



City of Pittsburg Planning Commission Agenda

12/10/2024

**City Hall Council Chamber
65 Civic Avenue, Pittsburg, CA 94565**

**Regular Meeting
7:00 P.M.**

Planning Commission Members

**Arlene Kobata, Chair
Sarah Foster, Vice-Chair
Donna Smith, Commissioner
Elissa Robinson, Commissioner
Frank Gordon, Commissioner
Deandra Stokes, Commissioner
Ivelina Popova, Commissioner**

Any member of the public who wishes to address the Commission should complete a Speaker's Card, available on the public counter below the dais. Please note on the card the agenda item number, or, for items not listed on this agenda, a brief description of the issue on which you would like to address the Commission. Give the completed form to the Minutes Clerk or a staff member, who will give the card to the Commission Chair. The Chair will invite the speaker(s) to the podium at the appropriate time during the meeting. Each individual will be given three minutes to address the Commission, unless additional time is allowed as provided for spokespersons. Prior to speaking, each speaker is requested to state his or her name and business and city of residence in a clear and audible tone of voice. For items listed under the "Public Hearings" or "Commission Consideration" portions of this agenda, the public hearing or public comment period will follow a brief presentation on the item by Planning Department staff and/or the project applicant.

A decision by the Planning Commission is not final until the appeal period expires 10 calendar days after the date the decision occurred. The applicant, City Council member(s), City Manager, or any affected person may appeal the denial, approval, recommendation, or any condition of approval of an item within the 10-day appeal period. A completed appeal form and the applicable filing fee must be filed with the City Planner, 65 Civic Avenue, Pittsburg. The appeal form must include the name and address of the appellant and state the reasons for the appeal. The appeal will be set for City Council consideration and appropriate public notification given.

The Commission requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the Council Chamber. Please turn off or set to vibrate all cellular phones, and refrain from making personal, impertinent or slanderous remarks. Boisterous or disruptive behavior while the Commission is in session, and the display of signs in a manner that violates the rights of others or prevents others from watching or fully participating in the Planning Commission meeting is considered counterproductive and will not be tolerated, and the Commission Chair can order any person who engages in such conduct to leave the Council Chamber.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

PRESENTATIONS

1. **2024 Planning Project Update and Review**
Staff will provide an update on current projects.

PUBLIC HEARINGS

2. **Hospital Systems Inc. Warehouse Addition, AP-24-0117 (UP, DR)**

This is a Use Permit and Design Review application to construct a new 12,000 square-foot industrial warehouse for storage of aluminum extrusions behind an existing main industrial building for Hospital Systems, Inc., located at 750 Garcia Avenue. Assessor's Parcel No. 088-250-070.

Environmental: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, "In-Fill Development Projects," of the state CEQA Guidelines, section 15332. The project qualifies for this CEQA exemption because, as described in the staff report, it would: a) be consistent with the City's general plan and zoning; b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) be built on a site having no value as habitat for endangered, rare or threatened species; d) result in no significant impacts to traffic, noise, air quality, or water quality; and e) built on a site that is adequately served by utilities and public services.

3. **Resolution Granting Approval of a Modification to the Existing Use Permit for Doctorbird Market, AP-23-0048 (UP).**

This is a public hearing on a request for approval of a Modification to Use Permit AP-23-0048 to Conditions of Approval No. 5 and 10 for Doctorbird Market. The modification request is to allow for a Type 42 License with Alcoholic Beverage Control (ABC), which would establish a "Wine Bar". The subject site is located at 90 East 4th Street. Assessor's Parcel No. 085-104-006.

Environmental: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities," of the CEQA Guidelines, section 15301.

