INSTALLATION OF PARKING LOT SURFACE COURSE MATERIALS.
13. INSTALLATION OF LANDSCAPE.
14. REMOVE TEMPORARY SOIL EROSION CONTROL MEASURES AFTER FINAL SOIL STABILIZATION MEASURES AND THE ESTABLISHMENT OF ADEQUATE VEGETATIVE COVER.
15. ALL STORM SEWERS, CATCH BASINS, PAVEMENT SURFACES AND/ OR DETENTION FACILITIES ARE TO BE CLEANED PRIOR TO FINAL INSPECTION.
16. ALL MAINTENANCE OF THE EROSION CONTROL MEASURES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

1. CONTRACTOR IS RESPONSIBLE TO VERIFY AND ADJUST THE SEQUENCE OF OPERATION IF NECESSARY.
2. SEE LANDSCAPE PLAN FOR PLANTING DETAILS, SOIL PREPARATION, AMENDMENTS, PLANT LISTS, LANDSCAPE SPECIFICATIONS.
3. TEMPORARY SEED SHALL CONFORM TO THE "CALTRANS CONSTRUCTION SITE BMP MANUAL" FOR ALL AREAS TO BE DISTURBED LESS THAN A YEAR OR BARREN AREAS THAT NEED TO BE STABILIZED.
4. CONTRACTOR TO UTILIZE MULCH FOR SEED PROTECTION, SOIL PROTECTION, DUST CONTROL, OR STABILIZATION AS NEEDED AND FOR WHEN SEEDING CANNOT BE PERFORMED.

## TEMPORARY SEEDING TABLE AND CONSTRUCTION SEQUENCE

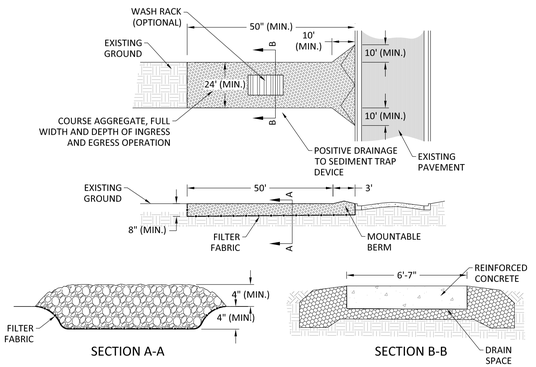
NOT TO SCALE




1. PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING APPLICATION OF LIME, FERTILIZER, AND SEED.
2. BEGIN AT THE TOP OF THE SLOPE (OR CHANNEL) BY ANCHORING THE BLANKET IN A 6" DEEP X 6" WIDE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING.
3. ROLL THE BLANKETS DOWN (STARTING AT DOWNSTREAM PROCEEDING UPSTREAM) HORIZONTALLY ACROSS THE SLOPE.
4. THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH AN APPROXIMATELY (MIN) 4" OVERLAP.
5. WHEN BLANKETS MUST BE SPLICED DOWN THE SLOPE, PLACE BLANKETS END OVER END (SHINGLE STYLE) WITH APPROXIMATELY A (MIN) 6" OVERLAP. USE A DOUBLE ROW OF STAGGERED STAPLES 4" APART TO SECURE BLANKETS.
6. IN HIGH FLOW CHANNEL APPLICATIONS, A STAPLE CHECK SLOT IS RECOMMENDED AT 30 TO 40 FOOT INTERVALS. USE A ROW OF STAPLES 4" APART OVER ENTIRE WIDTH OF THE CHANNEL. PLACE A SECOND ROW 4" BELOW THE FIRST ROW IN A STAGGERED PATTERN.
7. THE TERMINAL END OF THE BLANKETS MUST BE ANCHORED IN A 6" DEEP X 6" WIDE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING.

## EROSION CONTROL BLANKET

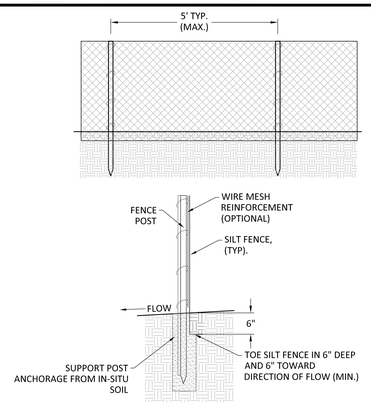
NOT TO SCALE




1. FILTER FABRIC SHALL MEET ASTM 592 GEOTEXTILE. TABLE 1 OR 2 FOR CLASS I, II, OR IV. AND SHALL BE PLACED OVER THE CLEARED AREA PRIOR TO PLACING STONE.
2. RECLAIMED CONCRETE OR COARSE AGGREGATE SHALL MEET EITHER CALTRANS AGGREGATE BASE REQUIREMENTS FOR A CONSTRUCTION ENTRANCE AND BE PLACED ACCORDING TO CONSTRUCTION SPECIFICATION 25 ROCKFILL USING PLACEMENT METHOD I OR CLASS III COMPACTION.
3. ANY DRAINAGE FACILITIES REQUIRED BECAUSE OF WASHING SHALL BE CONSTRUCTED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
4. IF WASH RACK'S ARE USED, THEY SHALL BE INSTALLED ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS.

## TEMPORARY CONSTRUCTION ENTRANCE

NOT TO SCALE




1. FILTER FABRIC SHALL MEET GEOTEXTILE 592 TABLE 1 OR 2, CLASS 1 WITH EQUIVLENT OPENING SIZE OF AT LEAST 30 MILS FOR NONWOVEN AND 40 MILS FOR WOVEN.
2. FENCE POSTS SHALL BE EITHER STANDARD STEEL POST OR WOOD POSTS WITH A MINIMUM CROSS SECTION AREA OF 3 SQ. IN.

## SILT FENCE

NOT TO SCALE




## INLET FILTER PROTECTION - BASKET

NOT TO SCALE

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

# SOIL EROSION DETAILS & SPECS

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: ARB
REVIEWED BY: BP
DATE: 04/09/2021
PR#: 5325-300-32-01

Weaver Consultants Group

OFFICE LOCATION:
WEAVER CONSULTANTS GROUP
1316 BOND STREET, SUITE 108
NAPERVILLE, ILLINOIS 60563
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SHEET #: C-9

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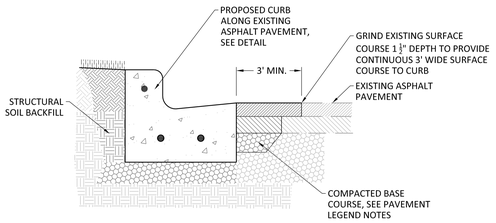
| ASPHALT DESCRIPTION | ASPHALT SECTION | SECTION DESCRIPTION |
|---|---|---|
| STANDARD DUTY PAVEMENT | | 1.5" ASPHALT SURFACE COURSE<br>2.5" ASPHALT BINDER COURSE<br>8" BASE COURSE<br>COMPACTED SUB-BASE |

| CONCRETE DESCRIPTION | CONCRETE SECTION | SECTION DESCRIPTION |
|---|---|---|
| CONCRETE SIDEWALK | | 5" CONCRETE PAVEMENT<br>4" BASE COURSE<br>COMPACTED SUB-BASE |
| STANDARD CONCRETE PAVEMENT | | 6" CONCRETE PAVEMENT<br>4" BASE COURSE<br>COMPACTED SUB-BASE |
| HEAVY DUTY CONCRETE PAVEMENT | | 8" CONCRETE PAVEMENT<br>6" BASE COURSE<br>COMPACTED SUB-BASE |

1. ALL ASPHALT SURFACE COURSE SHALL BE: MEDIUM GRADE HMA MIN.
2. ALL CONCRETE SHALL BE: 4,000 PSI AT 14 DAYS, LIMESTONE AGGREGATE, 5 - 7% AIR ENTRAINMENT, 4" SLUMP LIMIT. PROVIDE CONCRETE SEALER AND A LIGHT BROOM FINISH.
3. ALL BASE COURSE SHALL BE : CLASS II CRUSHED STONE OR LIMESTONE COMPACTED TO 95% STANDARD LABORATORY DENSITY.
4. ALL SUB-BASE SHALL BE: PROOF ROLLED TO THE SATISFACTION OF THE OWNER (OR OWNER'S REPRESENTATIVE), AND MUNICIPALITY.
5. PRIOR TO THE PLACEMENT OF THE BINDER COURSE OF ASPHALT, THE BASE COURSE SHALL BE CLEANED AND A PRIME COAT SHALL BE APPLIED AT THE RATE OF 0.25 TO 0.50 GAL/SY PER CALTRANS STANDARDS.
6. PRIOR TO THE PLACEMENT OF THE SURFACE COURSE OF ASPHALT, THE BINDER COURSE SHALL BE CLEANED AND A TACK COAT SHALL BE APPLIED AT A RATE OF 0.10 GAL/SY PER CALTRANS STANDARDS.
7. SEE PAVING SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.

## PAVEMENT LEGEND

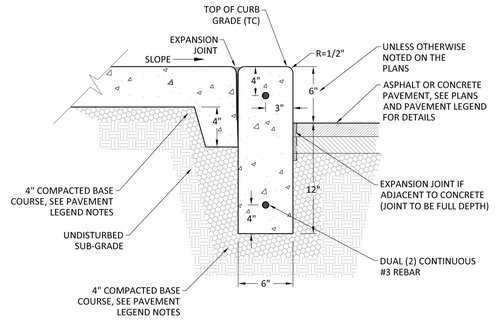
NOT TO SCALE




1. SEE PLANS FOR LOCATIONS.

## PROPOSED ASPHALT PATCH ADJACENT TO PROPOSED CURB

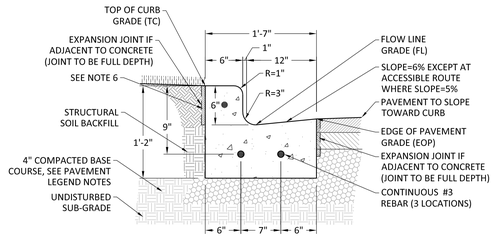
NOT TO SCALE




1. SEE PLANS FOR LOCATIONS.

## BARRIER CURB AT PAVEMENT

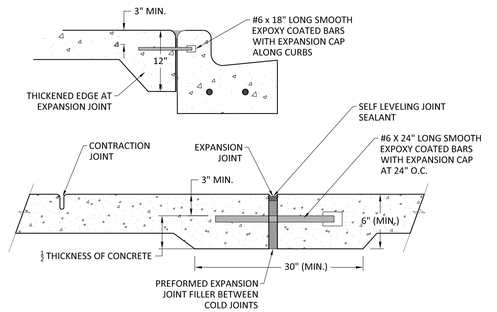
NOT TO SCALE




1. USE STNDARD PITCH GUTTERS WHERE WATER IS DIVERTED TOWARD CURB.
2. LONGITUDINAL SLOPE SHALL BE 0.50% MIN.
3. PROVIDE EXPANSION JOINTS AT ALL POINT OF CURVATURE, AT 10' ON EITHER SIDE OF UTILITY TRENCHES OR STRUCTURES AND AT A DISTANCE NOT TO EXCEED 50'
4. PROVIDE HAND TOOLED CONTRACTION JOINTS IN BETWEEN EXPANSION JOINTS AT DISTANCES NOT TO EXCEED 20'
5. PROVIDE LIGHT BROOM FINISH IN DIRECTION OF FLOW.
6. BACK OF CURB TO BE EXPOSED IN SEVERAL LOCATIONS. SEE PLANS FOR LOCATIONS AND INCLUDES ALL BMP ISLANDS. CONCRETE TO BE POURED 1'-2" THICK FROM ELEVATION AT BACK OF CURB.

## COMBINATION CONCRETE CURB AND GUTTER - STANDARD PITCH

NOT TO SCALE




CONTRACTION JOINTS

1. 1/4" DEEP FOR CONCRETE PAVEMENT, 2" DEEP FOR CONCRETE SIDEWALKS.
2. TOOLED JOINTS WITH 1/2" JOINT RADII.
3. 1/4" MAXIMUM WIDTH.

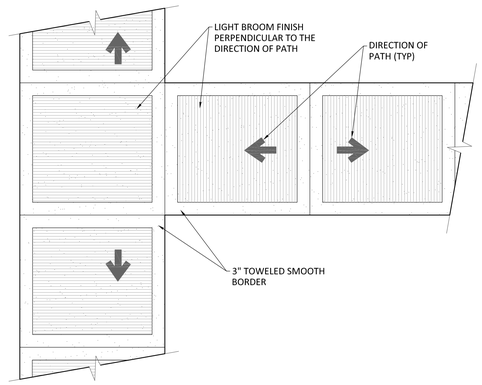
EXPANSION JOINTS

1. ALL EXPANSION JOINTS TO BE 1/2" PREMOLDED JOINTS.
2. JOINT TO BE FULL DEPTH OF CONCRETE.
3. CLEAN ALL DEBRIS WITH HIGH PRESSURE AIR BEFORE JOINT SEALANT INSTALLATION.
4. FIBER BOARD SHALL BE EXCLUDED AT ACCESSIBLE RAMPS ABUTTING A CURB.
5. EXPANSION JOINTS SHALL BE PROVIDED AROUND THE PERIMETER OF ANY BLOCKOUT IN THE CONCRETE PAVING.

1. SEE PAVEMENT SECTIONS FOR DETAILS.
2. SIDEWALK WIDTHS MAY VARY.
3. ALL REINFORCEMENT BARS SHALL BE GRADE 40 KSI DEFORMED REINFORCEING STEEL. SIZING AND SPACING SHALL BE IN ACCORDANCE WITH STATE DOT SPECIFICATIONS.

## CONCRETE JOINTS

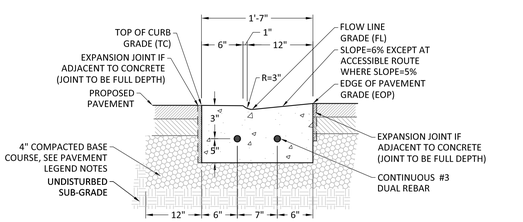
NOT TO SCALE




1. SEE PLANS FOR LOCATIONS.

## CALIFORNIA FINISH CONCRETE

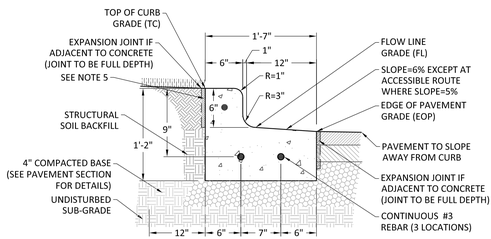
NOT TO SCALE




1. USE REVERSED PITCH GUTTERS WHERE WATER IS DIVERTED AWAY FROM CURB AND STANDARD PITCH GUTTERS WHERE WATER DRAINS TOWARD CURB.
2. LONGITUDINAL SLOPE SHALL BE 0.30% SLOPE MIN.
3. PROVIDE EXPANSION JOINTS AT ALL POINT OF CURVATURE, AT 10' ON EITHER SIDE OF UTILITY TRENCHES OR STRUCTURES AND AT A DISTANCE NOT TO EXCEED 50'.
4. PROVIDE HAND TOOLED CONTRACTION JOINTS IN BETWEEN EXPANSION JOINTS AT DISTANCES NOT TO EXCEED 20'.
5. PROVIDE LIGHT BROOM FINISH IN DIRECTION OF FLOW.
6. FIBER BOARD SHALL BE EXCLUDED AT ACCESSIBLE RAMPS

## COMBINATION CONCRETE CURB AND GUTTER - DEPRESSED

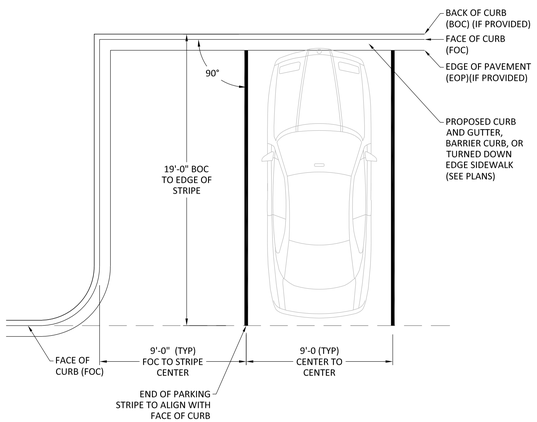
NOT TO SCALE




1. USE REVERSED PITCH GUTTERS WHERE WATER IS DIVERTED AWAY FROM CURB.
2. PROVIDE EXPANSION JOINTS AT ALL POINT OF CURVATURE, AT 10' ON EITHER SIDE OF UTILITY TRENCHES OR STRUCTURES AND AT A DISTANCE NOT TO EXCEED 50'.
3. PROVIDE HAND TOOLED CONTRACTION JOINTS IN BETWEEN EXPANSION JOINTS AT DISTANCES NOT TO EXCEED 20'
4. PROVIDE LIGHT BROOM FINISH IN DIRECTION OF FLOW.
5. BACK OF CURB TO BE EXPOSED IN SEVERAL LOCATIONS. SEE PLANS FOR LOCATIONS AND INCLUDES ALL BMP ISLANDS. CONCRETE TO BE POURED 1'-2" THICK FROM ELEVATION AT BACK OF CURB.

## COMBINATION CONCRETE CURB AND GUTTER - REVERSE PITCH

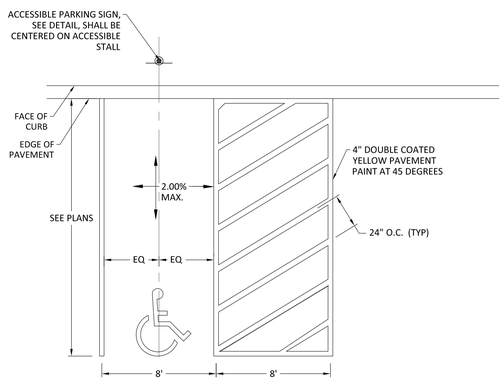
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1. ALL STRIPING SHALL BE DOUBLE COATED YELLOW PAVEMENT PAINT

## PARKING STALL STRIPING - 90 DEGREE

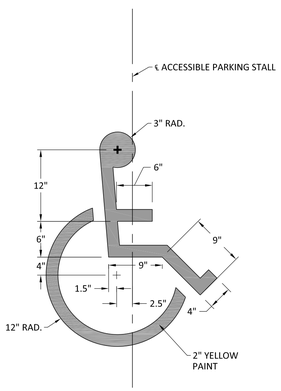
NOT TO SCALE




1. SIGNS SHALL BE VERTICALLY MOUNTED ON A POST OR WALL AT FRONT CENTER OF THE PARKING SPACE, NO MORE THAN 6 FEET HORIZONTALLY FROM THE FRONT OF THE PARKING SPACE.
2. ACCESSIBLE PARKING STALL SLOPES NOT TO EXCEED 2.00% IN ANY DIRECTION.

## ACCESSIBLE PARKING STALL - 90 DEG 8' x 8'

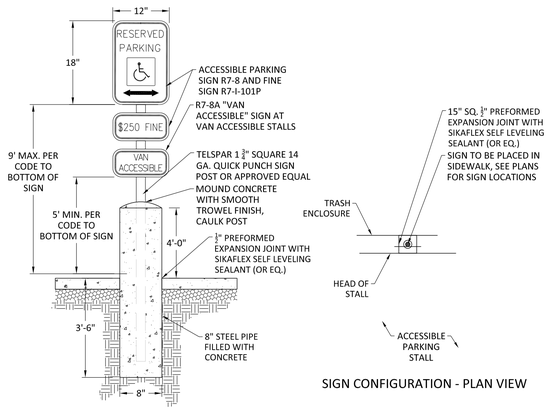
NOT TO SCALE




1. SEE PLAN FOR QUANTITIES AND LOCATIONS.
2. BOTTOM OF SYMBOL SHALL ALIGN WITH END OF STALL.

## ACCESSIBLE PARKING STALL PAVEMENT SYMBOL

NOT TO SCALE




SIGN CONFIGURATION - PLAN VIEW

1. SIGNS SHALL BE VERTICALLY MOUNTED ON A POST OR WALL AT FRONT CENTER OF THE PARKING SPACE, NO MORE THAN 6 FEET HORIZONTALLY FROM THE FRONT OF THE PARKING SPACE.
2. FOR EVERY 6 ACCESSIBLE STALLS (OR FRACTION THEREOF) AT LEAST ONE STALL SHALL BE VAN ACCESSIBLE INCLUDING THE "VAN ACCESSIBLE" SIGN.

## ACCESSIBLE PARKING SIGN AT STALL IN SIDEWALK

NOT TO SCALE

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

**WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)**
1082 E. MAIN STREET
OAKLEY, CA

PROJECT DETAILS 1

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

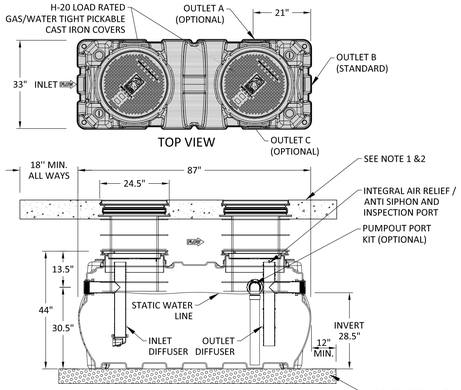

Weaver Consultants Group

OFFICE LOCATION:
WEAVER CONSULTANTS GROUP
1316 BOND STREET, SUITE 108
NAPERVILLE, ILLINOIS 60563
(630) 717-4848
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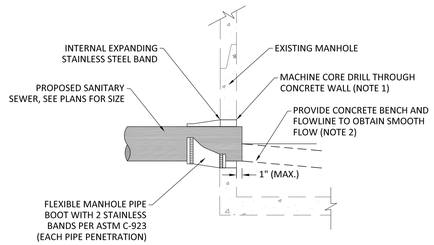

SHEET #: C-10




1. PROVIDE 8" CONCRETE PAVEMENT IN VEHICULAR AREAS, PROVIDE 4" FOR PEDESTRIAN OR LAWN AREAS. ALL PAVEMENT SHALL HAVE #4 REBAR REINFORCEMENT 12" O.C. SEE PRODUCT SPECIFICATIONS FOR ADDITIONAL DETAILS.
2. AGGREGATE COMPACTION AROUND GREASE TRAP SHALL BE DONE BY HAND. NO MECHANICAL COMPACTION IS ALLOWED.

## SCHIER GB-250 GREASE TRAP

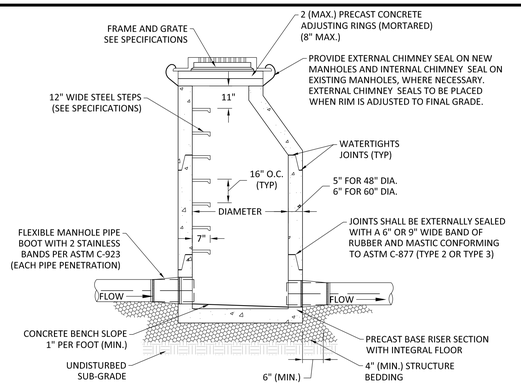
NOT TO SCALE




1. MACHINE CORE DRILL CIRCULAR OPENING IN STRUCTURE WALL. OPENING DIAMETER TO FIT THE REQUIRED RESILIENT CONNECTOR PER MANUFACTURER'S RECOMMENDATIONS.
2. CUT, SHAPE, AND SLOPE NEW INVERT CHANNEL IN THE EXISTING CONCRETE BENCH FOR SMOOTH FLOW.
3. CLEAN EXISTING STRUCTURE AND SEWER PIPE OF ANY DIRT, CONCRETE, OR DEBRIS WHICH MAY ACCUMULATE DURING THE CONSTRUCTION PROCESS.
4. ANY DAMAGE TO THE EXISTING MANHOLE SHALL BE REPAIRED BY THE CONTRACTOR.

## SANITARY SEWER PIPE CONNECTION TO EXISTING MANHOLE

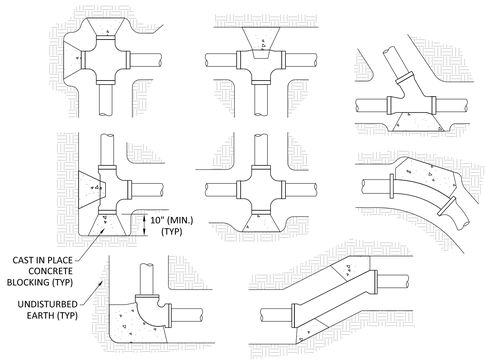
NOT TO SCALE




1. PRECAST STRUCTURES TO CONFORM TO ASTM C-478.
2. STRUCTURE SECTIONS TO BE TONGUE AND GROOVE.
3. BENCHES MUST BE PROVIDED IN ALL SANITARY SEWER MANHOLES.
4. NON-PRECAST OPENINGS SHALL BE CORED AND RUBBER BOOTED.
5. USE ECCENTRIC CONE ONLY
6. USE EXTERNAL LIFTING HOLES ONLY, BUT NOT FULL PENETRATION.

## TYPE A SANITARY MANHOLE

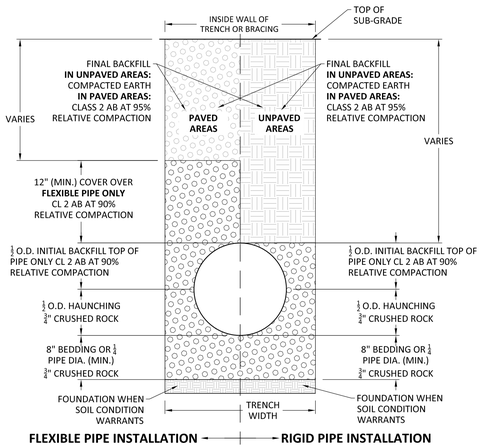
NOT TO SCALE




1. ALL BENDS OF 22½° AND LARGER SHALL BE BLOCKED WITH AT LEAST 10" THICK POURED IN PLACE CONCRETE BLOCKS AGAINST UNDISTURBED VERTICAL EARTH FACE.
2. ALL CONCRETE TO BE 3,500 PSI (MIN.)
3. IN ADDITION TO THE ABOVE THRUST BLOCKING, ALL MECHANICAL JOINTS, BENDS OVER 10 DEG, TEES, CROSSES, VALVES, AND FIRE HYDRANTS SHALL HAVE A "MEGALUG" RESTRAINT, OR AS APPROVED BY THE MUNICIPAL ENGINEERING DIVISION. BOLTS SHALL BE "COR-TEN".
4. PLACE THE BASE AND THRUST BEARING SIDES OF THRUST BLOCK DIRECTLY AGAINST UNDISTURBED EARTH.

