



# City of Oroville

**Donald Rust**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

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1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

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## City of Oroville PLANNING COMMISSION

CHAIR: Damon Robison  
VICE-CHAIR: Carl Durling  
MEMBERS: Adonna Brand; Randy Chapman; Wyatt Jenkins; Michael Britton; Justin McDavitt

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## **PLANNING COMMISSION MEETING** **AGENDA**

**Thursday, June 22, 2017 at 7:00 p.m.**  
**MEETING AGENDA**

OROVILLE CITY HALL  
1735 MONTGOMERY STREET, OROVILLE, CA 95965  
ALL MEETINGS ARE RECORDED

*This meeting may be broadcast remotely via audio and/or video conference at the following address:  
Cota Cole, LLP, 2261 Lava Ridge Court, Roseville, California 95661.*

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### **ADMINISTRATIVE AGENDA**

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1. **CALL TO ORDER**

2. **ROLL CALL**

Commissioners Adonna Brand, Michael Britton, Randy Chapman, Wyatt Jenkins, Justin McDavitt, Vice Chairperson Carl Durling, Chairperson Damon Robison

3. **PLEDGE OF ALLEGIANCE**

4. **INSTRUCTIONS TO INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS**

This is the time the Chairperson will remind persons in the audience who wish to address the Commission on a matter that is on the agenda to fill out one of the

cards located in the lobby and hand it to the clerk of the meeting. The Chairperson will also remind persons in the audience that under Government Code Section 54954.3, the time allotted for each presentation may be limited.

**5. PUBLIC COMMENTS**

This is an opportunity for members of the public to address the Planning Commission on any subject relating to the Planning Commission, but not relative to items on the present agenda. The Planning Commission reserves the right to impose a reasonable limit on time afforded to any individual speaker.

**6. CORRESPONDENCE**

None

**7. APPROVAL OF MINUTES**

Approve the minutes of the May 18, 2017 Special Planning Commission meeting.

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**REGULAR AGENDA**

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**8. PUBLIC HEARINGS**

- 8.1 UP 17-04: KFC Drive-Thru Restaurant** – The Oroville Planning Commission will review and consider approving Use Permit No. 17-04 for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd East between CVS Pharmacy (850 Oroville Dam Blvd East) and Americas Best Value Inn & Suites (580 Oro Dam Blvd East). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

**Adopt Resolution No. P2017-13: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 17-04 PERMITTING THE CONSTRUCTION OF A NEW KFC RESTAURANT WITH A DRIVE-THRU (APN: 035-260-083)**

**9. REGULAR BUSINESS**

- 9.1 Planning Commission Review of “Roadway” Projects** – The Oroville Planning Commission will review and consider sending a letter to the Oroville City Council recommending that the Planning Commission be granted the

authority to provide review and prioritization recommendations to the City Council regarding certain “roadway” improvement projects.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

**Provide staff direction.**

- 9.2 Election of New Officers** – The Oroville Planning Commission will consider electing a new Chair and Vice-Chair or continue the terms of the existing officers.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

**City staff recommends that the Planning Commission determine whether to elect a new Chair and Vice-Chair or continue the terms of the existing officers.**

**10. DISCUSSION ITEMS**

- Super Walmart Conditions of Approval & Mitigation Measures

**11. DIRECTOR’S REPORT**

A verbal report may be given by the Community Development Director.

**12. COMMISSION REPORTS**

Reports by commission members on information they have received and meetings they have attended which would be of interest to the Commission or the public.

**13. ADJOURNMENT**

Adjourn to Thursday, July 27, 2017 at 7:00 P.M. in the Oroville City Council Chambers.

Respectfully submitted by,

Donald Rust, Director  
Community Development Department

**\*\*\* NOTICE \*\*\***

*If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact Donald Rust, Director for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact Donald Rust, Director as soon as possible and preferably at least 24 hours prior to the meeting. Donald Rust, Director may be reached at 530-538-2433, or at e-mail [rustdl@cityoforoville.org](mailto:rustdl@cityoforoville.org), or at the following address: City of Oroville Planning and Development Services Department, 1735 Montgomery Street, Oroville, CA 95965.*

**\*\*\* NOTICE \*\*\***

*Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.*



**CITY OF OROVILLE  
PLANNING COMMISSION MEETING MINUTES  
MAY 18, 2017 – 7:00 PM**

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These minutes detail the action which was taken related to each particular agenda item and do not reflect any discussion that may have occurred. For information regarding what was discussed related to a particular item, if anything, you can obtain a copy of the audio recording for this meeting by sending an email to [cityclerk@cityoforoville.org](mailto:cityclerk@cityoforoville.org) or by calling the Clerk's office at 530-538-2535.

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The agenda for the April 27, 2017 special meeting of the Oroville Planning Commission was posted on the bulletin board at the front of City Hall and in the City Council Chambers, and on the City of Oroville's website located at [www.cityoforoville.org](http://www.cityoforoville.org), on Monday, April 26, 2016, at 10:15 a.m.

**1. CALL TO ORDER**

The May 18, 2017 special meeting of the Oroville Planning Commission was called to order by Vice Chairperson Durling at 7:07 p.m.

**2. ROLL CALL**

Present: Commissioners Brand, Britton, Chapman, Jenkins, McDavitt, Vice Chairperson Durling  
Absent: Chairperson Robison (e)

**Staff Present:**

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Donald Rust, Acting City Administrator  
Dawn Nevers, Assistant Planner

Luis Topete, Associate Planner

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**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Chairperson Durling.

**4. RECOGNITION OF INDIVIDUALS WISHING TO SPEAK ON AGENDA ITEMS**

**5. PUBLIC COMMENT - None**

**6. CORRESPONDENCE - None**

**7. APPROVAL OF MINUTES**

A motion was made by Commissioner Chapman, seconded by Commissioner Britton, to:

**Approve the minutes of the April 27, 2017 special Planning Commission meeting.**

The motion was passed by the following vote:

Ayes: Commissioners Brand, Britton, Chapman, Jenkins, McDavitt, Vice  
Chairperson Durling  
Noes: None  
Abstain: None  
Absent: Chairperson Robison

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**REGULAR AGENDA**

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**8. PUBLIC HEARINGS**

**8.1 TPM 17-02: 110 Mono Avenue – staff report**

The Planning Commission conducted a public hearing to consider approving Tentative Parcel Map No. 17-02 to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 square foot single-family residence into two parcels. (**Luis A. Topete, Associate Planner**)

Vice Chairperson Durling opened the Public Hearing.

Hearing no public comment, Vice Chairperson Durling closed the public hearing.

Following discussion, a motion was made by Commissioner Chapman, seconded by Commissioner Britton, to:

Adopt Resolution No. P2017-11 – **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 17-02 TO SUBDIVIDE THE PARCEL IDENTIFIED AS 110 MONO AVENUE (APN: 031-051-013) INTO TWO PARCELS**

The motion was passed by the following vote:

Ayes: Commissioners Brand, Britton, Chapman, McDavitt, Vice Chairperson  
Durling  
Noes: Commissioner Jenkins  
Abstain: None  
Absent: Chairperson Robison

**9. REGULAR BUSINESS**

**9.1 Vallarta Grill: Finding of Public Convenience or Necessity (Type 41)– staff report**

The Oroville Planning Commission reviewed and considered adopting a Finding of Public Convenience or Necessity for a Type-41 “On Sale Beer and Wine – Eating Place” alcoholic

beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant. **(Luis A. Topete, Associate Planner)**

Following discussion, a motion was made by Commissioner Brand, seconded by Commissioner Chapman, to:

Adopt Resolution No. P2017-10 – **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN ON SALE BEER & WINE – EATING PLACE (TYPE-41) ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 2100 5TH AVENUE, OROVILLE, CA 95965 (APN: 035-430-069)**

The motion was passed by the following vote:

Ayes: Commissioners Brand, Britton, Chapman, Jenkins, McDavitt, Vice  
Chairperson Durling  
Noes: None  
Abstain: None  
Absent: Chairperson Robison

### **9.2 TSM 05-05 (Highlands Estates Subdivision): One Year Extension – staff report**

The Oroville Planning Commission reviewed and considered approving a one-year extension to Tentative Subdivision Map No. 05-05, also known as the Highlands Estates Subdivision. **(Luis A. Topete, Associate Planner)**

Following discussion, a motion was made by Commissioner McDavitt, seconded by Commissioner Chapman, to:

Adopt Resolution No. P2017-12: **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A ONE YEAR EXTENSION OF TENTATIVE SUBDIVISION MAP NO. 05-05, ALSO KNOWN AS THE HIGHLANDS ESTATES SUBDIVISION**

The motion was passed by the following vote:

Ayes: Commissioners Brand, Britton, Chapman, Jenkins, McDavitt, Vice  
Chairperson Durling  
Noes: None  
Abstain: None  
Absent: Chairperson Robison

### **9.3 Planning Commission Review of Public Works Projects – staff report**

The Oroville Planning Commission will review and consider sending a recommendation to the City Council for the Planning Commission to review and comment on certain public works projects. **(Luis A. Topete, Associate Planner)**

Following discussion, a recommendation was provided to staff, to:

**Prepare a staff report with attached letter to City Council from the Planning Commission requesting input relating to roadway improvements.**

10. **DISCUSSION ITEMS** - None

11. **DIRECTOR'S REPORT**

Community Development Director, Don Rust, reported on the following:

- Walmart Super Center to open June 7, 2017
- City Council Town Hall meeting to be held May 22, 2017 at 5:30 p.m. at the Historic State Theater.
- Gateway Project

12. **CHAIRPERSON/COMMISSIONERS REPORTS** - None

14. **ADJOURNMENT**

The meeting was adjourned at 9:00 p.m. A regular meeting of the Oroville Planning Commission will be held on Thursday, June 22, 2017, at 7:00 p.m.

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Donald Rust, Secretary

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Carl Durling, Vice Chairperson





# City of Oroville

**Donald Rust**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

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### PLANNING COMMISSION STAFF REPORT

January 26, 2017

**UP 17-04: KFC Drive-Thru Restaurant** - The Oroville Planning Commission will review and consider approving Use Permit No. 17-04 for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd East between CVS Pharmacy (850 Oroville Dam Blvd East) and Americas Best Value Inn & Suites (580 Oro Dam Blvd East). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit.

**APPLICANTS:** Clifton E. Sorrell Jr.  
VMI Architecture, Inc.  
637 5th Avenue  
San Rafael, CA 94901  
(415) 451-2500

**LOCATION:** Partially developed lot located on the north side of Oro Dam Blvd East between CVS Pharmacy (850 Oroville Dam Blvd East) and Americas Best Value Inn & Suites (580 Oro Dam Blvd East) (APN: 035-260-083)

**GENERAL PLAN:** Mixed Use

**ZONING:** Corridor Mixed Use (MXC)

**FLOOD ZONE:** ZONE X: Areas determined to be outside the 0.2% annual chance floodplain.

### ENVIRONMENTAL DETERMINATION:

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects."

### REPORT PREPARED BY:

\_\_\_\_\_  
Luis A. Topete, Associate Planner  
Community Development Department

### REVIEWED BY:

\_\_\_\_\_  
Donald Rust, Director  
Community Development Department

## RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission take the following actions:

1. **HOLD** a public hearing and receive testimony on the proposed Use Permit No. 17-04 for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083, as described herein; and
2. **ADOPT** the Class 32 Categorical Exemption – In-Fill Development Projects; CCR, Title 14, §15332 as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) Statute and Guidelines (**Attachment C**); and
3. **ADOPT** the recommended Findings for Use Permit No. 17-04 (**Attachment D**); and
4. **APPROVE** the recommended Conditions of Approval for Use Permit No. 17-04 (**Attachment E**); and
5. **ADOPT** Resolution No. P2017-13 (**Attachments F**).

## SUMMARY

The Oroville Planning Commission will review and consider approving Use Permit No. 17-04 for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd East between CVS Pharmacy (850 Oroville Dam Blvd East) and Americas Best Value Inn & Suites (580 Oro Dam Blvd East). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit. The restaurant will be approximately 3,133 square feet in size with 52 seats to serve customers. The drive-thru will have a 10-car stack and the intended hours of operation are from 10:00am to 10:00pm.

## DISCUSSION

The subject property is approximately 0.67 acres in size and partially developed with site improvements (parking lot, onsite lighting, landscaping) and an empty pad on the lot for construction of a future building. The property is surrounded by a mix of existing developed/partially developed properties which includes a multi-tenant commercial complex to the north, Americas Best Value Inn & Suites to the west, Oro Dam Boulevard, Berry Creek Guns, Feather River Properties and BlazeNJs to the south, and a similar partially developed lot to the west. The subject property is abutting property on all sides that are also zoned MXC and either developed, or partially developed.

Per the City of Oroville's 2030 General Plan, this section of Oro Dam Blvd is identified as a 4-lane arterial operating at a LOS D. The two closest intersections likely to be impacted by this project are Oro Dam Blvd and 5<sup>th</sup> Avenue and Oro Dam Blvd and 7<sup>th</sup> Ave. Huntington Lane, although closer to the project site than 7<sup>th</sup> Ave, connects to 7<sup>th</sup> Avenue to the south

and is considered a local street intended to serve adjacent properties only with very little, if any, through traffic and generally carrying very low traffic volumes. Whereas, 7<sup>th</sup> Avenue is classified as a 2-lane collector roadway intended to “collect” traffic from local roadways and carry it to roadways higher in the street classification hierarchy such as arterials, highways, and freeways.

The 2012 Transportation Capital Improvement Program (TCIP) and Impact Fee Update Report completed by Omni-Means in December of 2012 identified the signaled intersection at Oro Dam Blvd and 5<sup>th</sup> Avenue as operating at a current LOS of B in the AM peak hour and LOS C in the PM peak hour, and the target LOS set at E, with the anticipated LOS at General Plan buildout of E for the AM peak hour and F for the PM peak hour. The anticipated improvements at buildout will be to add a dual northbound turn pockets and dedicated southbound right turn pocket. Additionally, the signal will be modified to accommodate reconfiguration and restriping of the intersection. These improvements would provide a mitigated buildout LOS for the AM peak hour of D and PM peak hour of D, satisfying the target LOS of E.

The intersection at Oro Dam Blvd and 7<sup>th</sup> Avenue is a two way stop control operating at a current LOS of B in the AM peak hour and LOS B in the PM peak hour, and the target LOS set at E, with the anticipated LOS at General Plan buildout of B for the AM peak hour and C for the PM peak hour. Thus, no anticipated direct improvements are required at buildout.

The City of Oroville General Plan Circulation Element contains the following policy pertaining to LOS standards in the City:

- P2.1 Maintain a minimum operating standard of LOS D as defined in the most current edition of the Highway Capacity Manual or subsequent revisions for all arterial, collector streets and intersections, except the following facilities where a LOS E will be acceptable. LOS E operations will be considered acceptable for intersection and roadway segment operations along Oroville Dam Boulevard between Highway 70 and Olive Highway.

Consistent with City policy, the TCIP report considered LOS “E” as the standard acceptable threshold for these two intersections. However, the TCIP program did not include costs for improvements on any state facilities for the purpose of deriving impact fees, including improvements on State Route 162 (Oro Dam Blvd). According to a Caltrans SR 162 route concept report considered during the completion of the TCIP report, the SR 162 segment between SR 70 and Foothill Blvd was identified as operating at a LOS C and anticipated to continue to operate at LOS C in year 2030. Therefore, the concept report presented no proposed improvements to the segment of SR 162 in the study area. However, in coordination with Caltrans and the City of Oroville, the applicant has agreed to pay a fair share contribution for their impacts to the roadway in the amount of \$87,000 to help fund future improvements.

## ENVIRONMENTAL REVIEW

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects." Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. **(Attachment C)**

## FISCAL IMPACT

The total fees associated with this use permit request are as follows:

Item	Price	Tech Fee	Total	Paid
Use Permit	\$2,889.98	\$173.40	\$3,063.38	Yes
<b>Total</b>	<b>\$2,889.98</b>	<b>\$173.40</b>	<b>\$3,063.38</b>	<b>Yes</b>

Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville – Community Development Department within five working days of approval of this project. These fees will be paid for through the funds deposited.

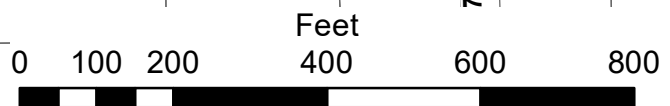
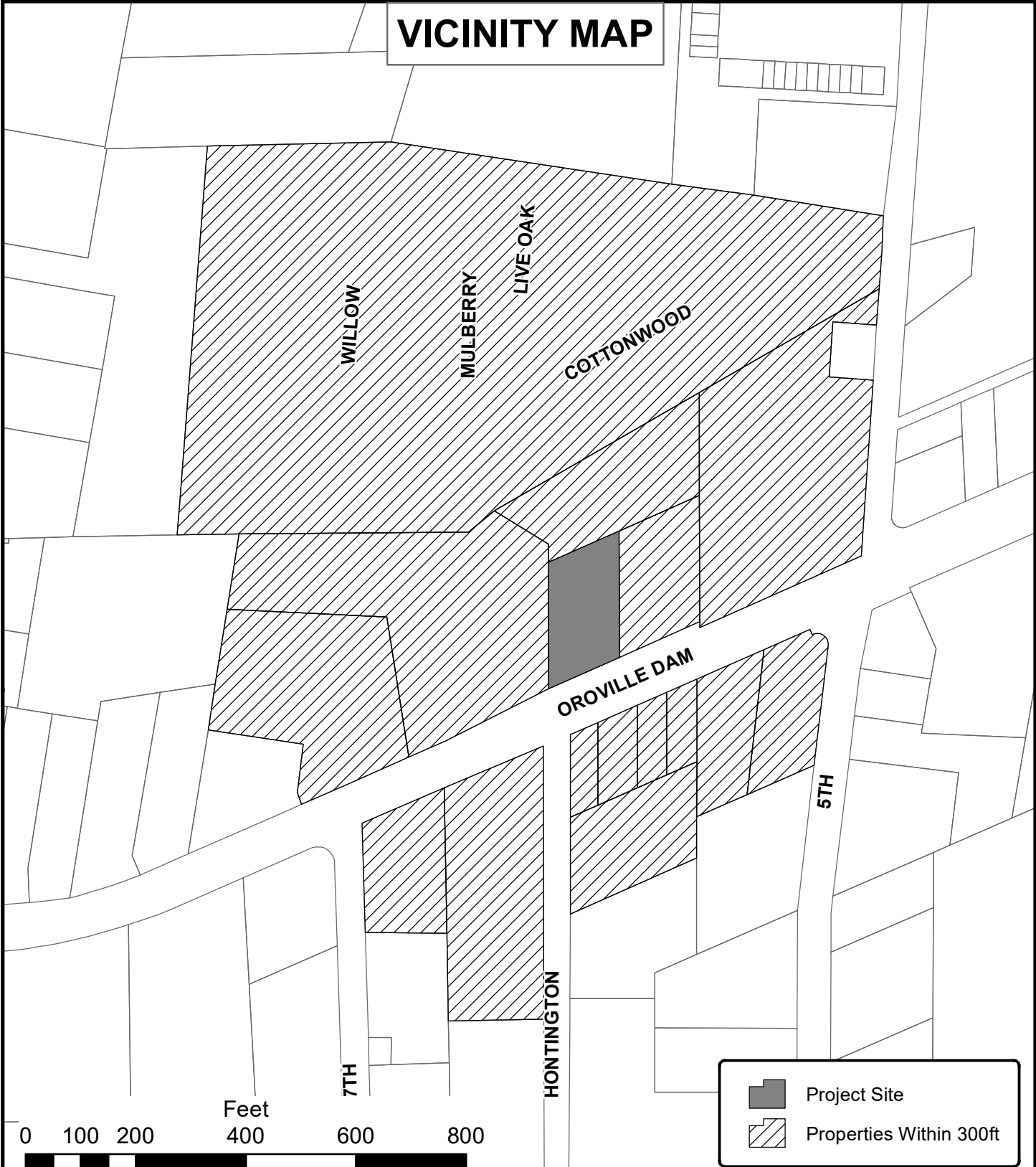
## PUBLIC NOTICE

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property **(Attachment G)**. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register **(Attachment H)** and posted at City Hall.