STAFF COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT OF PLANNING COMMISSION MEETING

NOTICE TO PUBLIC

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the city of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Commission meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

GENERAL INFORMATION

Copies of the open session agenda packets that are distributed to the Planning Commission are on file in the office of the Planning Department, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning no fewer than 72 hours in advance of the meeting, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except city holidays). Additionally, if any reports or documents that are public records are distributed to the Planning Commission fewer than 72 hours before the meeting, those reports and documents will also be available for public inspection in the city's Planning Department and at the Commission meeting. The Pittsburg Library is also provided a full agenda packet for your convenience. As a courtesy, the agenda is also located on the city's website at www.ci.pittsburg.ca.us.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
December 10, 2024**

ITEM: Hospital Systems Inc. Warehouse Addition, AP-24-0117 (UP, DR)

ORIGINATED BY: Stephen Elbert – Elbert Associates, 3620 Mt. Diablo Blvd., LaFayette, CA 94549

SUBJECT: This is a Use Permit and Design Review application to construct a new 12,000 square-foot industrial warehouse for storage of aluminum extrusions behind an existing main industrial building for Hospital Systems, Inc., located at 750 Garcia Avenue. Assessor's Parcel No. 088-250-070.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution approving Use Permit and Design Review application No. AP-24-0117, subject to conditions.

BACKGROUND:

On October 22, 2024, Stephen Elbert of Elbert Associates applied for a Use Permit and Design Review application to construct a new 12,000 square-foot industrial warehouse for storage of aluminum extrusions behind existing main industrial building for Hospital Systems Inc. (HSI) located at 750 Garcia Avenue in the Employment Center Industrial (ECI) Land Use General Plan Area and the Industrial Park Zoning District (IP).

HSI fabricates headwalls, booms, accessories, cord reels, etc., used in healthcare facilities. The proposed new storage structure that would allow current storage of aluminum extrusions to move from outside (behind the existing main building operations) into the new enclosed facility. The new building and additional floor area would allow for an improvement in the manufacturing process and materials storage and support future expansion of HSI business volume. Deliveries and shipments of products are twice a day; and average between 8 to 12 trucks per week (total inbound and outbound).

PROJECT DESCRIPTION:

Existing Conditions: The project site is approximately 3.4-acres, containing an existing 18,228 square-foot industrial building. The project site is bounded to the north and west by other industrial and commercial uses, a vacant industrial site to the east, and to the south a residential community consisting of mostly detached single-family residences.

See Attachment 3 for site photos.

Surrounding Land Uses:

North: Industrial Use

South: Residential Development
East: Vacant Industrial Land
West: Industrial Use

See Attachment 4 for a map of surrounding uses.

Proposed Project: The proposed project is a new 12,000 square-foot industrial warehouse for storage of aluminum extrusions used to fabricate headwalls, booms, accessories, cord reels, etc., used in healthcare facilities. The proposed building would allow for current storage of the aluminum extrusions to move from outside (behind the existing main building) into the new enclosed facility. The additional floor area would also allow for an improvement in their manufacturing process and materials storage. The new building is expected to support future expansion of HSI's business volume. Deliveries and shipments of product currently include mail/package delivery pickup twice a day; and an average between 8 to 12 trucks per week (total inbound and outbound).

See Attachment 2 for project plans.

GENERAL PLAN/ZONING COMPLIANCE:

General Plan: The project site is located within the Employment Center Industrial (ECI) Land Use General Plan area. Properties within the ECI designation are intended to foster vibrant, diverse, and dynamic employment hubs that accommodate technology, advanced manufacturing, logistics, and other sectors that generate substantial employment opportunities; uses may also include administrative, financial, business, professional, medical and public offices, business incubators, research and development, custom and light manufacturing, limited assembly, warehousing and distribution, data centers, technology and innovation, energy, hospitals and large-scale medical facilities, services, light and heavy automobile services, and supporting commercial uses.

The proposed warehousing project would be consistent with the 2040 General Plan, more specifically the following Goals:

2-P-4.5: Support office, business, and industrial land uses that will improve the City's employment base through high-quality, well-paid jobs that attract the technology, energy, and industrial sectors desired by the community.