## THRUST BLOCKING

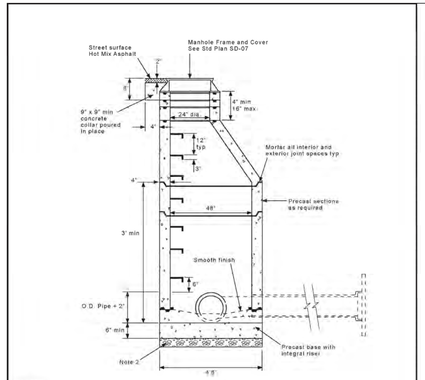
NOT TO SCALE




1. BEDDING NOT REQUIRED FOR WATERMAIN.

## UTILITY TRENCH AND BEDDING DETAIL

NOT TO SCALE

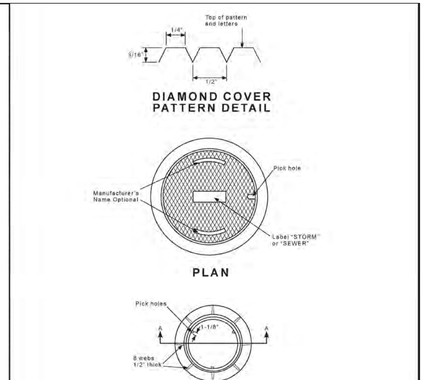



*Notes*

1. Precast Manhole sections shall conform to applicable provisions of ASTM C478.
2. 9" Class II for Aggregate Base bedding compacted to 95% maximum ASTM D1557.
3. Steps shall be galvanized steel 3/4" diameter inserted 3" minimum
4. All joints with flexible plastic Joint Compound (Ram-Neck, Quick Seal, or equal) two layers may be required to seal base; laster with mortar thereafter.
5. Manhole base must be poured against undisturbed soil. If excavated too deep, fill with concrete.
6. For manhole with large diameter pipes, see Contra Costa County Standard Plans.

NOT TO SCALE

| | DATE | | STD. PLAN NO. |
|---|---|---|---|
| | July 2021 | OAKLEY CALIFORNIA | STANDARD MANHOLE — SD-06 |




NOT TO SCALE

| | DATE | | STD. PLAN NO. |
|---|---|---|---|
| | July 2021 | OAKLEY CALIFORNIA | MANHOLE FRAME AND COVER — SD-07 |




PAVEMENT LID OPTION

1. CURB BOX SHALL BE: MUELLER H-10300 OR APPROVED EQUAL.
2. CURB STOP SHALL BE: MUELLER P25155 OR APPROVED EQUAL.
3. CORPORATION STOP SHALL BE: MUELLER H15013 OR APPROVED EQUAL.

## DOMESTIC SERVICE TAP CONNECTION

NOT TO SCALE

### BEDDING MATERIAL

Granular bedding material requirements
Caltrans durability index minimum 30

| Sieve Sizes | Percentage Passing |
|---|---|
| 1" | 100 |
| 3/4" | 90-100 |
| 3/8" | 20-55 |
| #4 | 0-10 |
| #8 | 0-5 |

### STRUCTURAL BACKFILL

Structural backfill requirements percent passing
Minimum Sand Equivalent of 20

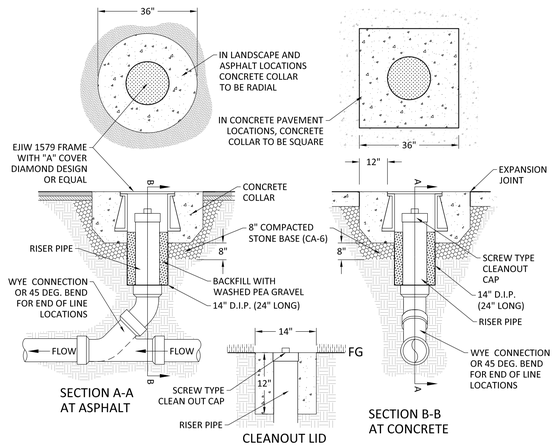
| Sieve Sizes | Percentage Passing |
|---|---|
| 1-1/2" | 100 |
| 3/4" | 80-100 |
| #4* | 30-60 |
| #30 | 5-35 |
| #200 | 0-12 |

*Notes*

1. All backfill material shall be placed in lifts not to exceed 6 inches before compaction unless authorized by the City Engineer.
2. Mechanical compaction of backfill material shall not begin until the depth of compacted backfill material is 2 feet above the top of pipe.
3. Each lift shall be mechanically compacted to the required density prior to placing succeeding lifts of backfill material.
4. Compaction tests shall be as required by the city construction inspector, but in no case less than 2 tests every 200 feet of trench.
5. In-place density will be determined by one or more of the following methods.
   (A) ASTM D1557, test for density of soil in place by the sand cone method.
   (B) ASTM D2922- Nuclear method.
6. Laboratory density will be determined by ASTM D 1557, Moisture-Density Relations of soils and soil-aggregate mixtures.
7. If the edge of the trench falls within 3 feet of the gutter, the entire pavement shall be removed to the gutter.
8. On steep slopes, construct clay or concrete dam through the bedding material as determined by the City Engineer.
9. For concrete streets place 6 inches of Class A Portland Cement Concrete over 6" of Class 2 Aggregate Base for finished surface.
10. All trench construction shall be in compliance with latest OSHA Standards.
11. Place permanent pavement within 30 days after backfilling. Install temporary Asphalt Concrete (AC) to finish grade until permanent Hot Mix Asphalt (HMA) is placed.
12. If existing HMA section is less than 4", grind AC to full depth of existing AC and replace full depth of HMA section (4" minimum).
13. In paved streets, all cuts shall be smooth and vertical with the area being generally rectangular. Native material may be used as backfill if approved by the City Engineer. If sand backfill is used, it must be well graded, tamped with vibratory compactor and lightly jetted, if needed.
14. A semi-finished surface or lowered cross-section (Max lowered depth, 1/2") of AC will be allowed for a maximum of 15 days after backfilling to allow for settling. NO CUT BACK OR COLD PATCH only hot mix asphalt or recessed trench plates allowed. Contractor shall immediately patch any time that excessive settling occurs or as directed by the City Engineer or City representative.
15. Within 15 days, Contractor shall restore surface to its original condition with hot mix asphalt (HMA) per the requirements below. A 6-inch edge of existing AC shall be removed around the perimeter of the cut before the placement of HMA.
16. A 6" course of CL II AB and 3" HMA is minimum surface to be restored. No restoration shall be less substantial than existing composition. In cases of concrete streets, a 6" thickness of concrete on a 6" CL II AB is the minimum standard.

NOT TO SCALE

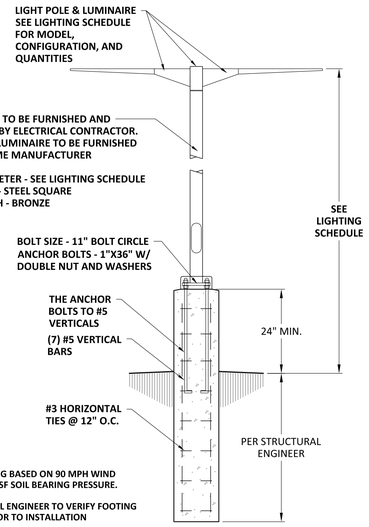
| | DATE | | STD. PLAN NO. |
|---|---|---|---|
| | July 2021 | OAKLEY CALIFORNIA | PIPE TRENCH NOTES — SD-04 |




1. VERIFY PIPE SIZES WITH UTILITY PLAN.

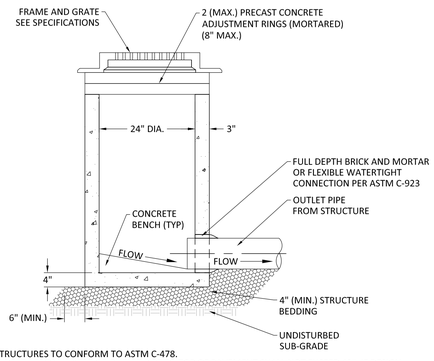
## CLEANOUT

NOT TO SCALE




## WENDY'S - STANDARD LIGHT POLE

NOT TO SCALE




1. PRECAST STRUCTURES TO CONFORM TO ASTM C-478.
2. MAXIMUM DEPTH FROM INVERT OF OUTLET PIPE TO TOP OF PAVEMENT SHALL NOT EXCEED 42". IF DESIGN OR CONSTRUCTION REQUIRES DEPTH BEYOND 42", STRUCTURE SHALL BE REVISED TO A 48" DIAMETER TYPE A CATCH BASIN.
3. BENCHES MUST BE PROVIDED IN ALL INLETS.
4. NON-PRECAST OPENINGS SHALL BE CORED.
5. ALL PIPE CONNECTIONS SHALL HAVE PRECAST "RUBBER BOOTS" THAT CONFORM TO ASTM C-923. PRECAST SECTIONS SHALL CONSIST OF MODIFIED GROOVE TONGUE AND RUBBER GASKET TYPE JOINTS.

## TYPE A INLET

NOT TO SCALE

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

PROJECT DETAILS 2

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

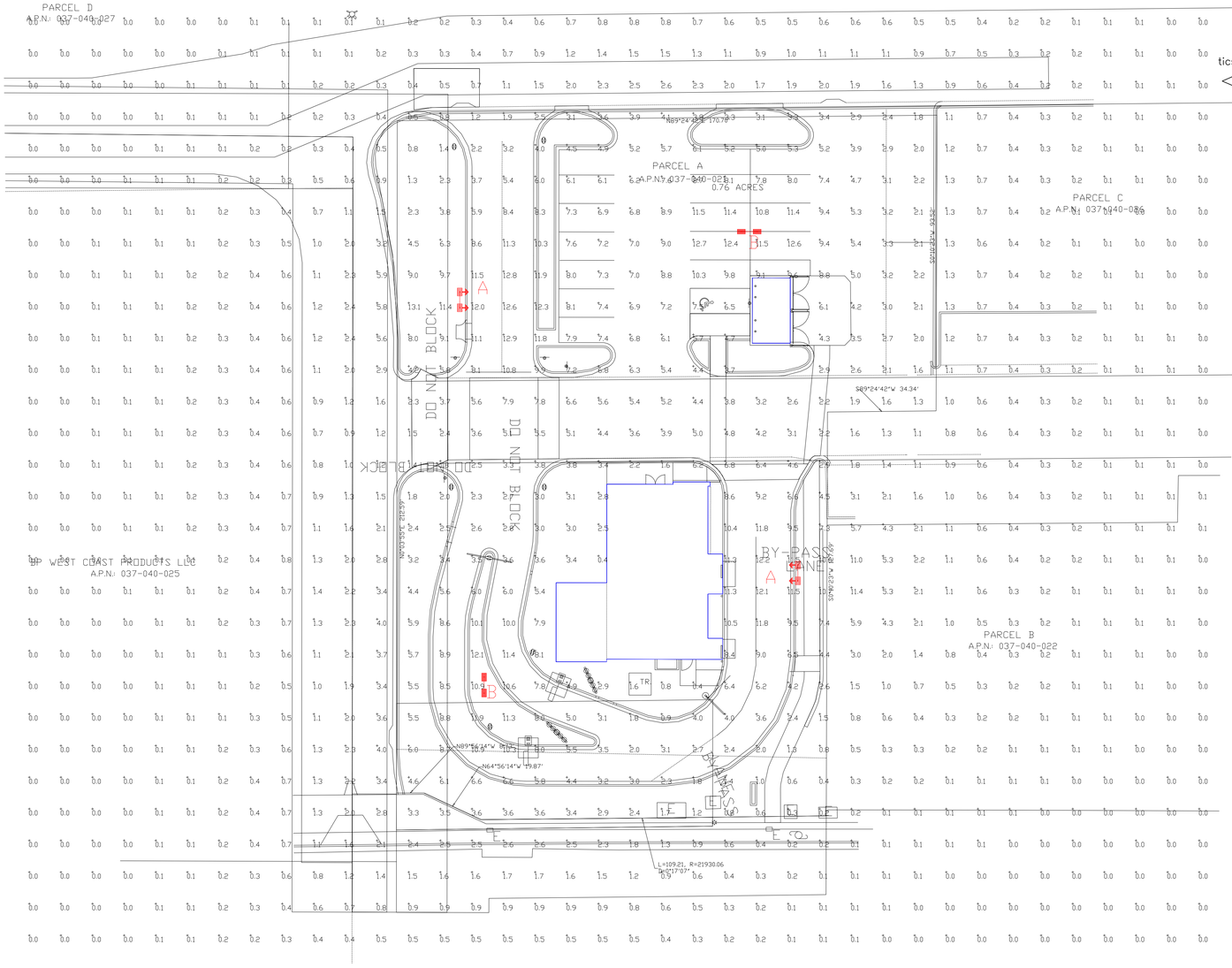
Weaver Consultants Group

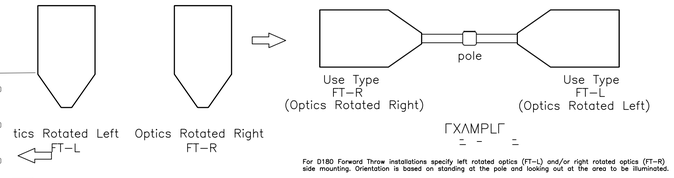
OFFICE LOCATION:
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NAPERVILLE, ILLINOIS 60563
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SHEET #: C-11

F:\PROJECTS\5325 - Dependable Foods\300 - Oakley CA\32\Dwg's\5325-300-32-01.dwg,WCGrv1965sprice,December 9, 2021







Top View
Fixture Type A

Op

Catalog # : _____ Project : _____

Prepared By : _____ Date : _____

# Steel Poles

## Square Straight



**QUICK LINKS**

Ordering Guide | Configurations | Dimensions | EPA

## FEATURES & SPECIFICATIONS

### Pole Shaft

- Straight poles are 4", 5", or 6" square.
- Pole shaft is electro-welded ASTM-A500 Grade C steel tubing with a minimum yield strength of 50,000 psi.
- On Tenon Mount steel poles, tenon is 2-3/8" O.D. high-strength pipe. Tenon is 4-3/4" in length.

### Hand-Hole

- Standard hand-hole location is 12" above pole base.
- Poles 22' and above have a 3" x 6" reinforced hand-hole. Shorter poles have a 2" x 4" non-reinforced hand-hole.

### Base

- Pole base is ASTM-A36 hot-rolled steel plate with a minimum yield strength of 36,000 psi.
- Two-piece square base cover is optional.

### Anchor Bolts

- Poles are furnished with anchor bolts featuring zinc-plated double nuts and washers. Galvanized anchor bolts are optional.
- Anchor bolts conform to ASTM F 1554-07a Grade 55 with a minimum yield strength of 55,000 psi.

### Ground Lug

- Ground lug is standard.

### Duplex Receptacle

- Weatherproof duplex receptacle is optional.

### Ground Fault Circuit Interrupter

- Self-testing Ground fault circuit interrupter is optional.

### Finishes

- Every pole is provided with the DuraGrip® Protection System and a 5-year limited warranty.
- When the top-of-the line DuraGrip® Plus Protection System is selected, in addition to the DuraGrip® Protection System, a non-porous, automotive-grade corrosion coating is applied to the lower portion of the pole interior, sealing and further protecting it from corrosion. This option extends the limited warranty to 7 years.

### Determining The Luminaire/Pole Combination For Your Application:

- Select luminaire from luminaire ordering information
- Select bracket configuration if required
- Determine EPA value from luminaire/bracket EPA chart
- Select pole height
- Select MPH to match wind speed in the application area (See Windspeed maps).
- Confirm pole EPA equal to or exceeding value of luminaire/bracket EPA
- Consult factory for special wind load requirements and banner brackets

### Pole Vibration Damper

- A pole vibration damper is recommended in open terrain areas of the country where low steady state winds are common.
- Non-tapered poles and lightly loaded poles are more susceptible to destructive vibration if a damper is not installed.

### Listings

- UL Listed
- BAA/TAA Compliant



| Calculation Summary | | | | | | | |
|---|---|---|---|---|---|---|---|
| Label | CalcType | Units | Avg | Max | Min | Avg/Min | Max/Min |
| ALL CALCS @ GRADE | Illuminance | Fc | 2.01 | 13.1 | 0.0 | N.A. | N.A. |
| PARKING & DRIVE SUMMARY | Illuminance | Fc | 6.40 | 12.9 | 1.6 | 4.00 | 8.06 |

| Luminaire Schedule | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Symbol | Qty | Label | Arrangement | Description | LLD | LDD | LLF | Arr. Lum. Lumens | Arr. Watts |
| | 2 | A | D180° 2RTD | SLM-LED-30L-SIL-(1)FT-L,(1)FT-R-50-70CRI-D180RDT-24' POLE+2' BASE | 1.000 | 1.000 | 1.000 | 63844 | 464 |
| | 2 | B | D180° | SLM-LED-30L-SIL-FT-50-70CRI-D180-24' POLE+2' BASE | 1.000 | 1.000 | 1.000 | 63844 | 464 |

Total Project Watts
Total Watts = 1856

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

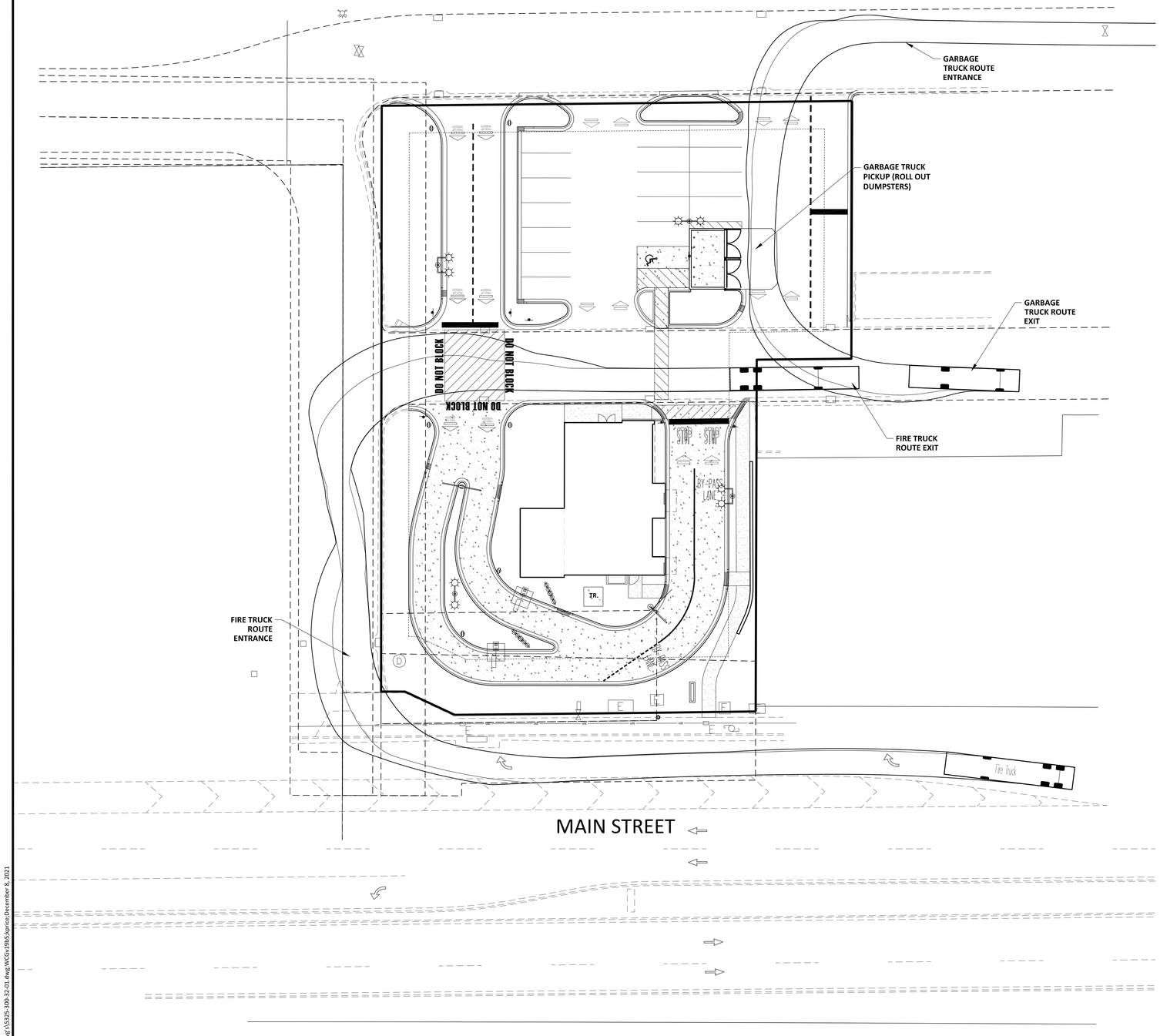
10000 ALLIANCE RD. CINCINNATI, OHIO 45242 USA
(513) 793-3200 • FAX (513) 793-4803

LIGHTING PROPOSAL LO-154455

WENDY'S
MAIN ST
OAKLEY, CA

| BY:AHK | DATE:9/16/21 | REV: | SHEET 1 OF 1 |
|---|---|---|---|

SCALE: 1"=20' 0 20




N

SCALE: 1" = 20'

0 10' 20' 40'

MUNICIPAL/AGENCY APPROVAL STAMP

Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

TRUCK CIRCULATION PLAN

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

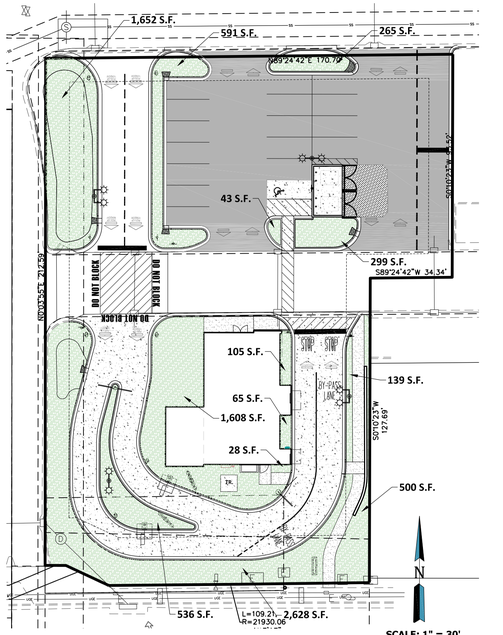
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NAPERVILLE, ILLINOIS 60563
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SHEET #: T-1

F:\PROJECTS\5325 - Dependable Foods\300 - Oakley Ca\32\Dwg\5325-300-32-01.dwg;WCGrv19b5;kprice;December 8, 2021




LANDSCAPE AREA KEY MAP AND QUANTITIES:

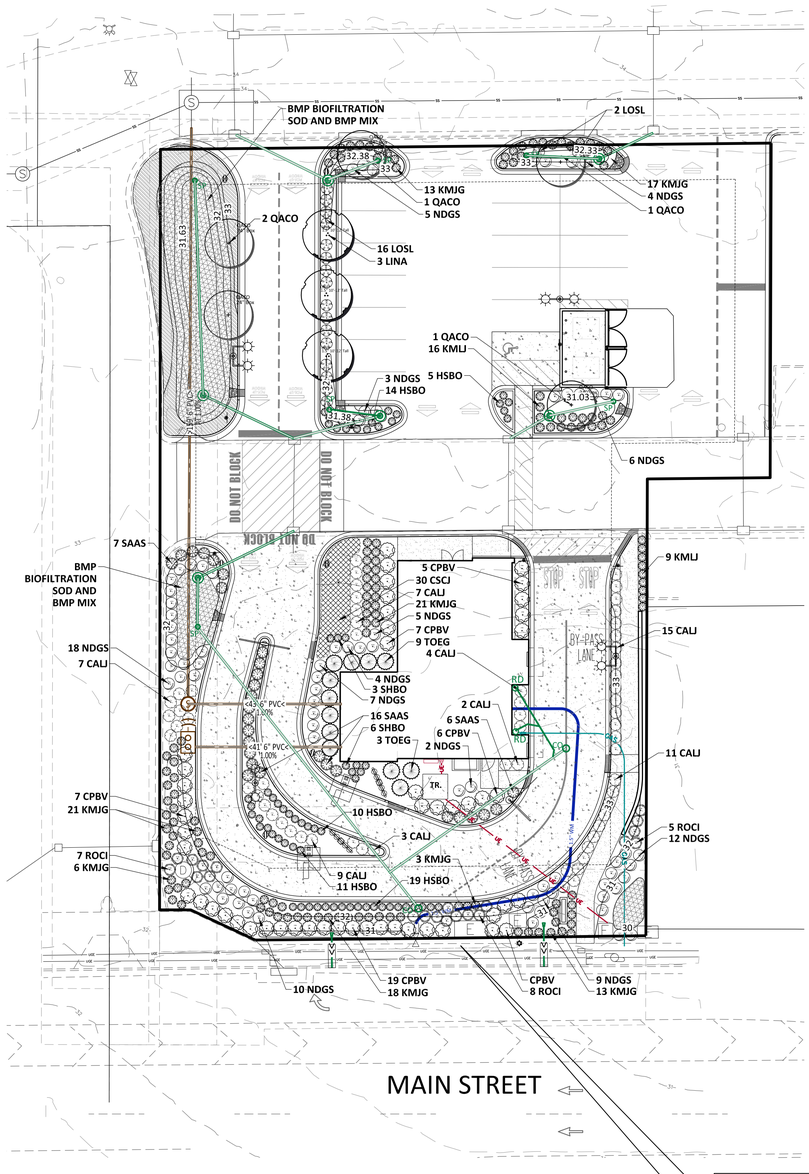
## LANDSCAPE CALCULATIONS:

| | |
|---|---|
| **SUMMARY:** | |
| **SITE AREA** | **33,186 S.F.** |
| **ASPHALT PARKING LOT AREA** | **7,708S.F.** |
| **TOTAL LANDSCAPE AREA PROVIDED** | **8,413 S.F. (25.4%)** |

PARKWAY STREET TREES - N/A

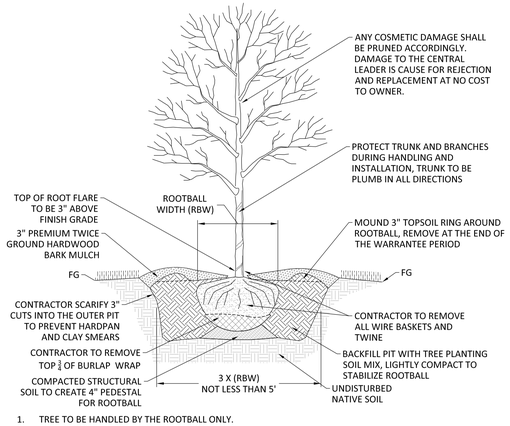
PARKING LOT INTERIOR - 1 TREE PER 600 S.F. (7,454/600 = 12 TREES REQUIRED)
PARKING LOT INTERIOR TREES PROVIDED = 12

| **SHADE CALCULATION SUMMARY:** | | | |
|---|---|---|---|
| **TOTAL PARKING AREA** | **7,708 S.F.** | | |
| **REQUIRED SHADE AREA (50%)** | **3,851 S.F.** | | |
| **PROVIDED 15 YR SHADE AREA** | **3,874 S.F.** | | |
| **PROVIDED SHADE AREA PERCENTAGE** | **50.2%** | | |
| | **QTY.** | **MATURE SHADE AREA** | **TOTAL SHADE AREA** |
| QUECUS AGRIFOLIA | **5** | **707 S.F.** | **3,535 S.F.** |
| LAGERSTROEMIA INDICA 'NATCHEZ' | **3** | **113 S.F.** | **339 S.F.** |
| TOTAL CANOPY SHADE AREA | | | **3,874 S.F.** |




## LANDSCAPE CALCULATIONS:

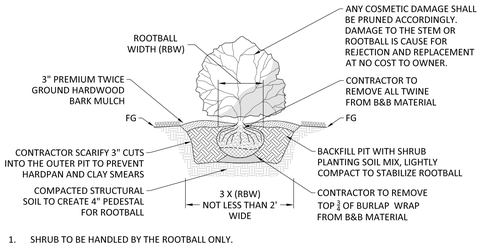
THERE ARE EXISTING IRRIGATION LINES AND WIRES WITHIN CLOSE PROXIMITY TO THE PROPOSED SITE. THERE IS ALSO A POWER PULL RUNNING FROM THE LIGHTED DIRECTIONAL SIGN THAT SITS ON THE MEDIAN ISLAND COMING FROM SOMEWHERE IN THAT LOCATION. THESE LINES AND WIRES WILL NOT SHOW UP ON A DIG USA CALL OUT. THE DEVELOPER WILL BE RESPONSIBLE FOR REQUESTING AS-BUILT DRAWINGS FROM THE CITY AND POT HOLING AND PERFORMING DISCOVERY OF THESE 3 LINES TO AVOID BREAKING THEM. THEY MAY NEED TO LOWER AND SLEEVE THESE LINES IF THEY ARE TO PASS UNDER ANY NEW HARDSCAPE.