## ATTACHMENTS

- A – Vicinity Map
- B – Drawings
- C – Notice of Exemption
- D – Findings
- E – Conditions of Approval
- F – Resolution No. P2017-13
- G – Property Owner Notice
- H – Newspaper Notice

# VICINITY MAP



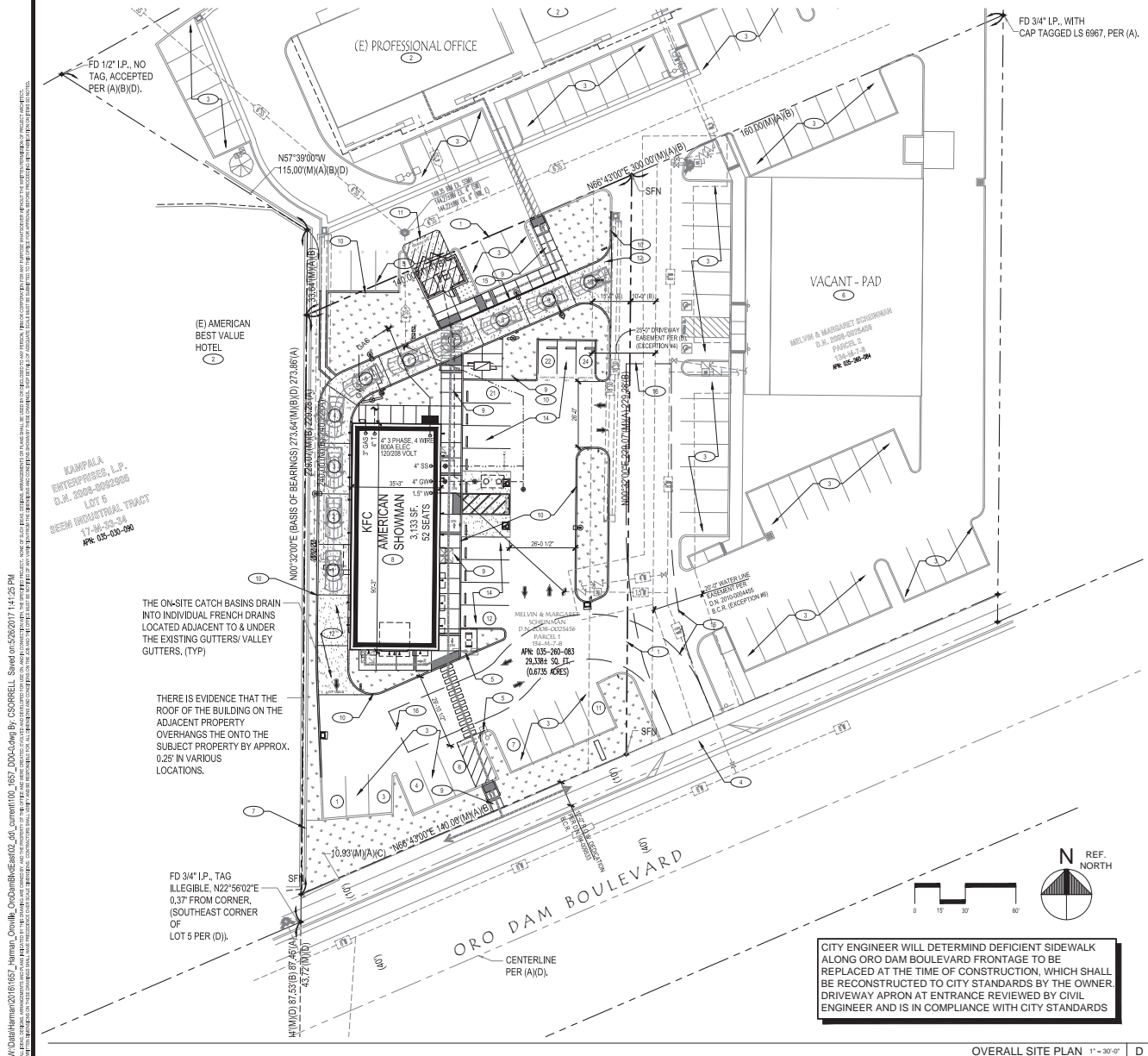
	Project Site
	Properties Within 300ft

## CITY OF OROVILLE PLANNING DIVISION

<i>Applicant:</i> Clifton E. Sorrell Jr. with VMI Architecture, Inc.		<i>Project Title:</i> KFC Drive-Thru Restaurant	
<i>Project Location:</i> North end of Oro Dam Blvd E between CVS Pharmacy and Americas Best Value Inn (APN: 035-260-083)			
<i>General Plan:</i> Mixed Use	<i>Zoning Designation</i> Corridor Mixed Use (MXC)		<i>Requested Entitlements:</i> Use Permit No. 17-04
<i>TRAKiT #</i> Project#: PL1706-001		<i>Assessor's Parcel #:</i> 035-260-083	



UP 17-04



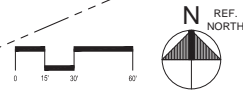
KAMPALA ENTERPRISES, L.P.  
 D.B. 2022-0000000  
 LOT 5  
 SEEN INDUSTRIAL TRACT  
 17-48-33-14  
 PK 05-00-00

THE ON-SITE CATCH BASINS DRAIN INTO INDIVIDUAL FRENCH DRAINS LOCATED ADJACENT TO & UNDER THE EXISTING GUTTERS/VALLEY GUTTERS. (TYP)

THERE IS EVIDENCE THAT THE ROOF OF THE BUILDING ON THE ADJACENT PROPERTY OVERHANGS THE ONTO THE SUBJECT PROPERTY BY APPROX. 0.25' IN VARIOUS LOCATIONS.

FD 3/4" I.P., TAG ILLIGIBLE, N22°56'02"E 0.37' FROM CORNER (SOUTHEAST CORNER OF LOT 5 PER (D)).

CITY ENGINEER WILL DETERMINE DEFICIENT SIDEWALK ALONG ORO DAM BOULEVARD FRONTAGE TO BE REPLACED AT THE TIME OF CONSTRUCTION, WHICH SHALL BE RECONSTRUCTED TO CITY STANDARDS BY THE OWNER. DRIVEWAY APRON AT ENTRANCE REVIEWED BY CIVIL ENGINEER AND IS IN COMPLIANCE WITH CITY STANDARDS



OVERALL SITE PLAN 1" = 30'-0" D



VICINITY MAP C

**CLIENT**  
 HARMAN MANAGEMENT CORP.  
 199 FIRST STREET, SUITE #212  
 LOS ALTOS, CA. 94022  
 CONTACT: Travis Gutke  
 PHONE: 650.941.5681

**PROPERTY OWNER**  
 HARMAN MANAGEMENT CORP.  
 199 FIRST STREET, SUITE #212  
 LOS ALTOS, CA. 94022  
 CONTACT: Travis Gutke  
 PHONE: 650.941.5681

**PLANNING DEPT**  
 CITY OF OROVILLE  
 1735 MONTGOMERY STREET  
 OROVILLE, CA. 95965  
 CONTACT: Dawn Nevers  
 PHONE: 530.538.2429  
 EMAIL: planning@cityoforoville.org

**ARCHITECT**  
 VMI ARCHITECTURE, INC.  
 637 FIFTH AVENUE  
 SAN RAFAEL, CA 94901  
 CONTACT: Cliff Sorrell  
 PHONE: 415.451.2500, EXT.18

**PARKING DATA**  
**REQUIRED PARKING:**  
 1 PARKING SPACE FOR EVERY 4 SEATS  
 4 SEATS / 52 SEATS = 13 PARKING SPACES REQUIRED

**PROVIDED PARKING:**  
 STANDARD/CLEAN AIR: 19 SPACES  
 COMPACT: 3 SPACES  
 ACCESSIBLE: 2 SPACES  
 TOTAL: 24 SPACES

**LOT DATA**  
 APN: 035-260-083  
 ZONING: MXC (CORRIDOR MIXED USE)  
 PROPOSED SITE IMPROVEMENTS: 29,338 SF (67 AC)  
 BLDG AREA: 3,133 SF (11%)

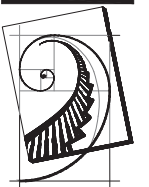
**PERCENTAGE BREAKDOWN (PROPOSED AREA)**  
 BUILDING AREA: 3,133 SF 11%  
 LANDSCAPE AREA: 6,241 SF 22%  
 DRIVE-THRU AREA: 2,942 SF 10%  
 HARDSCAPE AREA: 17,022 SF 58%

- LIST OF DRAWINGS**
- |   |                               |
|---|-------------------------------|
| DD0.0 OVERALL SITE PLAN / PROJECT DATA / VICINITY MAP | DD4.0 PROPOSED EXT. ELEVATION |
| 1 OF 1 DESIGN SURVEY                                  | DD4.2 PROPOSED EXT. ELEVATION |
| DD1.0 DEMOLITION SITE PLAN                            | DD5.0 COLOR EXT. ELEVATION    |
| DD1.1 ENLARGED SITE PLAN                              | DD5.1 COLOR EXT. ELEVATION    |
| DD2.0 PROPOSED FLOOR PLAN, ROOF PLAN & BLDG. SECT.    | L1.0 PRELIM. LANDSCAPE PLAN   |
|   | PH1.0 PHOTOMETRIC PLAN        |

PROJECT DATA B

- |                               |                               |
|-------------------------------|-------------------------------|
| 1 (E) PROPERTY LINE           | 10 (N) CONC. WALK             |
| 2 (E) ADJACENT BUILDING       | 11 (N) CONC. CURB             |
| 3 (E) PARKING STALLS          | 12 (N) CONC. PAVING           |
| 4 (E) ENTRANCE/EXIT DRIVE WAY | 13 (N) CONC. DRIVE-THRU       |
| 5 (E) SITE LIGHTING           | 14 (N) TRASH ENCLOSURE        |
| 6 (E) VACANT LOT              | 15 (N) PARKING STALLS         |
| 7 (E) 6' HIGH MASONRY WALL    | 16 (N) IRON GUARD RAIL        |
| 8 (N) KFC BUILDING            | 17 (N) FIRE TRUCK ACCESS PATH |

KEYNOTES A



**VMI architecture**  
 Design • Planning • Interiors  
 637 5th Avenue, San Rafael, CA 94901  
 415-451-2500 415-451-2555 fax  
 www.vmiarch.com

VMI JOB NUMBER  
**1657**

RECORD DATES  
 LL SUBMITTAL: 2/20/17  
 DD SUBMITTAL: 2/20/17

REVISIONS


CLIENT  
 HARMAN MANAGEMENT CO.  
 199 FIRST STREET, SUITE 212  
 LOS ALTOS, CA 94022  
 Phone: 650.941.5681

PROJECT  
 KFC RESTAURANT  
 Oro Dam Boulevard (Phwy 162)  
 Oroville, CA. 95965  
 APN: 035-260-083



AS-K

OVERALL SITE PLAN  
 VICINITY MAP  
 PROJECT DATA

**DD0.0**

**PROJECT BENCHMARK:**

CITY OF OROVILLE HERON MARK (M) SHOWN ON B AT THE NORTHEAST CORNER OF ORO-DAM BOULEVARD AND WEAVER STREET, HAVING AN ELEVATION OF 164.81' CITY OF OROVILLE, CALIF.

**FEMA CATEGORY:**

THE FEMA FLOOD INSURANCE RATE MAP FOR BUTTE COUNTY AND INCORPORATED AREAS MAP NO. 000200000E DATED JANUARY 4, 2011, THE AREA HAS BEEN DETERMINED TO BE ZONE "X", AREAS OF 1% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AN ELEVATION OF LESS THAN 1 FOOT OR WITH CHANCE AREA LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS IS BASED ON THE WESTERLY LINE OF PARCELS 1 OF THIS PARCEL MAP RECORDED FEBRUARY 20, 1994 IN BOOK 134 OF PARCELS MAP AT PAGES 7 & 8. BUTTE COUNTY RECORDS, TAKEN AS S 02°34' W

**ABBREVIATIONS:**

Table with 3 columns: Abbreviation, Description, and Symbol. Includes terms like ANGLE POINT, BEARING OF CURVE, CENTERLINE, etc.

**NOTES:**

- 1. ELEVATIONS OF CURBS ARE SHOWN AT FLOW LINE AND BOTTOM FACE OF CURB, UNLESS NOTED OTHERWISE. CURBS FOR CITY STREETS ARE VERTICAL CURBS.
2. THIS SURVEY IS BASED ON PRELIMINARY REPORT BY BOKELL, SEITZ & ESCROW, BOOK NUMBER: 0025640-005-FI, DATED DECEMBER 13, 2016 FOR 680 ORO DAM BOULEVARD, OROVILLE, CA.
3. PROPERTY LINES SHOWN HEREIN WERE OBTAINED FROM RECORD INFORMATION AND FOUND MONUMENTS.
4. THERE ARE 36 SHARED DRIVE PAVING STALLS AND 2 ACCESSIBLE PAVING STALLS WITHIN THE BOUNDARY OF THIS PROPERTY.
5. THERE IS NO OBSERVABLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
6. THE SITE SURFACE DRAINS TO EXISTING CATCH BASIN AND INTO EXISTING DRAINAGE AT UNDEVELOPED AREA.
7. EXISTING UTILITIES SHOWN ARE BY DESCRIPTION AND RECORD DRAWINGS.
8. THE LAND HEREIN LIES WITHIN THE BOUNDARIES OF THE OROVILLE REDEVELOPMENT PROJECT NO. 1 AS DESCRIBED BY THAT INSTRUMENT RECORDED JULY 8, 1981 IN BOOK 2638 OF BUTTE COUNTY OFFICIAL RECORDS, AT PAGE 226. (TITLE EXCEPTION #1).
9. THERE IS A DISCREPANCY OF THE EAST LINE OF PARCELS 2 OF THAT MAP RECORDED FEBRUARY 20, 1994 IN BOOK 134 AT PAGES 7 & 8. BUTTE COUNTY RECORDS. THIS DISCREPANCY IS SHOWN ON THAT RECORD OF SURVEY RECORDED MARCH 24, 2008 IN BOOK 174 OF MAPS AT PAGE 15. BUTTE COUNTY RECORDS. THIS DISCREPANCY IS OUTSIDE THE SUBJECT PROPERTY OF THIS SURVEY. (TITLE EXCEPTION #2).

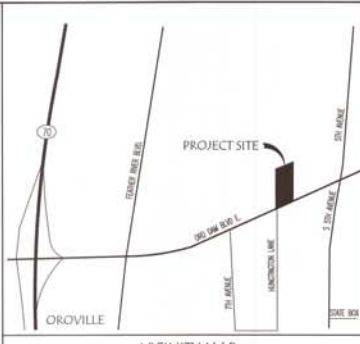
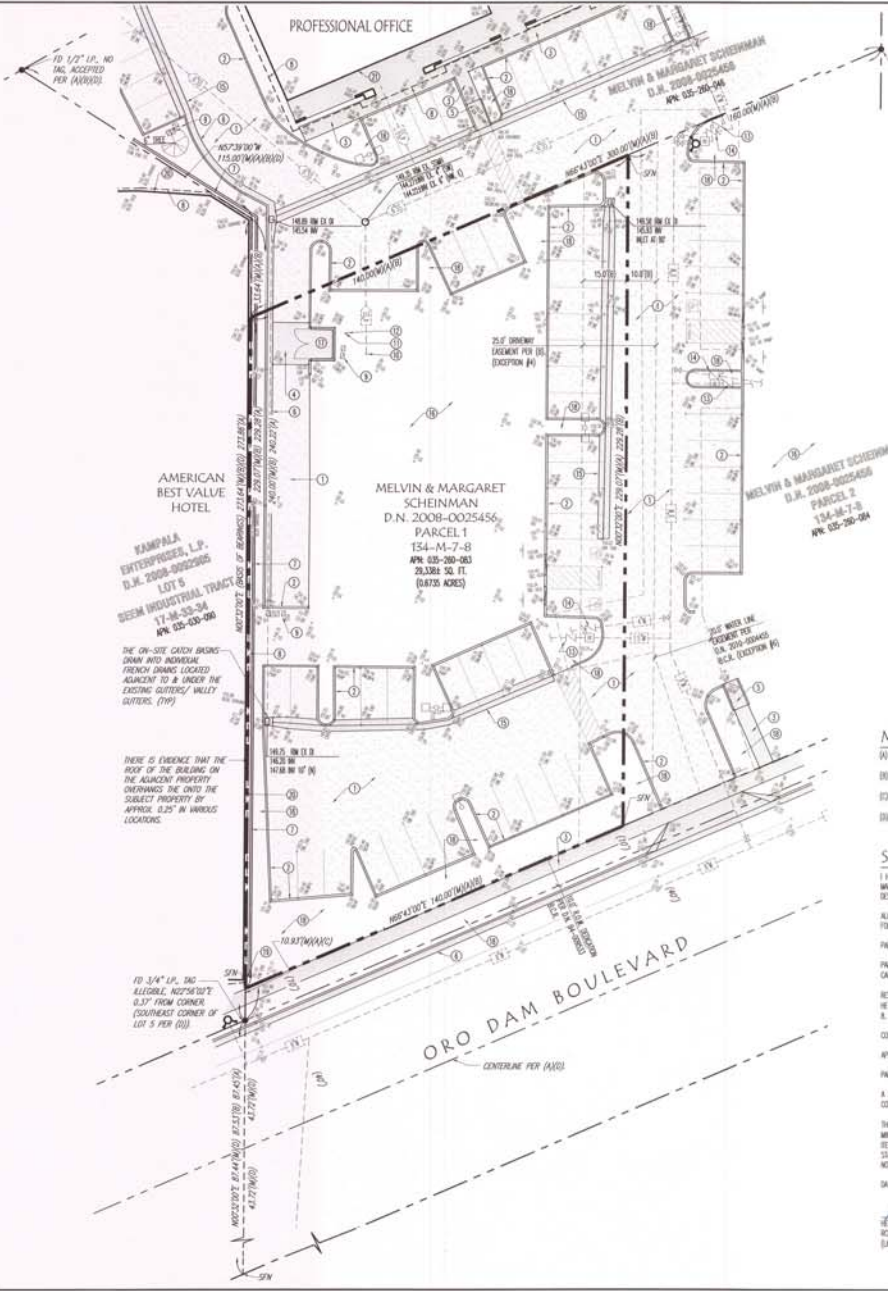
**TITLE REPORT EXCEPTIONS BY ITEM NO.:**

- 1. THE LAND HEREIN DESCRIBED LIES WITHIN THE BOUNDARIES OF THE OROVILLE REDEVELOPMENT PROJECT NO. 1 AS DESCRIBED BY INSTRUMENT RECORDED JULY 8, 1981 IN BOOK 2638 OF BUTTE COUNTY OFFICIAL RECORDS, AT PAGE 226. (NEE-PLUMBABLE)
2. DISCREPANCY, REVISIONS AND NOTES FOR SPECIFIC PURPOSES AS SET FORTH ON THE MAP RECORDED FEBRUARY 20, 1994 IN BOOK 134 OF MAPS, AT PAGES 7 AND 8. (PLOTTED ON PLAN)
3. THE EFFECT OF A RECORD OF SURVEY RECORDED MARCH 24, 2008 IN BOOK 174 OF MAPS, AT PAGE 15 OF BUTTE COUNTY RECORDS. (DRAWER'S NOTE: THE DISCREPANCY NOTED IS OUTSIDE THE SUBJECT PARCEL. SEE NOTE #9).
4. EVIDENCE FOR THE PURPOSE STATE HEREIN AND RECORD INFORMATION.