2-P-4.10: Ensure that employment-generating development, such as industrial, warehouse, distribution, logistics, and fulfillment projects, does not result in adverse impacts (including health risks and nuisances), particularly to residential uses and other sensitive receptors, including impacts related to the location and scale of buildings, lighting, noise, smell, and other environmental and environmental justice considerations. When development is incompatible, require adequate buffers and/or architectural

consideration to protect residential areas, developed or undeveloped, from intrusion of nonresidential activities that may degrade the quality of life in such residential areas.

2-P-10.2: Encourage redevelopment of the existing industrial area along Garcia Avenue with higher-end business commercial activities and undertake selective improvement and intensification, while maintaining land use patterns focused on high-quality employment opportunities, multi-family housing, and commercial centers.

Zoning: The project site is located within the Industrial Park Zoning District (IP) where industrial warehouse uses are a conditionally permitted use.

Pursuant to PMC Section 18.54.010, a use permit is required for warehousing and storage commercial activities. Pursuant to Pittsburgh Municipal Code (PMC) Section 18.54.100, all industrial projects require design review. The schedule set out in PMC Table 18.54.115 (excerpted below) prescribes development regulations for the Industrial Park Zoning District. As shown in Attachment 5 of this report, the proposed project meets or exceeds the IP property development regulations, which include height, Floor to Area Ratio (FAR) lot coverage, lot area, lot width, setbacks, landscape coverage, and parking for both cars and bicycles.

Development Classifications	IP
Minimum lot area (sq. ft.)	15,000
Minimum lot width (ft.)	80
Minimum yards (ft.)	-
Front	25
Corner side	25
Side	10
Side (adjacent to nonindustrial district)	10
Rear	10
Rear (adjacent to nonindustrial district)	10
Maximum height of structures	35
Maximum lot coverage	50%
Maximum FAR	0.8
Minimum site landscaping	15%

Design Guidelines: The proposed project is subject to the City's adopted Development Review Design Guidelines (DRDG), adopted by the Planning Commission through Resolution No. 9864. As shown in Attachment 6, the proposed project is consistent with the applicable DRDG sections.

Landscaping

Table 18.54.115 of the PMC prescribes 15% minimum landscaping requirement for projects in the IP zone. The project is proposing approximately 21% landscaping to provide a buffer and enhance the site and is consistent with Table 18.54.115 of the PMC.

Off-Street Parking and Bicycle Parking

Pursuant to Section Schedule A of PMC Section 18.78.040, off-street parking and loading spaces required by type of use. The warehousing and storage building requires 1 off-street parking space per 2,000 square feet of floor area. The proposed 12,000 square foot warehouse building would require 6 new parking spaces. The existing 21,000 square foot warehouse facility has 20 existing parking spaces. Both buildings combined square footage would result in a requirement of 17 spaces for the entire site. The additional parking spaces proposed (6) by the project applicant would exceed the minimum parking required for the project area. At full buildout of the project area a total of 23 parking spaces would be provided.

Pursuant to PMC Section 18.78.045, bicycle parking and storage facilities – states that permanent, fixed bicycle racks or lockers shall be provided on-site wherever off-street parking spaces are required for industrial use classifications in the ratio of 1 stall when 5 to 10 parking spaces are required. The project provides 1 bicycle rack to satisfy this requirement for the new structure which requires 6 bicycle parking spaces. The single bicycle rack would be required to accommodate a minimum of 6 bicycle parking spaced.

Bus routes in the vicinity of ½ mile available to the site include east and westbound 381, 387, 390, 391, and 394.