1. TREE TO BE HANDLED BY THE ROOTBALL ONLY.
2. ENSURE POSITIVE DRAINAGE AWAY FROM TREE.
3. ALL TREES TO BE FIELD GROWN, ROOT PRUNED, AND SPADE DUG.
4. ALL TREES TO BE BALL AND BURLAP AS NECESSARY FOR ROOT PROTECTION, VIABILITY, HANDLING &TRANSPORT.

## SHADE TREE PLANTING

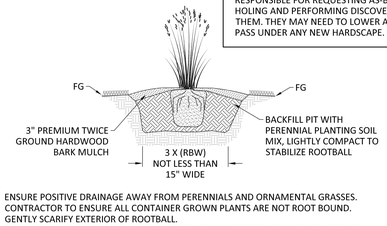
NOT TO SCALE




1. SHRUB TO BE HANDLED BY THE ROOTBALL ONLY.
2. ENSURE POSITIVE DRAINAGE AWAY FROM SHRUB.
3. CONTRACTOR TO ENSURE ALL CONTAINER GROWN PLANTS ARE NOT ROOT BOUND.
4. GENTLY SCARIFY EXTERIOR OF ROOTBALL.

## SHRUB PLANTING

NOT TO SCALE




1. ENSURE POSITIVE DRAINAGE AWAY FROM PERENNIALS AND ORNAMENTAL GRASSES.
2. CONTRACTOR TO ENSURE ALL CONTAINER GROWN PLANTS ARE NOT ROOT BOUND.
3. GENTLY SCARIFY EXTERIOR OF ROOTBALL.
4. PERENNIAL BEDS SHALL BE TILLED TO A DEPTH OF 10" EXCEPT UNDER EXISTING TREES.
5. UNDER EXISTING TREES, CONTRACTOR TO DIG STAND ALONE PLANTINGS IN NATIVE SOILS. CONTRACTOR TO FIELD ADJUST IF LARGE ROOTS ARE ENCOUNTERED.

## PERENNIAL/ ORNAMENTAL GRASS PLANTING

NOT TO SCALE

## SPECIFICATIONS - LANDSCAPE

1. **STANDARDS AND SPECIFICATIONS:** THE CURRENT EDITION OF THE "AMERICAN STANDARD FOR NURSERY STOCK" (ANSI Z60.1 CURRENT ADDITION) PUBLISHED BY AMERICANHORT.
2. **SITE ANALYSIS:** THE LANDSCAPE CONTRACTOR SHALL VISIT THE SITE AND EVALUATE SITE CONDITIONS IN RELATION TO THE LANDSCAPE PLAN AND IT'S ASSOCIATED PLAN SET. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY ANY CONFLICTS.
3. **PROJECT COORDINATION:** THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL WORK WITH THE GENERAL CONTRACTOR AND SUBCONTRACTORS AS NECESSARY.
4. **UTILITIES:** THE LANDSCAPE CONTRACTOR SHALL PROTECT ALL UTILITIES AND IRRIGATION SYSTEMS. ALL DAMAGES TO THE PROTECTED SYSTEMS SHALL BE REPLACED/ REPAIRED TO A NEW CONDITION. LABOR AND MATERIALS SHALL BE AT NO COST TO THE OWNER.
5. **LANDSCAPE PROTECTION:** THE LANDSCAPE CONTRACTOR SHALL PROTECT ALL EXISTING LANDSCAPE NOTED FOR PROTECTION AND ON-SITE LANDSCAPE ASSOCIATED WITH CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR PROPER SHIPPING, HANDLING, STORAGE, PLANTING, WATERING AND MAINTENANCE OF ALL PROPOSED LANDSCAPE MATERIALS INCLUDING THEFT FROM THE TIME OF ACQUISITION TILL TIME OF ACCEPTANCE.
6. **PLANT QUALITY:** ALL LANDSCAPE PLANTS SHALL BE TRUE TO THE BOTANICAL SPECIES AND VARIETY AND SIZE SPECIFIED ON THE PLANS. PLANTS SHALL BE MAINTAINED DURING GROWTH DEVELOPMENT TO UNIFORM, SYMMETRICAL AND WELL BRANCHED. PLANTS SHALL BE FREE OF ANY PESTS AND ANY OTHER PLANT GROWING FROM THE ROOTBALL. DAMAGED TRUNKS, BRANCHES AND INDICATIONS OF MISHANDLING ARE SUFFICIENT CAUSE FOR REJECTION. ALL SINGLE STEM TREES SHALL HAVE ONE DOMINANT CENTRAL LEADER.
7. **PRUNING:** THE LANDSCAPE CONTRACTOR SHALL ENSURE ALL BRANCH AND ROOT PRUNING IS DONE BY A CERTIFIED ARBORIST AND IN ACCORDANCE WITH ANSI A300.
8. **TREE ROOT FLARE AND ROOTBALL:** THE LANDSCAPE CONTRACTOR INSPECT ALL ROOTBALLS TO ENSURE NO ROOT GREATER THAN ½" SHALL CIRCLE ROOTBALL MORE THAN ¼ OF ROOTBALL CIRCUMFERENCE. ROOTBALL SHALL BE FREE OF "J" ROOTS, KINKED, OR GIRDLING ROOTS OR POT BOUND. ROOT FLARE SHALL NOT BE PLACED BELOW FINISH GRADE, SEE DETAIL FOR ILLUSTRATION.
9. **PLANT CERTIFICATION:** THE LANDSCAPE CONTRACTOR SHALL PROVIDE PROOF ALL PLANTS ARE CERTIFIED FREE OF DISEASE AND INFESTATIONS IN ACCORDANCE OF STATE AND FEDERAL LAWS.
10. **TIMING:** CONTRACTOR SHALL COORDINATE WITH GENERAL CONTRACTOR FOR LANDSCAPE INSTALLATION TIMING. ANY PROPOSED LANDSCAPE THAT HAS UNIQUE CONSTRAINTS OR INSTALLATIONS CANNOT MEET CONSTRUCTION TIMING REQUIRES PRE APPROVAL BY LANDSCAPE ARCHITECT.
11. **SUBSTITUTIONS:** ALL PLANT SUBSTITUTIONS REQUIRE LANDSCAPE ARCHITECT AND MUNICIPAL APPROVAL (IF REQUIRED).
12. **WATERING:** THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL WATERING FROM TIME OF ACQUISITION TO 30 DAYS AFTER INSTALLATION. CONTRACTOR SHALL REPLACE ALL PLANTS THAT DIE OR SEVERELY DAMAGE AS A RESULT OF LACK OF OR EXCESSIVE WATERING. REPLACEMENT DUE TO PLANT CARE SHALL BE AT NO COST TO THE OWNER. WATERING SHALL BE INCLUDED IN CONTRACTOR'S BID.
13. **WARRANTEE:** THE LANDSCAPE CONTRACTOR SHALL ENSURE ALL LANDSCAPE PLANTS FOR 1 CALENDAR YEAR FROM THE TIME OF ACCEPTANCE. WARRANTEE SHALL INCLUDE ALL LABOR. REPLACEMENT PLANTS SHALL INCLUDE A SUBSEQUENT 1 CALENDAR YEAR. REPLACEMENTS SHALL BE INSTALLED WITHIN 2 WEEKS FROM NOTIFICATION UNLESS APPROVED BY LANDSCAPE ARCHITECT.
14. **CHEMICALS:** PESTICIDES , HERBICIDES, FUNGICIDES, ALGAECIDES, PRE-EMERGENT, ETC. SHALL BE STORED, HANDLED, APPLIED AND RE-APPLIED IN ACCORDANCE WITH ALL STATE AND FEDERAL REQUIREMENTS AND MANUFACTURER'S RECOMMENDATIONS. ALL APPLICATIONS SHALL BE PERFORMED BY A LICENSED APPLICATOR IN THE STATE OF WORK. APPLICATORS SHALL WEAR ALL REQUIRED PPE (PERSONAL PROTECTION EQUIPMENT).
15. **FERTILIZERS AND AMENDMENTS:** ALL FERTILIZERS SHALL BE APPLIED AT THE RATE AS RECOMMENDED FOR THE APPLICABLE CONDITION AND RATES SHALL BE ADJUSTED ACCORDING TO SOIL CONDITIONS AND PLANT NEEDS.
16. **TOPSOIL:** TOPSOIL SHALL MEET ASTM D422, ASTM D2974, AND AASHTO T267. TOPSOIL SHALL BE PULVERIZED NATURAL FRIABLE SURFACE SOIL, FREE OF WEEDS, BRUSH, ROOTS, HARD CLAY, LITTER, CONCRETE, ASPHALT, AND STONE EXCEEDING 1" DIA. TOPSOIL SHOULD CONTAIN 15% ORGANIC CONTENT UNLESS OTHERWISE NOTED ON PLANS. SEE PLANS FOR SOIL COMPOSITION AND DEPTHS FOR LANDSCAPE BEDS AND SPECIALIZED CONDITIONS SUCH AS BMP'S, DRY WELLS, PLANTERS, ETC. SOILS THAT HAVE BEEN CRUSHED AND HAVE NO STRUCTURE OR CAPILLARY SPACE DUE TO COMPACTION SHALL NOT BE USED FOR ANY PLANTING AREAS.
17. **TOPSOIL RE-SPREAD SHALL BE AT THE FOLLOWING UNLESS NOTED OTHERWISE:**
    (1) 4"-6" FOR LAWN AREAS
    (2) 8"-10" FOR LANDSCAPE AREAS
    (3) 12" PLANTING AREAS ABOVE/ BEHIND RETAINING WALLS
    (4) 18" FOR PARKING LOT LANDSCAPE ISLANDS
18. **SOD:** SOD SHALL BE TRUE TO THE SPECIES AND VARIETY AS SPECIFIED ON THE PLANS. SOD SHALL BE #1 PREMIUM SOD AS NOTED IN THE GUIDELINE SPECIFICATIONS TO TURF GRASS SODDING BY AMERICAN SOD PRODUCERS ASSOCIATION. SOD SHALL BE INSTALLED WITHIN 24 HOURS OF HARVEST. SOD SHALL HAVE ¾" SOIL ROOTBED. SOD SHALL BE MACHINE CUT. AT THE TIME OF INSTALLATION, ALL CUTS SHALL BE MADE WITH A SHARP KNIFE/ RAZOR. SOD STAPLES SHALL BE USED ON ALL SLOPES GREATER THAN 5:1. SOD SHALL BE PLACED IN CONTACT WITH ALL ADJACENT SOD WITH NO AIR GAPS. JOINTS SHALL BE STAGGERED AND IN NO CASE SOD TO BE CUT INTO SLIVERS LESS THAN 12" WIDE NOR LESS THAN 2 SF IN AREA. UPON INSTALLATION, SOD SHALL BE WATERED THOROUGHLY TO BIND ROOTBED TO PREPARED SOILS. SOD STAKES SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AT A MINIMUM. SOD THAT HAS TO BE REPLACED DUE TO SLUMPING SHALL BE AT NO COST TO OWNER.
19. **TURF GRASS SEEDING:** TURF GRASS SEED MIX SHALL BE TRUE TO THE SPECIES AND VARIETIES AS SPECIFIED. SEED SHALL BE AT THE RATE SPECIFIED TO 100% PLS RATES. SEED MIX SHALL BE INSTALLED AT THE DISCRETION OF THE CONTRACTOR BASED ON GROWING CONDITIONS AND WEATHER. TURF SEED GROWIN WILL BE ACCEPTED AS PERFORMANCE BASED. ALL SEEDED AREAS SHALL BE GROWN IN TO ENSURE NO BARE AREAS GREATER THAN 3 SQUARE INCHES AND NOT OCCURRING MORE THAN TWICE WITHIN A 12' RADIUS. ADDITIONAL OVERSEEDING TO ACHIEVE GROWIN PERFORMANCE SHALL BE AT NO COST TO THE OWNER. OWNER IS NOT RESPONSIBLE FOR AREAS DAMAGED BY CONSTRUCTION OR DEWATERING. SEED BLANKET SHALL BE INSTALLED FOR ALL SLOPES 5:1 OR STEEPER (MIN.) BLANKET STAKES SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATION. BLANKETS THAT HAVE TO BE REINSTALLED SHALL BE AT NO COST TO OWNER.
20. **IRRIGATION:** CONTRACTOR SHALL PROTECT ANY EXISTING IRRIGATION ON-SITE. CONTRACTOR TO VERIFY WITH OWNER IF PROPOSED IRRIGATION SYSTEM SHALL BE ADDED ONTO EXISTING SYSTEM. ALL REPAIRS TO EXISTING SYSTEM NOT ANTICIPATED SHALL BE AT NO COST TO THE OWNER.
21. **INSPECTIONS:** IF THE MUNICIPALITY REQUIRES A LANDSCAPE CERTIFICATION BY THE LANDSCAPE ARCHITECT, CONTRACTOR SHALL COORDINATE WITH LANDSCAPE ARCHITECT TO BE ON-SITE THE DAY OF COMPLETION. LANDSCAPE ARCHITECT SHALL BE GIVEN 3 BUSINESS DAY ADVANCE NOTICE (MIN.) TO VERIFY LANDSCAPE WILL BE INSTALLED PER PLAN. ANY OUTSTANDING ITEMS THAT ARE ADDRESSED AFTER DATE OF INSPECTION SHALL BE PHOTOGRAPHED BY THE LANDSCAPE CONTRACTOR AND COORDINATED FOR FINAL APPROVAL.

## LEGEND

| BIO-FILTRATION SOD | BOLERO PLUS™ 90% BOLERO DWARF FESCUE / 10% BLUEGRASS |
|---|---|

SOD PROVIDER:
DELTA BLUEGRASS COMPANY
111 N ZUCKERMAN ROAD
STOCKTON, CA 95206
1-800-637-8873
(OR APPROVED EQUAL)

MUNICIPAL/AGENCY APPROVAL STAMP

## SPECIFICATIONS - BIO-SWALE

1. **SITE ANALYSIS:** THE LANDSCAPE CONTRACTOR SHALL VISIT THE SITE AND EVALUATE SITE AND SOIL CONDITIONS IN RELATION TO THE LANDSCAPE PLAN AND IT'S ASSOCIATED PLAN SET. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY FOR ANY CONFLICTS.
2. **SEED QUALITY:** ALL SEED MIX(S) SHALL BE INSTALLED AT THE RECOMMENDED PLS RATES UNLESS NOTED OTHERWISE. SEEDS SHALL BE TRUE TO THE BOTANICAL SPECIES SPECIFIED ON THE PLANS. SEED MIXES SHALL BE STORED, HANDLED, AND INSTALLED TO PRESERVE SEED VIABILITY STANDARDS. LANDSCAPE CONTRACTOR SHALL PROVIDE PROOF ALL SEED MIXES ARE CERTIFIED FREE OF DISEASE AND INFESTATIONS IN ACCORDANCE OF STATE AND FEDERAL LAWS.
3. **CERTIFICATION(S):** CONTRACTOR SHALL HAVE CERTIFIED INSTALLERS WITH 3 YEARS EXPERIENCE AND SUPERVISOR(S) SHALL HAVE AT LEAST 7 YEARS EXPERIENCE INSTALLING NATIVE SEED AREAS. ENTIRE PROCESS OF SOIL PREPARATION AND SEED INSTALLATION SHALL BE MANAGED BY AN ON-SITE SUPERVISOR.
4. **TIMING:** CONTRACTOR SHALL COORDINATE WITH GENERAL CONTRACTOR FOR LANDSCAPE INSTALLATION TIMING. ANY PROPOSED LANDSCAPE THAT HAS UNIQUE CONSTRAINTS OR INSTALLATIONS THAT CONFLICT WITH CONSTRUCTION TIMING REQUIRES PRE APPROVAL BY LANDSCAPE ARCHITECT.
5. **SUBSTITUTIONS:** ALL SEED SUBSTITUTIONS REQUIRE LANDSCAPE ARCHITECT AND MUNICIPAL APPROVAL (IF REQUIRED).
6. **WATERING:** THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL WATERING FROM TIME OF ACQUISITION TO 60 DAYS AFTER INSTALLATION. WATERING SHALL BE INCLUDED IN CONTRACTOR'S BID.
7. **WARRANTEE:** THE LANDSCAPE CONTRACTOR SHALL ENSURE ALL LANDSCAPE PLANTS FOR 1 CALENDAR YEAR FROM THE TIME OF ACCEPTANCE. WARRANTEE SHALL INCLUDE ALL LABOR AND MATERIALS. REPLACEMENT PLANTS SHALL INCLUDE A SUBSEQUENT 1 CALENDAR YEAR. REPLACEMENTS SHALL BE INSTALLED WITHIN 2 WEEKS FROM NOTIFICATION UNLESS APPROVED BY LANDSCAPE ARCHITECT.
8. **CHEMICALS:** PESTICIDES , HERBICIDES, FUNGICIDES, ALGAECIDES, PRE-EMERGENT, ETC. SHALL BE STORED, HANDLED, APPLIED AND RE-APPLIED IN ACCORDANCE WITH ALL STATE AND FEDERAL REQUIREMENTS AND MANUFACTURER'S RECOMMENDATIONS. ALL APPLICATIONS SHALL BE PERFORMED BY A LICENSED APPLICATOR IN THE STATE OF WORK. APPLICATORS SHALL WEAR ALL REQUIRED PPE (PERSONAL PROTECTION EQUIPMENT).
9. **FERTILIZERS AND AMENDMENTS:** ALL FERTILIZERS SHALL BE APPLIED AT THE RATE AS RECOMMENDED FOR THE APPLICABLE CONDITION AND RATES SHALL BE ADJUSTED ACCORDING TO SOIL CONDITIONS AND PLANT NEEDS.
10. **TOPSOIL:** TOPSOIL SHALL MEET ASTM D422, ASTM D2974, AND AASHTO T267. TOPSOIL SHALL BE PULVERIZED NATURAL FRIABLE SURFACE SOIL, FREE OF WEEDS, BRUSH, ROOTS, HARD CLAY, LITTER, CONCRETE, ASPHALT, AND STONE EXCEEDING 1" DIA. TOPSOIL SHOULD CONTAIN 10%-15% ORGANIC CONTENT UNLESS OTHERWISE NOTED ON PLANS. SEE PLANS FOR SOIL COMPOSITION AND DEPTHS FOR LANDSCAPE BEDS AND SPECIALIZED CONDITIONS SUCH AS BMP'S, DRY WELLS, PLANTERS, ETC. SOILS THAT HAVE BEEN CRUSHED AND HAVE NO STRUCTURE OR CAPILLARY SPACE DUE TO COMPACTION SHALL NOT BE USED FOR ANY PLANTING AREAS.
11. **INSTALLATION AND ESTABLISHMENT:** CONTRACTOR SHALL VERIFY SITE AND SOIL CONDITIONS, INSTALLATION SEASON (SPRING/FALL). CONTRACTOR IS RESPONSIBLE TO DETERMINE MEANS/ METHODS FOR PLANTING AND OVER-SEEDING. CONTRACTOR SHALL REPAIR ALL BARREN AREAS GREATER THAN 2 S.F. WITH SPOT SEEDING.
12. **COVER CROPS:** THE CONTRACTOR SHALL PROVIDE A COVER CROP IF RECOMMENDED BY THE SUPPLIER.
13. **SEED BLANKET:** CONTRACTOR SHALL INSTALL NORTH AMERICAN GREEN S75 SEED BLANKET (OR EQUAL) OVER ALL SEEDED AREAS. BLANKET STAPLES SHALL BE USED AS NEEDED TO SECURE SEED BLANKET. SEED LOSS FROM BLANKETS THAT PULL FREE SHALL BE REPLACED AT NO COST TO THE OWNER.
14. **MAINTENANCE:** CONTRACTOR SHALL UNDERSTAND AND VERIFY ALL JURISDICTIONAL REQUIREMENTS FOR NATIVE INSTALLATION. IF A NATIVE INSTALLATION IS REQUIRED BY JURISDICTIONAL AGENCY AND THAT AGENCY REQUIRES OBSERVATION AND MAINTENANCE; THE CONTRACTOR SHALL PROVIDE A SEPARATE BID TO COMPLETE ALL REQUIRED MAINTENANCE.

## PLANT LIST

**SHADE, ORNAMENTAL, AND EVERGREEN TREES**

| QTY. | CODE | BOTANICAL NAME | COMMON NAME | SIZE | Water Usage |
|---|---|---|---|---|---|
| 5 | QACO | Quercus agrifolia | Coast Live Oak | 24" Box 1.5" 10'-12' | V-Low |
| 3 | LINA | Lagerstroemia indica 'Natchez' | White Crepe Myrtle | Tall | Low |
| 12 | TOEG | Thuja occidentalis 'Smaragd' | Emerald Green Arborvitae | 6' | Low |

**DECIDUOUS AND EVERGREEN SHRUBS**

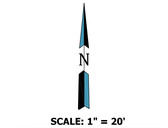
| QTY. | CODE | BOTANICAL NAME | COMMON NAME | SIZE | Water Usage |
|---|---|---|---|---|---|
| 59 | CALJ | Callistemon 'Little John' | Little John Bottlebrush | 5 Gal. | Low |
| 18 | LOSL | Lavendula S "Otto Quast' | Spanish Lavender | 5 Gal. | Low |
| 81 | NDGS | Nandina domestica 'Gulfstream' | Dwarf Heavenly Bamboo | 5 Gal. | V-Low |
| 21 | ROCI | Rosmarinus Officianalis 'Collingwood Ingram' | Dward Rosmary | 5 Gal. | Low |
| 50 | CPBV | Rhaphiolepis umbellatat 'Minor' | Dwarf Yeddo Hawthorn | 3 Gal. | Low |

**PERENNIALS AND ORNAMENTAL GRASSES**

| QTY. | CODE | BOTANICAL NAME | COMMON NAME | SIZE | Water Usage |
|---|---|---|---|---|---|
| 68 | HSBO | Helictotrichon sempervirens 'Saphirsprudel' | Blue Oat Grass | 1 Gal. | Low |
| 137 | KMJG | Koeleria macrantha | June Grass | 1 Gal. | Low |
| 29 | SAAS | Sporobolus airiodes | Alkali Sacaton | 1 Gal. | Low |
| 30 | GSCJ | Gelsemium sempervirens | Carolina Jasmine | 1 Gal. | Low |

**Bio-Swale Mix - Plant 3' O.C.**

| QTY. | CODE | BOTANICAL NAME | COMMON NAME | SIZE | Water Usage |
|---|---|---|---|---|---|
| **Upper Slopes** | | | | | |
| 25 | N/A | Achillea millefolium | Common Yarrow | 1 Gal. | Low |
| 25 | N/A | Carex spissa | San Diego Sedge | 1 Gal. | Low |
| 25 | N/A | Leymus condensatus 'Canyon Prince' | Canyon Prince Wild Rye | 1 Gal. | Low |
| 25 | N/A | Muhlenbergia rigens | Deer Grass | 1 Gal. | Low |
| **Swale Bottom** | | | | | |
| 25 | N/A | Chondropetalum tectorum | Cape Rush | 1 Gal. | Low |
| 25 | N/A | Juncus effusus | Soft Rush | 1 Gal. | Med |
| 25 | N/A | Juncus patens | California Gray Rush | 1 Gal. | Med |




Wendy's

WENDY'S RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)
1082 E. MAIN STREET
OAKLEY, CA

LANDSCAPE PLAN

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 9/16/2021 | PER CITY COMMENTS - 5/14/2021 | KMP |
| 2 | 12/08/2021 | PER CITY REVIEW COMMENTS DATED 10/22/2021 | KMP |

DESIGNED BY: KMP
REVIEWED BY: BP
DATE: 04/09/2021
PRJ#: 5325-300-32-01

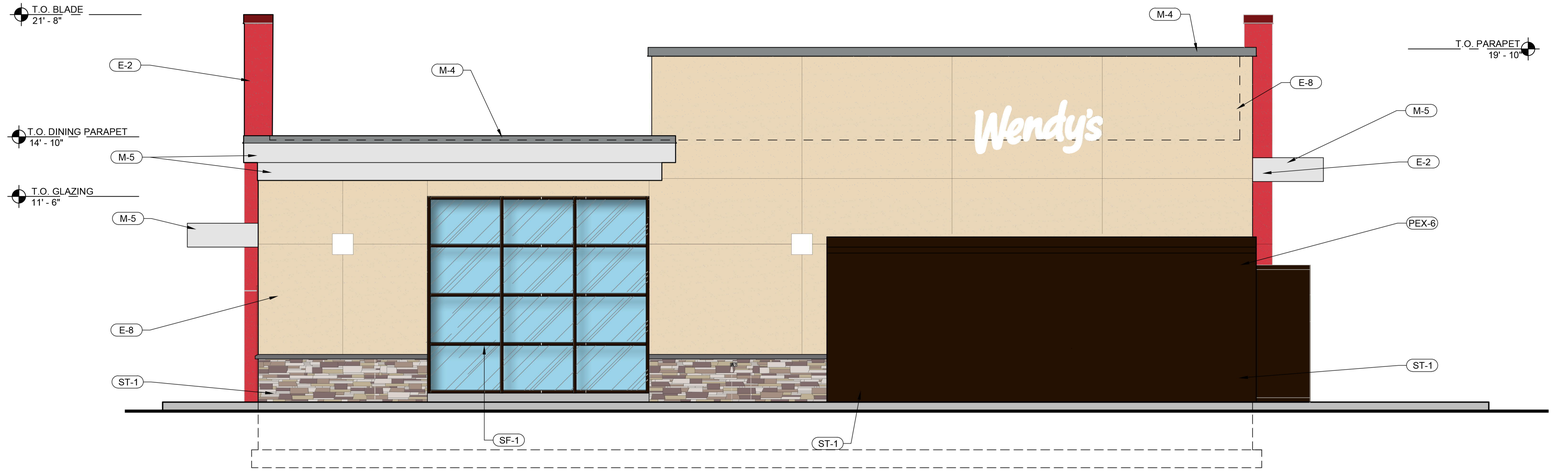
Weaver Consultants Group

OFFICE LOCATION:
WEAVER CONSULTANTS GROUP
1316 BOND STREET, SUITE 108
NAPERVILLE, ILLINOIS 60563
(630) 717-4848
wcgrp.com