**METES AND BOUNDS DESCRIPTION:**

ALL THAT REAL PROPERTY BEING PARCELS 1, 2 AND 3 OF THAT PARCEL MAP RECORDED FEBRUARY 20, 1994 IN BOOK 134 OF MAPS AT PAGE 7 AND 8. BUTTE COUNTY RECORDS, SITUATE IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 10 NORTH, RANGE 4 EAST, NEARLY TOWNSHIP 10 NORTH AND WESTING CITY OF OROVILLE, COUNTY OF BUTTE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 1, ALSO BEING A POINT ON AN EAST LINE OF LOT 5, SEEM INDUSTRIAL TRACT, FILED FOR RECORD FEBRUARY 10, 1950 IN BOOK 17 OF MAPS AT PAGES 33 AND 34, BUTTE COUNTY RECORDS, THENCE ON THE NORTH LINE OF SAID PARCEL 1, NORTH 47°02'00" EAST ON THE NORTH OF SAID PARCEL 1, A DISTANCE OF 74.00 FEET TO THE EAST LINE OF SAID PARCEL 1, ALSO BEING THE NORTHEAST CORNER OF PARCELS 2, 3 OF SAID PARCEL MAP AS SHOWN ON SAID PARCEL MAPS, THENCE SOUTH 02°07'00" WEST ON THE EAST LINE OF SAID PARCEL 1, A DISTANCE OF 228.07 FEET TO THE SOUTH LINE OF SAID PARCEL 1, ALSO BEING THE NORTH-SOUTH-WAY LINE OF ORO DAM BOULEVARD, THENCE SOUTH 89°07'00" WEST ON SAID LINE, A DISTANCE OF 14.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1, ALSO BEING A POINT ON THE SAID EAST LINE OF LOT 5, THENCE NORTH 02°07'00" EAST, ON THE WEST LINE OF SAID PARCEL 1, A DISTANCE OF 228.07 FEET TO THE SAME POINT OF BEGINNING.



**SYMBOLS LEGEND:**

- CONCRETE BENCHMARK
FIRE HOSE
FOUND MONUMENT
GAS METER
MANHOLE
PARKING LIGHT
PULL BOX
SIGN
SLOPE INDICATION
STREET LIGHT
WATER METER
WATER VALVE

**KEY NOTES:**

- 1. REPAINT FINISH
2. CONCRETE VERTICAL CURB
3. CONCRETE WALK
4. CONCRETE FINISH
5. NON COMPLIANT ACCESSIBLE CONCRETE RAMP
6. CONCRETE CURB & GUTTER
7. 6" HIGH MASONRY WALL
8. ROOF OVERHANG
9. UTILITY PULLBOX (TYP)
10. 4" SLOPE STAIR
11. 2" GAS STAIR
12. 4" ELECTRICAL CONDUIT STAIR
13. 1/2" BACKFLOW PREVENTER
14. 4" BACKFLOW PREVENTER W/ FIRE DEPT. CONNECTION
15. CONCRETE VALLEY GUTTER
16. UNDEVELOPED AREA
17. ORO TRUCK ENCLOSURE WITH WOOD SIDING
18. LANDSCAPING
19. WOOD FENCE
20. WOOD FRAMED BUILDING WITH WOOD SIDING
21. EXISTING BUILDING WITH STUCCO FINISH

**MAP & DEED REFERENCES:**

- (A) RECORD OF SURVEY, RECORDED MARCH 24, 2008 IN BOOK 174 OF MAPS AT PAGE 15, BUTTE COUNTY RECORDS.
(B) PARCEL MAP, RECORDED FEBRUARY 20, 1994 IN BOOK 134 OF MAPS AT PAGES 7 & 8, BUTTE COUNTY RECORDS.
(C) SAME DEED TO THE STATE OF CALIFORNIA, RECORDED MARCH 2, 1994 AS LB 04-000551, BUTTE COUNTY RECORDS.
(D) MAP OF SEEM INDUSTRIAL TRACT, FILED FOR RECORD FEBRUARY 10, 1950 IN BOOK 17 OF MAPS AT PAGES 33 & 34, BUTTE COUNTY RECORDS.

**SURVEYOR'S STATEMENT:**

I HEREBY STATE TO HANNAH MANAGEMENT, MELVIN & MARGARET SCHEINMAN, AND TO BOKELL SEITZ & ESCROW COMPANY THAT THIS MAP REPRESENTS A SURVEY MADE BY ME, OR UNDER MY SUPERVISION ON THE 10th DAY OF JANUARY 2017 OF THE REAL PROPERTY, DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF OROVILLE, COUNTY OF BUTTE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCELS 1, AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON FEBRUARY 20, 1994, IN BOOK 134 OF MAPS, AT PAGES 7 AND 8.

RESERVING THEREON A 25 FOOT COMMON DRIVEWAY EASEMENT AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON FEBRUARY 20, 1994, IN BOOK 134 OF MAPS, AT PAGES 7 AND 8.

CONTAINING 0.6720 ACRES, MORE OR LESS.
APN: 035-260-083

PARCEL 2, A 25 FOOT COMMON DRIVEWAY EASEMENT AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON FEBRUARY 20, 1994, IN BOOK 134 OF MAPS, AT PAGES 7 AND 8.

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, AS ADOPTED BY ALTA AND NSPS, AND INCLUDES STOPS 2, 3, 4, 5, 7a, 7b, 8, 9, 10a, 10b, 11, 12, 13, 14, 15, 20, AND 21 OF TABLE THEREOF PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS, AND THE PROFESSIONAL INDICATORS RESULTING FROM THE SURVEY MEASUREMENTS DO NOT EXCEED THE ALLOWABLE POSITIVE TOLERANCES. THE FIELD WORK WAS COMPLETED JANUARY 9, 2016.

DATE: JANUARY 16, 2017

Hong Wang
Surveyor
LICENSE EXPIRES: 01/31/18



skw as associates
Architecture • Engineering • Surveying
2027 West Ave, Modesto, CA 95201 P: 209-524-8833 F: 209-524-2934

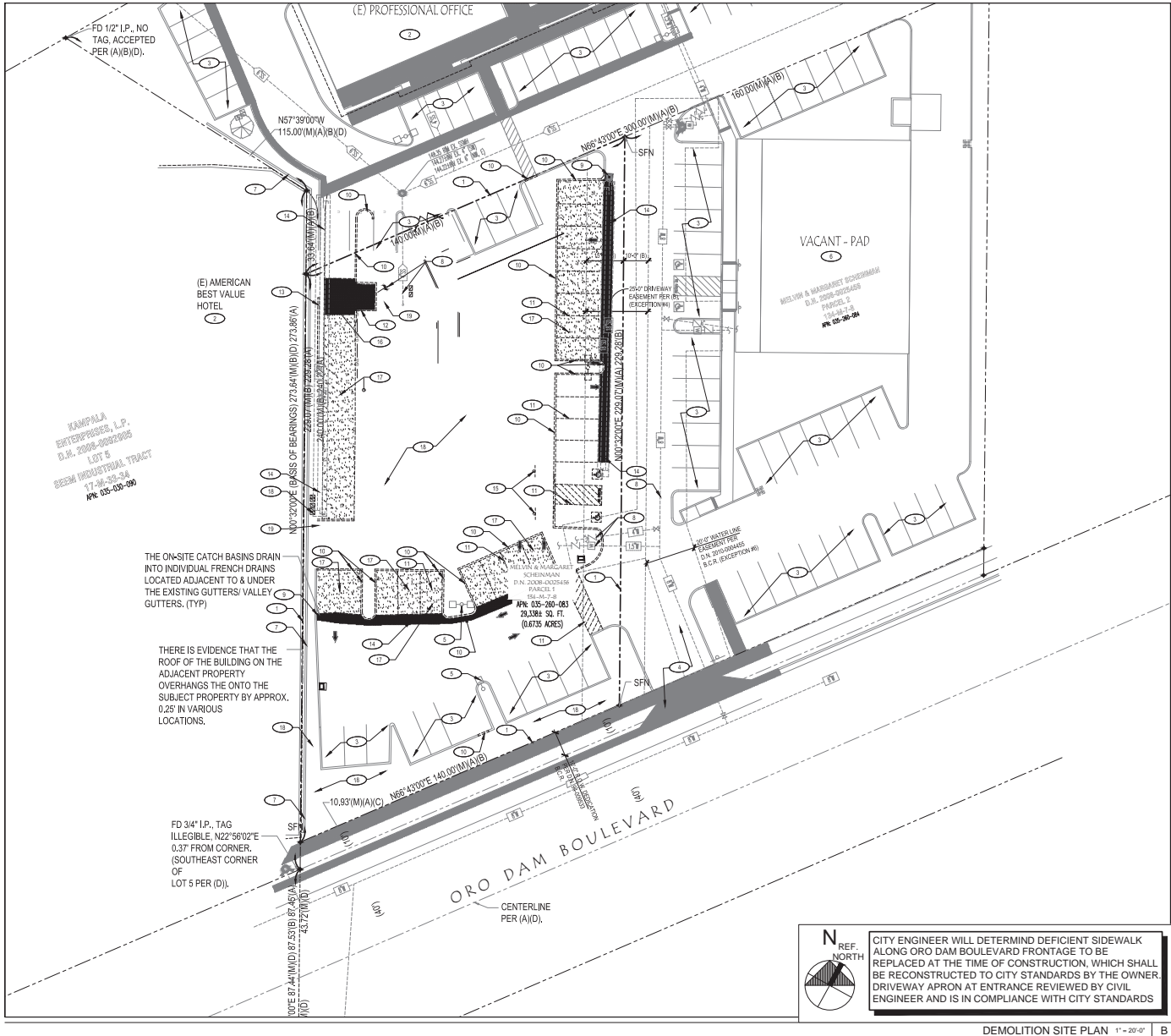


Hanna Management, Inc.
199 First Street, Suite 201
Los Altos, CA 94022
ALTA/ACSM SURVEY FOLK
(KAP 035-260-083)
KFC
680 ORO DAM BOULEVARD
OROVILLE, CALIFORNIA

ALTA/ACSM SURVEY
REVISIONS:

BY: HW
DATE: 01/16/2016
SCALE: 1"=40'
SHEET: 1 of 1

W:\Data\Harmar\2016\1657\_Harmar\_Oroville\_OroDam\1657\_04.dwg By: CSORRELL, Saved on: 5/25/2017 4:11:11 PM  
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- (E) PROPERTY LINE
- (E) ADJACENT BUILDINGS
- (E) PARKING STALLS - TO REMAIN
- (E) ENTRANCE / EXIT - TO REMAIN
- (E) SITE LIGHTING - TO REMAIN
- (E) VACANT LOT - TO REMAIN
- (E) HIGH MASONRY WALL - TO REMAIN
- (E) UTILITIES - TO REMAIN
- (E) STORM DRAIN CATCH BASIN - TO REMAIN
- (E) CONC. CURB - TO BE DEMOLISHED
- (E) PARKING STALLS STRIPING - TO BE DEMOLISHED
- (E) TRASH ENCLOSURE - TO BE DEMOLISHED
- (E) CONC. CURB AND GUTTER - TO BE DEMOLISHED
- (E) CONC. GUTTER - TO BE DEMOLISHED
- (E) POLE SIGN - TO BE DEMOLISHED
- (E) CONC. PAVEMENT - TO BE DEMOLISHED
- (E) ASPHALT PAVEMENT - TO BE DEMOLISHED
- (E) LANDSCAPE - TO BE DEMOLISHED
- (E) LANDSCAPE IRRIGATION BOX - TO BE RELOCATED
- (E) SITE LIGHTING - TO BE RELOCATED

**N**  
 REF. NORTH

CITY ENGINEER WILL DETERMINE DEFICIENT SIDEWALK ALONG ORO DAM BOULEVARD FRONTAGE TO BE REPLACED AT THE TIME OF CONSTRUCTION, WHICH SHALL BE RECONSTRUCTED TO CITY STANDARDS BY THE OWNER. DRIVEWAY APRON AT ENTRANCE REVIEWED BY CIVIL ENGINEER AND IS IN COMPLIANCE WITH CITY STANDARDS

DEMOLITION SITE PLAN 1" = 30'-0"



**VMI architecture**  
 Design - Planning - Interiors  
 6375 5th Avenue, San Rafael, CA 94903  
 415-451-2500 415-451-2595 fax  
 www.vmiarch.com

VMI JOB NUMBER  
**1657**

RECORD DATES  
 00 SUBMITTAL 2017

REVISIONS

NO.	DATE	DESCRIPTION

CLIENT  
**HARMAN MANAGEMENT CO.**  
 199 FIRST STREET, SUITE 212  
 LOS ALTOS, CA 94022  
 Phone: 650.941.5881

PROJECT  
**KFC RESTAURANT**  
 Oro Dam Boulevard (Phy 162)  
 Oroville, CA, 95965  
 APN #035-260-083



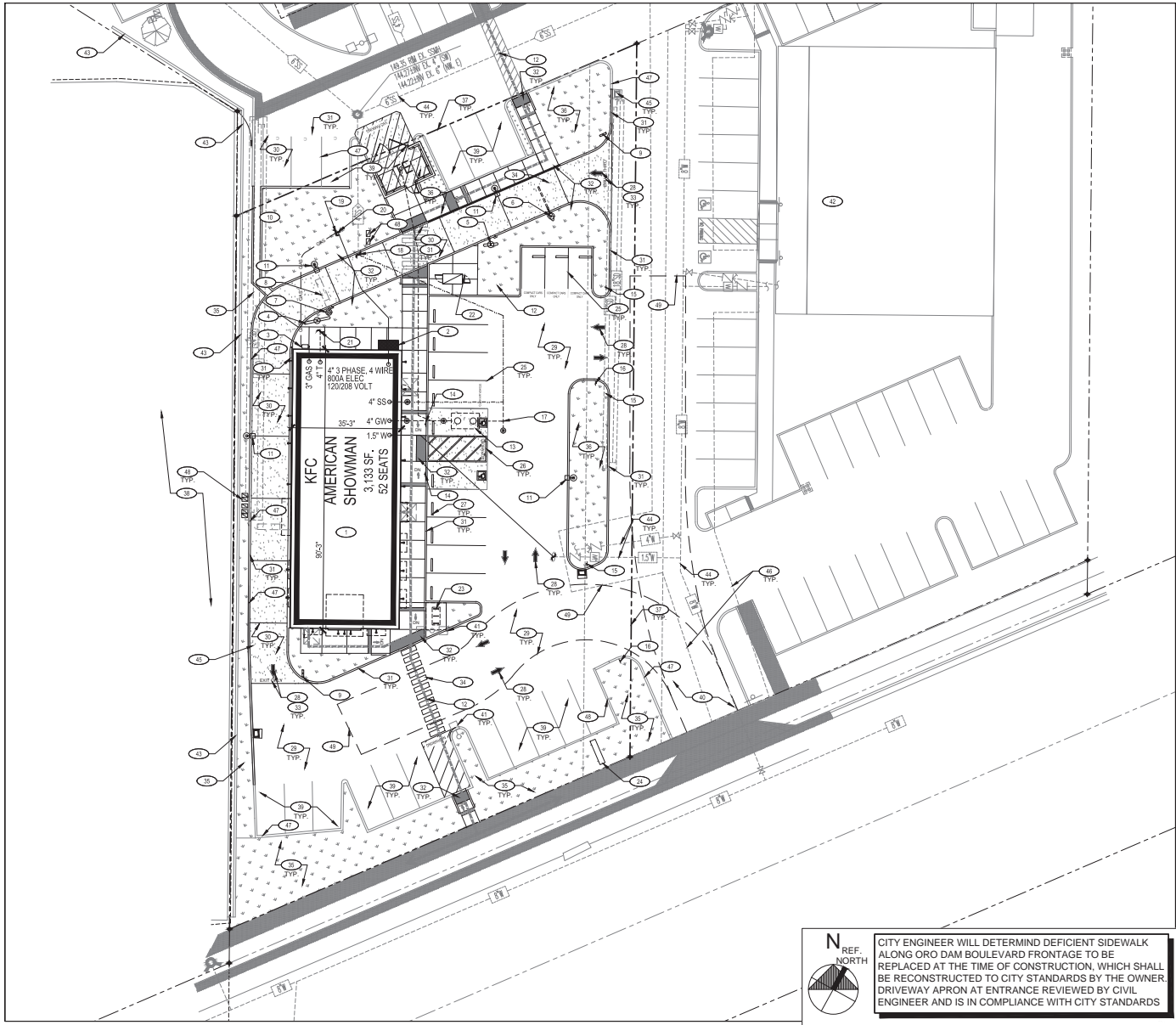
AS-K

DEMOLITION  
 SITE PLAN

**DD1.0**



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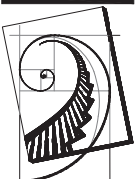


CITY ENGINEER WILL DETERMINE DEFICIENT SIDEWALK ALONG ORO DAM BOULEVARD FRONTAGE TO BE REPLACED AT THE TIME OF CONSTRUCTION, WHICH SHALL BE RECONSTRUCTED TO CITY STANDARDS BY THE OWNER. DRIVEWAY APRON AT ENTRANCE REVIEWED BY CIVIL ENGINEER AND IS IN COMPLIANCE WITH CITY STANDARDS.