Required Use Permit Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:

- A. Is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. Is not detrimental to the health, safety, and general welfare of the city;
- C. Will not adversely affect the orderly development of property within the city;
- D. Will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the city;
- E. Is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;

- F. Will not create a nuisance or enforcement problem within the neighborhood;
- G. Will not encourage marginal development within the neighborhood;
- H. Will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
- I. Is consistent with the city's approved funding priorities; and
- J. If located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

Required Findings – Design Review: In accordance with PMC Section 18.36.220(B), design review approval may be granted only if the Planning Commission can make findings that:

- 1. The structure conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
- 2. The structure will be protected against exterior and interior noise, vibrations and other factors which may tend to make the environment less desirable;
- 3. The exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
- 4. The structure is in harmony with proposed developments on land in the general area; and
- 5. The application conforms with the criteria set forth in any applicable city-adopted design guidelines.

Environmental: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, "In-Fill Development Projects," of the state CEQA Guidelines, section 15332. The project qualifies for this CEQA exemption because, as described in the staff report, it would: a) be consistent with the City's general plan and zoning; b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) be built on a site having no value as habitat for endangered, rare or threatened species; d) result in no significant impacts to traffic, noise, air quality, or water quality; and e) built on a site that is adequately served by utilities and public services.

Public Notice: On or prior to November 22, 2024, notice of the December 10, 2024, public meeting to consider design review of the proposed project was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com ("Nextdoor").

ANALYSIS:

The proposed project is consistent with applicable goals and policies contained within the 2040 General Plan. Most notably, the proposed project is consistent with Land Use Element Goal 2-P-4.5 which support office, business, and industrial land uses that would improve the City's employment base through high-quality, well-paid jobs that attract the technology, energy, and industrial sectors desired by the community. Also, 2040 General Plan Goal 2-P-4.10 which is to ensure that employment-generating development, such as industrial, warehouse, distribution, logistics, and fulfillment projects, does not result in adverse impacts (including health risks and nuisances), particularly to residential uses and other sensitive receptors, including impacts related to the location and scale of buildings, lighting, noise, smell, and other environmental and environmental justice considerations. Finally, the project is consistent with 2040 General Plan Goal 2-P-10.2 which encourages redevelopment of the existing industrial area along Garcia Avenue with higher-end business commercial activities and undertake selective improvement and intensification, while maintaining land use patterns focused on high-quality employment opportunities, multi-family housing, and commercial centers.

In conclusion, the proposed project would improve the neighborhood by providing a new storage structure that would allow current outdoor storage of aluminum extrusions and other manufacturing materials and equipment to be moved from outside (behind the existing main building and visible to abutting residences) into the new, enclosed facility. The additional floor area would allow for an improvement in the manufacturing process and materials storage and support future expansion of HSI's business volume. As such, staff believes that the Planning Commission can make the required findings to approve the Use Permit and Design Review request, subject to the Conditions of Approval outlined in the proposed Resolution.

ACTION REQUIRED:

Move to adopt a Resolution approving Use Permit and Design Review Application No. 24-0117, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution

Planning Commission Staff Report
Hospital Systems Inc. Warehouse Addition, AP-24-0119 (UP, DR)
December 10, 2024

2. Project Plans
3. Site Photos
4. Map of Surrounding Land Uses
5. Property Development Regulations Table
6. Development Review Design Guidelines
7. Public Meeting Notice

Prepared by: Maurice Brenyah-Addow, Senior Planner

Attachment 1

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Use Permit and Design Review Approval to)	
Construct a New 12,000 Square-Foot Industrial)	
Warehouse Located at 750 Garcia Avenue)	Resolution No.
AP-24-01117 (UP, DR).)	
<u>Assessor's Parcel No. 088-250-070.</u>)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On October 22, 2024, Stephen Elbert of Elbert Associates filed a Use Permit and Design Review application to construct a new 12,000 square-foot industrial warehouse for storage of aluminum extrusions behind existing main industrial building for Hospital Systems Inc. located at 750 Garcia Avenue in the Employment Center Industrial (ECI) Land Use General Plan Area and the IP – Industrial Park Zoning District. Assessor's Parcel No. 088-250-070
- B. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburgh General Plan, Pittsburgh Municipal Code (PMC) Title 18 (Zoning), and the City of Pittsburgh Development Review Design Guidelines (DRDG; Planning Commission Resolution No. 9864).
- C. In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:
 - 1. Is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. Is not detrimental to the health, safety, and general welfare of the city;
 - 3. Will not adversely affect the orderly development of property within the city;
 - 4. Will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the city;
 - 5. Is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 - 6. Will not create a nuisance or enforcement problem within the neighborhood;
 - 7. Will not encourage marginal development within the neighborhood;