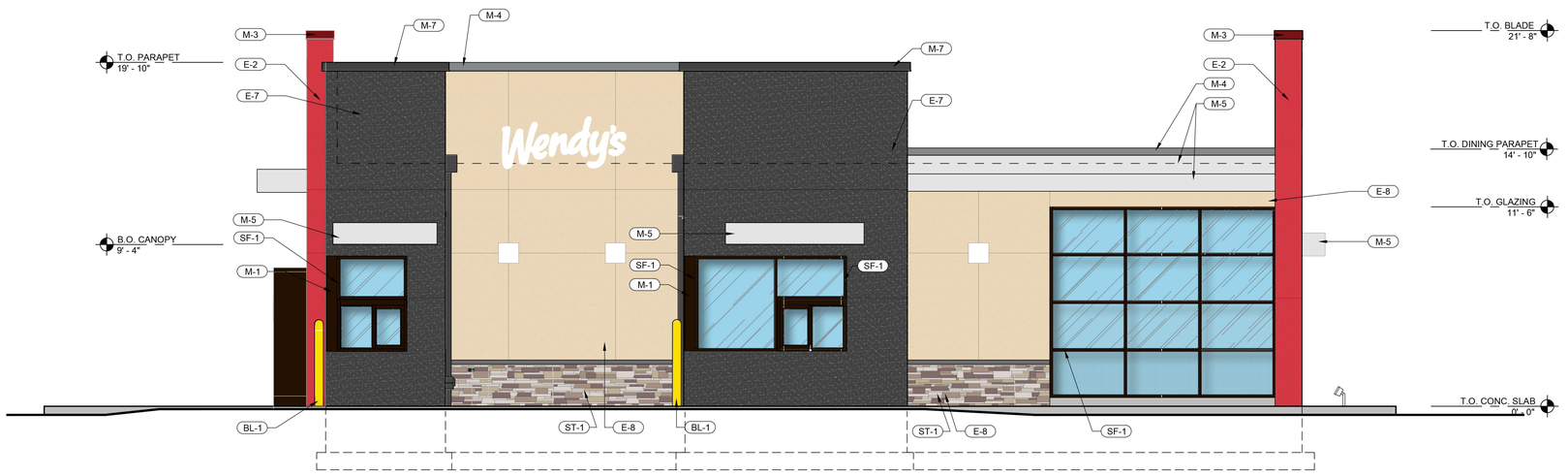
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SHEET #: L-1

F:\PROJECTS\5325 - Dependable Foods\300 - Oakley Ca\32\Dwg's\5325-300-32-01.dwg;WCGv1905;kprice;December 9, 2021




RIGHT SIDE ELEVATION 2
1/4" = 1'-0"




LEFT SIDE ELEVATION 1
1/4" = 1'-0"

## EXTERIOR FINISH SCHEDULE

| | |
|---|---|
| SF-1 | STOREFRONT -"DARK BRONZE" |
| PUW | PICK-UP WINDOW TO MATCH STOREFRONT |
| M-1 | PARAPET CAP/ BRAKE METAL - "DARK BRONZE" |
| M-3 | EXCEPTIONAL METALS - "BRIGHT RED" |
| M-4 | EXCEPTIONAL METALS - "SILVER METALLIC" |
| M-5 | BRAKE METAL - "CLEAR ANNODIZED" |
| M-7 | EXCEPTIONAL METALS - "CUSTOM DARK GREY" |
| ~~KW-1~~ | ~~KNOTWOOD PREFINISHED ALUMINUM SIDING MATERIAL - "LIGHT OAK"~~ |
| ~~KW-2~~ | ~~KNOTWOOD PREFINISHED ALUMINUM SIDING MATERIAL - "KNIGHTS ARMOUR"~~ |
| ~~KW-3~~ | ~~KNOTWOOD PREFINISHED ALUMINUM SIDING MATERIAL - "BRITE RED MATTE"~~ |
| E-2 | EIFS - "WENDY'S RED" |
| E-7 | EIFS - "DARK GREY" |
| E-8 | EIFS - "TAN" |
| ~~E-9~~ | ~~EIFS - "SILVER" (SMOOTH FINISH)~~ |
| BL-1 | BOLLARD SLEEVE - "YELLOW" |
| PEX-1 | PAINT - DARK BRONZE (SEE PAINT SCHEDULE) |
| PEX-3 | PRE-FINISHED DARK BRONZE SIGN CABINETS (SEE PAINT SCHEDULE) |
| PEX-6 | PRE-FINISHED WALK-IN FREEZER / COOLER DARK BRONZE (SEE PAINT SCHEDULE) |
| PEX-10 | PAINT / POWDER COAT- BLACK (SEE PAINT SCHEDULE) |
| PEX-12 | PAINT- DARK GREY (SEE PAINT SCHEDULE) |
| ST-1 | CORONADO STONE -EASTERN MOUNTAIN LEDGE "PROVO CANYON" |

| | |
|---|---|
| SITE NUMBER: | 12898 |
| BUILDING TYPE: | (2.0) SMART 30+ |
| ASSET TYPE: | FREESTANDING |
| CLASSIFICATION: | NEW |
| OWNER: | COMPANY/FRANCHISE |
| BASE VERSION: | 2020 |
| UPGRADE CLASSIFICATION: | NEW BUILD |
| PROJECT YEAR: | 2021 |
| DESIGN TYPE: | (2.0) UM BRITE |
| DRAWING RELEASE: | SUMMER |

DUSTIN CURTIS, ARCHITECT

513 MAIN STREET SUITE 300
FORT WORTH TX 76102

WENDY'S RESTAURANT
CONDITIONAL USE PERMIT (CUP 02-21) & DESIGN REVIEW (DR 05-21)

PROJECT TYPE: NEW SMART 30+

12898 MAIN STREET
OAKLEY, CA 94561

| REV. | DATE | DESCRIPTION |
|---|---|---|
| 1 | 05/28/21 | CITY COMMENTS |
| 2 | 11/17/21 | CITY COMMENTS |
| 3 | 01/19/22 | CITY COMMENTS |

ISSUE DATE: TBD
PROJECT NUMBER: 21-0111
DRAWN BY: BCJ
CHECKED BY: RD

SEAL

SHEET NAME
EXTERIOR ELEVATIONS

SHEET NUMBER
A2.2

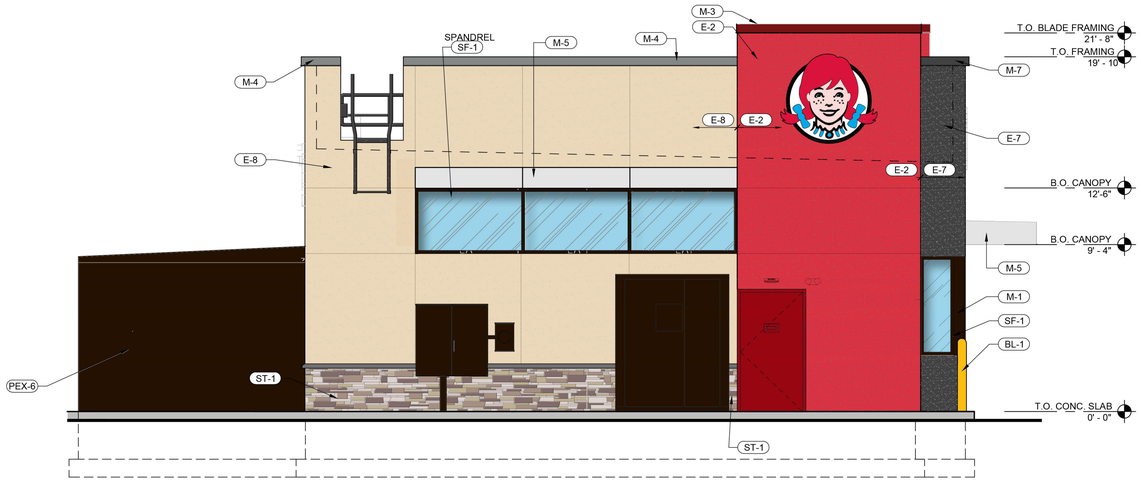
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3/8" = 1'-0" 6

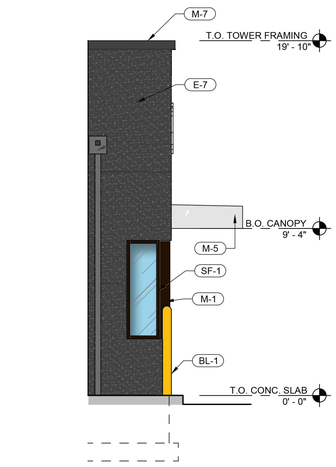
NOT USED

3/4" = 1'-0" 5



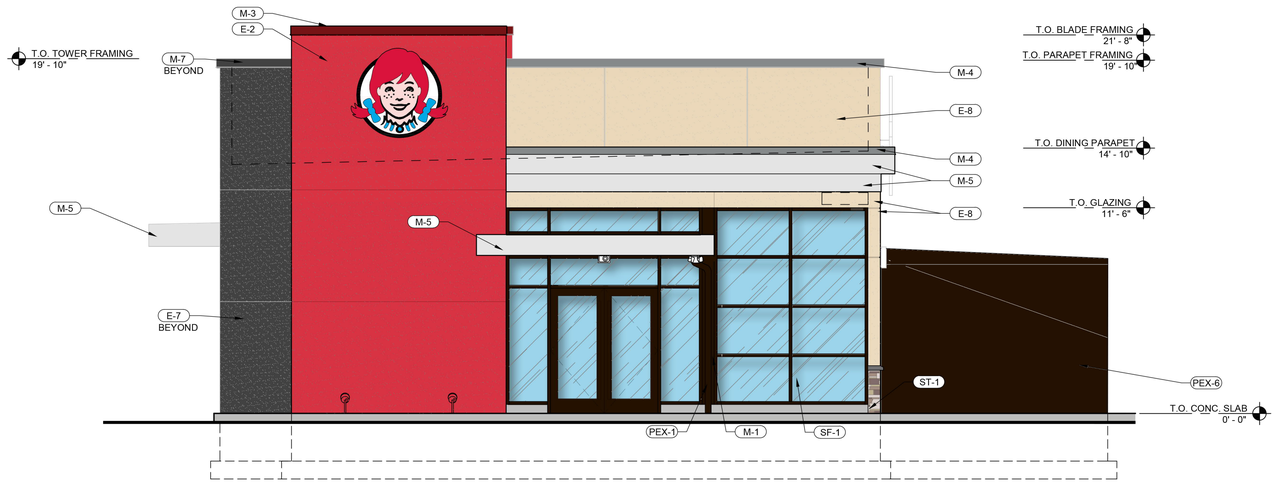

REAR ELEVATION

1/4" = 1'-0" 2




REAR DRIVE-THRU ELEVATION

1/4" = 1'-0" ON 24" x 36" SHEET 3




FRONT ELEVATION

1/4" = 1'-0" ON 24" x 36" SHEET 1

## EXTERIOR FINISH SCHEDULE

| | |
|---|---|
| SF-1 | STOREFRONT -"DARK BRONZE" |
| PUW | PICK-UP WINDOW TO MATCH STOREFRONT |
| M-1 | PARAPET CAP/ BRAKE METAL - "DARK BRONZE" |
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| M-4 | EXCEPTIONAL METALS - "SILVER METALLIC" |
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| ~~KW-2~~ | ~~KNOTWOOD PREFINISHED ALUMINUM SIDING MATERIAL "KNIGHTS ARMOUR"~~ |
| ~~KW-3~~ | ~~KNOTWOOD PREFINISHED ALUMINUM SIDING MATERIAL "BRITE RED MATT"~~ |
| E-2 | EIFS - "WENDY'S RED" |
| E-7 | EIFS - "DARK GREY" |
| E-8 | EIFS - "TAN" |
| ~~E-9~~ | ~~EIFS - "SILVER" (SMOOTH FINISH)~~ |
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| PEX-10 | PAINT / POWDER COAT- BLACK (SEE PAINT SCHEDULE) |
| PEX-12 | PAINT- DARK GREY (SEE PAINT SCHEDULE) |
| ST-1 | CORONADO STONE -EASTERN MOUNTAIN LEDGE "PROVO CANYON" |

NOTE:
SCALE IS ACCURATE ON 24" X 36" SIZE SHEET


DUSTIN CURTIS, ARCHITECT

513 MAIN STREET SUITE 300
FORT WORTH TX 76102


WENDY'S RESTAURANT
CONDITIONAL USE PERMIT (CUP 02-21) & DESIGN REVIEW (DR 05-21)

| | |
|---|---|
| SITE NUMBER: | 12898 |
| BUILDING TYPE: | (2.0) SMART 30+ |
| ASSET TYPE: | FREESTANDING |
| CLASSIFICATION: | NEW |
| OWNER: | COMPANY/FRANCHISE |
| BASE VERSION: | 2020 |
| UPGRADE CLASSIFICATION: | NEW BUILD |
| PROJECT YEAR: | 2021 |
| DESIGN TYPE: | (2.0) UM BRITE |
| DRAWING RELEASE: | SUMMER |

PROJECT TYPE: NEW SMART 30+

12898 MAIN STREET
OAKLEY, CA 94561

| REV. | DATE | DESCRIPTION |
|---|---|---|
| 1 | 05/28/21 | CITY COMMENTS |
| 2 | 11/17/21 | CITY COMMENTS |
| 3 | 01/19/22 | CITY COMMENTS |

ISSUE DATE: TBD
PROJECT NUMBER: 21-0111
DRAWN BY: BCJ
CHECKED BY: RD

SEAL

SHEET NAME
EXTERIOR ELEVATIONS

SHEET NUMBER
A2.1

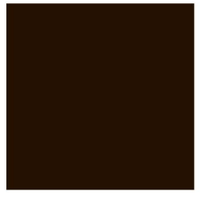

1/31/2022, 10:25 AM, R:\Projects\Wendy's-Rozsnyai\21-0111 Wendy's Oakley, CA\DRAWINGS\30_SMART-XX_A3-1_Exterior Elevations.dwg, $(GETVAR,??)

**513** Main Street
Suite 300
Fort Worth, Texas 76102
Office: 817.820.0433
Fax: 682.224.8917
roguearchitects.com

ROGUE ARCHITECTS

# MATERIAL/COLOR BOARD

## WENDY'S CONDITIONAL USE (CUP 02-21) & DESIGN REVIEW (DR 05-21)

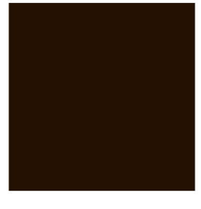


**SF – 1: STORE FRONT – "DARK BRONZE".**

**PUW - PICK UP WINDOW TO MATCH STOREFRONT**



**M-7: EXCEPTIONAL METALS – "CUSTOM DARK GREY".**



**PEX-1: PAINT – "DARK BRONZE".**

**PEX-3: PRE-FINISHED "DARK BRONZE" SIGN CABINETS**



**M-1: PARAPET CAP/BRAKE METAL – "DARK BRONZE".**



**E-2: EIFS- "WENDY'S RED".**



**PEX-2: PAINT "RED" AT REAR DOOR**



**M-3: EXCEPTIONAL METALS - "BRIGHT RED"**



**E-7: EIFS – "DARK GREY".**



**PEX-6: PRE-FINISHED WALK-IN FREEZER / COOLER "DARK BRONZE"**



**M-4: EXCEPTIONAL METALS – "SILVER METALLIC".**



**E-8: - "TAN".**



**PEX-10: PAINT/ POWDER COAT – "BLACK"**

**513** Main Street
Suite 300
Fort Worth, Texas 76102
Office: 817.820.0433
Fax: 682.224.8917
roguearchitects.com



**M-5: BRAKE METAL – “CLEAR ANNODIZED”.**



**BL-1: BOLLARD SLEEVE- “YELLOW “.**



**PEX-12: PAINT – “DARK GREY”**



Eastern Mountain Ledge® - Provo Canyon Grey

**ST-1: STONE WAINSCOT - “PROVO CANYON GREY” EASTERN MOUNTAIN LEDGE STONE**

FEHR PEERS

# Memorandum

Date: December 7, 2021

To: Ken Price and Bill Perry, Weaver Consultants Group.

From: Bill Burton, PE

**Subject: Wendy's Oakley - Focused Traffic Analysis - DRAFT**

*WC21-3825.00*

## Introduction

This memorandum presents the results of a focused traffic analysis prepared for the proposed development of a new Wendy's restaurant on Main Street in Oakley, California. The restaurant is planned to be constructed fronting Main Street approximately 250 feet east of the existing signalized intersection of Main Street and Bridgehead Road. At this location it would be bordered by an existing Arco gas station to the west and a Dutch Brothers coffee facility to the east. All vehicular access to the site would be provided via existing driveways and curb cuts on Bridgehead Road and Main Street, as illustrated on **Figure 1**. The new restaurant would provide a two-lane drive through facility and an adjacent parking lot containing 17 parking spaces, one of which would be ADA compliant.

Our traffic analysis focuses on the project's anticipated generation of vehicle trips in relationship to city standards, a review of the site's proposed access and circulation, vehicle miles traveled, and an assessment of the potential impacts of adjacent queues at the Dutch Brothers coffee facility on the restaurant's operations.

## Trip Generation

Trip generation refers to the process of estimating how much vehicular traffic a project would add to the surrounding roadway system. Project trip generation estimates are typically prepared for the one-hour weekday morning and one-hour afternoon commute peak periods when traffic volumes on the adjacent streets are typically the highest. The Institute of Transportation Engineers' (ITE) has published trip generation rates in their *Trip Generation Manual,10th Edition* publication. This manual is a national compilation of trip generation statistics for land-uses of various sizes and types.

Our assessment of the project's trip generation characteristics makes use of data compiled for the "Fast Food Restaurant with Drive Through (ITE Code 934)" land use. Rates from this reference were used to assess the total number of trips associated with the proposed project. **Table 1** presents the results of the trip generation analysis performed for the proposed project.

**Table 1: Weekday Project Vehicle Trip Generation Summary**

| ITE Code | Square Footage | Land Use | AM Vehicle Trips | | | PM Vehicle Trips | | |
|---|---|---|---|---|---|---|---|---|
| | | | In | Out | Total | In | Out | Total |
| 934 | 2,331 | Fast Food Restaurant with Drive through | 48 | 46 | 94 | 40 | 36 | 76 |
| | | Pass By and Diverted-Linked Trips | 23 | 23 | 46 | 20 | 18 | 38 |
| | | **Total Net New Trips** | **25** | **23** | **48** | **20** | **18** | **38** |

Source: Fehr & Peers; Institute of Transportation Engineers, *Trip Generation, 10th Edition,* Institute of Transportation Engineers*, Trip Generation Handbook, 3rd Edition*

Fast food restaurants generate different types of trips. Some are new trips whose primary purpose is to travel to and from the facility to dine. Other trips are intermediate stops made as part of another trip. These are characterized as either "pass-by" or "diverted linked" trips. Pass-by trips are stops made by vehicles traveling along Bridgehead Road or Main Street that decide to make an intermediate stop at the restaurant as part of another primary trip purpose. Diverted-linked trips are stops made at the restaurant by vehicles traveling within the greater roadway network that chose to divert their trip to the facility as part of another primary trip purpose. The number of pass-by and diverted-linked trips to the facility was estimated using statistics from the Institute of Transportation Engineers, *Trip Generation Handbook, 3rd Edition*. Table 1 summarizes the forecast number of total trips, pass-by/diverted-linked trips, and net new trips expected to be generated by the proposed project.

The proposed project is expected to generate approximately 48 net new vehicle trips during the morning peak hour and 38 during the evening peak hour. As the project would generate less than 100 trips during both the weekday morning and evening peak hours, a formal Transportation Impact Analysis (TIA) is not required. Both the City of Oakley and the Contra Costa Transportation Authority (CCTA) require a complete TIA to be performed for projects that generate more than 100 vehicle trips during either the weekday morning or evening peak hours.

## Dutch Brothers Queuing

Concern has been expressed relative to the potential impact of vehicle queuing at the adjacent Dutch Brothers coffee facility on the operation of the proposed Wendy's restaurant. Dutch Brothers becomes quite busy during certain periods of the day/week and extensive vehicle queuing can occur as patrons wait for coffee. Vehicle queues were observed at the facility for three weekdays during mid and late August 2021 and on a weekend in November 2021; the results of these queue observations are summarized in **Table 2** and illustrated on **Figure 2**. Weekday queues were observed in the morning from 7 to 9 AM, midday from 11 AM to 1 PM, and in the evening from 4 to 6 PM. Weekend queues were observed in the morning from 7 to 9 AM and midday from 11 AM to 1 PM.

**Table 2: Dutch Brothers Queues**

| Day of Week | Time of Day | Average Queue | Maximum Queue |
|---|---|---|---|
| Weekday | 7 to 9 AM | 7.2 vehicles | 12 vehicles |
| Weekday | 11 AM to 1 PM | 8.1 vehicles | 12 vehicles |
| Weekday | 4 to 6 PM | 6.3 vehicles | 10 vehicles |
| Weekend | 7 to 9 AM | 10.2 vehicles | 16 vehicles |
| Weekend | 11 AM to 1 PM | 11.7 vehicles | 20 vehicles |

Source: Fehr & Peers, 2021

Queues at the Dutch Brothers facility were found to be extensive and fairly consistent throughout the weekdays observed. Average queues ranged from 6 to 12 vehicles with the maximum observed queues ranging from 10 to 20 vehicles. Queues larger than 20 vehicles may occur at times, but a queue of this length appears to discourage additional patrons from waiting to patronize the facility.

While no directional signage or striping appears to be present within the Dutch Brothers queue lanes and parking lot, vehicle queuing at the site was observed to be orderly. Vehicles consistently access the facility and queue in a line that winds along the northern portion of the site and parking lot. The extent and location of the queues are illustrated on Figure 2. During the hours

observed all customers were observed to follow the prevailing queuing pattern and no patron was observed trying to "jump the line" or access the facility from another direction.

## Wendy's Drive Through Queuing

Based on the trip generation and arrival rates presented in Table 1 for the proposed project and typical fast-food drive through processing rates, average and 95th percentile queues were calculated for the proposed Wendy's facility. Average peak hour queues are estimated to be approximately 4 vehicles in length with 95th percentile queues of approximately 8 vehicles. The proposed two-lane drive through facility has sufficient storage to accommodate 24 vehicles, therefore, queue spill-back out of the project site is not anticipated.

**Table 3: Wendy's Drive Through Queuing**

| Time of Day | Average Queue | 95th Percentile Queue | Available Storage |
|---|---|---|---|
| AM Peak Hour | 4.1 vehicles | 8.2 vehicles | 24 vehicles |
| PM Peak Hour | 3.6 vehicles | 7.5 vehicles | 24 vehicles |

Source: Fehr & Peers, 2021

## Vehicle Miles Traveled

On September 27, 2013, Senate Bill (SB) 743 was signed into law. The California state legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the State had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled and thereby contribute to the reduction of greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006 (Assembly Bill 32). In December 2018, the Governor's Office of Planning and Research (OPR) finalized new CEQA guidelines (CEQA Guidelines section 15064.3), that identify vehicle-miles traveled (VMT) as the most appropriate criteria to evaluate a project's transportation impacts.

The implementation of SB 743 eliminated the use of criteria such as auto delay, level of service, and similar measures of vehicle capacity of traffic congestion as the basis for determining significant impacts as part of CEQA compliance. The SB 743 VMT criteria promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

In November 2017, OPR released a technical advisory containing recommendations regarding the assessment of VMT, proposed thresholds of significance, and potential mitigation measures for lead agencies to use while implementing the required changes contained in Senate Bill 743 (SB 743). Also in November 2017, OPR released the proposed text for Section 15064.3, "Determining the Significance of Transportation Impacts," which summarized the criteria for analyzing transportation impacts for land use projects and transportation projects and directs lead agencies to "choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure." OPR recommends that for most instances a per service population threshold should be adopted and that a fifteen percent reduction below that of existing development would be a reasonable threshold.

As the City of Oakley has not yet formally adopted VMT criteria, standards, or thresholds at the time this report was prepared, this assessment follows the current OPR and CCTA guidance related to VMT.

Based on the guidance published by both CCTA and OPR, the project can be assumed to have a less than significant impact related to VMT. The project is a small local serving retail use. Projects that consist of local-serving retail uses can generally be presumed to have a less-than-significant impact absent substantial evidence to the contrary, since these types of projects will primarily draw users and customers from a relatively small geographic area that will lead to short-distance trips and trips that are linked to other destinations.

## Site Circulation Review and Recommendations

The project's proposed site plan is illustrated on Figure 1. Vehicular access to the project site is provided via two existing driveways on Main Street and one existing driveway on Bridgehead Road. Vehicular sight distance was reviewed at these three existing locations and found to be adequate with regards to city and engineering standards. Current speed limits on Main Street and Bridgehead Road are 45 miles per hour and 40 miles per hour, respectively. Assuming design speeds of 50 miles per hour on Main Street and 45 miles per hour on Bridgehead Road, stopping sight distances of 430 feet and 360 feet are required (*Highway Design Manual*, Caltrans, July 1, 2020, Table 201.1). Current sight distances at all project driveways exceeds these requirements.

Pedestrian access within and adjacent to the site was reviewed and found to be adequate. The project proposes a sidewalk along its eastern frontage connecting the existing sidewalk on Main Street with the restaurant entrance. The restaurant's main pedestrian access is located on its north side, connected to the adjacent parking lot via a striped crosswalk of the bisecting internal connector. An ADA ramp is provided at the crosswalk's connecting point to the restaurant's entrance.

Vehicular access to the parking lot and two-lane drive through facility would be from the northern side of the site as illustrated on Figure 1. Sufficient vehicular storage (stacking) is provided within

the proposed drive through facility to accommodate the anticipated level of vehicular queuing associated with the trip generation presented in Table 1. Queues are not expected to block the intermediate east-west connector roadway that bisects the site.

The two-lane drive through exit does not align with either of the parking aisles on the opposite side of the east-west connector that bisects the site. This creates four closely spaced off-set unsignalized intersections. Closely spaced off-set intersections create the potential for turning movement conflicts. We recommend that you consider a parking lot redesign which better aligns the north-south roadways/parking aisles to eliminate these conflicts. If this is not physically possible, consider converting the middle parking lot aisle to one-way northbound and the eastern parking lot aisle to one-way southbound. A stop sign, "STOP" marking, and stop bar should be installed at the drive through exit intersection with the intermediate east-west bisecting connector. **Figure 3** illustrates our site plan recommendations.

Queues associated with the adjacent Dutch Brothers establishment have the potential to block inbound vehicles attempting to access the Wendy's restaurant from the east. To minimize this blockage "KEEP CLEAR" markings and a R10-7 (Do Not Block Intersection) sign are recommended at the location indicated on Figure 3. Vehicles exiting the Wendy's site to the east also face the potential of delay as they work through a portion of the Dutch Brothers queue. This delay could be avoided by the vehicles departing the site in the westward direction which provides the same level of right-in/right-out only access on Main Street. In our opinion most vehicles will choose to avoid the queue and depart the site to the west. However, the installation of a sign at the exit of the drive through indicating "Main Street Turn Left" ("turn left" could be replaced with an arrow pointing left) should be considered.

Please call Bill at (925) 930-7100 with questions.