- (N) KFC BUILDING
- (N) ELECTRICAL SWITCH GEAR
- (N) GAS METER
- (N) MENU BOARD
- (N) PREVIEW BOARD
- (N) DRIVE-THRU CLEARANCE BAR
- (N) DRIVE-THRU SPEAKER PEDESTAL
- (N) DRIVE-THRU SENSOR LOOP
- (N) DIRECTIONAL SIGNAGE
- (N) TRASH ENCLOSURE W/ METAL ROOF - SEE SHEET 4.2 FOR EXTERIOR ELEVATIONS
- (N) SITE LIGHTING FIXTURE
- (N) ADA ACCESSIBLE PATHWAY TO PUBLIC WAY
- (N) GREASE INTERCEPTOR
- (N) ADA ACCESSIBLE PARKING SIGNAGE
- (N) ADA ACCESSIBLE TOWA-WAY SIGNAGE
- (N) STOP SIGNAGE
- (N) GREASE WASTE LINE - POINT OF CONNECTION
- (N) SANITARY SEWER LINE - POINT OF CONNECTION
- (N) GAS LINE - POINT OF CONNECTION
- (N) ELECTRICAL SERVICE LINE - POINT OF CONNECTION
- (N) TELECOMMUNICATION LINE - POINT OF CONNECTION
- (N) LONG-TERM BIKE STORAGE
- (N) BIKE RACK
- (N) MONUMENT SIGN
- (N) PARKING STALL STRIPPING
- (N) ADA PARKING STALL STRIPPING
- (N) WHEEL STOP
- (N) TRAFFIC ARROWS
- (N) ASPHALT PAVEMENT
- (N) CONCRETE PAVEMENT
- (N) CONCRETE CURB
- (N) ADA CURB RAMP W/ TRUNCATED DOMES
- (N) PAINTED TRAFFIC LETTER PAVEMENT SIGN
- (N) PAINTED CROSSING PAVEMENT STRIPES
- (N) LANDSCAPING AREA w/ (E) TREES
- (N) LANDSCAPING AREA
- (E) PROPERTY LINE
- (E) ADJACENT BUILDINGS
- (E) PARKING STALLS - TO REMAIN
- (E) ENTRANCE / EXIT - TO REMAIN
- (E) SITE LIGHTING - TO REMAIN
- (E) VACANT LOT - TO REMAIN
- (E) # HIGH MASONRY WALL - TO REMAIN
- (E) UTILITIES BELOW GRADE - TO REMAIN
- (E) STORM DRAIN CATCH BASIN - TO REMAIN
- (E) PUBLIC UTILITY EASEMENT - TO REMAIN
- (E) CONC. CURB - TO REMAIN
- (E) IRRIGATION CONTROL BOXES - RELOCATED
- (N) FIRE ACCESS CIRCULATION PATH

ENLARGED SITE PLAN 1/8" = 1'-0" B

KEYNOTES A



**VMI architecture**  
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VMI JOB NUMBER  
**1657**

RECORD DATES  
 00 SUBMITTAL 2/2017

REVISIONS	

CLIENT  
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PROJECT  
**KFC RESTAURANT**  
 Oro Dam Boulevard (Phwy 162)  
 Oroville, CA, 95965  
 APN #035-260-083

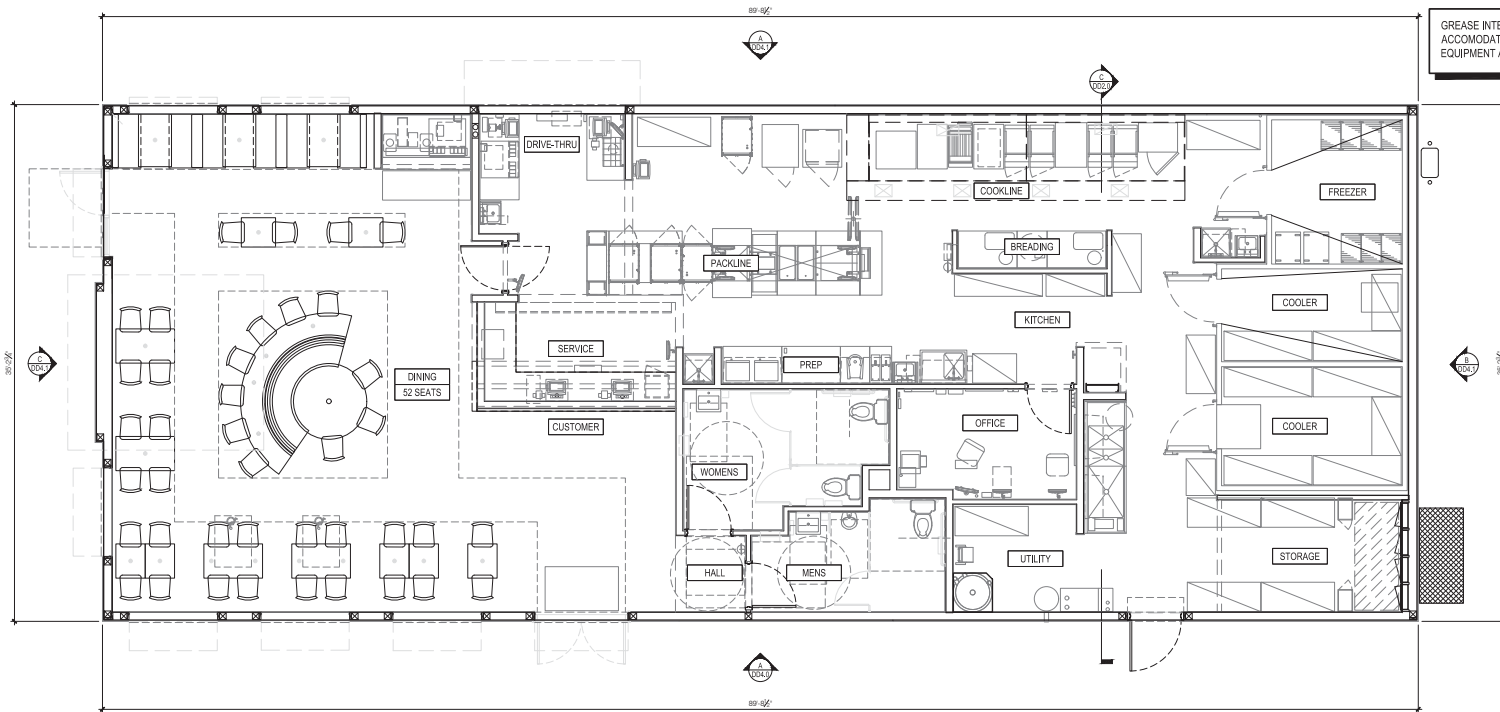


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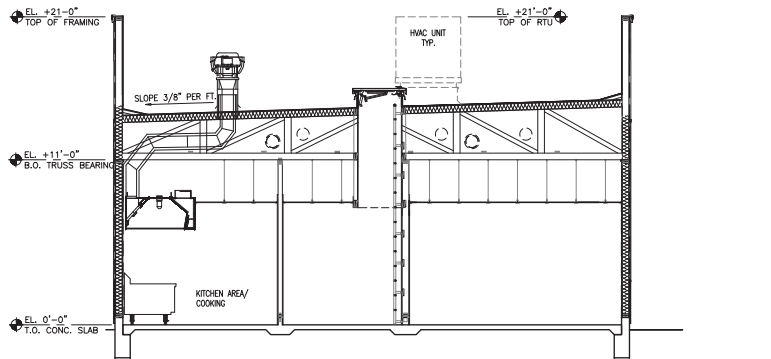
ENLARGED  
 SITE PLAN

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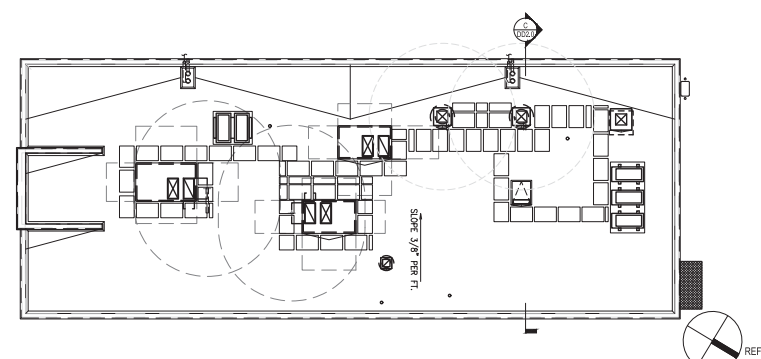
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**FLOOR PLAN** 1/4" = 1'-0" **A**



**BLDG. SECTION** 1/8" = 1'-0" **C**



**ROOF PLAN** 1/8" = 1'-0" **B**



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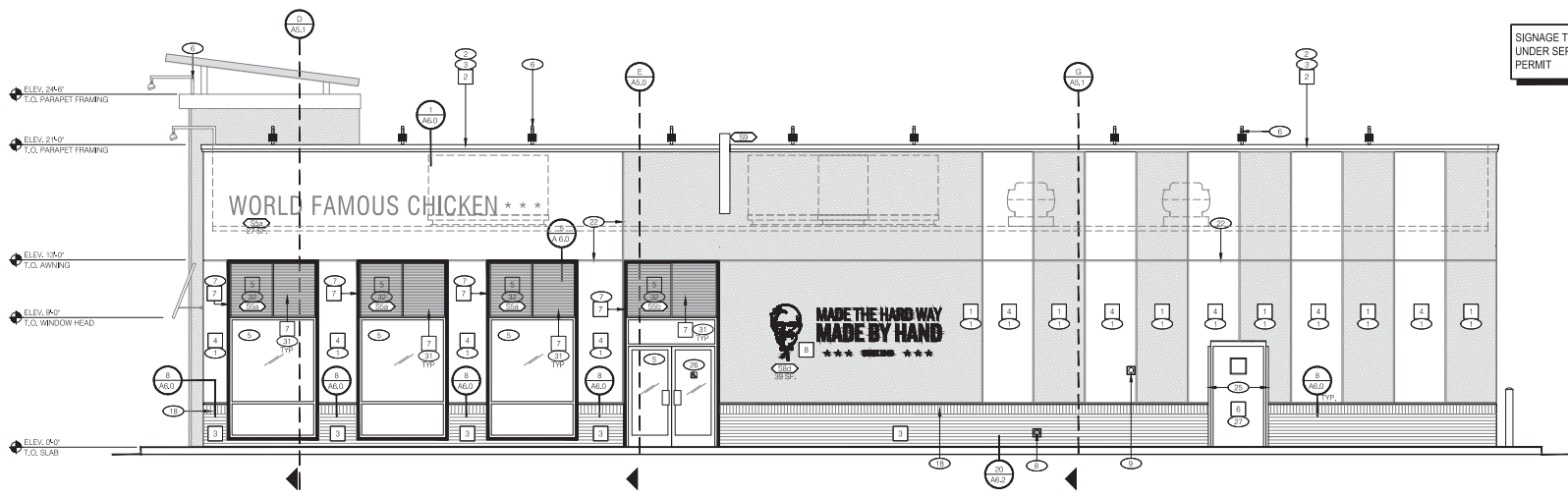
**PROJECT**  
 KFC RESTAURANT  
 Oro Dam Boulevard (Hwy 162)  
 Oroville, CA, 95965  
 APN #035-260-083



**AS-K**  
 PROPOSED FLOOR PLAN  
 ROOF PLAN, AND  
 BLDG. SECTION

**DD2.0**

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**EAST ELEVATION** 1/4"=1'-0" **A**

SYMBOL	EXTERIOR WALL AREA	MANUFACTURER	COLOR	ALTERNATE MFR.	ALTERNATE COLOR	CONTACT
1	EXTERIOR PAINT	BENJAMIN MOORE	ALURA EXTERIOR PAINT EXOTIC RED 2096-10 SATIN (631) 100% ACRYLIC HYBRID RESIN SELF PRIMING			KURT MCCLELLAND P. (800) 635-5147 / C. (502) 640-1608 kurt.mcclelland@benjaminmoore.com
2	EXTERIOR PAINT	BENJAMIN MOORE	CORTECH POLYESTER URETHANE 2125-70 WEDDING VEIL (V33) GLOSS CATALYST			KURT MCCLELLAND P. (800) 635-5147 / C. (502) 640-1608 kurt.mcclelland@benjaminmoore.com
3	BACK OF HOUSE WALLS / WINDSCOT / CURB	GLEN-GERY	BRICK BLACK HERITAGE GROUT / GLEN-GERY COOR	GROUT / LANTHIERE 4XL1	PER LOCAL / MUNICIPAL REQUIREMENTS	
4	EXTERIOR PAINT	BENJAMIN MOORE	ALURA EXTERIOR PAINT BLACK HORIZON 2123-30 SATIN (631) 100% ACRYLIC HYBRID RESIN SELF PRIMING			KURT MCCLELLAND P. (800) 635-5147 / C. (502) 640-1608 kurt.mcclelland@benjaminmoore.com
5	LOUVERED AWNINGS	PRE-FINISHED	POLYURETHANE CUSTOM MATCH BENJAMIN MOORE 2096-10 EXOTIC RED SATIN FINISH			
6	BOLLARDS		PVC SLEEVE VEIN COLOR w/ OWNER			
7	PAINTED 2" STUCCO BAND		ALURA EXTERIOR PAINT BLACK HORIZON 2123-30 SATIN (631) 100% ACRYLIC HYBRID RESIN SELF PRIMING	BENJAMIN MOORE		KURT MCCLELLAND P. (800) 635-5147 / C. (502) 640-1608 kurt.mcclelland@benjaminmoore.com

**EXTERIOR FINISH SCHEDULE** **F**

IMAGE COMPONENTS SCHEDULE			
TAG	QTY	ITEM DESCRIPTION	ELEC.
S1a	1	VINYL LOGO/GRAPHICS FOR TOWER PANEL - FULL HT.	
S1b	0	VINYL LOGO/GRAPHICS FOR TOWER PANEL - HALF HT.	
S3a	0	KFC CHANNEL LETTERS - 30" RED	X
S3b	2	KFC CHANNEL LETTERS - 24" RED	X
S3c	0	KFC CHANNEL LETTERS - 30" WHITE	X
S3d	0	KFC CHANNEL LETTERS - 24" WHITE	X
S4a	1	'REAL MEALS TO GO' DIMENSIONAL LETTERS FOR 15' DT CANOPY	
S4b	0	'REAL MEALS TO GO' VINYL LETTERS FOR 8' DT CANOPY	
S5a	0	'WORLD FAMOUS CHICKEN' LETTERS - 16" DIMENSIONAL PIN MOUNT	
S5b	1	'WORLD FAMOUS CHICKEN' 16" LETTERS - PAINT	
S5c	0	'WORLD FAMOUS CHICKEN' 12" LETTERS - PAINT	
S5d	0	'WORLD FAMOUS CHICKEN' STACKED LETTERS - PAINT	
S6	0	'REAL MEALS' BUCKET SIGN	
S7	0	'REAL MEALS TO GO' BUCKET SIGN	X
S8a	1	'HARD WAY' PAINT TEMPLATE - 57" ROUND	
S8d	1	'HARD WAY' PAINT TEMPLATE - HORIZONTAL	
S9	1	'HOT FRESH' ARROW SIGN	X
G9a	1	STORE HOURS - ENTRY DOOR	
G9b	1	STORE HOURS - DT WINDOW	
BUILDING EXTERIOR ELEMENTS			
B1a	1	TOWER PANEL W/ HALF HT LOGO (NO GRAPHICS) - FULL HT W/ EXTENDER	
B1b	0	TOWER PANEL W/ LOGO AND GRAPHICS - HALF HT	
B2	1	TOWER LID CANOPY	
B3a	1	DT WINDOW CANOPY - 15' WIDE	
B5a	5	SHUTTERED AWNINGS - 5' WIDE	
B5b	1	SHUTTERED AWNINGS - 6'-4" WIDE	

**IMAGE COMPONENTS SCHEDULE** **D**

**MISCELLANEOUS**

A. SEE SHEET A.1.1 'WINDOW TYPES' FOR WINDOW ELEVATIONS.  
 B. PAINT COLORS SHOWN ARE COLOR REFERENCES FOR THE E.L.F.'S. SUPPLIER.

**SEALERS (REFER TO SPECS.)**

A. SEALANT AT ALL WALL AND ROOF PENETRATIONS.  
 B. SEALANT AT ALL WINDOW AND DOOR FRAMES AT HEAD AND JAMB, DO NOT USE SILL AT WINDOWS.

**EXTERIOR FINISH/UV PROTECTION**

A. EXTERIOR BUILDING PAINT COLORS SHALL RECEIVE A UV PROTECTION FINISH COAT OF SHERWIN-WILLIAMS 'SHER-GLASS' (KORLOY CLEAR COAT 'SEMI-GLOSS' OR BENJAMIN MOORE 'WYS WATERBORNE URETHANE SEMI-GLOSS FINISH').

B. EXTERIOR BUILDING PAINT COLORS SHALL BE FACTORY MIXED. NOT TINTED TO MATCH. PAINT CONTAINERS SHALL ARRIVE ON SITE WITH PRINTED LABELS INDICATING THAT THEY WERE FACTORY MIXED.

**HIGH IMPACT E.L.F.'S.**

AS REQUIRED PER SITE-SPECIFIC DESIGN: E.L.F.'S. BASE COST W/ 20 CG. HIGH IMPACT MESH TO BE APPLIED FROM STARTER TRACK TO 7'4" A.F.F., REFER TO SPECIFICATION MANUAL FOR E.L.F.'S. MANUFACTURERS ASSEMBLY DETAILS.

**CRITICAL FINISH OPENINGS**

BUILDING FINISH OPENINGS THAT ARE DESIGNATED AS 'CRITICAL' SHALL BE MAINTAINED TO PROVIDE FOR THE STANDARD INSTALLATION OF STANDARD SIGNAGE / BUILDING ELEMENTS. SEE GENERAL NOTE FOR VENDOR PROVIDED / VENDOR INSTALLED ELEMENTS.

**THIN BRICK INSTALLATION**

THE GENERAL CONTRACTOR TO ENSURE THAT THE BRICK JOINTS ARE PLUMB AND LEVEL AND THE BRICK FACES ALIGNED AND FLUSH.

**VENDOR SUPPLIED - INSTALLED ELEMENTS**

GC TO COORDINATE WITH VENDOR PROVIDED / VENDOR INSTALLED SIGNAGE AND BUILDING ELEMENTS.

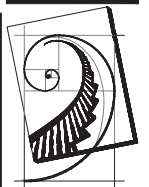
**SKIN:**  
 PER TABLE #.#.# OF THE CITY OF \*\*\*. ORDINANCE MAX (#) SKINS PER TENANT SPACE WITH # SF TOTAL

NUMBER OF SIGNS: #  
 MESSAGE SF: # SF

**GENERAL NOTES** **C**

- 1 PAINT WALL SURFACE BEHIND NEW AWNING
- 2 PRE-FINISHED METAL LOUVERED AWNINGS (AWNINGS ABOVE DOORS TO HAVE RAIN DIVERSERS)
- 3 PARAPET FASCIA CAP.
- 4 STAND OFF METAL PANEL SYSTEM W/ VINYL GRAPHICS, BY VENDOR
- 5 ALUMINUM STOREFRONT WINDOW / DOOR SYSTEM, SEE SHEET A.1.1
- 6 WALL LIGHTING - LIGHTING VENDOR SUPPLIED / GC INSTALLED. SEE SHEET E.A.0.
- 7 STD CORR. 1" DRIPABLE E.L.F.'S. REFER TO SPECIFICATIONS MANUAL FOR MANUFACTURERS ASSEMBLY DETAILS. FIELD SUPPORT SERVICES AND CONTACTS, REFER TO DETAIL SHEET A6.3. SEE HIGH IMPACT E.L.F.'S. GENERAL NOTE.
- 8 HOSE BB - REFER TO DETAIL S / A6.2.
- 9 CO2 FILLER VALVE & COVER.
- 10 METAL PANEL SYSTEM ATTACHED TO AND HELD OFF TOWER. TOP OF PANELING TO ALIGN WITH BOTTOM OF TOWER CORNER.
- 11 SWITCHGEAR.
- 12 DRIVE THRU WINDOW. SEE SHEET A2.1
- 13 GAS METER, DO NOT PAINT METER.
- 14 STEEL BOLLARD W/ PVC SLEEVE. SEE SITE DETAILS.
- 15 TOP OF RTUL. COORDINATE WITH MANUFACTURERS SPECIFICATIONS.
- 16 EXHAUST FANS ON ROOF.
- 17 THIN BRICK SOLDIER COURSE.
- 18 TRANSITION FROM THIN BRICK -> E.L.F.'S.
- 19 THIN BRICK RUNNING BOND
- 20 LINE OF PAINT COLOR CHANGE.
- 21 "V" GROOVE IN E.L.F.'S. SEE DETAIL 14 / A6.2.
- 22 ROOF ACCESS LADDER. SEE DETAIL 14 & 15 / A6.3
- 23 THRU WALL OVERFLOW STORM DRAINAGE
- 24 STAINLESS STEEL CORNER GUARDS.
- 25 HANDICAP SIGNAGE. MOUNT AT 54" A.F.F.
- 26 SECURITY DOOR, OWNER-SUPPLIED / G.C. INSTALL.