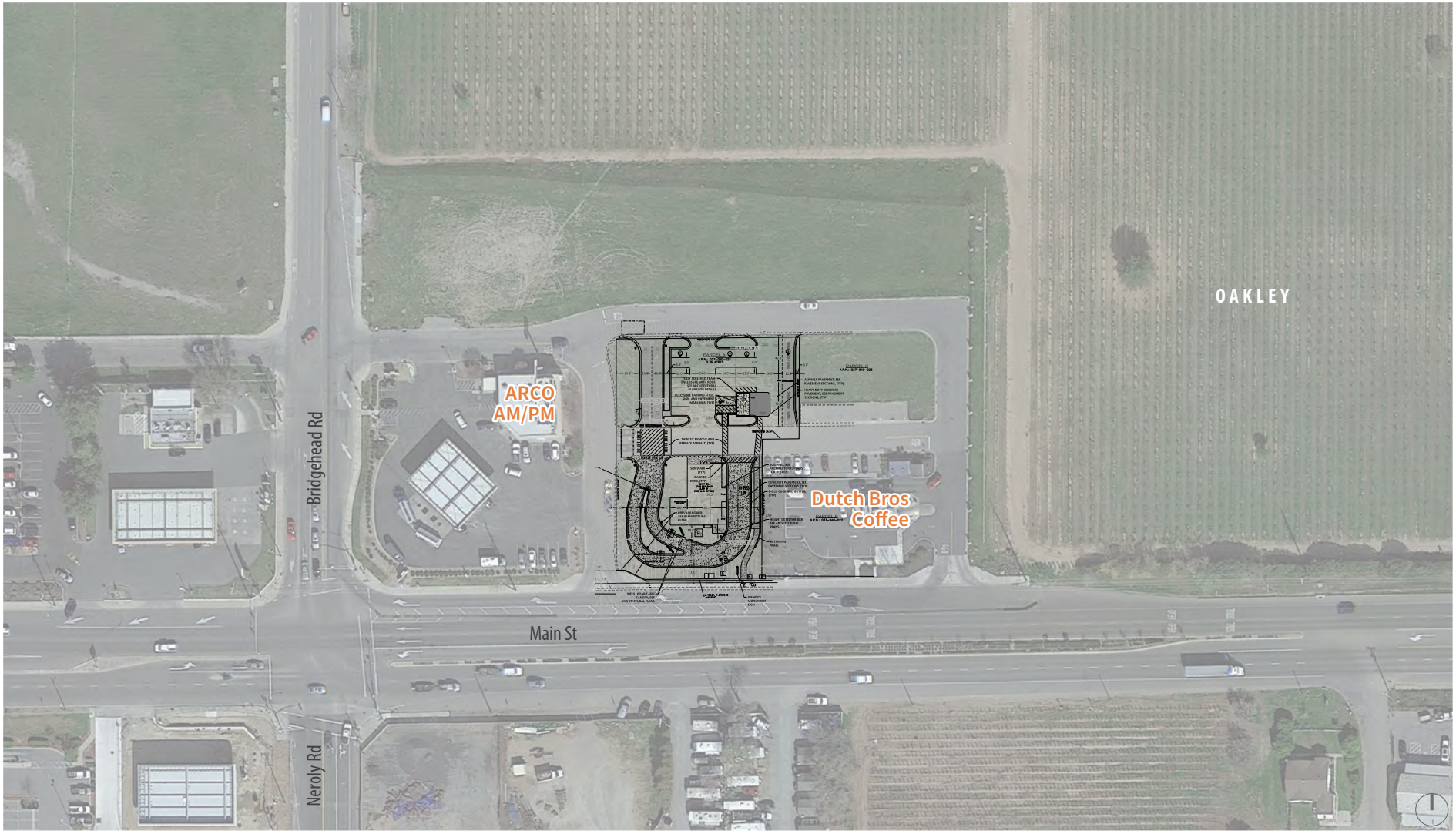
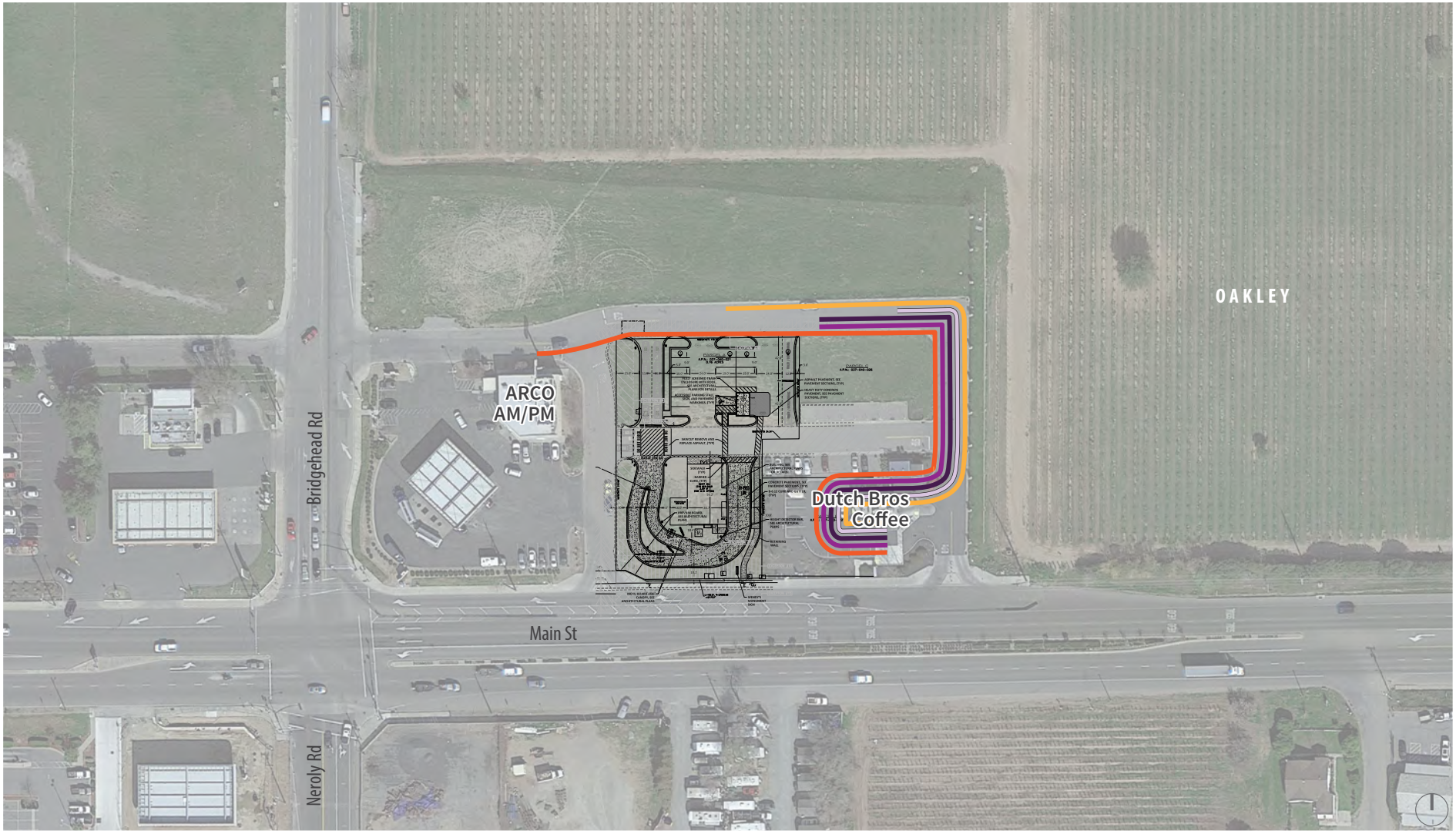



Figure 1

## Conceptual Project Site Plan




***Weekday:*** 7-9 AM 11 AM to 1 PM 4-6PM

***Weekend:*** 7-9 AM 11 AM to 1 PM

Figure 2

## Maximum Observed Queue Lengths

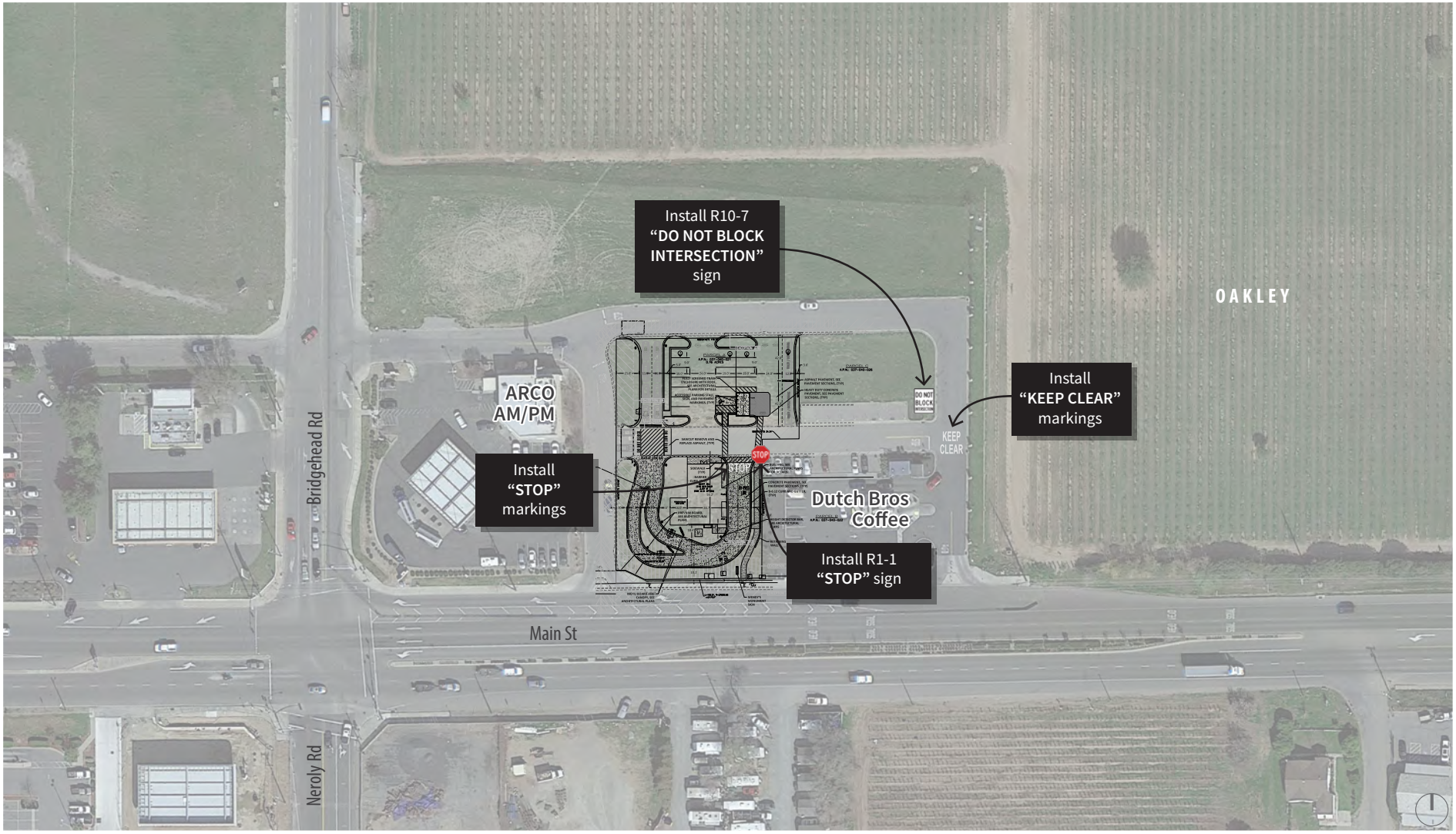



Figure 3

## Signing and Striping Recommendations

**RESOLUTION NO. XX-22**

**A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING THE PROJECT KNOWN AS "WENDY'S DRIVE-THROUGH QUICK SERVE RESTAURANT CONDITIONAL USE PERMIT (CUP 02-21) AND DESIGN REVIEW (DR 05-21)" LOCATED ON THE NORTH SIDE OF MAIN STREET, APPROXIMATELY 295 FEET EAST OF BRDIGEHEAD ROAD AND MAIN STREET INTERSECTION (APN: 037-040-021)**

**FINDINGS**

**WHEREAS,** on April 14, 2021, Ken Price of the Weaver Consultants Group ("Applicant") filed an application requesting Design Review (DR 05-21) approval for a new 2,331 square-foot restaurant. The project includes dine in and drive-through service with associated site improvements allocated on an approximately 0.76-acre parcel. The applicant also requests approval of a Conditional Use Permit (CUP 2-21) to operate the drive-through service ("Project"). The project site is located approximately 295 feet east of the northeast intersection of Bridgehead Road and Main Street. The site is zoned C (General Commercial) District. APN: 037-040-021; and

**WHEREAS,** the Applicant's Plans include site plan, grading plan, conceptual landscape plans, building elevations, storm water control plan, truck circulation plan, and water efficient landscape ordinance calculations; ("Plans"); and

**WHEREAS,** on October 22, 2021 the project application was deemed complete per Government Code section 65920 et. seq; and

**WHEREAS,** the project site is designated *Commercial* (CO) in the Oakley 2020 General Plan Land Use Map, and zoned General Commercial (C) District; and

**WHEREAS,** the proposed project is exempt from further environmental analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, "Class 32 – In-Fill Development Projects; and

**WHEREAS,** on or before January 28, 2022, the Notice of Public Hearing for the project was 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 emailed/mailed out to all owners of property within a 500-foot radius of the project's boundaries, interested agencies, and to parties requesting such notice; and

**WHEREAS,** on February 8, 2022, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, 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 revised by the City Council during its deliberations; 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 on the City's General Plan, the City's Zoning Ordinance, the Oakley Commercial and Industrial Design Guidelines, the project plans, and the information submitted to the City Council at its February 8, 2022 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 (hereafter the "Record").

**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. Regarding the application requesting approval of a Conditional Use Permit to operate a "Drive-through Restaurant and Services" (CUP 05-21), the City Council finds:

1. That the site for the proposed use is adequate in size and shape to accommodate the use in a manner complementary with the land and uses in the area in that the site is approximately 0.76-acres and the General Commercial (C) Zoning District allows for the proposed development with the approval of a Conditional Use Permit. The new building and site improvements will provide a significant aesthetic upgrade to the property, and help facilitate the economic development activities of the City; and

2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use, in that the site is accessible from Main Street and Bridgehead Road, which is designated to handle project generated traffic; and

3. The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential character of the area from that intended by the General Plan and the applicable zoning ordinances, in that the proposed use is permitted in the General Commercial (C) Zoning District with the approval of a Conditional Use Permit. The use will comply with the noise standards set forth in the Oakley Municipal Code, will provide all parking on-site, and will bring a new business into the City; and

4. That the proposed use provides for the continued growth and orderly development of the community and is consistent with the various elements and objectives of the General Plan, in that it is consistent with the Land Use

Element by creating a new commercial use in a commercial designation that is compatible with the applicable zoning district on the same site; and

5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act.

B. Regarding the application requesting Design Review approval to develop an approximately 0.76-acre parcel within the parcel located on the north side of Main approximately 295 feet east of the intersection of Main Street and Bridgehead Road with a new 2,331 square-foot quick serve restaurant with dine-in and drive-through service (DR 05-21), the City Council finds:

1. Site planning, including building siting (location), setback and orientation; entries, circulation, and parking; landscape setbacks and buffers; and location of trash, loading and service areas, and mechanical equipment: The overall site panning meets required setbacks, circulation and parking, landscape, and buffer requirements, and locates the trash enclosure in a manner where it has minimal interference with the proposed use and other nearby uses; and

2. Architecture, including massing and grouping; facades, entries and roofs; materials and colors; and screening of trash, loading and service areas, and mechanical equipment: architecture and massing of the building meets the criteria as found in the adopted Oakley Commercial and Industrial Guidelines. The trash is located within an enclosure 6’ in height and covered with a metal corrugated roof. Roof top equipment is screened from public view from all adjacent at-grade angles; and

3. Landscaping and site elements, including general landscape areas; entry and plaza enhancements; parking lot landscaping; walls and fences; and lighting: The site is adequately landscaped, including landscaping along the frontage to Main Street and the addition of trees for aesthetic and parking lot shade. Lighting is sufficient, and as conditioned, will provide additional pedestrian safety; and

4. Streetscapes, including major community entries; highlighted intersections; and district entries: The streetscape is partially existing (sidewalk, curb and gutter), and the remainder consisting of landscaping and improvements to the remaining right of way and private property will be installed in compliance with the standards for review as highlighted in the Commercial and Industrial Design Guidelines.

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 the Applicant’s request for approval of the project titled,

"Wendy's Restaurant Drive-Through Quick Serve Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21)," 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 plans date stamped received by the Planning Division on April 14, 2021, as well as additional information acquired since that time and made a part of the project file.

**THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED:**

### *Planning Division Conditions*

**General:**

1. This **Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21)** is approved, as shown on the plans, date stamped by the Planning Department on **April 14, 2021**, and as modified by the following conditions of approval, subject to final review by the Community Development Director.

2. This approval for **Conditional Use Permit (CUP 02-21) and Design Review (DR 05-21)** shall be effectuated within a period of one (1) year from the effective date of this resolution by pulling a building or grading permit and if not effectuated shall expire on February 8, 2023. 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 February 8, 2022, and as conditioned 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 significance of the find and suggest appropriate mitigation(s), if deemed necessary.

7. All mitigation measures addressed in the environmental document shall be complied with and addressed as outlined in the Mitigation Monitoring Program approved for this project (incorporated as Exhibit A), per the review and approval of the Community Development Director.

8. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court), action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

**Site Plan:**

9. All parking stall striping shall be double striped. Parking stalls shall be 9 feet wide by 19 feet deep, apart from the two (2) approved parking spaces of 15 feet wide and 42 feet deep, and all drive aisles shall be a minimum 24 feet in width as reviewed and approved by the Community Development Director.

10. A lighting and photometric plan shall be submitted prior to the issuance of building permits. The minimum requirement shall be one foot of candlelight within public parking areas and pedestrian pathways.

11. Light poles shall be a maximum height of twenty-five (25) feet, as measured from the bottom of the base on grade, and shall provide glare shields where adjacent to existing residences per the review and approval of the Community Development Director.

12. Trash enclosures shall match Oakley Disposal and City standards and shall provide adequate space to accommodate both trash and recycling. Also, trash enclosures shall be constructed with a roof to match the building design and materials, have metal gates, and when appropriate be surrounded by landscaping with climbing vines on three sides per the review and approval of the Community Development Director.

13. Storage shall be contained inside the building. Storage containers are not allowed and pallets, boxes, cardboard etc. shall not be stored outside.

**Architectural Details:**

14. All roof-mounted equipment shall be architecturally screened from view from all angles.

15. The light fixtures on the convenience store shall be decorative fixtures per the review and approval of the Community Development Director.

16. Anti-graffiti techniques shall be used on the exterior walls of the buildings.

17. Security cameras shall be installed in locations to be reviewed and approved by the Community Development Director.

18. All exterior light fixtures shall be of quality design and materials, and parking lot lights shall match existing parking lot lights in the shopping center to the maximum extent possible. Specs for the exterior fixtures, including building lights, shall accompany the construction drawings for building permits, and be subject to the review and approval of the Community Development Director.

**Landscaping:**

19. A landscaping and irrigation plan for all areas shown on the site plan shall be submitted for review and approval of the Community development Director prior to the issuance of building permits. The landscaping plan shall include the project's frontage and side yards and shall conform to the Oakley Water Efficient Landscape Ordinance ("WELO"), and the Guidelines for Implementation of the City of Oakley Water Efficient Landscape Ordinance and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance by including the following signed statement on the cover sheet or same sheet as the WELO calculations in a visible text box: "These plans are certified to conform to the Oakley Water Efficiency Landscape Ordinance."

20. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of 15-gallon, 24-inch box and 36-inch box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.

21. Parking lot trees shall provide 50 percent shading of the parking areas at tree maturity.

22. Prior to occupancy, an on-site inspection shall be made of privately owned lands by a licensed landscape architect to determine compliance with the approved landscape plan. A signed certification of completion shall be submitted to the Community Development Director for review and approval.

23. If occupancy is requested prior to the installation of the landscape and irrigation improvements, then either a cash deposit or a letter of credit shall be delivered to the City for 125 percent of the estimated cost of the uncompleted portion of the landscape and irrigation improvements. If compliance is not achieved after six months of occupancy as determined by the Community Development Director, the City shall contract for the completion of the landscaping and irrigation improvements to be paid for by the held sum. The City shall return the unused portion within one year of receipt or at the completion of all work.

24. Landscaping shall be maintained as shown on the landscape plan in perpetuity.

**Sound Walls**

26. Walls shall attenuate, not just deflect sound. The use of sound absorbing material should be used for the construction of sound walls per the review and approval of the Community Development Director.

27. Anti-graffiti techniques shall be used on sound walls.

**Signage:**

26. The proposed signage shall meet the requirements of the City's Zoning Ordinance. All proposed signage shall be reviewed by the Planning and Building Divisions. The maximum height for the monument sign is 8 feet.

27. The wall signs shall be constructed of individual channel letters.

28. All signs shall be on permanent structures or the office building and of design and material to compliment the proposed building office building. No signs on the premises shall be animated, rotating, or flashing. No flags, pennants, banners, pinwheels, or similar items shall be permitted on the premises, with the exception of a United States flag and California state flag.

29. Temporary signage for such things as special events and grand openings shall require a Temporary Use Permit per the review and approval of the Community Development Director. Signage shall be subject to the Oakley Municipal Code Chapter 9.5 (Regulation of Signs and Outdoor Advertising).

**Waste Management Plan:**

29. The Applicant shall submit a Waste Management Plan that complies with the City of Oakley Construction and Demolition Debris Recycling Ordinance.

***Building Division Conditions***

30. Plans shall meet the currently adopted Uniform Codes as well as the newest California Green Code requirements and the T-24 Energy requirements from

the State of California Energy Code. To confirm the most recent adopted codes please contact the Building Division at (925) 625-7005.

31. An automatic Life Safety Sprinkler System shall be required in all new construction as per the California Building Code (for commercial buildings) and as per the California Residential Code (for residential buildings). The plans for all sprinklers systems shall be submitted to the local Fire Marshal's office for review and approval. All sprinkler systems and Fire alarms system shall be inspected and approved as required by the local Fire Inspector.

32. Prior to requesting a Certificate of Occupancy from the Building Division, all Conditions of Approval required for occupancy must be completed.

## PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL

*THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF AN ENCROACHMENT AND/OR GRADING PERMIT:*

33. GENERAL. All public improvements shall be made according to the latest adopted City Standard Drawings and Specifications. All work shall conform to the applicable City ordinances. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

34. ENCROACHMENT PERMIT. All work in the public right-of-way, including any blockage or partial closure of sidewalks will require an Encroachment Permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

35. GRADING PERMIT. All earthwork must comply with the City's Grading Ordinance. A Grading Permit must be issued by the public works department prior to site disturbance as determined by the City Engineer.

36. PUBLIC WORKS INSPECTIONS. The developer or their representative shall notify the Engineering Inspector at least forty-eight (48) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all improvements in approved plans. Failure to do so will result in rejection of work that was completed without inspection.

37. PRECONSTRUCTION MEETING. Prior to issuance of any permit or the commencement of any site work, the general contractor shall:

a) Along with the project applicant, attend a pre-construction meeting with the City Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;

b) Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

38. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the City Engineer.

39. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the State SMARTS system for projects disturbing more than one acre and obtain a WDID number. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, City standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the City of Oakley's NPDES Permit.

40. DUST CONTROL. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept daily during the workweek to the satisfaction of the City. Demolition or earthwork activities shall be halted

when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.

41. SILT AND MUD IN PUBLIC RIGHT-OF-WAY. It is the responsibility of contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up daily. Mud, silt, concrete and other construction debris SHALL NOT be washed into the City's storm drains. Construction entrances must be in place per the Erosion Control Plan.

42. TRAFFIC CONTROL PLAN. The project sponsor will be required to work with the Public Works Department to develop a traffic control plan per the current California MUTCD. This plan will include, but not be limited to, the following measures:

    a) Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, and special events. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.

    b) Flag persons shall be placed at locations necessary to control one-way traffic flow, if required. All flag persons shall have the capability of communicating with each other to coordinate the operation.

    c) Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation and lane closures on main arterial and collector streets and will be permitted only between the hours of 8:30AM to 2:30PM on M, T, TH & F. 8:30AM to 12:00PM on W.

    d) The traffic control plan shall be reviewed for compliance to the project's Haul Route, approved by the City of Oakley.

    e) A full road closure will require a detour plan and a road closure permit issued by the Public Works Department.

43. CONSTRUCTION MANAGEMENT PLAN. The Applicant shall submit a construction management plan that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, construction trailer, and proposed outhouse locations. The public street shall not be used for any construction related activities, including parking for workers and storage of vehicles.

44. RESTORATION OF PUBLIC IMPROVEMENTS. The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc. shall be repaired

and replaced to a condition equal to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Public Works & Engineering Inspector and shall comply with all Title 24 Disabled Access provisions. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

45. SIDEWALK REPAIR. The developer shall repair and replace to existing City standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture and design, and shall be constructed per City Standard Details. The limits of sidewalk repair will be determined by the Public Works Inspector during the construction phase of the project.

46. CURB AND GUTTER. The developer shall repair and replace to existing City standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per City Standard Details. The limits of curb and gutter repair will be determined by the Public Works Inspector during the construction phase of the project.

47. CONSTRUCTION NOISE. Between the hours of 7:30 a.m. to 5:30 p.m., weekdays and 9:00 a.m. to 5:30 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA. Pickup and delivery of materials and equipment is restricted to the hours listed above unless prior written approval is obtained by the Public Works Department.

48. GOOD HOUSEKEEPING. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

49. ACCESS AGREEMENT. Provide copy for City's review of the private joint access agreement and maintenance agreement with adjoining parcels within the project to utilize share access and utilities

*THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE GRADING PLAN:*

50. GEOLOGY AND SOIL MITIGATION MEASURES. A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. All recommendations of the investigation shall be incorporated into project plans. One copy of the geologic report shall be submitted with the grading permit and public improvement application. Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations. The applicant's soils engineer's approval shall then be conveyed to the City either by letter or by signing the plans.

51. GRADING.

a) Grade any slopes with a vertical height of four (4) feet or more at a slope of 3H to 1V. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.

b) Retaining wall or other suitable option acceptable by the City Engineer is required where the grade differential between property or adjacent lots are greater than 6". Retaining walls are required to be identified on the grading plans and shall have a note stating a separate building permit is required for retaining wall greater than four (4) feet in height.

c) At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet to the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with the name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall always be kept current and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice

shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

d) Submit a Haul Route Plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan, the City Engineering shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.

e) Prior to commencement of any site work that will be result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent Letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.

f) The burying of any construction debris is prohibited on construction sites

52. NPDES – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. Comply with all rules, regulations and procedures of the NPDES for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley – Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMP's in accordance with the Contra Costa Clean Water Program for the site's storm water drainage.

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City Standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer.

- Prepare an Operations and Maintenance Manual for the project's storm water control measures.

*THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLAN:*

53. ROADWAY IMPROVEMENTS.

a) The applicant shall coordinate with the project design engineer to implement the recommendations provided by the technical memorandum for the project's focused traffic analysis prepared by Fehr and Peers dated December 7, 2021. Proposed signing and striping outside of the project limits shall be coordinated with adjacent property owners and obligations for maintenance of the proposed signs and striping clarified.

b) Driveway adjacent to Main Street shall be further analyzed to determine conformance to current ADA standards and ensure that median island meets turning radius requirements.

54. DRAINAGE IMPROVEMENTS.

a) Collect and convey all stormwater entering and /or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse.

b) Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system to the city Engineer for review and approval. The report shall includes study of the downstream stormdrain facilities to confirm its adequacy and mitigate on-site so that the peak flows of post-project conditions do not exceed the pre-project peak flows.

c) Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.

d) Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

e) On-site parking area and driveways shall not surface drain across public sidewalk or driveway aprons.

55. SIGHT DISTANCE EXHIBIT. For the project driveways' ingress and egress, provide an exhibit that will analyze the sight distance required for the appropriate speed limit identified with this project as required by the City Engineer.

56. DESIGN CHANGES. The Applicant's registered Engineer shall notify the City Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the City before altered work is started. A plan revision must be submitted for approval by the City Engineer.

57. JOINT TRENCH PLANS. The applicant shall submit Joint Trench Composite Plans to the City for review prior to approval of improvement plans or recordation of the final map. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer. The joint trench plans shall include street and/or site lighting and associated photometrics. A letter shall be provided by PG&E stating that public streetlight billing will be per Rule LS2A, and that private lights shall be metered with billing to the owner. Pole numbers, assigned by PG&E, shall be clearly delineated on the plans.

58. UTILITIES & UNDERGROUNDING.

a) Underground all new and existing utility distribution facilities per City of Oakley code section Title 6 Chapter 8 Underground Utility Districts.

b) All utility boxes shall be installed underground, and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.

c) Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

d) A written approval from Diablo Water District and Iron House Sanitary District must be provided that all underground utility improvements have passed all testing requirements prior to commencement of paving a street.

*THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT:*

59. PAD CERTIFICATION. A letter from a licensed land surveyor stating that the building pad was constructed in accordance with the approved plans shall be provided prior to commencing with foundation construction of the building.

60. SOILS ENGINEER CONSTRUCTION OBSERVATION. During construction, all excavations and grading shall be inspected by the applicant’s soils engineer prior to placement of concrete and/or backfill so they can verify that the actual

conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an “as-built” letter/report prepared by the applicants’ soils engineer and submitted to the City before any building permit is granted.

61. RIGHTS OF ENTRY. Furnish necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

62. ACCESS AGREEMENTS. Develop for the City’s review and approval and enter into a private joint access agreement that allows the adjacent parcels within the project to utilize common drive aisles.

63. LANDSSCAPE AGREEMENT. Enter into an agreement with the City that requires the right of way landscaping adjacent to the site to be maintained as part of the on-site landscaping at the property owner’s expense to a standard acceptable and agreed upon by the City.

64. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS. The property owner shall enter into an agreement with the City for maintenance of the stormwater filtration devices required to be installed on this project. The agreement will specify that certain routine maintenance shall be performed by the property owner and will specify device maintenance reporting requirements. The agreement will also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded prior to release of any occupancy permits.

65. AS-BUILT PLANS. After completion of the construction of all work, the original plans shall have all changes (change orders and field changes) clearly marked. The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be review and approved the Engineering Inspector. A Mylar and AutoCAD disk of the approved "as-built" plans shall be provided to the City before acceptance of improvements.

66. IMPACT FEES. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.

    a) Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);

    b) Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No.

14-00, adopted by Resolution No. 73-05);

c) Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);

d) Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);

e) Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);

f) Fire Facilities Impact Fee (adopted by Resolution No. 09-01);

g) General Plan Fee (adopted by Resolution No. 53-03).

45) ANNEXATIONS

a) Annex the property to the City of Oakley Community Facilities District No. 2018-1 Fire Protection Services (CFD – Community Facilities District) for funding certain services within the boundaries of the City of Oakley including fire protection services. The applicant/owner/developer shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexations shall be paid by the applicant/owner/developer. The assessment shall be the per parcel annual amount set by CFD at the time of the annexation. Annexation shall be completed prior to filing of any map action.

b) Participate in the provision of funding to maintain police services by voting to approve a special tax for new parcels created by a new map or map action. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map or map action. If the commercial and office buildings are occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rate share for the remainder of the tax year prior to the City conducting a final inspection.

f) Annex the property to the City of Oakley Community Facilities District No. 2015-2 (CFD) for funding the maintenance and operation costs associated with regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexations shall be paid by Applicant. The assessment shall be the per parcel annual amount set by CFD at the time of annexation. Annexation shall be completed prior to filing of the map creating new parcels or any map action.

## ADVISORY NOTES

**The following Advisory Notes are provided to the applicant as a courtesy 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. Applicant shall comply with the requirements of Iron House Sanitary District.

D. The applicant shall comply with the requirements of the Diablo Water District.

E. Comply with the requirements of the East Contra Costa Fire Protection District.

F. Comply with the requirements of the Building Inspection Division. 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, P.O. 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. The applicant shall be responsible for paying the County Recorder's Fee for the Notice of Determination as well as the State Department of Fish and Game's Filing Fee.

I. East Contra Costa County Habitat Conservation Plan Fee.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the February 8, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____
Randy Pope, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

Agenda Date: _____

Agenda Item: _____

OAKLEY CALIFORNIA

# STAFF REPORT

**Date:** February 8, 2022

**To:** Joshua McMurray, City Manager *Approved and Forwarded to the City Council*

**From:** Kenneth W. Strelo, Principal Planner
Cindy Gnos, Senior Vice President, Raney Planning & Management, Inc.

**SUBJECT:** **CR-A (Commercial Recreation-Aquatic) District Zoning Text Amendment (RZ 02-21) Project**

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## Summary

This is a public hearing on a request from the Lauritzen Yacht Harbor ("Applicant") for a text amendment to Section 9.1.512 of the Oakley Municipal Code (Commercial Recreation-Aquatic [CR-A]) to expand the list of permitted and conditional commercial uses allowed in the CR-A District ("Project"). In general, the proposed amendment serves to clarify the objectives of the CR-A District and add to the district's permitted uses and uses requiring a Conditional Use Permit (CUP) in order to modernize the CR-A District in a manner more relevant to the current uses in the vicinity, particularly the Oakley Logistics Center, consistent with the goals and policies of the General Plan.

Staff recommends the City Council adopt the Initial Study/Negative Declaration (IS/ND), waive the first reading, and introduce the ordinance approving a zoning ordinance text amendment to Section 9.1.512 (Commercial Recreation-Aquatic [CR-A]) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-21).

## Background and Project Description

The CR-A District consists of two areas in the City of Oakley: (1) parcels immediately east of State Route (SR) 160 and north of Lauritzen Lane, and (2) parcels adjacent to Big Break Road to the north of Big Break Regional Trail. The former area, to the east of SR 160, overlays Driftwood Marina and Lauritzen Yacht Harbor. The latter area, adjacent to Big Break Road, includes Big Break Marina and Foundation Contractors. Both sites are situated along the shoreline of the San Joaquin River Delta (Delta). Each area is within the vicinity of the 375.7-acre site planned for the Oakley Logistics Center, an approximately 1,750,000-square-foot (sf) light industrial logistics center approved by the City in 2019 that consists of seven industrial parcels and four open space lots. The CR-A District located adjacent to SR 160 is situated to the north of the Oakley Logistics Center's Parcel A and Lot 3. The CR-A District north of Big Break Regional Trail abuts the logistic center's northeast property line.

In addition, Planning Area 6 of the City-adopted East Cypress Corridor Specific Plan (ECCSP) contains two areas with CR (Commercial Recreation) land use designations, to which the CR-A District would apply. The two areas with CR land use designations in Planning Area 6 are generally located in the northern portion of the planning area, with one of the CR land use designations abutting the eastern side of Jersey Island Road and Dutch Slough, the latter of which is a portion of the Delta. The other CR land use designation in Planning Area 6 abuts the western side of Bethel Island Road within the northern City limits.

The purpose of the CR-A District is to provide designated areas for preservation of natural features and to encourage marine-commercial and visitor-oriented uses in waterfront areas. Currently, the CR-A District includes the following six permitted uses: artists' studios and galleries; boat storage/yards; marinas; park and recreation facilities; retail marine sales; and minor utilities, such as electrical distribution lines and underground water and sewer lines. The CR-A District currently allows for a range of additional uses through approval of a Conditional Use Permit (CUP) or a Temporary Use Permit (TUP). The proposed Zoning Ordinance amendment would modify subsections (a) Purpose and Intent, (b) Permitted Uses, (c) Uses Requiring a Conditional Use Permit (CUP), and (h) Other Regulations in Section 9.1.512 of the City's Municipal Code.

The proposed revisions to the Zoning Ordinance would be consistent with the goals and policies of the General Plan. Pursuant to the Community Vision outlined in the General Plan, the City envisions itself as a place for those seeking a semi-rural setting, small town character, and the recreation opportunities provided on the San Joaquin River Delta (Delta). The northern portion of the Northwest Oakley Special Planning Area[1] includes two CR-A District areas. The CR-A District implements the Commercial Recreation (CR) designation, which allows for a broad range of commercial activities that cater to the recreational user, including marinas and boat facilities; outdoor equipment rental shops; yacht clubs; driving ranges and golf courses; restaurants; etc. Development allowed under the CR designation is anticipated by the General Plan to provide access to the Delta and passive recreation uses. In addition, the overall goal of the CR uses in the Northwest Oakley Special Planning Area are to not only provide recreation for City residents, but to enhance the quality of the area and support the adjacent industrial/business park development. As such, the new permitted uses and uses requiring a CUP that would be facilitated by the proposed Zoning Ordinance amendment would be consistent with the intent of the CR designation.

The proposed amendments include many new uses that will help to remove uncertainty in what is permitted, conditionally permitted, and not permitted in the CR-A District. Including more uses doesn't necessarily increase the allowable intensity of the uses in the district, but it does allow Planning Staff to answer questions and help guide development regarding the CR-A District more efficiently and consistently. Attachment 4 to this Staff Report includes the entire deleted and added language resulting in the proposed ordinance. The following

[1] The Northwest Oakley Special Planning Area is a subarea identified in the Oakley General Plan that encompasses apx. 972 acres of land located generally north of existing Oakley Road and generally bounded by Big Break Road to the east, Highway 160 to the west and the Delta along the north.

lists includes examples of the some of the permitted uses added to the CR-A District. No new conditionally permitted uses are being added to the CR-A District.

Examples of Permitted Uses Added to CR-A District (not a complete list)

- Boat charter, rental, or sales. Boats include kayaks, canoes, stand up paddle boards, sail boats, wind sailing, jet skis, bass boats, cabin cruisers, electric boats, and similar watercraft;
- Boat tours, including fishing guides and tours of the Delta;
- Fishing tournaments;
- Houseboat charter, rental, and sales;
- Offices;
- Retail stores; and
- Studios and galleries for artists.

## Environmental

An IS/ND was prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq., and the State CEQA Guidelines to evaluate the potential environmental impacts of the project. The IS/ND was made available for public review from November 21, 2021 to December 20, 2021. As detailed therein, the IS/ND concluded the project would not result in a "Potentially Significant" impact with respect to any environmental issue area that would require the incorporation of feasible mitigation measures to reduce the potential project impact to a less-than-significant level.

One comment letter was received during the public review period from Central Valley Regional Water Quality Control Board. In addition, a comment letter was received after the close of the public review period from the Delta Protection Commission. Both comment letters support the proposed Zoning Ordinance amendment and do not raise issues related to the adequacy of the IS/ND.

## Recommendation

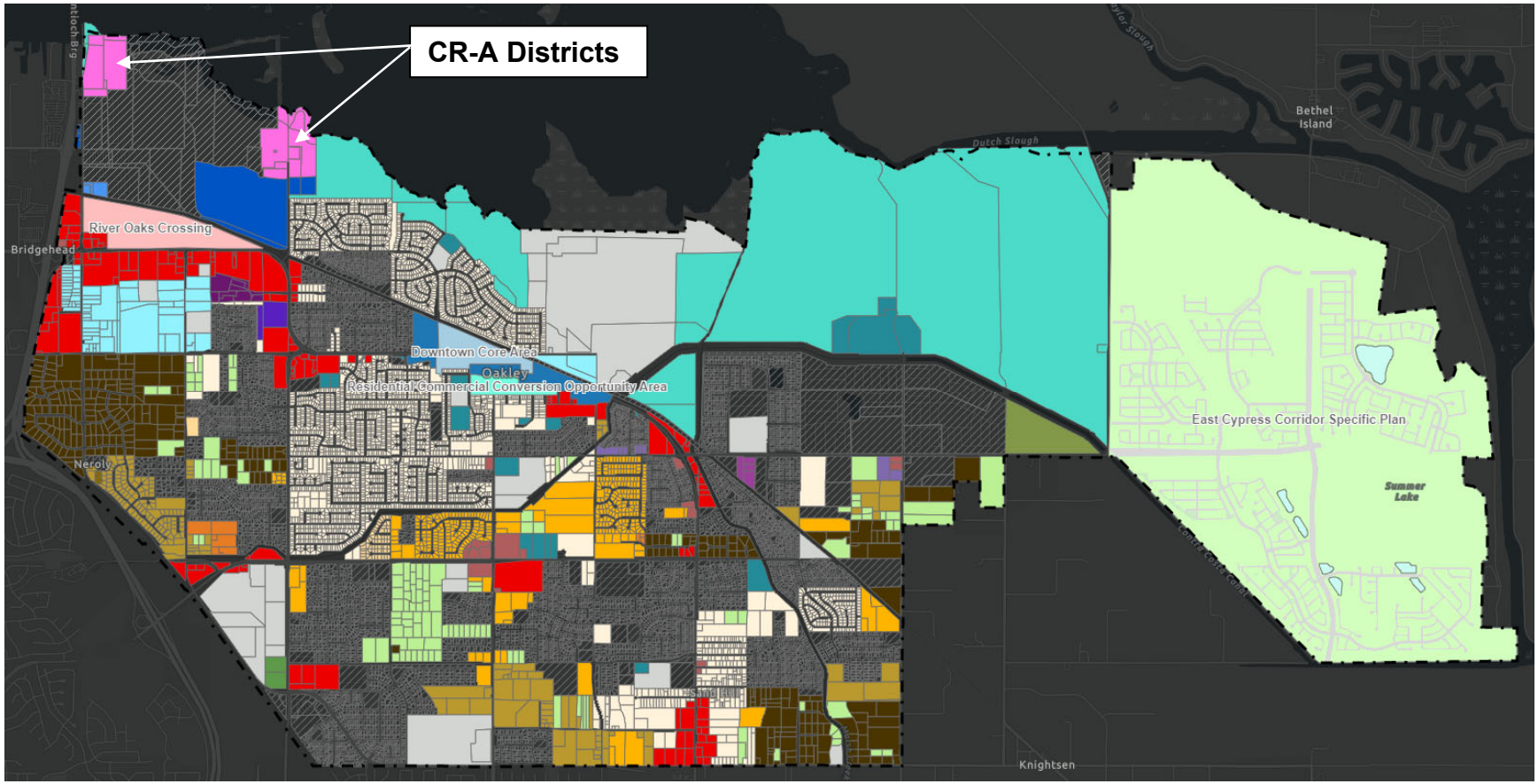
Staff recommends the City Council adopt the IS/ND, waive the first reading, and introduce the ordinance approving a Zoning Ordinance text amendment to Section 9.1.512 (Commercial Recreation-Aquatic [CR-A]) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-21).

## Attachments

1. Map of CR-A District Areas
2. Notice of Public Hearing
3. Applicant's Justification for Zoning Text Amendments
4. Zoning Text Amendment with Proposed New Text Double Underlined and Proposed Deleted Text ~~Struck Through~~
5. Proposed Ordinance

## CR-A (Commercial Recreation-Aquatic) District Zoning Text Amendment (RZ 02-21) Project

# Map of CR-A (Commercial Recreation-Aquatic) Districts



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

# NOTICE OF PUBLIC HEARING

Notice is hereby given that on **February 8, 2022** 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 item for **Adoption of an IS/ND and Zoning Text Amendment related to the permitted and conditionally permitted commercial uses allowed in the Commercial Recreation-Aquatic (CR-A) District.**

**Project Name:** CR-A (Commercial Recreation-Aquatic) District Zoning Text Amendment (RZ 02-21) Project.

**Project Location:** Citywide in applicable zoning districts.

**Applicant:** Lauritzen Yacht Harbor, 115 Lauritzen Lane, Oakley, CA 94561, (925) 757-1916

**Request:** This is a public hearing on a request for a number of text amendments to Section 9.1.512 of the Oakley Municipal Code (Commercial Recreation-Aquatic [CR-A]), which would modify the list of permitted and conditionally permitted commercial uses allowed in the CR-A District. The proposed Zoning Ordinance amendment would modify subsections (a) Purpose and Intent, (b) Permitted Uses, (c) Uses Requiring a Conditional Use Permit (CUP), and (h) Other Regulations in Section 9.1.512 of the City's Municipal Code. In general, the proposed amendment serves to clarify the objectives of the CR-A District and add to the district's permitted uses and uses requiring a CUP in order to modernize the CR-A District in a manner more relevant to the current uses in the vicinity, particularly the Oakley Logistics Center, consistent with the General Plan goals and policies.

**How to Review:** The Staff Report and its attachments will be available for public review, on or before **February 3, 2022** 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 **February 8, 2022** agenda and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). 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, Planning Manager 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.

Justification for Zoning Text Amendment

Lauritzen Yacht Harbor is requesting the City amend the text of the Commercial Recreation – Aquatic (CR-A) Zone to expand the list of commercial uses allowed to encourage new construction and new businesses that would be compatible with the Oakley Logistics Center and Oakley's shoreline.

There are two areas with the CR-A zoning designation: a) Lauritzen Yacht Harbor and Driftwood Marina at the end of Bridgehead Road, and b) Big Break Marina and Foundation Constructors at the end of Big Break Road. Both sites are located along the shoreline and were developed over 50 years ago as marinas and marine-related industrial uses. Both sites adjoin the Planned Unit Development P-1 Zone, which was recently adopted to allow the establishment of the 2.2 million sq. ft. state-of-the-art Oakley Logistics Center.

As part of the adoption of the P-1 Zone, the City amended the General Plan Land Use Element to designate the land occupied by the logistics center from Business Park to Light Industrial. The City also changed the Circulation Element to eliminate a future 4-lane divided arterial in the Northwest Planning Area (the "Live Oak Extension"). The Oakley Logistics Center represented new opportunities and benefits for the city. In its adoption of the P-1 Zone, the city significantly altered the character of land use and circulation in the Northwest Planning Area.

The CR-A Zone includes uses that are not practical. The CR-A Zone includes sports stadiums, arenas, amusement parks, cinemas, bowling alleys, dance halls, ice skating rinks and roller rinks. These recreational uses are not likely to occur in the two sites zoned CR-A. Other uses allowed in the CR-A Zone are outdated, such as billiard parlors, pool rooms, and arcades. There are only six permitted uses listed in the CR-A zone. All other uses are conditional uses, which impairs the marketability of the sites because of the questionable compatibility and unknown conditions of approval that may be imposed.

The CR-A Zone does not identify many historical marine and visitor-oriented uses as permitted uses in the zone, such as fishing guides, fishing tournaments, boat tours of the Delta, houseboat rentals, ferry service between the islands, canvas repair shop, eating and drinking establishments, storage of supplies for the California Division of Boating and Waterways, and the Sheriff's Office for Marine Patrol. In fact, many historical uses are either nonconforming or only possible because the state and county are exempt from the City's zoning. We want to address this discrepancy and encourage marine and visitor-oriented uses in the CR-A Zone. The CR-A Zone requires modifications to make it relevant to the current uses in the vicinity. The current zoning constrains future development and effective economic use of the area.

On the Lauritzen property, the marina utilizes approximately 15.15 acres and provides roughly 137 in water berths and 300 boats in dry storage, and two metal Buildings for marine-related uses. The Lauritzen property includes an additional 2.83 acres along Lauritzen Lane which contains two additional metal Butler buildings that have historically been used for marine-related uses. The buildings economically, logistically and physically are suitable for repair shops, storage, offices, and light manufacturing. The 2.83-acre site adjoins the Oakley Logistics Center. The site's southern property line is coterminous with the northern property line of the logistics center. The logistics center will be constructing a driveway along this shared property line.

The Lauritzen site owner's goal is to find suitable tenants to fill the vacancies in existing buildings and retain the marina in a safe, secure and well-maintained condition for its boating clients. For the property to be viable, Lauritzen Yacht Harbor is requesting the city expand the commercial uses to allow a reconfiguration of uses and the development of new facilities. The owner is requesting the City amend the CR-A Zone to encourage land uses that are compatible with the waterfront and adjoining logistics center and adjacent industrial uses.

The proposed amendment includes changes to subsections (a) purpose and intent, (b) permitted uses, and (c) conditional uses in the CR-A Zone, Oakley Municipal Code Section 9.1.512. Additions are shown in bold italics. Obsolete language is shown in strike-through.

Purpose and Intent:

> Purpose and Intent. The purpose of the CR-A District is to provide designated areas for preservation of natural features, to encourage marine-commercial and visitor-oriented uses in waterfront areas, ***and to encourage commercial uses that are compatible with the Oakley waterfront and the adjoining state-of-the-art regional logistics center and industrial uses.***

Permitted Uses:

1. Artists's studios and galleries
2. ***Boat charter, rental, and sales. Boats for sale may be in water within a marina or on land.***
3. ***Boat tours, including fishing guides and tours of the Delta***
4. Boat storage/yards. Indoor or outdoor storage of boats, including stack storage, which may include boat haul out ***(by ramp or travel lift)***, maintenance, and boat repair as an ancillary use
5. ***Drone facilities (storage and launch sites)***
6. ***Eating and drinking establishments, including take-out, catering, and food trucks***
7. ***E-commerce (possible incubator businesses)***
8. ***Ferry services***
9. ***Fishing tournaments***
10. ***Houseboat charter and rentals***
11. ***Indoor storage of equipment and supplies***
12. ***Kayak sales and tours***
13. ***Light industrial uses associated with marine and recreational uses when conducted within an enclosed building***
14. Marinas***, including electric charging stations for boats as an accessory use***
15. Park and recreation facilities
16. ***Photography and design studios***
17. ***Professional offices***
18. ***Public safety facilities***
19. ***Recreational vehicle parking, storage, and sales***
20. ***Repair shops within enclosed buildings (electrical, plumbing, HVAC, etc)***
21. Retail marine sales
22. ***Ridesharing facilities***
23. ***Robotics and automation***
24. ***Solar arrays***

***25. Technology and electronics***
26. Utilities, minor

Uses Requiring Conditional Use Permit:

~~Boat charter, rental, and sales~~
1. Boat storage/yards when including boat building or manufacturing;
2. Commercial filming (Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year)
3. Commercial recreation and entertainment ~~(This classification includes cinemas, theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, pool rooms, dance halls, ice/skating rinks, scale-model courses, tennis/racquetball courts, arcades or electronic games centers having three or more coin-operated game machines)~~;
4. Commercial waterfront master plan with a residential component (Residential component subject to the lot and yard requirements, building height and other regulations of multiple family residential districts (M-9, M-12 and M-17) (Sections 9.1.406(e) through (h)).
5. ***Delivery service partners (i.e. last mile delivery for adjacent logistics center)***
   ~~Eating and drinking establishments related to marina~~
6. ***Fleet vehicle parking (cars, vans, small trucks)***
7. Hotels and motels;
8. ***Light industrial uses with outdoor storage***
9. ***New and used recreational vehicle and auto sales (operable vehicles only)***
10. Outdoor recreation complexes;
11. Marine Service stations (Establishments engaged in the retail sale of gasoline, diesel, and alternative fuels, electric and battery power stations, lubricants, parts, and accessories for boats or ships);
    ~~Public safety facilities;~~
12. Utilities, major (Generating plants, electrical substations, above-ground electrical transmission lines, lone switching buildings, refuse collection, transfer recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification);
13. Yacht club.

In the CR-A Zone, new construction is required to comply with the Commercial and Industrial Design Guidelines and Design Review approval. This ensures the architectural design and quality of construction meets the City's standards. A future development project would be analyzed by the city to determine its specific environmental impacts and if a Negative Declaration or EIR would be required.

The proposed text amendment would be consistent with the Oakley General Plan Land Use Element Goal 2.3:

> Support the retention and expansion of existing commercial establishments, and to encourage new, high-quality commercial development in the City.

The existing marinas along the shoreline were developed with marine-related industrial uses, such as boat engine/outdrive work, boat repair shop, hull repair, canvas shop, and commercial storage. The four metal Butler buildings were constructed for these types of uses and served a meaningful purpose in their time. But times have changed, and it is more difficult to find appropriate uses that are specifically marine-related. The text amendment would expand the types of commercial uses allowed in the CR-A zone. The text amendment facilitates new, high-quality commercial development.

The proposed text amendment would be consistent with the Oakley General Plan Land Use Element for the Northwest Oakley Planning Area. The Northwest Planning Area encompasses 972 acres of land bounded by Highway 160, the Delta, Big Break Road, and Oakley Road. The area was formerly dominated by the DuPont facility, which is now the Oakley Logistics Center. The "development vision" for this area includes the following (emphasis added):

> "The northern portion of the Area is dominated by the Delta and associated wetland areas. These lands are designated either Delta Recreation or Commercial Recreation and it is anticipated that access to the Delta and ***passive recreational uses*** will be provided. The proximity to the Delta is considered a further opportunity ***to enhance the overall quality of this Area***, including the ***intensive urban development of the Business Park designation*** (which is now the Oakley Logistics Center). As such, all development located north of the BNSF Railroad must consider the Delta context through site design and architecture, ***strengthen the relationship between built and nature environments,*** and provide significant public access to the waterfront through such remedies as trail and riparian easements and land dedication to the City of Oakley where appropriate."

The text amendment is compatible with the ***passive recreational uses*** provided by the regional parks, trails and marinas along the shoreline. The text amendment encourages the previous marine-related industrial uses that are no longer practical to be replaced with offices, services, and eating and drinking establishments that serve both the shoreline uses and regional logistics center. The text amendment would ***enhance the overall quality of the area, including the intensive urban development*** of the Oakley Logistics Center by providing business services relevant to a logistics center. The text amendment would ***strengthen the relationship between built and nature environments*** by allowing smaller scale, high quality, technology and service businesses to locate adjacent to the large scale regional logistics center, consistent with the goals of having the Northwest Planning Area serve as the primary employment center within Oakley.

We believe this change will enhance the zoning to further the growth and development of the area. Please consider our request and application for a Zoning Text Amendment.

Respectfully,

Chris Lauritzen
Lauritzen Yacht Harbor

Margaret Lauritzen
Lauritzen Yacht Harbor

**Proposed Commercial Recreation-Aquatic (CR-A) Zoning Text Amendment**

The following text amendments would apply to Section 9.1.512 of the Oakley Municipal Code, which pertains to the CR-A District. The text changes presented below are those submitted by the applicant, Lauritzen Yacht Harbor, with proposed new text double underlined and proposed deleted text ~~struck through~~.