**NOTE: NOT ALL KEY NOTES APPLY TO THIS SHEET** **KEY NOTES** **B**



**VMI architecture**  
 Design • Planning • Interiors  
 637 5th Avenue San Rafael, CA 94901  
 415-451-2500 415-451-2595 fax  
 www.vmiarch.com

VMI JOB NUMBER  
**1657**

**RECORD DATES**

1. SUBMITAL  
 2. SUBMITAL

**REVISIONS**

NO.	DESCRIPTION

**CLIENT**  
**HARMAN MANAGEMENT CO.**  
 191 FIRST STREET, SUITE 212  
 LOS ALTOS, CA 94022  
 Phone 650.941.5681

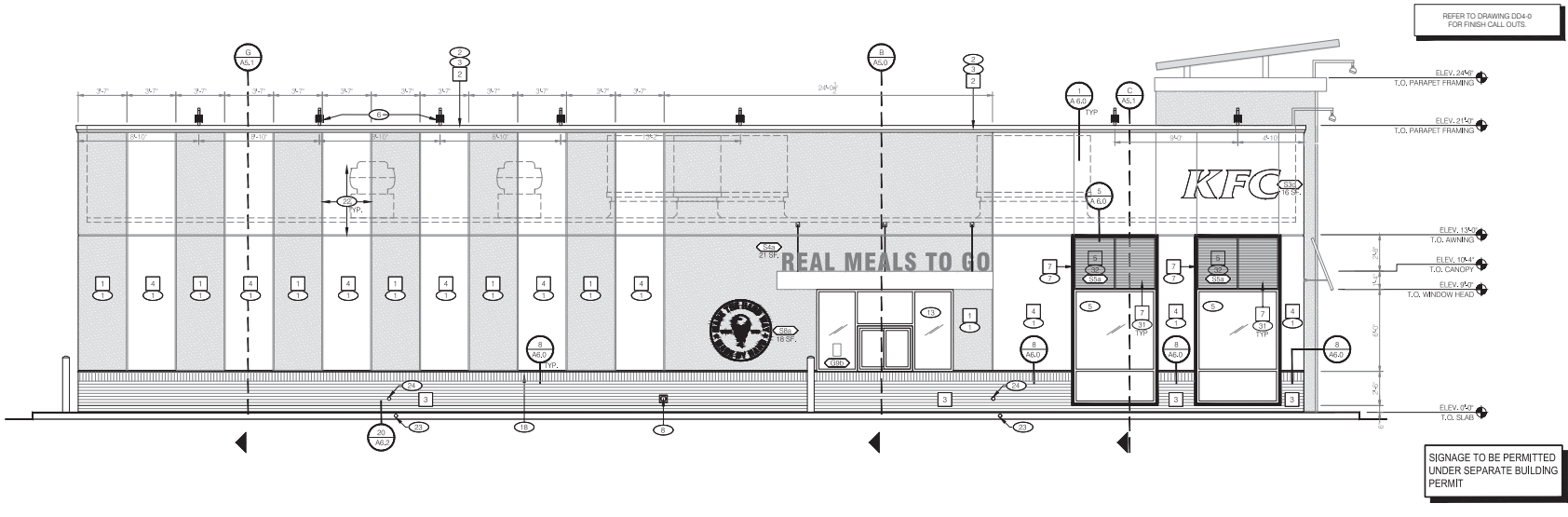
**PROJECT**  
**KFC RESTAURANT**  
 Oro Dam Boulevard ( Hwy 162 )  
 Orville, CA, 95966  
 APN #035-260-083



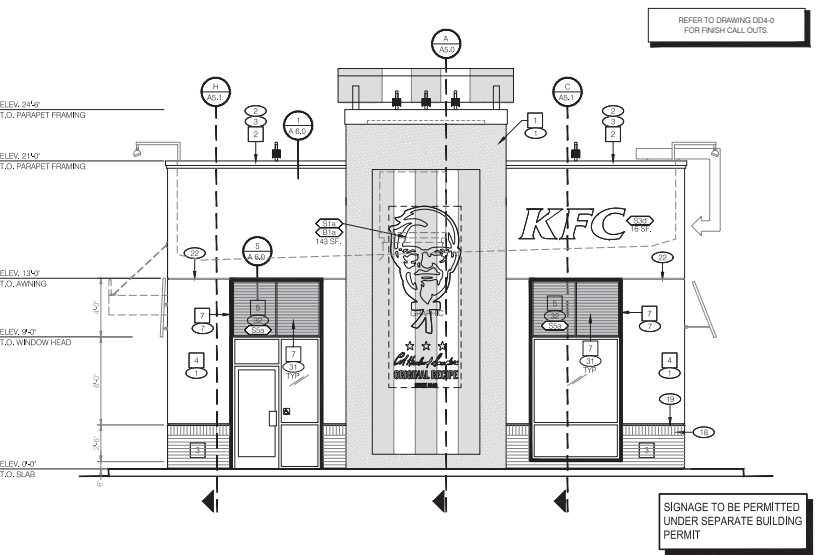
**AS-K**  
 PROPOSED  
 EXTERIOR  
 ELEVATION

**DD4.0**

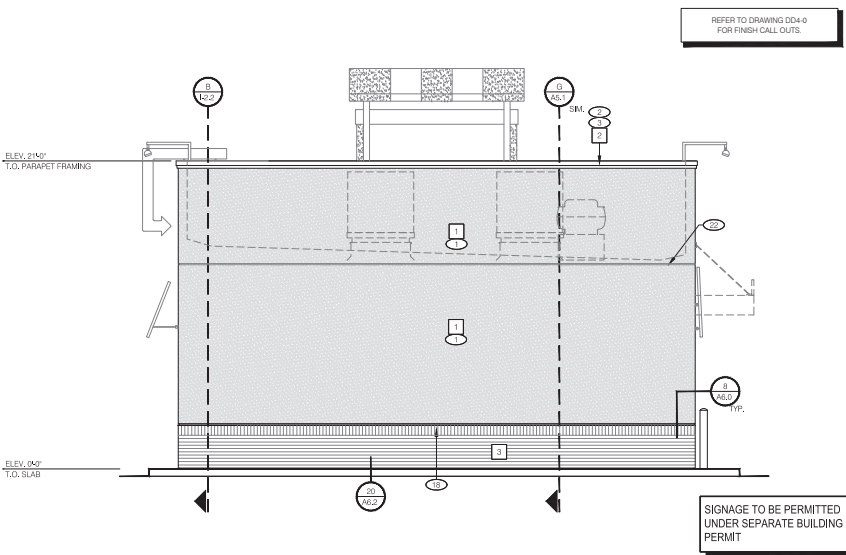
W:\04\1657\1657\_Harman\_Oroville\_CroDana\1657\_02.dwg, CSORRELL, Saved on 5/25/2017 3:10:42 PM  
 ALL RIGHTS RESERVED. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.  
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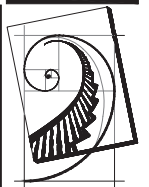
**WEST ELEVATION** 1/4" = 1'-0" **A**



**SOUTH ELEVATION** 1/4" = 1'-0" **C**



**NORTH ELEVATION** 1/4" = 1'-0" **B**



**VMI architecture**  
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 637 5th Avenue San Rafael, CA 94901  
 415-451-2500 415-451-2595 fax  
 www.vmiarch.com  
 VMI JOB NUMBER  
**1657**

**RECORD DATES**  
 1. SUBMITTA 2017  
 2. SUBMITTA 2017

**REVISIONS**

NO.	DESCRIPTION

**CLIENT**  
 HARMAN MANAGEMENT CO.  
 191 FIRST STREET, SUITE 212  
 LOS ALTOS, CA 94022  
 Phone: 650.941.2681

**PROJECT**  
 KFC RESTAURANT  
 Oro Dana Boulevard (Hwy 162)  
 Oroville, CA, 95965  
 APN #035-260-083



**AS-K**

EXTERIOR  
 ELEVATIONS

**DD4.1**





NORTH ELEVATION

**LEGEND**

- 1 - BENJAMIN MOORE  
#2096-10 "EXOTIC RED"  
EXTERIOR WALL/METAL PAINT
- 2 - BENJAMIN MOORE  
#2125-70 "WEDDING VEIL"  
EXTERIOR WALL/METAL PAINT
- 3 - GLEN-GERY  
"BLACK HERITAGE" BRICK  
BACK OF HOUSE WALLS/ WAINSCOTT/ CURB
- 4 - BENJAMIN MOORE  
#2133-30 "BLACK HORIZON"  
PAINTED BORDER



WEST ELEVATION

DATE: MAY 17, 2017

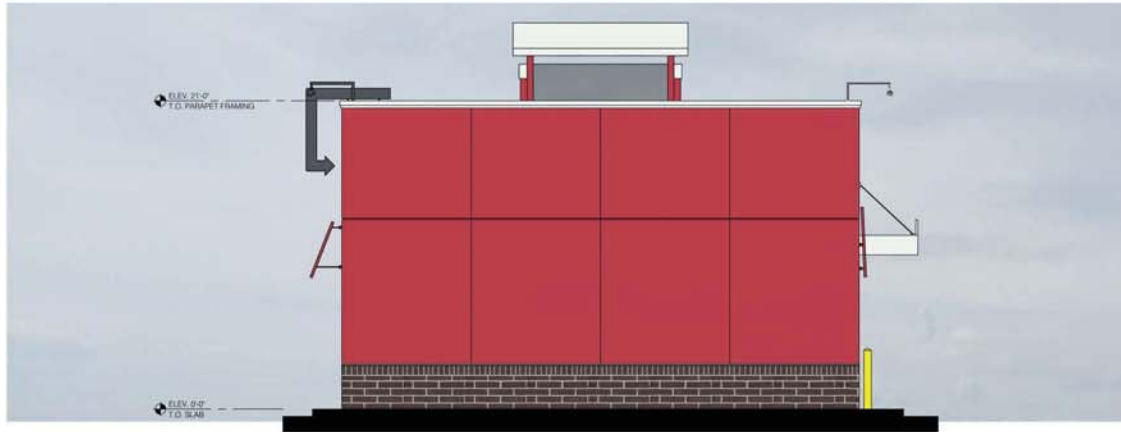
**EXTERIOR COLOR ELEVATIONS**

DD5.0

OWNER: HARMAN MANAGEMENT CO.  
199 FIRST STREET, SUITE #212  
LOS ALTOS, CA 94022  
P.650.941.5681

KFC RESTAURANT  
ORO DAM BOULEVARD (HWY 162)  
OROVILLE, CA 95965





SOUTH ELEVATION

**LEGEND**

- 1 - BENJAMIN MOORE  
#2066-10 "EXOTIC RED"  
EXTERIOR WALL/METAL PAINT
- 2 - BENJAMIN MOORE  
#2125-70 "WEDDING VEIL"  
EXTERIOR WALL/METAL PAINT
- 3 - GLEN-GERY  
"BLACK HERITAGE" BRICK  
BACK OF HOUSE WALLS/ WAINSCOT/ CURB
- 4 - BENJAMIN MOORE  
#2133-30 "BLACK HORIZON"  
PAINTED BORDER



EAST ELEVATION

**EXTERIOR COLOR ELEVATIONS**

DD5.1

DATE: MAY 17, 2017

OWNER: HARMAN MANAGEMENT CO.  
199 FIRST STREET, SUITE #212  
LOS ALTOS, CA 94022  
P.650.941.5681

KFC RESTAURANT  
ORO DAM BOULEVARD (HWY 162)  
OROVILLE, CA 95965



**PLANT SCHEDULE**

TREES	BOTANICAL NAME	COMMON NAME	CONT.	QTY	Water Use	
LAG MUS	Lagerstroemia x Muskogee	Lavender Crape Myrtle	15 gal	4	Low	
HS KEI	Pistacia chinensis 'Keith Davey'	Keith Davey Chinese Pistache	15 gal	3	Low	
QUE COC	Quercus coccinea	Scarlet Oak	15 gal	2	Medium	
QUE WIS	Quercus wislizenii	Interior Live Oak	24" box	1	Low	
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QTY	Water Use	
CEA YAN	Ceanothus griseus horizontalis 'Yankee Point'	California Lilac	1 gal	9	Low	
CIS PUR	Cistus purpureus	Orchid Rockrose	5 gal	11	Low	
HEM MON	Hemerocallis x 'Monie'	Starburst Evergreen Daylily	1 gal	115	Low	
HES BRA	Hesperaloe parviflora 'Brakeflights'	Brakeflights Red Yucca	5 gal	9	Low	
LIG TEX	Ligustrum japonicum 'Texanum'	Wax Leaf Privet	5 gal	16	Low	
MUH DUB	Muhlenbergia dubia	Pine Muhly	5 gal	40	Low	
MUH RIG	Muhlenbergia rigens	Deer Grass	5 gal	8	Low	
NAS TEN	Nassella tenuissima	Texas Needle Grass	1 gal	78	Low	
OLE LIT	Olea europaea 'Little Olive'	Little Olive Olive	5 gal	17	Low	
PIT VAR	Pittosporum tobira 'Variegata' Compacta	Variegated Mock Orange	5 gal	31	Medium	
THU EME	Thuja occidentalis 'Emerald'	Emerald Arborvitae	5 gal	18	Medium	
VINES/PALMER	BOTANICAL NAME	COMMON NAME	SIZE	QTY	Water Use	
PAR TRI	Parthenocissus tricuspidata	Japanese Creeper	1 gal	5	Medium	
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT.	SPACING	QTY	Water Use
ARC UVA	Arctostaphylos uva-ursi	Kinnikinnick	1 gal	36" o.c.	170 sf	Low
RGS PRO	Rosmarinus officinalis 'Prostratus'	Dwarf Rosemary	1 gal	48" o.c.	374 sf	Low

Existing landscape with irrigation to remain.

Existing trees to remain.

This plan represents the design style and theme of the landscape design and planting. These plans are preliminary and may change through the design process. The final planting plan may not contain all of the above plants in the sizes as shown. Additionally, some new plant species may be used in the final design. This plan does however indicate the quantity of trees and the overall level of landscape development that will be carried through with the final design. Final landscape design shall meet City of Oroville codes and requirements as well as Project Specific Conditions of Approval. Final design is subject to approval through the building permit review process.

**Landscape Concept**

The landscape design concept for the KFC Oroville is to provide an enjoyable and aesthetic space for employees and customers that fits within the landscape framework of the existing neighborhood and the surrounding area, as well as the requirements of the City. The project is a new KFC restaurant that is part of a larger partially constructed development. Plant material has been selected that performs well in the special conditions of the Oroville (Sunset Zone # 9-0).

No new high water use turf areas are included. Low and medium water use hardy trees, shrubs and groundcover are proposed for the landscape throughout the site. The landscape (and associated irrigation) will be designed to be compliant with City of Oroville's Water Efficient Landscape Ordinance (WELCO).

Special considerations have been provided in selection of plant material that respect the needs of the facility as well as the customers. Clear and secure view corridors have been provided to ensure safety of the customers entering and moving around the site.

**Irrigation**

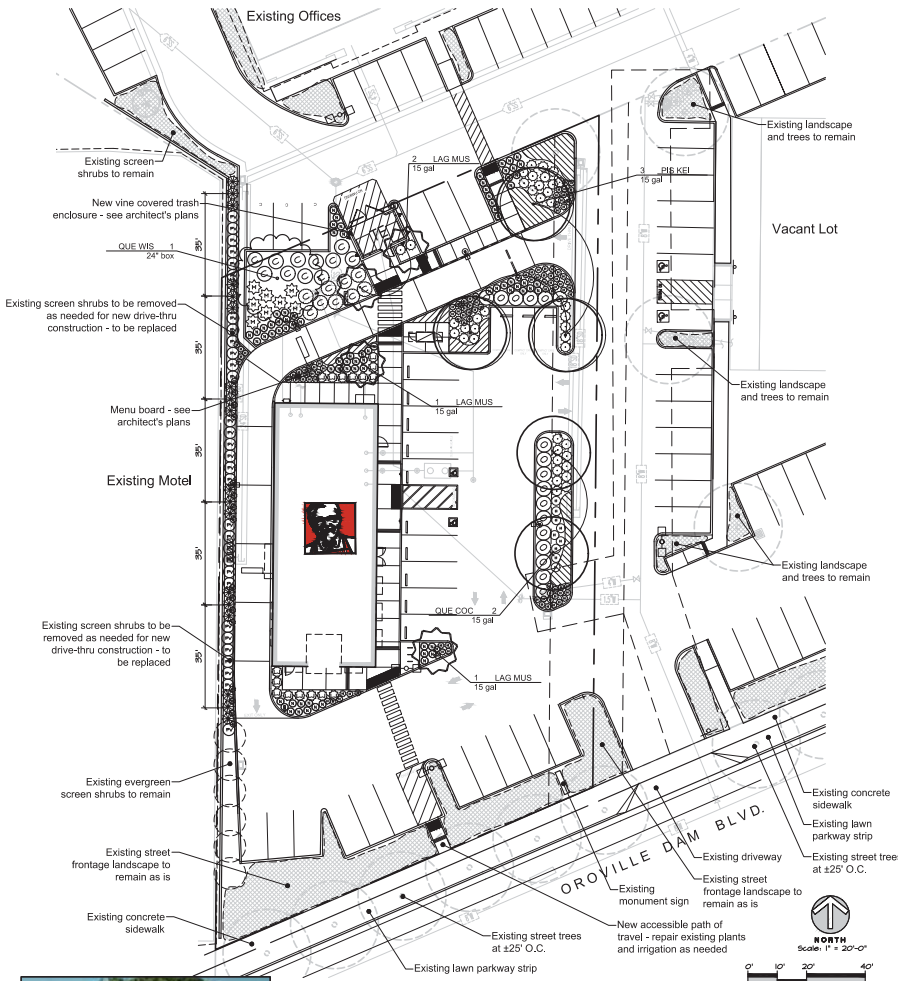
This new site will be irrigated using a fully automatic system and designed to meet the City's Water Efficient Landscape Ordinance (WELCO). The irrigation system will be exclusively low-volume design with no use of pop-up sprays or rotators. The system will include in-line valves, quick couplers, and gate valves. Existing irrigation around the perimeter of the site will remain. Where needed some existing irrigation will be removed and replaced with new due to revised site. Existing irrigation will be cut and capped as needed. New irrigation controller will be Hunter Rainbird, Inlet, or equal and will meet the WELCO requirements of a "Smart" controller. A wireless weather sensor will be installed to compliment the new controller's abilities. A complete irrigation design with these parameters will be provided with the improvement plans. (Building Permit)

**Tree Root Barriers**

All trees denoted within 5' of adjacent curbs or paving are to have a linear DeepRoot Model #UB 18-2 root barriers installed during tree installation along the inside edge of the adjacent curb or sidewalk. The following minimum number of panels are to be installed with each tree on each side of the tree that has sidewalk or curb as denoted on the plans:

- 15 gallon trees: 24-foot trees: 5 panels
- 5 panels: 6 panels

Tree sizes not listed above are to be installed with the quantity of panels as specified by the manufacturer.