**9.1.512 Commercial Recreation – Aquatic (CR-A).**

a. Purpose and Intent. The CR-A Zone is designated in certain areas along the City's waterfront, which is part of the greater Sacramento-San Joaquin Delta. The Delta is a unique region that supports a wealth of natural resources, vibrant communities, agriculture, and recreation. The lands designated CR-A are within the Secondary Zone of the Delta, within the Contra Costa County Urban Limit Line, within City limits, and within the Urban Interface Zone in the Delta Plan. The purpose of the CR-A District is to provide designated areas for ~~preservation of natural features, and to encourage marine commercial~~ commercial, recreational and visitor-oriented uses ~~in waterfront areas~~ compatible with the waterfront and the natural features in the Delta. The intent is to provide new and protect existing commercial and recreational opportunities. The CR-A Zone will encourage uses that allow residents and visitors to enjoy and appreciate the waterways of the Delta. The proximity to the Delta is considered a further opportunity to enhance the overall quality of the area.

b. Permitted Uses. Uses permitted in the CR-A district shall be as follows:

1. ~~Artists' studios and galleries~~ Boat charter, rental, or sales. Boats include kayaks, canoes, stand up paddle boards, sail boats, wind sailing, jet skis, bass boats, cabin cruisers, electric boats, and similar watercraft;
2. Boat storage/yards. Indoor or outdoor storage of boats, including stack storage, ~~which may include~~ boat haul out, maintenance, and boat repair as an ancillary use;
3. ~~Marinas~~ Boat tours, including fishing guides and tours of the Delta;
4. ~~Park and recreation facilities~~ Docks and boat launches;
5. ~~Retail marine sales~~ Eating and drinking establishments, including restaurants, cafés, take-out, floating restaurants, take-out by boat, and dock dining. Drive-throughs not permitted;
6. ~~Utilities, minor (Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines)~~ Ferry services;
7. Fishing tournaments;
8. Houseboat charter, rentals, and sales;
9. Indoor storage of marine or recreational equipment and supplies;
10. Interpretive and educational facilities;
11. Marinas;
12. Marinas with recreational vehicle parks;
13. Marina mixed-use developments, including restaurants, offices, or retail shops;
14. Marine schools;
15. Offices;
16. Park and recreation facilities, including tent or recreational vehicle campgrounds;
17. Public safety facilities, including marine patrol, search and rescue, and reclamation district facilities;
18. Recreational vehicle repair and/or storage within enclosed structures;
19. Retail stores;

20. Studios and galleries for artists; and
21. Utilities, minor (utilities and energy efficient improvements to buildings and structures).

c. Uses Requiring a Conditional Use Permit. In the CR-A district the following uses are permitted after the issuance of a conditional use permit:

1. ~~Boat charter, rental and sales~~ Boat storage/yards when including boat building or manufacturing;
2. ~~Boat storage/yards when including boat building or manufacturing~~ Commercial waterfront master plan with a residential component (Residential component subject to the lot and yard requirements, building height and other regulations of multiple family residential districts (M-9, M-12 and M-17) (Sections 9.1.406(e) through (h));
3. ~~Commercial filming (Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year)~~ Hotels and motels;
4. ~~Commercial recreation and entertainment (This classification includes cinemas, theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, pool rooms, dance halls, ice/skating rinks, scale-model courses, tennis/racquetball courts, arcades or electronic games centers having three or more coin-operated game machines);~~ Utilities, major (Generating plants, electrical substations, water reservoirs, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification); and
5. ~~Eating and drinking establishments related to marina~~ Yacht club.
6. ~~Hotels and motels;~~
7. ~~Marine service stations (Establishments engaged in the retail sale of gasoline, diesel, and alternative fuels, lubricants, parts, and accessories for boats or ships);~~
8. ~~Public safety facilities;~~
9. ~~Utilities, major (Generating plants, electrical substations, above-ground electrical transmission lines, lone switching buildings, refuse collection, transfer recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification);~~
10. ~~Yacht club; and~~
11. ~~Commercial waterfront master plan with a residential component (Residential component subject to the lot and yard requirements, building height and other regulations of multiple family residential districts (M-9, M-12 and M-17) (Sections 9.1.406(e) through (h)).~~

h. Other Regulations.

i. ~~All new commercial development shall be consistent with the Commercial and Industrial Design Guidelines (See Appendix C of this chapter) and is subject to Design Review approval.~~
ii. ~~Fences, walls, hedges, uncovered decks, landings, patios, platforms, porches and terraces and similar structures not more than 6 feet in height, may be located within any required side yard to the rear of the front setback or within any required rear yard other than those abutting an alley. Fences, walls, hedges, and accessory structures shall be limited to 3 feet in height above natural grade in all required front yard setback areas;~~

~~iii. Dock and Marina Regulations. Dock and marina projects may be allowed in the CR-A district based on the following criteria, as determined appropriate by the Community Development Director:~~

~~1. Proposed locations should be along waterways having an adequate channel width as defined by the State Harbors and Navigation Code;~~
~~2. Adequate public vehicular access and parking must be provided;~~
~~3. Off-site improvements, such as required access roads, must be capable of supporting the proposed development and subsequent use;~~
~~4. Adequate on-site sewage or public sewer disposal must be provided;~~
~~5. Adequate access for emergency response vehicles must be available;~~
~~6. Such uses should minimize the conflict with adjacent agricultural uses or natural resources;~~
~~7. Adequate potable water must be provided, as appropriate, for all recreational uses;~~
~~8. Encourage public access to the delta and shoreline in conjunction with new dock and marina projects. Such access may be achieved upon the subject property or through cooperative efforts with adjacent property owners.~~

1. All new commercial development shall be consistent with the Commercial and Industrial Design Guidelines (See Appendix C of this chapter) and is subject to Design Review approval;
2. Marinas include covered or un-covered berths, fuel docks, electric boat charging stations, launch ramps, marine maintenance and repair services, lubricants, parts, and accessories for boats, pump outs, convenience store, office, harbormaster living quarters, and related uses;
3. Boat and houseboat sales may be new or used vessels that are operable and seaworthy;
4. Public safety facilities may include outdoor storage of mobile trailers for disaster preparedness (levee failures, oil spills, earthquakes);
5. Fences, walls, hedges, uncovered decks, landings, patios, platforms, porches and terraces and similar structures not more than 6 feet in height, may be located within any required side yard to the rear of the front setback or within any required rear yard other than those abutting an alley. Fences, walls, hedges, and accessory structures shall be limited to 3 feet in height above natural grade in all required front yard setback areas; and
6. Marina and Dock Regulations. Marina and dock projects may be allowed in the CR-A district based on the following criteria, as determined appropriate by the Community Development Director:

    a. Proposed locations should be along waterways having an adequate channel width as defined by the State Harbors and Navigation Code;
    b. Adequate public vehicular access and parking must be provided;
    c. Off-site improvements, such as required access roads, must be capable of supporting the proposed development and subsequent use;
    d. Adequate on-site sewage or public sewer disposal must be provided;
    e. Adequate access for emergency response vehicles must be available;
    f. Such uses should minimize the conflict with adjacent agricultural uses or natural resources;
    g. Adequate potable water must be provided, as appropriate, for all recreational uses; and
    h. Encourage public access to the delta and shoreline in conjunction with new dock and marina projects. Such access may be achieved upon the subject property or through cooperative efforts with adjacent property owners.

**ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING A ZONING TEXT AMENDMENT TO OAKLEY MUNICIPAL CODE SECTION 9.1.512 (COMMERCIAL RECREATION-AQUATIC [CR-A]) RELATED TO THE PERMITTED AND CONDITIONAL USES ALLOWED IN THE CR-A DISTRICT (SUBSECTIONS 9.1.512[a], [b], [c], and [h] (RZ 02-21)**

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The City Council of the City of Oakley does ordain as follows:

SECTION 1. Subsections 9.1.512(a), (b), (c), and (h) of the Oakley Municipal Code Section 9.1.512 titled, Commercial Recreation-Aquatic (CR-A), is hereby amended as follows:

a. Purpose and Intent. The CR-A Zone is designated in certain areas along the City's waterfront, which is part of the greater Sacramento-San Joaquin Delta. The Delta is a unique region that supports a wealth of natural resources, vibrant communities, agriculture, and recreation. The lands designated CR-A are within the Secondary Zone of the Delta, within the Contra Costa County Urban Limit Line, within City limits, and within the Urban Interface Zone in the Delta Plan. The purpose of the CR-A District is to provide designated areas for commercial, recreational and visitor-oriented uses compatible with the waterfront and the natural features in the Delta. The intent is to provide new and protect existing commercial and recreational opportunities. The CR-A Zone will encourage uses that allow residents and visitors to enjoy and appreciate the waterways of the Delta. The proximity to the Delta is considered a further opportunity to enhance the overall quality of the area.

b. Permitted Uses. Uses permitted in the CR-A district shall be as follows:

1. Boat charter, rental, or sales. Boats include kayaks, canoes, stand up paddle boards, sail boats, wind sailing, jet skis, bass boats, cabin cruisers, electric boats, and similar watercraft;
2. Boat storage/yards. Indoor or outdoor storage of boats, including stack storage, boat haul out, maintenance, and boat repair as an ancillary use;
3. Boat tours, including fishing guides and tours of the Delta;
4. Docks and boat launches;
5. Eating and drinking establishments, including restaurants, cafés, take-out, floating restaurants, take-out by boat, and dock dining. Drive-throughs not permitted;
6. Ferry services;
7. Fishing tournaments;
8. Houseboat charter, rentals, and sales;
9. Indoor storage of marine or recreational equipment and supplies;
10. Interpretive and educational facilities;
11. Marinas;
12. Marinas with recreational vehicle parks;
13. Marina mixed-use developments, including restaurants, offices, or retail shops;

14. Marine schools;
15. Offices;
16. Park and recreation facilities, including tent or recreational vehicle campgrounds;
17. Public safety facilities, including marine patrol, search and rescue, and reclamation district facilities;
18. Recreational vehicle repair and/or storage within enclosed structures;
19. Retail stores;
20. Studios and galleries for artists; and
21. Utilities, minor (utilities and energy efficient improvements to buildings and structures).

c. Uses Requiring a Conditional Use Permit. In the CR-A district the following uses are permitted after the issuance of a conditional use permit:

1. Boat storage/yards when including boat building or manufacturing;
2. Commercial waterfront master plan with a residential component (Residential component subject to the lot and yard requirements, building height and other regulations of multiple family residential districts (M-9, M-12 and M-17) (Sections 9.1.406(e) through (h));
3. Hotels and motels;
4. Utilities, major (Generating plants, electrical substations, water reservoirs, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification); and
5. Yacht club.

h. Other Regulations.

1. All new commercial development shall be consistent with the Commercial and Industrial Design Guidelines (See Appendix C of this chapter) and is subject to Design Review approval;
2. Marinas include covered or un-covered berths, fuel docks, electric boat charging stations, launch ramps, marine maintenance and repair services, lubricants, parts, and accessories for boats, pump outs, convenience store, office, harbormaster living quarters, and related uses;
3. Boat and houseboat sales may be new or used vessels that are operable and seaworthy;
4. Public safety facilities may include outdoor storage of mobile trailers for disaster preparedness (levee failures, oil spills, earthquakes);
5. Fences, walls, hedges, uncovered decks, landings, patios, platforms, porches and terraces and similar structures not more than 6 feet in height, may be located within any required side yard to the rear of the front setback or within any required rear yard other than those abutting an alley. Fences, walls, hedges, and accessory structures shall be limited to 3 feet in height above natural grade in all required front yard setback areas; and

6. Marina and Dock Regulations. Marina and dock projects may be allowed in the CR-A district based on the following criteria, as determined appropriate by the Community Development Director:

    a. Proposed locations should be along waterways having an adequate channel width as defined by the State Harbors and Navigation Code;
    b. Adequate public vehicular access and parking must be provided;
    c. Off-site improvements, such as required access roads, must be capable of supporting the proposed development and subsequent use;
    d. Adequate on-site sewage or public sewer disposal must be provided;
    e. Adequate access for emergency response vehicles must be available;
    f. Such uses should minimize the conflict with adjacent agricultural uses or natural resources;
    g. Adequate potable water must be provided, as appropriate, for all recreational uses; and
    h. Encourage public access to the delta and shoreline in conjunction with new dock and marina projects. Such access may be achieved upon the subject property or through cooperative efforts with adjacent property owners.

SECTION 2. California Environmental Quality Act.

An Initial Study/Negative Declaration (IS/ND) was prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq., and the State CEQA Guidelines to evaluate the potential environmental impacts of the project. The IS/ND was made available for public review from November 21, 2021 to December 20, 2021. As detailed therein, the IS/ND concluded the project would not result in a “Potentially Significant” impact with respect to any environmental issue area that would require the incorporation of feasible mitigation measures to reduce the potential project impact to a less-than-significant level.

SECTION 3. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk’s Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2022 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Randy Pope, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

# STAFF REPORT

**DATE:** February 8, 2022

**TO:** Mayor and City Council

*Approved and Forwarded to the City Council*

**FROM:** Joshua McMurray, City Manager

**SUBJECT:** **Adopt a Resolution Appointing Conan Moats to the Planning Commission to Serve a 2-year term and Changing the Term for Planning Commissioner Shannon Shaw from 2-years to 4-years**

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## Background and Recommendation

The City Council discussed the vacant Planning Commission seat at the January 25, 2022 City Council Meeting. The City Council directed Staff to draft a Resolution that would appoint the applicant who came in at sixth place during the October 12, 2021 interviews and to then change the term limit for Planning Commissioner Shannon Shaw from the initial 2-year appointment to a 4-year appointment. The applicant who came in sixth was Conan Moats. At the time this Staff Report was written, Staff has not heard back from Conan Moats to see if he would accept the appointment. Staff will be able to provide more information at the City Council meeting.

## Recommendation

Staff recommends the City Council adopt the attached resolution appointing Conan Moats to the Planning Commission to serve a 2-year term and changing the term for Planning Commissioner Shannon Shaw from 2-years to 4-years

## Attachments

1. January 25, 2022 Staff Report
2. Draft Resolution

OAKLEY
CALIFORNIA

# STAFF REPORT

**DATE:** January 25, 2022

**TO:** Mayor and City Council

*Approved and Forwarded to the City Council*

**FROM:** Joshua McMurray, City Manager

**SUBJECT:** **Planning Commission Update**

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## Background and Recommendation

The City Council held a Work Session on January 26, 2021 to discuss the possibility of establishing a separate Planning Commission. At that meeting Staff was directed to put together a community survey. On April 13, 2021 the City Council held another Work Session to discuss the results of the community engagement survey concerning the Planning Commission. At the end of that Work Session, the City Council directed Staff to prepare an Ordinance that would re-establish the Planning Commission as a separate body. At the July 13, 2021 City Council Meeting, the City Council adopted Ordinance No. 06-21, which amended and updated the Municipal Code regarding the Planning Commission.

Staff solicited applications during the period from August 13, 2021 to September 10, 2021. A total of 13 applications were received and 12 applicants where interviewed (one applicant did not attend the meeting) at the October 12, 2021 meeting. At that meeting the following applicants were appointed:

Diego Verduzco – 4-year term
Edward Cire – 4-year term
Oleksii Chuiko – 4-year term
Shannon Shaw – 2-year term
Leonard Price – 2-year term

Since that meeting, Staff has been working internally to get the processes set up and the plan was to hold the first Planning Commission meeting on January 18th. On January 5, 2022, Edward Cire informed me that he could no longer be a Planning Commissioner as schedule change at his employer would make it impossible for him to attend the evening meetings. With that said, and with the Council's focus on having a fully trained Planning Commission before they take any official action, Staff has paused the Planning Commission start date to gain further feedback from the City Council on how to proceed.

For reference, the meeting minutes have been attached so the City Council has an accurate account of how the 5-member commission was originally appointed.

Staff presents three options to the City Council for consideration. There may be other options discussed at the meeting. The three options Staff is presenting are as follows:

- Re-Interview the 7 applicants who originally interviewed but were not selected.
- Appoint the applicant who was ranked 6th.
- Solicit new applications (for a limited time) to fill the vacant seat.

**Recommendation**

Staff recommends the City Council provide direction to Staff on how to proceed with the vacant Planning Commission seat.

**Attachments**

1. October 12, 2021 City Council Meeting Minutes

# Minutes of Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority held October 12, 2021

## 1) OPENING MATTERS

### 1.1 Call to Order and Roll Call of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

Mayor Sue Higgins called the meeting to order at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Mayor Randy Pope and Councilmembers Aaron Meadows, Anissa Williams and George Fuller were also present.

### 1.2 Pledge of Allegiance to the Flag (Mayor Higgins)

Mayor Sue Higgins led the Pledge of Allegiance to the Flag.

### 1.3 Presentation by District Attorney Diana Becton

District Attorney (DA) Diana Becton provided a presentation including information on the DA budget, personnel, department overview, programs, collaboration with other agencies and partners. She was accompanied by Arnold Threets, Chief of Inspectors, Bureau of Investigations.

Councilmember Fuller expressed it is troubling him that Ms. Becton speaks of social equity and social justice, and inclusive diversified community with her lips, but it seems like with her heart she acts with privilege. He referred to Joe Canciamilla who gets to serve his house arrest in the north shore of Kauai with an ankle bracelet when he had forgery and felony perjury counts (42 total) filed against him. He also referred to DA Becton hosting a wedding on July 20 at her house during the pandemic. He inquired how do we reconcile social equity and social justice to those being marginalized and can they really being protected when these actions are occurring.

DA Becton asked him to repeat his question.

Councilmember Fuller commented that the marginalized need support, yet when a public official commits perjury (42 counts and he pleads guilty to 9), there is no jail time, but rather he is serving his sentence on house arrest in Kauai for a year where he is building a house with funds from who knows where, but the guy who is marginalized doesn't get the same. He mentioned it bothers him the DA had a wedding in her backyard during COVID when everyone was in lock down and churches were canceling weddings.

DA Becton commented that she believes he incorrectly understood the Canciamilla case. She explained justice is for crimes and in most cases, 90%, are resolved by plea bargaining which means reaching a fair resolution in the interest of justice and some charges may be dropped. She further explained that Canciamilla pleaded to 9 counts of perjury and grand theft and was sentenced to 365 days in County jail. She mentioned the Court and Sheriff's Office decides where and how he serves it, not the DA. In addition, she mentioned Canciamilla lost his law

license, can never hold public office again, paid a $150k fine to the FPPC, and incurred additional consequences; this total punishment imposed was in the interest of justice. She shared that she had a legal, COVID-safe wedding where she came with her family to exchange her wedding vows; it was outdoors, everyone was wearing masks, temperatures were taken and everyone was social distancing.

Mayor Higgins commented that human trafficking grossed $200 billion last year, more than Forbes or Fortune 500 companies made. She inquired how much more Contra Costa can do to help.

DA Becton mentioned there are human trafficking awareness days and she would be happy to come to Oakley to have an awareness day and bring prosecutors and those interested in community service. She indicated there are posters that can be placed around businesses within the City providing a hotline phone number for people to call should they see something; they are encouraged to say something. She also mentioned that they receive complaints about trafficking taking place in certain areas and they work with law enforcement and middle schools to address issues and provide educational programs in schools.

Vice Mayor Pope thanked DA Becton. He shared she is the only DA to address the Council that he recalls during his time on the Council. He mentioned he doesn't agree with all of her policies, but thanked her.

### 1.4 Update from Chad Davisson, General Manager, Ironhouse Sanitary District

Chad Davisson, General Manager of Ironhouse Sanitary District (ISD), provided an update including ISD Strategic Plan development, Downtown Sewer Pipeline Project completion, Jersey Island Land Use Analysis update, Recycled Water Fill Station update and a brief overview of its Comprehensive Annual Financial Report Annual Sewer Service Fee.

Mayor Higgins inquired how ISD will accommodate SB 9 and 10.

Mr. Davisson responded their legal counsel is evaluating it right now and he will report back once he receives an answer. He mentioned he will send his response to all of the Council.

Mayor Higgins inquired if street cleaners use recycled water.

Mr. McMurray responded that it does not appear they are using recycled water.

Mr. Davisson mentioned ISD is equipped with "J" stands to fill trucks. He also shared that ISD meets monthly with the City and DWD to look at joint recycled water projects and dust control for construction projects so it is something they can discuss.

## 2) PUBLIC COMMENTS

None.

## 3) CONSENT CALENDAR

**3.1 Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency and Special Public Financing Authority Meeting held September 28, 2021 (Libby Vreonis, City Clerk)**

**3.2 Approving the Agreement with Lennar Homes, Inc. for "Agreement of Property Owner for Provision of Landscaping in the Public Right of Way" for Subdivision 9516 Woodbury and authorizing the Interim City Manager to execute the agreement (Kevin Rohani, P.E., Public Works Director/City Engineer)**

**3.3 Resolution Approving an Amendment to the City of Oakley Fiscal Year 2020/2021 Operating Budget and Authorizing Staff to Proceed with Specific IT-Related Projects (Tim Przybyla, Finance Director)**

**3.4 Appointment of Representative to the Contra Costa Advisory Council on Aging for a Two-Year Term (October 12, 2021-October 11, 2023) (Libby Vreonis, City Clerk)**

**3.5 Resolution Naming Parcel B of Subdivision 8904, "Cypress Crossings Park" (Kevin Rohani, P.E., Public Works Director/City Engineer)**

Mayor Higgins announced item 3.1 will be pulled.

It was moved by Vice Mayor Pope and seconded by Councilmember Meadows to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (5-0)

Item 3.1

City Clerk Libby Vreonis read a correction to the minutes. She mentioned under item 4.2 of the minutes from September 28, Councilmember Meadows commented a parcel of 400 feet x 400 feet is a 3.67-acre lot (corrected from 380.67 acres).

It was moved by Councilmember Meadows and seconded by Councilmember Fuller to approve item 3.1 as corrected. Motion was unanimous and so ordered. (5-0)

## 4) PUBLIC HEARINGS

**4.1 Consider Adopting an Ordinance to Update Mitigation Fees Imposed to Implement the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (Ken Strelo, Principal Planner)**

Principal Planner Ken Strelo presented the staff report.

The City Council had no questions.

Mayor Higgins opened the public hearing. There being no public comments, she closed the public hearing.

Vice Mayor Pope identified a blue speaker card in the box near the staff table. He inquired if it is for this item prior to the vote. Staff indicated it is not.

It was moved by Vice Mayor Pope and seconded by Councilmember Meadows to approve item 4.1. Motion was unanimous and so ordered. (5-0)

The blue speaker card was submitted by Peter Zirkle. Mayor Higgins called upon Mr. Zirkle to speak.

Mr. Zirkle shared he is the liaison for ISD and has been virtually attending Council meetings. He provided his business card and mentioned if there is any information he can help pass back to ISD, he is happy to help.

## 5) REGULAR CALENDAR

### 5.1 Appeal of Administrative Citation Hearing Decision Regarding 2140 Megan Drive (CONTINUED FROM AUGUST 10, 2021 and SEPTEMBER 14, 2021 MEETINGS) (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis mentioned this appeal hearing is regarding a commercial vehicle in a residential driveway and is the third opportunity for the property owner to be heard. She inquired if the property owner is present. Hearing no response, she indicated to the Council, if it is inclined, it may hear the matter on the written record before it whether to uphold the Hearing Officer's decision or not.

City Attorney Derek Cole mentioned the Council has continued the matter to give ample opportunity for the property owner to be heard. He mentioned the Council has the option to continue the matter which is not necessary in his opinion and may be futile, but should the Council review the matter on the written record tonight, it should be done so on the merits and the property owner not appearing tonight or before should not be held against him.

Mrs. Vreonis added that staff confirmed the vehicle had been removed prior to the last scheduled hearing, but as of September 30 and as confirmed today, the vehicle has returned to the property and has not been removed. She mentioned citation costs total $700 and re-inspection fees as of today total $82.11.

It was moved by Councilmember Fuller and seconded by Councilmember Meadows to uphold the citation and all associated costs. Motion was unanimous and so ordered. (5-0)

### 5.2 Interview Planning Commission Applicants and Appoint a Five-Member Planning Commission (Joshua McMurray, Interim City Manager)

Interim City Manager Joshua McMurray provided a brief overview how the Council arrived at selecting a Planning Commission and he provided instructions how the interviews will be conducted using a forced ranking sheet, applications, and interview questions. He offered to review how the ranking sheet works if anyone may not be familiar with using it.

Councilmember Fuller commented Ms. Bruno went over the ranking sheet, but he would like Mr. McMurray to go over it again.

Mr. McMurray explained the ranking sheet works by starting at the left side of the sheet and writing in the name of the first person interviewed. He mentioned when the second person is interviewed, each Councilmember should decide whether the second person interviewed takes the first or second spot, and by the end of the interviews, each Councilmember will select his/her top 5. He mentioned the ranking does not have to be static throughout the sheet; it can be switched around as each person is interviewed. He mentioned once that is done, terms need to be selected which can be done by drawing names from a bucket or as otherwise instructed by the Council. He announced except for Don Aguillard, he received confirmation that all applicants will be in attendance to be interviewed this evening. He explained applicants will be taken to a conference room outside of the Council Chambers and brought in one-by-one and once the person has interviewed he/she can remain in the Council Chambers.

Mike Dupray submitted a written comment to whole heartedly endorse/support Conan Moats as a Planning Commissioner. Mayor Higgins read it into the record.

Mayor Higgins requested the 12 candidates step out of the Council Chambers and follow staff members. Staff directed them to conference rooms to wait for their turn to interview.

Mayor Higgins called for a 5 minute recess at 7:23 p.m. to get organized. The City Council reconvened after 5 minutes.

The following interview questions were asked by the following Councilmembers to each applicant:

1. Councilmember Williams: What motivated you to apply to become a Planning Commissioner?
2. Vice Mayor Pope: Where do you see Oakley in 5, 10, 15 and 20 years?
3. Mayor Higgins: What is the single most important skill for a Planning Commissioner to have?
4. Councilmember Meadows: If appointed, what do you see your role being as a Planning Commissioner?
5. Councilmember Fuller: How do you see the direction the City is currently heading in terms of development and growth?

The first applicant, Ravi Batth, was called to interview. His responses to the Council's questions were as follows:

1. He wants to see the wonderful City do well. He has been a member of the Citizen Planning Advisors, Citizen Police Advisory Board, and member of YMWO! He wants to contribute to do whatever he can to make the City better.
2. This is the one of the safest cities to raise families and he is hoping to see it get even better. Oakley is a small city with space to expand but needs to be careful with population expansion. He created a group on NextDoor and is hoping for input.
3. Future, especially for our kids.
4. Good development for future of kids.
5. It is mixed. With development, population, and housing, he had an opportunity to review plans as part of his role as an Advisor and he didn't always agree and would express his views. On the other side, Oakley is doing really good with a beautiful new park coming up and Oakley is fortunately located in the Delta providing a lot of natural resources to the benefit of the community. On new developments, Oakley needs to be cautious.

The second applicant, Shannon Shaw, was called to interview. Her responses to the Council's questions were as follows:

1. She shared she has been working with housing for about 12 years. She mentioned she has acquired a property to build upon so she has been learning about land use which got her to thinking what she can do in her own City and at that time she looked and Oakley did not have a Planning Commission, but a week later the survey came out asking if people were interested. She mentioned she has lived in Oakley for 12 years and wants to serve the community.
2. Oakley has potential to be a destination city in 5, 10, 15 and 20 years, not just for Oakley residents but neighboring residents to come in and shop and play. She mentioned in 5 years it may not be able to happen, but planning is about not just middle use, but long-term, and in 5 years they could come up with a plan how to get those businesses and new residents to Oakley, and in 10, 15 and 20 years, implement those plans.
3. Listening, making sure everyone has a voice, listening to neighbors and business that will be affected as well as business or housing wanting to come in; listening equally and making a judgment based on that.
4. Advise, research, learn and give opinion to the City Council based on Planning Commission research. She mentioned the Planning Commission can make some decisions, but the Council makes final decisions, so the Planning Commission needs to give the City Council the best information possible.
5. Residential growth has been grand, but Oakley needs more businesses and services to serve residents brought in. More services are needed like a library, businesses to attract the type of people we want to bring into our community, and match businesses to employ residents and supply services they need.