Crape Myrtle



Chinese Pistache



Scarlet Oak



Interior Live Oak

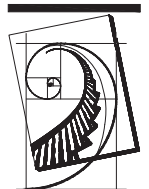
**Landscape Areas**

New Turf Area:	0 sf
New Shrub Area:	4,410 sf
Existing Landscape to remain:	2,373 sf
<b>Total Landscape:</b>	<b>6,783 sf</b>
Size of Parcel:	29,339 sf
Percent of Site in Landscape:	23%



Vicinity Map

Not to scale



**VMJ architecture**  
Design • Planning • Interiors  
637 2nd Avenue San Rafael, CA 94901  
415-451-2500 415-451-2595 fax  
www.vmjca.com

VMJ JOB NUMBER  
**1657**



May 18, 2017



www.kla-ca.com  
151 N. Harbor St., Sonoma, CA 95070  
(709)532-8888 (709)532-9810

RECORD DATES  
LL SUBMITTAL: \_\_\_\_\_  
CG SUBMITTAL: 2/20/17

REVISIONS

NO.	DESCRIPTION

CLIENT  
**HARMAN MANAGEMENT CO.**  
199 FIRST STREET, SUITE 212  
LOS ALTOS, CA 94022  
Phone: (650)341-9891

PROJECT  
**KFC RESTAURANT**  
Oro Dam Boulevard (Hwy 162)  
Oroville, CA, 95965  
APN #035-260-083

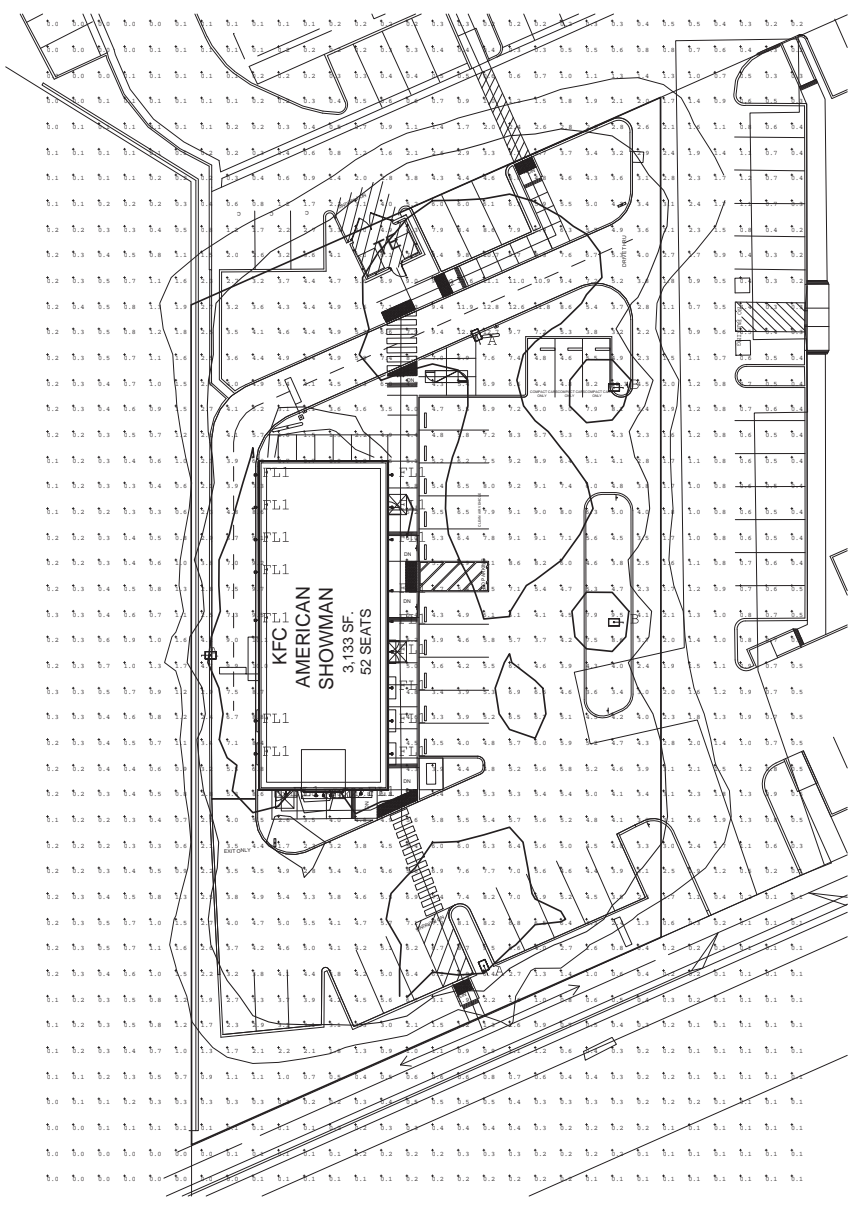


**AS-K**  
**Preliminary Landscape Plan**

**LO**



W:\Client\Herman\2016\1657\_Herman\_Oroville\_Crowdwell\1602\_461\_1657\_PH1-0.dwg By: CHAMOND Saved on 12/20/17 1:37:13 PM  
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PHOTOMETRIC PLAN 1" = 160' C

KFC  
 ORO DAM BLVD.  
 OROVILLE, CA  
 PREPARED BY: JOHN BUJAKE  
 ACCUSERV LIGHTING & EQUIPMENT  
 877-707-7378  
 502-961-0357 FAX  
 jbujake@accu-serv.com  
 MAY 8, 2017

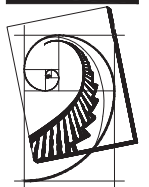
Label	Avg	Max	Min	Avg/Min	Max/Min
EXTENDED	2.30	15.8	0.0	R.A.	N.A.
VEHICULAR SURFACE	5.71	12.8	2.2	2.60	5.82

LIGHT LEVELS ARE MAINTAINED FOOT-CANDLES, INITIAL LEVELS ARE SLIGHTLY HIGHER

Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Lum. Watts	Description
⊠	3	A	SINGLE	46845	0.900	395	VPL-96L-395-4K7-3-UNV-A-DBT / SSS-S-25-40-A-1-S2-DB
⊠	2	B	SINGLE	39763	0.900	395	VPL-96L-395-4K7-4W-UNV-A-DBT / SSS-S-25-40-A-1-S2-DB
⊠	18	FL1	SINGLE	2303	0.900	31	WAF1/BLDG MNT/WAF1's/BLK @ 21" A.F.G.
⊠	3	FL2	SINGLE	2303	0.900	31	WAF1/BLDG MNT/BLK-24IN @ 25" A.F.G.

SITE FIXTURES ARE 395W 4000K LED w/ FLAT LENSES  
 POLES ARE 25'-0" FOR AN OVERALL FIXTURE MOUNTING HEIGHT OF 27'-6" A.F.G.

LUMINAIRE SCHEDULE, CALCULATION SUMMARY N.T.S. A



VMI architecture  
 Design • Planning • Interiors  
 637 5th Avenue San Rafael, CA 94901  
 415-451-2500 415-451-2595 fax  
 www.vmiarch.com  
 VMI JOB NUMBER  
 1657

RECORD DATES  
 11 SUBMITAL  
 02 SUBMITAL 2017

REVISIONS


CLIENT  
 HARMAN MANAGEMENT CO.  
 191 FIRST STREET, SUITE 212  
 LOS ALTOS, CA 94022  
 Phone: 650.941.2681

PROJECT  
 KFC RESTAURANT  
 Oro Dam Boulevard (Hwy 162)  
 Oroville, CA, 95965  
 APN #035-260-083



AS-K

PHOTOMETRIC PLAN

PH1.0

NOT USED B



# City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

**Donald Rust**  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

## NOTICE OF EXEMPTION

**TO:** Butte County Clerk  
25 County Center Drive  
Oroville CA, 95965

**FROM:** City of Oroville  
1735 Montgomery Street  
Oroville, CA, 95965

Project Title: UP 17-04: KFC Drive-Thru Restaurant

Project Location – Specific: North end of Oro Dam Blvd E between CVS Pharmacy and Americas Best Value Inn & Suites (APN: 035-260-083)

Project Location – City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant has applied for a use permit (UP 17-04) for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd E between CVS Pharmacy (850 Oroville Dam Blvd E) and Americas Best Value Inn & Suites (580 Oro Dam Blvd E). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit. The restaurant will be approximately 3,133 square feet in size with 52 seats to serve customers. The drive-thru will have a 10-car stack and the intended hours of operation are from 10:00am to 10:00pm.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying out Project: Clifton E. Sorrell Jr. with VMI Architecture, Inc.

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
  - In-Fill Development Projects; Title 14, CCR, §15332
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects." Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Class 32 consists of projects characterized as in-fill development meeting the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The subject property has a zoning designation of Corridor Mixed-Use (MXC) and a General Plan land use designation of Mixed Use. The City of Oroville Municipal Code (OMC) Table 17.34.020-1

specifies that a restaurant or café is a use that is permitted by right, subject to a zoning clearance, in all mixed-use districts. However, all drive-through establishments in an MXC zone require a use permit. As a condition of approval, the applicant will be required to comply with all requirements of the City's Zoning Code as found in the OMC Title 17, including, but not limited to, development standards, permit requirements and use-specific regulations for drive-through establishments.

The General Plan land use designation allows, but does not require mixed uses to be incorporated into the project. The Economic Development Element of the City's 2030 General Plan identifies Oro Dam Boulevard as a Commercial Core Focus Area. Goal LU-4 of the General Plan specifies that it is a goal of the City to provide adequate land for and promote the development of attractive commercial areas and uses that provide goods and services to Oroville residents, employees and visitors. This goal reflects a Guiding Principle of the General Plan to create a vibrant local economy by creating a sustainable economy that serves all segments of the population, engage in economic development to encourage and retain businesses that provide a variety of job opportunities, quality goods and services, and a dependable tax base.

In addition to the hire of new employees, with eight employees per shift and two shifts anticipated with the operational hours of 10:00am to 10:00pm, the proposed project will benefit the residents of the City of Oroville by attracting more people into the City as business patrons for the proposed project and surrounding businesses. Thus, the location and economic benefits of the proposed project support the goals of the City's General Plan. This project is consistent with the applicable General Plan land use designation and all applicable General Plan policies as well as with applicable zoning designation and regulations.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The subject property is within the City of Oroville and 0.67 acres in size with an approximate outer perimeter of 738 lineal feet. The property is surrounded by a mix of existing urban properties which includes a multi-tenant commercial complex to the north, Americas Best Value Inn & Suites to the west, Oro Dam Boulevard, Berry Creek Guns, Feather River Properties and BlazeNJs to the south, and a similar partially developed lot to the west that has site improvements (parking lot, onsite lighting, landscaping) but an empty pad on the lot for construction of a future building. The subject property is abutting property on all sides that is either developed, or partially developed.

- (c) The project site has no value as habitat for endangered, rare or threatened species.

There is currently no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan applicable to the project site. Additionally, there are no local policies or ordinances protecting biological resources affecting the project site, no wildlife movement corridors or nursery sites identified on the project site, no areas of riparian habitat or sensitive natural communities on the project site, and no special-status plants or animals are known to be present on the project site. Thus, it has been determined that the project site has no value as habitat for endangered, rare or threatened species.

- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic: Per the City of Oroville's 2030 General Plan, this section of Oro Dam Blvd is identified as a 4-lane arterial operating at a LOS D. The two closest intersections likely to be impacted by this project are Oro Dam Blvd and 5<sup>th</sup> Avenue and Oro Dam Blvd and 7<sup>th</sup> Ave. Huntington Lane, although closer to the project site than 7<sup>th</sup> Ave, connects to 7<sup>th</sup> Avenue to the south and is considered a local street intended to serve adjacent properties only with very little, if any, through traffic and generally carrying very low traffic volumes. Whereas, 7<sup>th</sup> Avenue is classified as a 2-lane collector roadway intended to "collect" traffic from local roadways and carry it to roadways higher in the street classification hierarchy such as arterials, highways, and freeways.

The 2012 Transportation Capital Improvement Program (TCIP) and Impact Fee Update Report completed by Omni-Means in December of 2012 identified the signaled intersection at Oro Dam Blvd and 5<sup>th</sup> Avenue as operating at a current LOS of B in the AM peak hour and LOS C in the PM peak hour, and the target LOS set at E, with the anticipated LOS at General Plan buildout of E for the AM peak hour and F for the PM peak hour. The anticipated improvements at buildout will be to add a dual northbound turn pockets and dedicated southbound right turn pocket. Additionally, the signal will be modified to accommodate reconfiguration and restriping of the intersection. These improvements would provide a mitigated buildout LOS for the AM peak hour of D and PM peak hour of D, satisfying the target LOS of E.

The intersection at Oro Dam Blvd and 7<sup>th</sup> Avenue is a two way stop control operating at a current LOS of B in the AM peak hour and LOS B in the PM peak hour, and the target LOS set at E, with the anticipated LOS at General Plan buildout of B for the AM peak hour and C for the PM peak hour. Thus, no anticipated direct improvements are required at buildout.

The City of Oroville General Plan Circulation Element contains the following policy pertaining to LOS standards in the City:

- P2.1 Maintain a minimum operating standard of LOS D as defined in the most current edition of the Highway Capacity Manual or subsequent revisions for all arterial, collector streets and intersections, except the following facilities where a LOS E will be acceptable. LOS E operations will be considered acceptable for intersection and roadway segment operations along Oroville Dam Boulevard between Highway 70 and Olive Highway.

Consistent with City policy, the TCIP report considered LOS "E" as the standard acceptable threshold for these two intersections. However, the TCIP program did not include costs for improvements on any state facilities for the purpose of deriving impact fees, including improvements on State Route 162 (Oro Dam Blvd). According to a Caltrans SR 162 route concept report considered during the completion of the TCIP report, the SR 162 segment between SR 70 and Foothill Blvd was identified as operating at a LOS C and anticipated to continue to operate at LOS C in year 2030. Therefore, the concept report presented no proposed improvements to the segment of SR 162 in the study area. However, in coordination with Caltrans and the City of Oroville, the applicant has agreed to pay a fair share contribution for their impacts to the roadway in the amount of \$87,000 to help fund future improvements.

Noise: Noise data developed for the 2030 General Plan serves as a basis for addressing noise issues, primarily by promoting development patterns that recognize identified sources of noise and by regulation of the location of noise-sensitive uses. The City of Oroville has developed maximum allowable noise exposure levels for interior and exterior spaces for various land use categories. As the City's main commercial corridor, the General Plan identifies Oro Dam Blvd as one of the areas where the greatest increase in noise is expected. The Noise Element's comprehensive framework of goals, policies, and actions address Oroville's noise issues through compatibility, planning and permitting process, and noise source reduction. The Noise Element establishes objectives and implementing policies intended to limit community exposure to excessive noise levels.

Goal NOI-1 of the Noise Element is to minimize exposure to excessive noise by ensuring compatible land uses relative to noise sources. Action 1.1 of this goal is to develop and adopt an appropriate and consistent Community Noise Ordinance to control noise impacts and to ensure that residents are not exposed to excessive noise levels from stationary and mobile sources. This project will be conditioned to comply with the City's current noise ordinance as found in the OMC Chapter 9.20. Per the City Code, no person shall produce, suffer or allow to be produced by any machine or device, or any combination of same, on commercial or industrial property, a noise level more than eight dB above the local ambient at any point outside of the property plane. As the applicant will be required to comply with all City regulations as a condition of approval for the use permit, any violation of the

City's noise ordinance may be grounds for revocation of the permit. Additionally, the applicant will be required to comply with Goal NOI-2, Policy 2.4, which requires a list of standard construction noise control measures be included as requirements at construction sites in order to minimize construction noise impacts.

Air Quality: Oroville is located in central Butte County, in the Sacramento Valley Air Basin (SVAB). The SVAB has a Mediterranean climate characterized by hot, dry summers and cool, rainy winters. During summer, the wide, flat expanse of the Sacramento Valley provides an ideal environment for the formation of photochemical smog. Hot, cloudless days of low-velocity winds allow sunlight to combine with photochemically reactive hydrocarbons, or ozone precursors (reactive organic gases [ROG]), along with nitrogen oxides (NOx) produced throughout the Valley, resulting in an increase in ozone, particularly during late afternoons. Winds arising later may help dispel pollutants, but may also transfer it to other areas from Sacramento to Oroville.

The SVAB's climate and topography contribute to the formation and transport of photochemical pollutants throughout the region. The region experiences temperature inversions that limit atmospheric mixing and trap pollutants, resulting in high pollutant concentrations near the ground surface. The highest concentrations of photochemical pollutants occur from late spring to early fall, when photochemical reactions are greatest because of more intense sunlight and the lower altitude of daytime inversion layers.

The Open Space, Natural Resources, and Conservation Element of the City's 2030 General Plan has specified certain goals, policies and actions. Goal OPS-12, Policy 12.3 specifies that all construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbance of exposed top-soils. Such measures would include watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site. Action 12.2 of this same goal requires all road improvements and parking areas to be built to City standards to reduce dust and particulate matter. Additionally, all grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines, in order to prevent degradation of ambient air quality. The project will be conditioned to ensure all these measures are complied with.

Additionally, Goal OPS-13, Policy 13.3, aims to promote expansion of employment opportunities within Oroville to reduce commuting to areas outside Oroville. With the project providing new employment opportunities, this project will help in the implementation of this policy.

Water Quality: The State Water Resources Control Board (SWRCB) has jurisdiction over nine Regional Water Quality Control Boards, whose charge it is to identify and implement water quality objectives. The Oroville area falls under the authority of the Central Valley Regional Water Quality Control Board (CVRWQCB), Region 5, and is located within the Sacramento River Basin (Basin SA). There are no identified waterways on or adjacent to the project site. As a condition of approval, all grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.

- (e) The site can be adequately served by all required utilities and public services.

The sewer provider is the City of Oroville who owns the collection system. The agency that treats all wastewater is the Sewerage Commission – Oroville Region (SCOR). Power is provided by PG&E, telephone by AT&T, cable by Comcast, and water by the California Water Service Company (Cal Water). There are no extraordinary circumstances preventing the proposed development from adequate provision of all required utilities and public services. Thus, the site can be adequately served by all required utilities and public services.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?  Yes  No

Lead Agency Contact Person: Luis A. Topete

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant

# FINDINGS

## Use Permit No. 17-04: KFC Drive-Thru Restaurant

### A. INTRODUCTION

The project applicant, Clifton E. Sorrell Jr. with VMI Architecture, Inc., has applied for a use permit (UP 17-04) for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd East between CVS Pharmacy (850 Oroville Dam Blvd East) and Americas Best Value Inn & Suites (580 Oro Dam Blvd East). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit. The restaurant will be approximately 3,133 square feet in size with 52 seats to serve customers. The drive-thru will have a 10-car stack and the intended hours of operation are from 10:00am to 10:00pm.

### B. CATEGORICAL EXEMPTION

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects."

### C. USE PERMIT FINDINGS

Pursuant to Section 17.48.010(E)(4) of the Oroville Municipal Code, the Planning Commission may grant a use permit only upon making all of the following findings, based on substantial evidence:

- a. The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole.

*Per City Code 17.48.010, the intent of use permits is to provide an opportunity to review the location, site development or conduct of certain land uses, activities and structural features that generally have a distinct impact on the area in which they are located or are capable of creating special problems for bordering properties unless given careful attention. For this reason, such uses are permitted through discretionary review and the powers granted to the Planning Commission include attaching any conditions to the use permit that are deemed necessary to achieve the purpose of the Zoning Code, Design Guidelines and promote the general health, safety, and public welfare of the City.*

*After a thorough review of the project, the approval of this use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole without there being an appropriate*

*course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code. Conditions of approval include, but are not limited to, compliance with all Butte County Environmental Health for the permitting and inspection of retail food facilities. Additionally, this project will be required to comply with all City zoning, engineering, building, landscaping, and public work standards in addition to any other federal, State, or local regulations that may be applicable.*

- b. The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.

*The proposed project is located on Oro Dam Boulevard which is identified as the City's main commercial corridor in the 2030 General Plan. As a drive-through restaurant, being located along Oro Dam Boulevard, which has an approximate annual average daily traffic count of 30,000 per the 2013 Caltrans volume counts, is an ideal location in support of the General Plan, Goal LU-4, P4.1 to maintain Oroville Dam Boulevard and Olive Highway between Highway 70 and Foothill Boulevard as one of the Planning Area's primary retail districts. This section of Oro Dam Boulevard also lies within the Commercial Core Focus Area for regional serving and other destination retail commercial uses.*

*Additionally, the project site, zoned MXC, is surrounded by adjacent properties also zoned MXC, which have the following land uses. This proposed drive thru supports the development/infill of underutilized properties along this main commercial corridor in support of economic development efforts to further create this commercial corridor into a retail destination. Thus, the proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.*

- c. Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.

*The sewer provider for the project site is the City of Oroville who owns the collection system. The agency that treats all wastewater is the Sewerage Commission – Oroville Region (SCOR). Power is provided by PG&E, telephone by AT&T, cable by Comcast, and water by the California Water Service Company (Cal Water). Per the City of Oroville's 2030 General Plan, this section of Oro Dam Blvd is identified as a 4-lane arterial operating at a LOS D, with LOS E operations considered acceptable for intersections along this roadway segment. In coordination with Caltrans and the City of Oroville, the applicant has agreed to pay a fair share contribution for their impacts to the roadway in the amount of \$87,000 to help fund future improvements. The proposed development will also be required to be constructed according to current engineering, development and*



building code standards.

*Prior to the issuance of final building occupancy, the Building Division will inspect all on-site improvements and the Engineering Division will inspect all off-site improvements to ensure improvements were completed as identified on the City approved plans for issuance of building permits and other development related permits, as applicable. If at the time of inspection any inadequacies in water, sanitation or utilities that are required to be supplied to the site are found, the applicant will be required to make the site adequate prior to the issuance of the certificate of occupancy. Thus, public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.*

- d. The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.

*The City requires a use permit for all drive-thru establishments on properties with an MXC zoning designation. However, the restaurant is a permitted use, subject to a zoning clearance. Thus, the requirement of the use permits is prompted due to the inclusion of the drive-thru as part of the development design. The project site, as specified in Finding b) above, is located on Oro Dam Boulevard East which is identified as the City's main commercial corridor, and is surrounded by a mix of existing urban properties with identical zoning designations. All surrounding properties are zoned to permit a restaurant by right, with the exception of the drive thru which would require a conditional use permit on all properties within the project vicinity.*

*Surrounding land uses includes a multi-tenant commercial complex to the north, Americas Best Value Inn & Suites to the west, Oro Dam Boulevard East, Berry Creek Guns, Feather River Properties and BlazeNJs to the south, and a similar partially developed lot to the west that has site improvements (parking lot, onsite lighting, landscaping) but an empty pad on the lot for construction of a future building. As identified above under Finding c), In coordination with Caltrans and the City of Oroville, the applicant has agreed to pay a fair share contribution for their impacts to the roadway in the amount of \$87,000 to help fund future improvements and the development will require compliance with all Planning, Building, Public Works and Fire Department development requirements. No variance has been requested.*

*In the event the project results in any unforeseen adverse effects, pursuant to section 17.48.010(F) of the Zoning Code, the Planning Commission may take action to revoke a use permit if any of the following occur: any of the conditions of approval have not been satisfied within 1 year after it was granted; any of the terms or conditions of the permit have been violated; a law, including any requirement in the Zoning Code, has been violated in connection with the permit;*

*and finally, if the permit was obtained by fraud. Thus, it has been determined that the location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.*

- e. The subject site is physically suitable for the type and intensity of land use being proposed.

*The applicant has submitted a draft set of drawings demonstrating that, as proposed, the subject site is physically suitable for the type and intensity of land use being proposed and able to satisfy the minimum requirements of the City's development standards.*

- f. The size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.

*The Economic Development Element of the City's 2030 General Plan identifies Oro Dam Boulevard as a Commercial Core Focus Area, and a Guiding Principle of the City's 2030 General Plan is to create a vibrant local economy by creating a sustainable economy that serves all segments of the population, engage in economic development to encourage and retain businesses that provide a variety of job opportunities, quality goods and services, and a dependable tax base. Goal LU-4 of the General Plan is to provide adequate land for and promote the development of attractive commercial areas and uses that provide goods and services to Oroville residents, employees, and visitors. Policy 4.1 of this goal specifies that Oroville Dam Boulevard and Olive Highway between Highway 70 and Foothill Boulevard should be maintained as one of the Planning Area's primary retail districts.*

*Per the "Oroville Taxable Retail Potential Analysis" completed by the Center for Economic Development from the California State of University, Chico in June of 2007, there is an approximate taxable sales leakage from restaurants (with no sale of alcohol) in the Oroville market area of \$20,732,718 (Table 4; Page 9). The project is believed to be a benefit to the City as it will improve an underutilized lot along one the City's main commercial corridors, benefit the local economy by providing new jobs, provide a new source of sales tax revenue to capture existing taxable sales leakage to other areas, and provide more restaurant options for local residents and visitors. The location and local economic benefits of the proposed project support the goals of the City's General Plan and the size, intensity, and location of the proposed use will provide retail food options that are desirable for the neighborhood and community as a whole.*

- g. The permit complies with all applicable laws and regulations, including the requirements of the General Plan, Zoning Code, and of the City's Municipal Code.

*The use permit application has been reviewed by staff and the proposed project, as designed and conditioned, has been found to comply, or conditioned to comply, with all applicable laws and regulations, including the applicable requirements of the City's 2030 General Plan, Zoning Code, and other applicable portions of the City's Municipal Code. As a condition of this permit, the applicants shall be required to ascertain and comply with the requirements of all Federal, State, County, City and other local agencies as applicable to the proposed use and project site, including, but not limited to, compliance with all requirements of the Butte County Environmental Health for the permitting and inspection of retail food facilities. In addition, section 17.48.010(F) of the City Code provides guidelines for modifying or revoking use permits that have been granted if it can be proven, upon substantial evidence, that any of the conditions of the permit have not been satisfied within 1 year after it was granted, any of the terms or conditions of the permit have been violated, a law has been violated in connection with the permit, or if the permit was obtained by fraud.*

# **CONDITIONS OF APPROVAL**

## **UP 17-04: KFC Drive-Thru Restaurant**

**Approved project:** The project applicant, Clifton E. Sorrell Jr. with VMI Architecture, Inc., has applied for a use permit (UP 17-04) for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd East between CVS Pharmacy (850 Oroville Dam Blvd East) and Americas Best Value Inn & Suites (580 Oro Dam Blvd East). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit. The restaurant will be approximately 3,133 square feet in size with 52 seats to serve customers. The drive-thru will have a 10-car stack and the intended hours of operation are from 10:00am to 10:00pm.

The Planning Commission hereby approves UP 17-04, subject to the following:

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicants shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of their business operations.
4. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
5. The applicant shall ascertain and comply with all requirements of the Butte County Environmental Health.
6. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review fees shall be paid at time of submittal.

7. A grease trap or interceptor shall be installed as required by the City. The trap or interceptor shall be cleaned weekly or more frequently as needed. A grease trap or interceptor maintenance log shall be kept to record cleanings and maintenance. The date, time, type of service, and the name of the person (and business if performed by an outside contractor) performing the service shall be recorded. The trap or interceptor and maintenance log shall be made available for inspection as requested.
8. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
9. Under no circumstance shall vehicle queueing on the project site spillback onto Oro Dam Boulevard East (SR 162).
10. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
11. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.
12. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbance of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.
13. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines, in order to prevent degradation of ambient air quality.
14. The applicant shall pay a fair share contribution for their impacts to Oro Dam Boulevard in the amount of \$87,000 prior to the issuance of a building permit.
15. All applicable development impact fees shall be paid prior to issuance of a building permit.
16. Pursuant to Section 17.12.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County recorder. The agreement shall be binding upon the property owner and any successors in interest.

17. Pursuant to Section 17.08.135, the project shall install public art on the project site in a public place as approved by the City Council. The cost of the public art must be equal to at least one percent (1%) of the estimated construction costs. The developer has the option to opt out of this requirement and instead pay the equivalent in lieu fee which shall be a one percent (1%) fee of the estimated construction costs.
18. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - b. Any of the terms or conditions of the permit have been violated.
  - c. A law, including any requirement in the Municipal Code Chapter 26, has been violated in connection with the permit.
  - d. The permit was obtained by fraud.
19. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

**--- End of Conditions ---**

## RESOLUTION NO. P2017-13

### A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 17-04 PERMITTING THE CONSTRUCTION OF A NEW KFC RESTAURANT WITH A DRIVE-THRU (APN: 035-260-083)

**WHEREAS**, the City of Oroville has received a use permit application for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd E between CVS Pharmacy (850 Oroville Dam Blvd E) and Americas Best Value Inn & Suites (580 Oro Dam Blvd E); and

**WHEREAS**, the subject property has a zoning land use designation of Corridor Mixed-Use (MXC); and

**WHEREAS**, the proposed restaurant is a use permitted by right in an MXC district; and

**WHEREAS**, per the City of Oroville Municipal Code, any drive-thru in an MXC district requires a use permit; and

**WHEREAS**, pursuant to Section 17.48.010(E)(4) of the Oroville Municipal Code, the Planning Commission may grant a use permit only upon making all of the following findings, based on substantial evidence:

- a. The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole.

*Per City Code 17.48.010, the intent of use permits is to provide an opportunity to review the location, site development or conduct of certain land uses, activities and structural features that generally have a distinct impact on the area in which they are located or are capable of creating special problems for bordering properties unless given careful attention. For this reason, such uses are permitted through discretionary review and the powers granted to the Planning Commission include attaching any conditions to the use permit that are deemed necessary to achieve the purpose of the Zoning Code, Design Guidelines and promote the general health, safety, and public welfare of the City.*

*After a thorough review of the project, the approval of this use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole without there being an appropriate course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code. Conditions of approval*

*include, but are not limited to, compliance with all Butte County Environmental Health for the permitting and inspection of retail food facilities. Additionally, this project will be required to comply with all City zoning, engineering, building, landscaping, and public work standards in addition to any other federal, State, or local regulations that may be applicable.*

- b. The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.

*The proposed project is located on Oro Dam Boulevard which is identified as the City's main commercial corridor in the 2030 General Plan. As a drive-through restaurant, being located along Oro Dam Boulevard, which has an approximate annual average daily traffic count of 30,000 per the 2013 Caltrans volume counts, is an ideal location in support of the General Plan, Goal LU-4, P4.1 to maintain Oroville Dam Boulevard and Olive Highway between Highway 70 and Foothill Boulevard as one of the Planning Area's primary retail districts. This section of Oro Dam Boulevard also lies within the Commercial Core Focus Area for regional serving and other destination retail commercial uses.*

*Additionally, the project site, zoned MXC, is surrounded by adjacent properties also zoned MXC, which have the following land uses. This proposed drive thru supports the development/infill of underutilized properties along this main commercial corridor in support of economic development efforts to further create this commercial corridor into a retail destination. Thus, the proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.*

- c. Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.

*The sewer provider for the project site is the City of Oroville who owns the collection system. The agency that treats all wastewater is the Sewerage Commission – Oroville Region (SCOR). Power is provided by PG&E, telephone by AT&T, cable by Comcast, and water by the California Water Service Company (Cal Water). Per the City of Oroville's 2030 General Plan, this section of Oro Dam Blvd is identified as a 4-lane arterial operating at a LOS D, with LOS E operations considered acceptable for intersections along this roadway segment. In coordination with Caltrans and the City of Oroville, the applicant has agreed to pay a fair share contribution for their impacts to the roadway in the amount of \$87,000 to help fund future improvements. The proposed development will also be required to be constructed according to current engineering, development and building code standards.*



*Prior to the issuance of final building occupancy, the Building Division will inspect all on-site improvements and the Engineering Division will inspect all off-site improvements to ensure improvements were completed as identified on the City approved plans for issuance of building permits and other development related permits, as applicable. If at the time of inspection any inadequacies in water, sanitation or utilities that are required to be supplied to the site are found, the applicant will be required to make the site adequate prior to the issuance of the certificate of occupancy. Thus, public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.*

- d. The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.

*The City requires a use permit for all drive-thru establishments on properties with an MXC zoning designation. However, the restaurant is a permitted use, subject to a zoning clearance. Thus, the requirement of the use permits is prompted due to the inclusion of the drive-thru as part of the development design. The project site, as specified in Finding b) above, is located on Oro Dam Boulevard which is identified as the City's main commercial corridor, and is surrounded by a mix of existing urban properties with identical zoning designations. All surrounding properties are zoned to permit a restaurant by right, with the exception of the drive thru which would require a conditional use permit on all properties within the project vicinity.*

*Surrounding land uses includes a multi-tenant commercial complex to the north, Americas Best Value Inn & Suites to the west, Oro Dam Boulevard, Berry Creek Guns, Feather River Properties and BlazeNJs to the south, and a similar partially developed lot to the west that has site improvements (parking lot, onsite lighting, landscaping) but an empty pad on the lot for construction of a future building. As identified above under Finding c), In coordination with Caltrans and the City of Oroville, the applicant has agreed to pay a fair share contribution for their impacts to the roadway in the amount of \$87,000 to help fund future improvements and the development will require compliance with all Planning, Building, Public Works and Fire Department development requirements. No variance has been requested.*

*In the event the project results in any unforeseen adverse effects, pursuant to section 17.48.010(F) of the Zoning Code, the Planning Commission may take action to revoke a use permit if any of the following occur: any of the conditions of approval have not been satisfied within 1 year after it was granted; any of the terms or conditions of the permit have been violated; a law, including any requirement in the Zoning Code, has been violated in connection with the permit; and finally, if the permit was obtained by fraud. Thus, it has been determined that the location, size, design and operating characteristics of the proposed use will*

*be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.*

- e. The subject site is physically suitable for the type and intensity of land use being proposed.

*The applicant has submitted a draft set of drawings demonstrating that, as proposed, the subject site is physically suitable for the type and intensity of land use being proposed and able to satisfy the minimum requirements of the City's development standards.*

- f. The size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.

*The Economic Development Element of the City's 2030 General Plan identifies Oro Dam Boulevard as a Commercial Core Focus Area, and a Guiding Principle of the City's 2030 General Plan is to create a vibrant local economy by creating a sustainable economy that serves all segments of the population, engage in economic development to encourage and retain businesses that provide a variety of job opportunities, quality goods and services, and a dependable tax base. Goal LU-4 of the General Plan is to provide adequate land for and promote the development of attractive commercial areas and uses that provide goods and services to Oroville residents, employees, and visitors. Policy 4.1 of this goal specifies that Oroville Dam Boulevard and Olive Highway between Highway 70 and Foothill Boulevard should be maintained as one of the Planning Area's primary retail districts.*

*Per the "Oroville Taxable Retail Potential Analysis" completed by the Center for Economic Development from the California State of University, Chico in June of 2007, there is an approximate taxable sales leakage from restaurants (with no sale of alcohol) in the Oroville market area of \$20,732,718 (Table 4; Page 9). The project is believed to be a benefit to the City as it will improve an underutilized lot along one the City's main commercial corridors, benefit the local economy by providing new jobs, provide a new source of sales tax revenue to capture existing taxable sales leakage to other areas, and provide more restaurant options for local residents and visitors. The location and local economic benefits of the proposed project support the goals of the City's General Plan and the size, intensity, and location of the proposed use will provide retail food options that are desirable for the neighborhood and community as a whole.*

- g. The permit complies with all applicable laws and regulations, including the requirements of the General Plan, Zoning Code, and of the City's Municipal Code.

*The use permit application has been reviewed by staff and the proposed project, as designed and conditioned, has been found to comply, or conditioned to*

*comply, with all applicable laws and regulations, including the applicable requirements of the City's 2030 General Plan, Zoning Code, and other applicable portions of the City's Municipal Code. As a condition of this permit, the applicants shall be required to ascertain and comply with the requirements of all Federal, State, County, City and other local agencies as applicable to the proposed use and project site, including, but not limited to, compliance with all requirements of the Butte County Environmental Health for the permitting and inspection of retail food facilities. In addition, section 17.48.010(F) of the City Code provides guidelines for modifying or revoking use permits that have been granted if it can be proven, upon substantial evidence, that any of the conditions of the permit have not been satisfied within 1 year after it was granted, any of the terms or conditions of the permit have been violated, a law has been violated in connection with the permit, or if the permit was obtained by fraud; and*

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit described herein, and also considered the City's staff report regarding the project.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

1. The Planning Commission finds that this action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects."
2. The Planning Commission adopts the findings required by Section 17.48.010(E)(4) of the Oroville City Code, as those findings are described in this Resolution.
3. The following conditions of approval have been deemed necessary to achieve the purpose of the Zoning Code, promote the general health, safety and public welfare of the City.

### **CONDITIONS OF APPROVAL**

**Approved project:** The project applicant, Clifton E. Sorrell Jr. with VMI Architecture, Inc., has applied for a use permit (UP 17-04) for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd E between CVS Pharmacy (850 Oroville Dam Blvd E) and Americas Best Value Inn & Suites (580 Oro Dam Blvd E). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit. The restaurant will be approximately 3,133 square feet in size

with 52 seats to serve customers. The drive-thru will have a 10-car stack and the intended hours of operation are from 10:00am to 10:00pm.

The Planning Commission hereby approves UP 17-04, subject to the following:

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicants shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of their business operations.
4. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
5. The applicant shall ascertain and comply with all requirements of the Butte County Environmental Health.
6. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Department for review prior to the start of any construction activities requiring a building permit. All applicable plan review fees shall be paid at time of submittal.
7. A grease trap or interceptor shall be installed as required by the City. The trap or interceptor shall be cleaned weekly or more frequently as needed. A grease trap or interceptor maintenance log shall be kept to record cleanings and maintenance. The date, time, type of service, and the name of the person (and business if performed by an outside contractor) performing the service shall be recorded. The trap or interceptor and maintenance log shall be made available for inspection as requested.
8. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.