The third applicant, John Amie, was called to interview. His responses to the Council's questions were as follows:

1. He is currently acting as a Citizen Planning Advisor which he appreciates as it provides insight of the growth of the City and allows him to have a say in what is happening in the City.
2. He wishes he had crystal ball to see it. He hopes to see the City grow in a managed way and become more attractive to business and economic development and open up around 50,000 residents which the City is close to now, but above that number, the City has a better chance to attract higher-end economic opportunities. He mentioned he would like to see the City get to 50,000 residents, but he would like to see the growth on E. Cypress develop in a managed way to assimilate that growth.
3. A clear understanding of the role of the position. He shared the instructions he was given as a Citizen Planning Advisor were to stay within a specific scope of that role and it is easy to want to expand beyond that, but it is very important that the Planning Commission has a scope and Commissioners remain within that scope.
4. Being able to look at all aspects of project plans, judge if the plans meet codes and regulations, and if they are appropriate for the zoning for that area.
5. Oakley is at the point of great opportunity and there is ample opportunity for growth which he hopes will be carefully managed so Oakley does not expand quicker than it can manage and assimilate growth.

The fourth applicant, Leonard Price, was called to interview. His responses to the Council's questions were as follows:

1. He received a letter from a developer on City letterhead in August proposing rezoning a property across the street from his residence, a change from single-family low density to single-family high density, and he talked to his neighbors who didn't know anything about it. He mentioned the location and traffic is of concern. He mentioned he then saw a letter from the City about a Planning Commission and thought he could do some good here.
2. He moved to Oakley in 1980 and has seen changes, from orchards and few houses to some really nice subdivisions that fit with the community. He mentioned the City needs to look at adequate roads for residents to get around; development can be brought in, but if people do not have a way to get around, it's not going to happen.
3. Keep an open mind, look at issues and look at how it will benefit Oakley; if it will make it a better place to live.
4. Be knowledgeable of what is going on, if there is an issue of concern, talk to people in the neighborhood, explain, listen to how they are affected and see how can the City can help. He mentioned they need to make the City a good place to live and not be overrun by big developers.
5. With size of land and open spaces available, need to look at best use for that land. There may be need for a strip mall and also places to relax, and parks are a good thing with sports, especially for kids.

The fifth applicant, Al Bergman, was called to interview. His responses to the Council's questions were as follows:

1. He would like to see Oakley take the remaining area in Oakley use it effectively as it can and have an environment with good traffic flow, and reasonable fire and police protection. He mentioned with new development where it hasn't been planned out already to bring in recycled water so Oakley doesn't get to the point of having water reduction. He mentioned Oakley is like other East County towns, all built along the river with city centers along the water, but don't have good traffic flow throughout. He mentioned he knows the City has General Plan but he is not sure exactly what the Council wants the Planning Commission to do. He explained different cities want Planning Commissions to do different things. He shared he lives in Summer Lake and he has specific interests in what happens there. He mentioned residents there have lots of bonds which are placed as taxes on homeowners. He expressed it would be better and more economical for everybody if those expenses and infrastructure were added into the price of the house rather than as 30-year bonds. He mentioned there are 7 parks at Summer Lake, but only 2 get much use because of their size so he would like to see plans to have bigger parks that have more things that are of interest to people.
2. It depends on the plan. He mentioned it is known there are traffic problems on E. Cypress and Sellers needs road maintenance which is difficult because of costs, but if more homes are being built on E. Cypress, good traffic flow and a secondary exit for life safety is needed for Oakley and Bethel Island. He mentioned Dutch Slough is not a good escape plan. He expressed that the City needs to focus on money and planning for roads and traffic flow throughout all of Oakley. He mentioned it will depend on what the Council wants the Planning Commission to do, if it is confident in the Planning Commission, and accepts the recommendations for the decisions it makes. He mentioned there is a finite amount of land left and it will depend on what the City wants to see the community look like following Federal and State guidelines.
3. He shared a Planning Commissioner should have some background in construction and involvement in the community. He also mentioned a Planning Commissioner should

have integrity to make recommendations that will benefit the entire community, not them, and the Council and community have to have confidence in that. He mentioned the community must have confidence in its leadership in general.

4. Look at new development, redevelopment, and it depends on what the Council wants the Planning Commission to do. He mentioned on the internet, one can research different things a Planning Commission can do; it can aid with economic development and look to see where stores and shopping should go. He mentioned integrity again and make sure you're doing it for the community, not for self.
5. The City is building lot of houses, stacking them. He mentioned E. Cypress is a mass of houses, there is new housing on Main Street, but the City doesn't have good traffic flow to support it. He expressed that West Cypress and Main Street are the only ways to get people through Oakley which is not a lot for the amount of people Oakley has. He suggested Oakley needs 2 lane roads on each side of medians and multiple ways out of the community. He shared he has a lot of experience in building construction with AT&T. He mentioned you just have to plan for it and make it happen.

The sixth applicant, Diego Verduzco, was called to interview. His responses to the Council's questions were as follows:

1. He shared he is a life-long resident of Oakley and as the City continues growing, he wants to be part of the vision of growth, but also keep its small town essence. He also shared he has a vested interest with raising his family in Oakley.
2. He shared he sees Oakley with a Safeway finally at Laurel and O'Hara. He mentioned once the population is above 50,000, he thinks Safeway will be more willing to come in. He mentioned the Amazon center is the main job area and with Amtrak coming in there is really nothing impeding the growth of the City or people moving here to fulfill jobs so he sees Oakley really thriving and growing with population and business. He mentioned there is still a lot of room to grow as evidenced by the General Plan and with population increasing there will opportunity for business growth.
3. He mentioned the ability to see the big picture and look at the land use element along with the circulation element. He mentioned with residential growth, proper circulation is needed; enough roads are needed in and out of residential areas. He mentioned also being able to work with peers, compromising and understanding that people want to see the City go in different directions, but the one true direction is growth and success for the City.
4. He indicated he sees his role as there being a group to share a vision for Oakley, but him bringing his expertise and experience to the group, think through issues, and work with other Planning Commissioners for a plan for the City.
5. He mentioned the City is seeing a lot of growth, with residential, projects in the pipeline, and Amtrak and Amazon commercial areas. He mentioned how the City plans for it determines the future success of the City. He added he wants to maintain the small city essence, but at the same time embrace growth to provide opportunity for people to work and invest in its own city. He mentioned Oakley has a thriving future with increasing population, Amtrak coming, and the Highway 4 Bypass completed it has access points, and there is nothing stopping Oakley.

The seventh applicant, Edward Cire, was called to interview. His responses to the Council's questions were as follows:

1. He mentioned general curiosity motivate him, but also he has 4 kids and has every intent to raise his family in Oakley. He mentioned he wants to make sure his family and others like it have opportunity and capability to thrive, live, work and play in one place.
2. He mentioned in 5 years, he sees in looking at the draft General Plan, a large portion of the 4,000 planned homes coming with a minimum of 12,000-15,000 people coming to the City; in 10 years, he sees 75-80% of those homes will be filled, and business will have to grow and community plans before 10 years; in 15 years, he sees BART already has its station down the road, Amtrak will be in on Main Street, and resources like Amazon will provide jobs to those people moving in; and in 20 years, he sees his retirement, living with the resources created in Oakley, and enjoyment.
3. He mentioned having an unbiased opinion and the ability to take any and every prospective project on a case-by-case basis and apply it to the City's plan and apply it in perspective to what residents are looking for and finding avenues to produce that. He mentioned having an outside the box perspective on everything. He referred to the polo field proposed at a previous Council meeting and he thought it could have a positive impact on community revenue in that it will bring visitors. He mentioned it is important to hear an entire case before making a judgment call and listen to the community.
4. He shared he would bring vision and represent the working class which make up a large portion of households and in doing so he would represent the opinions and desires of several members of the community.
5. He mentioned the City is preparing for the influx of new residents with housing. He mentioned he supports having this mindset ahead of time by preparing, not reacting. He commented that the City Park will be an asset to be enjoyed by many and Oakley is gearing toward what the draft General Plan produced and many ideas of the Council and residents is being fulfilled by the draft General Plan.

The eighth applicant, Chandan Joarder, was called to interview. His responses to the Council's questions were as follows:

1. He mentioned it is essential that citizens are involved in the community.
2. He hopes that Oakley expands beyond his imagination and Oakley is a safe place to live, work, and play. He also mentioned he would like to see education here. He expressed at the same time, he wants to keep the agrarian feel of the City.
3. He mentioned being patient and listening are very important skills for this position. He mentioned the City is for people and people will have their opinion and they have to listen patiently.
4. He believes the Planning Commission has a say in the decision-making process for future for land use, planning and design. He mentioned they should keep Oakley's identity and not stray away from identity in its vision.
5. He mentioned Oakley is expanding a lot and important things to keep in mind during expansion are safety, comfortable living place, work, economy, open space to breathe, education and municipal infrastructure. He mentioned Oakley is a model city and that is why he moved here over 30 years ago from San Francisco.

The ninth applicant, Oleksii Chuiko, was called to interview. His responses to the Council's questions were as follows:

1. He mentioned he has always believed to be a member of the community you have to be a productive member of community and give back. He mentioned this is an opportunity to do good for his neighbors and community. He shared he hopes the reinstituted Planning Commission will be an instrument useful for the City Council, to balance growth

in the City and for residents to be heard. He mentioned people feel detached from the City Council and one role of the Planning Commission is to provide a bridge between residents and the City Council, and also to protect residents' quality of life and to ensure a prosperous future of the City.

2. He mentioned things can take many years, but in 5 years there is a vision of things he would like to have done, and then there is a vision that will be altered over many years. He expressed that Oakley needs to be a destination. He mentioned it has certain limitations with water on one side and cities surrounding it. He mentioned repeating the successes of neighboring communities will not work for Oakley; it needs to stand out. He mentioned he would like to see in the next 5-10 years a place to provide family entertainment, recreation with the water; themed specific businesses, and more jobs so people don't have to die in commute across the Bay. He mentioned the General Plan was redrafted last year and with expansion and growth in E. Cypress coming up, Oakley needs adequate amenities and roads to withhold traffic coming in. He mentioned they all need to listen to residents.
3. He mentioned critical thinking is an important skill. He believes it is very easy to make changes that can impact growth. He mentioned there are certain business disliked and liked in Oakley and creating more rules for complicated zoning can potentially halter growth. He also mentioned the ability to foresee the future with growth coming in and look forward many years is the most important skill to have.
4. He mentioned he sees his role as being a liaison. He mentioned the Council is doing an incredible job, but it doesn't always get well communicated to residents and certain decisions do not make sense to everyone. He mentioned they need to foresee the future, not just act in the current timeline. He shared that being a liaison between the Council and community at-large is important to meet with people and have conversations that may not always be pleasant.
5. He mentioned different members of the community will have different opinions; some want growth and some don't, but the truth is we can't go back to the way it used to be; growth is inevitable, but in taking a balanced approach, we can have a small town feel as mentioned in the General Plan with big city amenities. He mentioned the Council has been working toward this for years and the Planning Commission can make sure growth is balanced.

The tenth applicant, Leland Fried, was called to interview. His responses to the Council's questions were as follows:

1. He mentioned he moved to Oakley 3 years ago, Oakley is a community-oriented and friendly town, his family enjoys it, and he would like to be part of its continued development.
2. He mentioned Brentwood has The Streets and Concord has La Veranda; these are destinations. He mentioned people come this way for u-pick, pumpkin farms, orchards and he would like to see Oakley build on that, not just have another shopping center or big box stores like in other cities.
3. He mentioned a Planning Commissioner should have empathy, put himself/herself in other people's shoes, see what they see and how they feel what is going on in community, what they see as issues, and try to understand as best as possible.
4. He mentioned his role would be interacting with the community, being empathetic; understanding issues for the community to change or improve upon, and help bridge the communication gap.
5. He indicated he is not sure how to answer. He shared he has been here 4 years and the past year and a half they have been closed in, but they are happy with everything.

The eleventh applicant, Conan Moats, was called to interview. His responses to the Council's questions were as follows:

1. He mentioned when he ran for City Council, he prioritized the Planning Commission as one of his campaign goals and he didn't win for City Council, but the Planning Commission has materialized which he is happy to see. He shared he has a family in Oakley and wants to see them grow up in the City with smart, safe and effective growth.
2. He mentioned he sees Oakley as a destination for East Contra Costa County. He mentioned he can envision Main Street to draw people far and wide to experience the culture of Oakley, including restaurants with unique flavor and flare. He mentioned he would like to see more cultural venues. He also mentioned he would like to see a larger population but he doesn't want to see sprawl; he is concerned about the rate of growth and wants to preserve more open spaces for the public to enjoy. He mentioned Oakley needs more schools. He envisions a library in its own setting before 15 years. He shared he can see his boys attending and graduating from Freedom High School and using that education as a launching point to move on. He mentioned that Oakley can serve as a model city for other communities.
3. He mentioned the most important skill is the ability to be persuaded. He expressed too often leaders and community members, those with best intentions, come into a position how they want to see things and when given ideas that conflict with own, they don't have an open mind to weigh evidence they haven't received before, but they need to compromise in the interest of democracy and need the ability to be persuaded to see if the theory they had is wrong or lacking. He see forces competing with each other on various issues and falls prey to it himself as he sometimes wants to dig in and draw battle lines, so the ability to be persuaded against ideas we do not agree with initially is the most important skill.
4. He sees his role as consensus building, working with others to find common ground, and consensus around issues. He shared he is not a yes man and he does not want to be a gadfly to disturb the status quo just for the sake of doing so. He mentioned when there are land issues surrounding development he might serve and he does not know, he might be critical where others are supportive. He expressed he wants to prevent sprawl and have smart growth.
5. He mentioned he sees the vision of Main Street improving with Skipolini's, the bakery, the tavern as it provides local flare and they have pride in what they do. He mentioned he likes seeing some of the new buildings coming up, but is not always fond of the architecture. He shared when he hears people say they enjoy doing things in their community he feels the direction is working well. He expressed inter-agency cooperation makes him happy and he would like to see more of it with the local schools. He shared caveats are he is concerned if the City proceeds without enough public scrutiny, which is why he believes in this Planning Commission, they may regret some of the development decision they make. He mentioned while there is a lot he is happy about, there are some warning signs and this is why it is incumbent upon the Council to navigate through to the future.

The twelfth applicant, Jacqueline de Guzman, was called to interview. Her responses to the Council's questions were as follows:

1. She shared her family moved here recently and she loves the City. She shared she grew up in Santa Clara before it became a tech hub and overcrowded. She mentioned he feels she can use her expertise to help balance development with community needs.

2. She mentioned in 5 years, she wants to see more opportunities for families to gather. She mentioned there is hardly anything of E. Cypress and she would like to ensure whatever is developed there is conducive to the community. In 10 years, she sees Oakley as a thriving metropolis, but still having the small town aspect, and a safe and healthy place for residents. In 15 years, she wants a place where her boys feel comfortable to grow up and hope they will still call the City home because it is responsive to their needs.
3. She mentioned listening is an important skill, to actively listen to different perspectives and formulate a response, and communicate.
4. She mentioned her role is to represent the community and as a new member to her community, she wants to be responsive to her neighbors, to have a family-friendly and safe community. She shared she has worked in non-profits, government, for a national lab, and she brings analytical skills and listens to make sure everyone is heard.
5. She mentioned in light of the pandemic and former recession the City is doing the best it can with the resources it has. She expressed appreciation for the Council reinstituting the Planning Commission so more people are heard.

Mayor Higgins called for a recess at 8:51 p.m. The Council reconvened at 9:06 p.m.

Mr. McMurray announced there are 4 clear vote receivers, the top two applicants receiving 5 votes each are Diego Verduzco and Edward Sire and the next two applicants receiving 4 votes each are Shannon Shaw and Oleksii Chuiko. He mentioned there is a tie between the following two applicants receiving 2 votes each, Leonard Price and Conan Moats.

Mayor Higgins inquired how the Council decides, on paper or take a vote.

City Attorney Derek Cole mentioned the Council can decide randomly or deliberate and decide; it is their pleasure.

Mayor Higgins asked the Council if there is a motion for one over the other.

Vice Mayor Pope inquired if she is calling for a motion or discussion.

Mayor Higgins indicated either.

Vice Mayor Pope shared he is leaning toward Conan Moats because he is a prior City Council candidate and has been involved in the community with the PTA and Friends of the Oakley Library.

Councilmember Williams thanked everyone for applying and mentioned any one of the applicants could have made a spot on the Planning Commission. She shared she also would move Conan Moats forward because he has a lot of great ideas, he is active in the community, and she liked his answer of being persuaded as the single most important skill of a Planning Commissioner.

Councilmember Fuller shared that Leonard Price impressed him including his background, prior service to the community and other areas, knowledge, education, and communication skill, and he believes he would be an asset to all to bring it together.

Councilmember Meadows shared he is leaning toward Leonard Price.

Mayor Higgins shared that she likes Leonard Price because he is open-minded, he mentioned he will not be ran over by big government, and he spoke about development and higher and lower densities.

It was moved by Councilmember Fuller and seconded by Councilmember Meadows to appoint Leonard Price as Planning Commissioner in the 5th spot. Motion was unanimous and so ordered. (5-0)

Mr. McMurray indicated now that 5 applicants have been selected, the next process is to select terms. He suggested the first 3 Planning Commissioners receive 4-year terms and the last 2 Planning Commissioners receive 2-year terms, but it is at the pleasure of the Council.

Councilmember Meadows requested Mr. McMurray review again how many votes each applicant received.

Mr. McMurray responded that Diego Verduzco received 5 votes, Edward Sire received 5 votes, Shannon Shaw received 4 votes, Oleksii Chuiko received 4 votes, and Leonard Price received 2 votes.

Councilmember Meadows suggested Diego Verduzco and Edward Sire have 4-year terms, Leonard Price have a 2-year term, and they can pull straws who gets the 4-year term, Shannon Shaw or Oleksii Chiuko.

Vice Mayor Pope suggested the same on the 4-year terms, but have the other 3 on 2-year terms.

Councilmember Fuller agreed with Councilmember Meadows on the top 2 vote getters, 4th and 5th spot, a lottery on the other; similar to the highest # of vote getters on the City Council.

Councilmember Williams agreed and suggested they draw for the two applicants that got 4 votes, so there will be 3 at 4-year terms (to provide a longer tenure) and 2 at 2-year terms.

Mayor Higgins suggested the 3 highest vote receivers get 4-year terms.

Mr. McMurray responded it would be Diego Verduzco and Edward Sire; then Oleksii Chuiko and Shannon Shaw.

Mayor Higgins mentioned Diego Verduzco and Edward Sire had the highest. She inquired who had the next highest votes.

Mr. McMurray mentioned Shannon Shaw and Oleksii Chuiko both received 4 votes and Leonard Price received 2 votes.

Mayor Higgins suggested 3 in 4-year terms and 2 in 2-year terms. She asked if a majority of the Council approves. Councilmembers Williams and Meadows agreed. Councilmember Fuller commented he has no preference. She inquired if there could be a draw for the people who tied for a 4-year term. He mentioned the winner of the draw would get a 4-year term and the other would get a 2-year term with Leonard Price.

City Clerk Libby Vreonis placed the names of Oleksii Chuiko and Shannon Price on paper in a covered container. She asked City Attorney Derek Cole to draw a name on paper from the container. He drew the name on paper of Oleksii Chuiko and announced it.

Mr. Cole advised a formal vote should be taken for the appointment.

Mrs. Vreonis announced 4-year terms will be held by Diego Verduzco, Edward Cire and Oleksii Chuiko and 2-year terms will be held by Shannon Shaw and Leonard Price.

It was moved by Vice Mayor Pope and seconded by Councilmember Williams to appoint these Planning Commissioners for the terms mentioned. Motion was unanimous and so ordered. (5-0)

Mayor Higgins congratulated them.

Vice Mayor Pope called for applause.

## 6) REPORTS

### 6.1 INTERIM CITY MANAGER

**(a) Interim City Manager**

Interim City Manager Joshua McMurray announced the Harvest Festival will be held Saturday, October 23, 12 p.m.-4 p.m., in Civic Center Plaza.

**(b) Civic Center Park Update**

Mr. McMurray mentioned a mural on the retaining wall of the playground is an idea that he would like to float by the Council and if the Council supports the idea, he will announce to the community, similar to what they have done with the utility boxes around the City. Seeing heads nodding in favor, he mentioned he will bring the item before the Council on a future agenda.

### 6.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY

**(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency**

Councilmember Meadows announced he will attend 3 transportation committee meetings Thursday. He mentioned with the Transplan meeting, they will be meeting with their sister city in Central County to discuss what Concord wants to do with the Naval Weapons Station.

**(b) Requests for Future Agendas**

None.

## 7) WORK SESSIONS

None.

## 8) CLOSED SESSION

**8.1 PUBLIC EMPLOYEE APPOINTMENT**
**Title: City Manager**
**Pursuant to Government Code Section 54954.5(e)**

Mayor Higgins announced the closed session item.

**8.2 Report Out of Closed Session (Derek Cole, City Attorney)**

Direction was provided to staff. There was no reportable action.

## 9) ADJOURN

There being no further business, the meeting was adjourned at 10:05 p.m.

Respectively Submitted,

Libby Vreonis
City Clerk

**RESOLUTION NO. XX-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPOINTING CONAN MOATS TO THE OAKLEY PLANNING COMMISSION AND CHANGING THE TERM LIMIT FOR PLANNING COMMISSIONER SHANNON SHAW FROM 2-YEARS TO 4-YEARS**

**WHEREAS,** on July 13, 2021, the City Council of the City of Oakley adopted Ordinance No. 06-21, which amended provisions of Chapters 3 and 4 of Title 2 of the Oakley Municipal Code concerning the Oakley Planning Commission; and

**WHEREAS,** the City solicited applicants for the Planning Commission through a formal application process. The period ran from August 13, 2021 to September 10, 2021. The City received a total of 13 applications; and

**WHEREAS,** on October 12, 2021, the City Council conducted interviews for the Planning Commission; and

**WHEREAS,** on October 12, 2021, the City Council ranked the applicants and selected 5 members to serve on the Planning Commission; and

**WHEREAS,** after the 5 members were appointed, Planning Commissioner Edward J. Cire resigned from the Planning Commission on January 5, 2022. City Staff sought direction from the City Council at their January 25, 2022 City Council meeting; and

**WHEREAS,** that direction was to bring back a Resolution that would formally appoint Conan Moats, the sixth place applicant, to the Planning Commission and to also change the initial term limits for Planning Commissioner Shannon Shaw from 2-years to 4-years; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Oakley hereby appoints Conan Moats to the Planning Commission of the City of Oakley and changes the term limit for Planning Commissioner Shannon Shaw from 2-years to 4-years

- Conan Moats, 2-year term
- Shannon Shaw, 4-year term

**AND, BE IT FURTHER RESOLVED**, that the City Council of the City of Oakley hereby authorizes City Staff to provide the above-appointed individual instruction, training materials and assistance prior to the beginning of their terms.

**PASSED, APPROVED AND ADOPTED** this 8th day of February, 2022 by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

**APPROVED:**

_____
Randy Pope, Mayor

**ATTEST:**

_____
Libby Vreonis, City Clerk

_____
Date

OAKLEY
CALIFORNIA

# STAFF REPORT

**DATE:** February 8, 2022

**TO:** Mayor and City Council

*Approved and Forwarded to the City Council*

**FROM:** Joshua McMurray, City Manager

**SUBJECT:** **Proclamation Policy**

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## Background

Over the course of any given year, the City receives many requests for Proclamations or Ceremonial recognitions. Past practice has been these requests are informally submitted to either the Mayor or Staff and then the Mayor has typically had the discretion as to what would be presented at a future City Council meeting. It has also been the past practice that the proclamation would be given by the mayor on behalf of the entire City Council.

Staff has compiled some information to guide the discussion in the attached table. This table is not a comprehensive list but rather an indication of what some of the other cities in Contra Costa County do. It is typical, in most of the cities that responded to our inquiry, the Mayor has discretion to approve proclamation requests and the Mayor presents on behalf of the Council.

Staff is seeking direction in either proceeding with our current past practice or if there is a desire from the City Council to develop an official policy. From Staff's perspective, an official policy and application process would provide for a fair and equitable process.

## Recommendation

Staff recommends the City Council provide direction to Staff.

## Attachments

1. Summary Table of Contra Costa Cities

| City | Formal Proclamation Policy? | Details |
|---|---|---|
| Antioch | No | All proclamations go through the City Clerk with approval by the Mayor. |
| Brentwood | TBD-on 1/25/22 meeting agenda | Proposed policy:<br><br>Mayor will consider proclamation from any group/individual as long as the request has some type of local relevance and/or promotes events in Brentwood<br><br>Mayor approves proclamations<br><br>General criteria:<br>1) Issues with widespread community interest/concern, with primary emphasis on requests in support of City goals/objectives<br>2) Recognition of local, civic organization, group or individual achieving outstanding or significant accomplishments<br>3) Acknowledgement of significant events or celebrations<br><br>Requests submitted in writing on form at least 30 days prior to recognition/event |
| Concord | No | All requests for proclamations go through the Mayor. Proclamations are presented by the Mayor on behalf of the City Council. If the Mayor cannot attend an event, one of the other Councilmembers presents. |
| Hercules | No | Proclamations are prerogative of the Mayor. Sometimes staff will request, but always approved by Mayor. |
| Lafayette | Yes; adopted 1/24/22 | Proclamations requested by recognized organizations will continue to be placed on the agenda with exception that proclamations requested by individuals ae not considered; ceremonial proclamations will continue to be prepared by the City Clerk but will not be on agendas; Mayor, Vice Mayor and City Clerk will choose events from National Multicultural PTA calendar to be recognized for 2 sequential years by Council in January of each year |
| Martinez | No | Mayor has sole discretion whether to have proclamation, though often suggested by other Councilmembers or communities of interest; Mayor presents on behalf of Council |

| | | |
|---|---|---|
| Pittsburg | Yes, but not detailed | Policies and Procedures for City Council-Proclamations: Proclamations are not statements of policy but a manner in which the City can make special recognition of an event. The Mayor is responsible for administration of proclamations. Individual Councilmembers do not issue proclamations. The Mayor presents on behalf of the Council. |
| Richmond | No | Same as Concord |
| San Pablo | No | Proclamations are signed by the Mayor on behalf of the Council |
| San Ramon | Yes | Same as Brentwood except proclamations are not considered for matters of political controversy, ideological or religious beliefs, individual conviction; however, groups bound by these prohibitions may be recognized for specific actions that meets one of the qualifying criteria (see General criteria # 1-3 Brentwood); Mayor approves; proclamations are presented with language "the City Council does hereby recognize…" |
| Walnut Creek | Yes | Proclamations are public announcements or recognitions directing attention to local residents, organizations or events. Proclamations are not statements of policy. Proclamations specifically promoting religious, racial, ethnic or sexual orientation issues will not be considered. The City Council must approve any proclamation of a political nature. The Mayor, without formal action of the City Council, may issue proclamations that adhere to these guidelines. Proclamations can be sent to the requestor or presented at a City Council meeting as arranged with the requesting body and at the Mayor's discretion. Individual Councilmembers do not issue proclamations. |