9. Under no circumstance shall vehicle queueing on the project site spillback onto Oro Dam Boulevard.
10. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
11. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.
12. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbance of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.
13. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines, in order to prevent degradation of ambient air quality.
14. The applicant shall pay a fair share contribution for their impacts to Oro Dam Boulevard in the amount of \$87,000 prior to the issuance of a building permit.
15. All applicable development impact fees shall be paid prior to issuance of a building permit.
16. Pursuant to Section 17.12.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County recorder. The agreement shall be binding upon the property owner and any successors in interest.
17. Pursuant to Section 17.08.135, the project shall install public art on the project site in a public place as approved by the City Council. The cost of the public art must be equal to at least one percent (1%) of the estimated construction costs. The developer has the option to opt out of this requirement and instead pay the equivalent in lieu fee which shall be a one percent (1%) fee of the estimated construction costs.
18. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:



**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 22<sup>nd</sup> of June, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
DONALD L. RUST, SECRETARY

\_\_\_\_\_  
DAMON ROBISON, CHAIRPERSON



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

**Donald Rust**  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### **ATTENTION: PROPERTY OWNERS AND INTERESTED PARTIES**

The project listed below has been filed with the Community Development Department. You are invited to comment because your property is located near the proposed project. Please comment in the space below. You may attach additional pages as necessary.

Please submit your comments to this department no later than **Thursday, June 22, 2017** to be sure that they are included in the final project action. However, comments will be taken up to the time of the project decision. If you have no comment, a reply is not necessary.

**ASSESSOR  
PARCEL  
NUMBER:** 035-260-083

**FILE  
NUMBER:** Use Permit No. 17-04

**APPLICANT:** Clifton E. Sorrell Jr.  
VMI Architecture, Inc.

**ZONING:** Corridor Mixed Use (MXC)

**LOCATION:** North side of Oro Dam Blvd E between  
CVS Pharmacy (850 Oroville Dam  
Blvd E) and Americas Best Value  
& Suites (580 Oro Dam Blvd E)

**CONTACT  
PERSON:** Luis A. Topete,  
Associate Planner  
530 538-2408  
530 538-2426 Fax  
[ltopete@cityoforoville.org](mailto:ltopete@cityoforoville.org)

### **VICINITY MAP**



### **PROJECT DESCRIPTION:**

**UP 17-04: KFC Drive-Thru Restaurant** - The Oroville Planning Commission will review and consider approving Use Permit No. 17-04 for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd E between CVS Pharmacy (850 Oroville Dam Blvd E) and Americas Best Value Inn & Suites (580 Oro Dam Blvd E). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit.

**NOTICE IS HEREBY GIVEN** that the City of Oroville Planning Commission will hold a public hearing on the project described above. Said hearing will be held at **7:00 p.m. on Thursday, June 22, 2017** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.







**Legal Notices**

T.S. No.: 9550-4375 TSG Order No.: 733-1601239-70 A.P.N.: 035-145-010-000 NOTICE OF TRUSTEE'S SALE YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 10/16/2006. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. NBS Default Services, LLC, as the duly appointed Trustee, under and pursuant to the power of sale contained in that certain Deed of Trust Recorded 11/01/2006 as Document No.: 2006-0056982, of Official Records in the office of the Recorder of Butte County, California, executed by: **MARIE A. HUNT, A MARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY, as Trustor,** WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH (payable in full at time of sale by cash, a cashier's check drawn by a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings bank specified in section 5102 of the Financial Code and authorized to do business in this state). All right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and state, and as more fully described in the above referenced Deed of Trust. Sale Date & Time: 07/03/2017 at 03:30 PM Sale Location: At the main entrance to the County Courthouse at 1 Court Street, Oroville, CA. The street address and other common designation, if any, shown herein. Said sale will be made in an "AS IS" condition, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, if any, under the terms of the Deed of Trust, estimated fees, charges and expenses of the Trustee and of

**Legal Notices**

the trusts created by said Deed of Trust, to-wit: **\$45,189.74** (Estimated). Accrued interest and additional advances, if any, will increase this figure prior to sale. It is possible that at the time of sale the opening bid may be less than the total indebtedness due. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call, 916-939-0772 for information regarding the trustee's sale or visit this Internet Web site, www.nationwideposting.com, for information regarding the sale of this property, using the file number assigned to this case, T.S.# 9550-4375. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the

**Legal Notices**

scheduled sale. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse. NBS Default Services, LLC 301 E. Ocean Blvd. Suite 1720 Long Beach, CA 90802 800-766-7751 For Trustee Sale Information Log On To: www.nationwideposting.com or Call: 916-939-0772. NBS Default Services, LLC, Nicole Rodriguez, Foreclosure Associate This communication is an attempt to collect a debt and any information obtained will be used for that purpose. However, if you have received a discharge of the debt referenced herein in a bankruptcy proceeding, this is not an attempt to impose personal liability upon you for payment of that debt. In the event you have received a bankruptcy discharge, any action to enforce the debt will be taken against the property only. NPP0309199 To: OROVILLE MERCURY REGISTER 06/12/2017, 06/19/2017, 06/26/2017

**Legal Notices**

implied, regarding title, possession, condition, or encumbrances, including fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is: **\$318,098.97** If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in the county where the real property is located. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee,

**Legal Notices**

beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 800-801-8003 or visit this Internet Web site WWW.WILLIAMS AUCTION.COM, using the file number assigned to this case 049475-CA. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. FOR SALES INFORMATION: 800-801-8003 CLEAR RECON CORP. 4375 Jutland Drive Suite 200 San Diego, California 92117 Publish: June 12, 19, 26, 2017

**Legal Notices**

**FICTITIOUS BUSINESS NAME STATEMENT**  
The following person(s) is (are) doing business as: Halo Hawaiian BBQ and Poke, 1354 East Avenue, Suite P, Chico, CA 95925, County of Butte  
**JW Oriental Restaurant**, 1354 East Avenue, Suite P, Chico, CA 95925, CA  
Began Transacting Business: Not Applicable  
Statement Expires On: 5/22/2022  
Business Is Conducted By: Corporation  
This statement was filed in the office of CANDACE J. GRUBBS, County Clerk of Butte County, on May 22, 2017, By: **J. SILVA, Deputy, FBN Number: 2017-0000727**  
6/5, 6/12, 6/19, 6/26/17  
**CNS-3016127# CHICO ENTERPRISE-RECORD**  
**FICTITIOUS BUSINESS NAME STATEMENT**  
The following person(s) is (are) doing business as:  
**CHOICE POWERS CHANGE CONSULTING**  
789 Colorado Street  
Chico, CA 95928  
County of Butte  
**MCCOLLUM, MARLENE**  
1187 Muir Ave  
Chico, CA 95973  
**NEWKIRK, RACHAEL**  
789 Colorado Street  
Chico, CA 95928  
Began Transacting Business: Not Applicable  
Statement Expires On: 05/30/2022  
Business Is Conducted By: General Partnership  
This statement was filed in the office of CANDACE J. GRUBBS, County Clerk of Butte County, May 30, 2017  
By: **B. Wright, Deputy FBN Number: 2017-0000761**  
Publish: 06/05, 06/12, 06/19, 06/26/2017  
TRY A Classified Ad & watch the results happen! MasterCard & Visa gladly accepted. Call 896-7777 to place your ad.

**Legal Notices**

CITY OF CHICO - PUBLIC WORKS DEPARTMENT - O & M CHICO, CALIFORNIA  
NOTICE INVITING BIDS  
ANNUAL ROADWAY MATERIAL - FISCAL YEAR 2017/2018  
BIDDERS INFORMATION - Bidders instructions, specifications and or plans are available from the Public Purchase website at [www.publicpurchase.com](http://www.publicpurchase.com) under Bid # 2017-Roadway Materials. Bidding closes 2:00 PM, June 27, 2017.  
PUBLISH DATE: June 12, 2017  
Call today to place your ad 896-7777. Ads work call today 896-7777.

**Legal Notices**

**CITY OF CHICO MAP ADVISORY COMMITTEE PUBLIC HEARING NOTICE**  
June 6, 2017  
**NOTICE IS HEREBY GIVEN** that the City of Chico Map Advisory Committee will conduct a public hearing on Thursday, June 22, 2017, at 3:00 PM in the City Engineering Conference Room, located at 411 Main Street, 2nd floor, regarding the following project:  
**S/PDP 07-03 Modification of Harmony Park Circle Subdivision/Planned Development Permit, located at 2655 Cactus Avenue; APNs 016-330-030 through 016-330-046** - A request to modify conditions for an approved subdivision and planned development permit to revise planned improvements for a shared park facility and median island (Lots A and B), enabling their dedication to the City for inclusion in a Chico Maintenance District (CMD). The site is designated Low Density Residential on the General Plan diagram and zoned R1-AOC (Low Density Residential with Airport Overflight Zone C overlay). The modification is exempt from the California Environmental Quality Act (CEQA), as was the original project approval, pursuant to CEQA Guidelines section 15332 (Infill Development Projects). Questions regarding this project may be directed to Senior Planner David Young at (530) 879-6810 or david.young@mbakerint.com.  
**Certificate of Merger 17-01 Fountain Residential Partners - 322, 328, and 332 Nord Avenue, APNs 043 230-006, -007, -008** - A request to merge three parcels located at 322, 328 and 332 Nord Avenue into one parcel to allow for the future development of a 3-story multi-family housing complex. The subject parcels are designated Medium High Density Residential on the General Plan Land Use Diagram and are located within a R3 (Medium High Density) zoning district. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 - Infill Development.  
Any person may appear and be heard at the public hearing. The Committee may not have sufficient time to fully review materials presented at the public hearing. Interested parties are encouraged to provide any written materials prior to the public hearing to allow adequate time for the Committee to review. All written materials submitted in advance of the public hearing must be submitted to the City of Chico Community Development Department, 411 Main Street, Second Floor, or mailed to P.O. Box 3420, Chico, CA 95927. Written materials should refer to the specific public hearing item listed above.  
In accordance with Government Code Section 65009, if any person(s) challenges the action of the Planning Commission in court, said person(s) may be limited to raising only those issues that were raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.  
Should you have any questions regarding the above information, please contact Senior Planner Mike Sawley, City of Chico Community Development Department, 411 Main Street, 2nd Floor, Chico, CA 95928, 530-879-6812, or mike.sawley@chicoca.gov.  
ER Publish: Monday, June 12, 2017

**Legal Notices**

**NOTICE OF PUBLIC LIEN SALE**  
Notice is hereby given by the undersigned that a public sale of the following described personal property will be held on the 15th of June 2017 at or after the hour of 3:00 P.M. and continuing until all units are sold. The sale will be conducted at:  
**U-HAUL MOVING & STORAGE OF CHICO**  
600 Country Dr  
Chico, CA 95928  
(530)893-8601  
The items to be sold are generally described as follows: clothing, furniture, and or household items stored by the following persons:  
#1506 MICHELLE DUNNE  
#1314 MICHELLE DUNNE  
Publish: June 5, 12, 2017

**Legal Notices**

**T.S. No. 16-44190 APN: 030-580-018-000**  
**NOTICE OF TRUSTEE'S SALE**  
**YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 7/22/2015. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.**  
A public auction sale to the highest bidder for cash, cashier's check drawn on a state or national bank, check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.  
Trustor: **STEPHEN P DIGIANTOMMASO, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY**  
Duly Appointed Trustee: Zieve, Brodnax & Steele, LLP Deed of Trust recorded 7/24/2015 as Instrument No. 2015-0026506 in book , page of Official Records in the office of the Recorder of Butte County, California, Date of Sale: **6/19/2017** at 3:30 PM  
Place of Sale: At the main entrance to the County Courthouse 1 Court Street Oroville, California 95965  
Estimated amount of unpaid balance and other charges: **\$245,241.43**  
Note: Because the Beneficiary reserves the right to bid less than the total debt owed, it is possible that at the time of the sale the opening bid may be less than the total debt owed.  
Street Address or other common designation of real property: **35 COBALTO COURT OROVILLE, California 95965**  
Described as follows:  
As more fully described on said Deed of Trust.  
A.P.N #: **030-580-018-000**  
The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale.  
NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property.  
NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgage, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call (714) 848-9272 or visit this Internet Web site [www.elitepostandpub.com](http://www.elitepostandpub.com), using the file number assigned to this case 16-44190. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale.  
Dated: 5/19/2017 Zieve, Brodnax & Steele, LLP, as Trustee 30 Corporate Park, Suite 450 Irvine, CA 92606  
For Non-Automated Sale Information, call: (714) 848-7920  
For Sale Information: (714) 848-9272 [www.elitepostandpub.com](http://www.elitepostandpub.com)  
Christine O'Brien, Trustee Sale Officer  
THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION WE OBTAINED WILL BE USED FOR THAT PURPOSE. EPP 22399 PUBLISH: 5/29, 6/5, 6/12/17

Check out what's going on in Chico at our website  
**ChicoER.com**

**Legal Notices**

**AUCTION NOTICE**

**Wednesday, June 21, 2017**

**Notice is hereby given** that the undersigned intends to sell personal property described below to enforce a lien imposed on said property pursuant to the Sections 21700-21716 of the Business and Professions Code section 2328 of the UCC, Section 535 of the Penal code and Provisions of the Civil Code.

The undersigned will sell at Public Auction by competitive bidding on the **21st of June 2017 at 10:00am (Registration starts at 9:30am)**, on the premises where said property has been stored and which are located at **CHICO U LOCK IT SELF STORAGE 1909 Dr. Martin Luther King Jr. Parkway, Chico, CA 95928, Butte County State of California**, the following.

**Morna Sipple #141;** Stroller, bags, boxes, clothes, shoes

**Paul Devlin #335;** Car seats, boxes, mattress, toys, luggage

Auctioneer is Jack Harbor, Chico Auction Gallery (Bond #70981317), 530-345-0431 Publish: June 12, 19, 2017

**Legal Notices**

**NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OROVILLE PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Oroville will hold a public hearing on the projects described below. Said hearing will be held at **7:00 p.m. on Thursday, June 22, 2017** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

1. **UP 17-04: KFC Drive-Thru Restaurant** - The Oroville Planning Commission will review and consider approving Use Permit No. 17-04 for the construction of a new KFC drive-thru restaurant on the partially developed lot identified as APN: 035-260-083 located on the north side of Oro Dam Blvd E between CVS Pharmacy (850 Oroville Dam Blvd E) and Americas Best Value Inn & Suites (580 Oro Dam Blvd E). The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed restaurant is a use permitted by right in an MXC district. However, any drive-thru in an MXC district requires a use permit.

Additional information regarding the projects described in this notice can be obtained from the Oroville Community Development Department at 1735 Montgomery Street, Oroville, CA. Anyone desiring to submit information, opinions or objections is requested to submit them in writing to the Community Development Department prior to the hearing. In accordance with Government Code Section 65009, if you challenge an action on these projects in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public meeting.

Posted/Published: **Monday, June 12, 2017**

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# City of Oroville

**Donald Rust**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

**June 22, 2017**

**Planning Commission Review of “Roadway” Projects** - The Oroville Planning Commission will review and consider sending a letter to the Oroville City Council recommending that the Planning Commission be granted the authority to provide review and prioritization recommendations to the City Council regarding certain “roadway” improvement projects.

**APPLICANT:** Oroville Planning Commission  
1735 Montgomery Street  
Oroville, CA 95965

**LOCATION:** N/A

**GENERAL PLAN:** N/A

**ZONING:** N/A

**FLOOD ZONE:** N/A

**REPORT PREPARED BY:**

**REVIEWED BY:**

\_\_\_\_\_  
Luis A. Topete, Associate Planner  
Community Development Department

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Donald Rust, Director  
Community Development Department

### RECOMMENDED ACTIONS:

Provide staff direction.

### DISCUSSION

At the May 18, 2017 Planning Commission meeting, the Commission directed staff to draft a letter to the Council recommending that the Planning Commission be granted the authority to provide review and prioritization recommendations to the City Council regarding certain “roadway” improvement projects (e.g. intersection improvements, roadway repairs, curb, gutter and sidewalk installations, etc.). The review would take the form of the

Planning Commission's analysis of the "roadway" specific projects in the City's Capital Improvement projects list and forwarding a prioritization of the projects list to the City Council for recommendations of where monies should be first allocated when available. Review and comments would not occur for storm drains, sewer, and other utilities.

### **FISCAL IMPACT**

Staff time for facilitating the Planning Commission's review/comments and presenting the recommendations to the City Council.

### **ATTACHMENTS**

A – Letter to the City Council



# City of Oroville

## PLANNING COMMISSION

*Damon Robison*  
CHAIR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2433 FAX (530) 538-2468  
[www.cityoforoville.org](http://www.cityoforoville.org)

June 22, 2017

Oroville City Council  
1735 Montgomery Street  
Oroville, California 95965

**RE: PLANNING COMMISSION REVIEW OF “ROADWAY” IMPROVEMENT PROJECTS**

Dear Mayor and Council Members:

The Planning Commission respectfully requests the City Council consider granting the authorization to the Planning Commission to provide review and prioritization recommendations to the City Council regarding certain “roadway” improvement projects (e.g. intersection improvements, roadway repairs, curb, gutter and sidewalk installations, etc.). The review would take the form of the Planning Commission’s analysis of the “roadway” specific projects in the City’s Capital Improvement projects list and forwarding a prioritization of the projects list to the City Council for recommendations of where monies should be first allocated when available. Project reviews would not occur for storm drains, sewer, and other utilities. The Commission believes that additional review with a focus on impacts relating to land use will help provide valuable input in facilitating the Council’s decision on prioritization of funding for roadway improvement projects.

We thank you for your consideration.

Chairperson Damon Robison

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Vice-Chair Carl Durling

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Commissioner Adonna Brand

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Commissioner Randy Chapman

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Commissioner Wyatt Jenkins

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Commissioner Michael Britton

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Commissioner Justin McDavitt

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# City of Oroville

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DIRECTOR

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### PLANNING COMMISSION STAFF REPORT

**June 22, 2017**

**Election of New Officers** - The Oroville Planning Commission will consider electing a new Chair and Vice-Chair or continue the terms of the existing officers.

**APPLICANTS:** Oroville Planning Commission  
1735 Montgomery Street  
Oroville, CA 95965

**LOCATION:** N/A

**GENERAL PLAN:** N/A

**ZONING:** N/A

**FLOOD ZONE:** N/A

**ENVIRONMENTAL DETERMINATION:** N/A

**REPORT PREPARED BY:**

**REVIEWED BY:**

\_\_\_\_\_  
Luis A. Topete, Associate Planner  
Community Development Department

\_\_\_\_\_  
Donald Rust, Director  
Community Development Department

### RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission determine whether to elect a new Chair and Vice-Chair or continue the terms of the existing officers.

### DISCUSSION

Both of the current officers, at the will of the full Planning Commission, have been in their positions for some time. The current Chair of the Commission was appointed as Chairperson in July of 2008 and the Vice-Chair has been serving in his position since March of 2013. It is recommended that the Planning Commission determine whether to elect a new Chair and Vice-Chair or continue the terms of the existing officers. The Planning Commission has not adopted by-laws that limit officer terms or requires new

appointments or reappointments to be made at any specified time.

**FISCAL IMPACT**

None.

**ATTACHMENTS**

None.