8. Will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
 9. Is consistent with the city's approved funding priorities; and
 10. If located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.
- D. Design review approval can be granted only after the Planning Commission makes a determination that the proposed project is consistent with PMC section 18.36.220.B, which is summarized below:
1. the structure conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
 2. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
 3. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
 4. the structure is in harmony with proposed developments on land in the general area; and
 5. the application conforms with the criteria set forth in any applicable city-adopted design guidelines.
- E. On or prior to November 22, 2024, notice of the December 10, 2024, public meeting to consider design review of the proposed project was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com ("Nextdoor").
- F. On December 10, 2024, the Planning Commission held a public meeting on the Use Permit and Design Review Application No. AP-24-0117, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report, “Hospital Systems Inc. Warehouse Addition, AP-24-0117 (UP, DR)” dated December 10, 2024, all the information contained in the Planning Division files on the project adopted and incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and incorporated herein by reference.
 2. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, Infill-Development Projects of the state CEQA Guidelines, section 15332. The project qualifies for this CEQA exemption because, as described in the staff report, it would: a) be consistent with the City’s general plan and zoning; b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) be built on a site having no value as habitat for endangered, rare or threatened species; d) result in no significant impacts to traffic, noise, air quality, or water quality; and e) be built on a site that is adequately served by utilities and public services.
 3. Use Permit Findings PMC section 18.16.040:
 - A. The proposed project will be in accordance with the objectives of the Zoning Ordinance, the purpose of the land use district in which it is located and is appropriate to the specific location, in that the proposed heavy manufacturing activity is a conditionally permitted use in the Industrial Park Zoning District. It constitutes an enhancement of the existing industrial use that manufactures hospital headboards within an enclosed structure. The new storage facility will move outdoor storage materials into an enclosed building. It is in keeping with other industrial uses in the immediate surroundings.
 - B. The proposed project will not be detrimental to the health, safety, and general welfare of the City, in that upon compliance with applicable conditions of approval, it will meet health and safety requirements of the Pittsburg Community Development Department, the Contra Costa Fire Protection District, Contra Costa Health Services – Hazardous Materials Programs, and the Regional Water Quality Control Board as well as the habitat conservation requirements of the East Contra Costa County Habitat Conservation Plan (HCP).
 - C. The proposed project will not adversely affect the orderly development of property within the City, in that it is an existing use located within an industrial area. It enhances the current use by constructing a warehouse to store materials currently stored outdoors.
 - D. The proposed project will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that the project will maintain the industrial purpose of the site

consistent with its I Industrial Park zoning district.

- E. The proposed project will be consistent with site's Employment Center Industrial (ECI) Land Use General Plan land use designation, in that the designation is intended to provide sites for similar light manufacturing and commercial uses. The project is also consistent with the General Plan economic development objectives (General Plan, page 6-2) which support retention and expansion of the City's manufacturing base and encourage employment growth.
 - F. The proposed project will not create a nuisance or enforcement problem within the neighborhood, in that it will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns.
 - G. The proposed project will not encourage marginal development within the neighborhood, in that the project will consist of similar warehousing and storage facilities serving other industrial and commercial uses within the IP – Industrial Park zoning district.
 - H. The proposed project will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that the project will have access to existing infrastructure, including fire, police, and water.
 - I. The proposed project will not be inconsistent with the City's approved funding priorities, in that it does not require any City funding.
4. Design Review Findings PMC section 18.36.220(A):
- A. The Planning Commission shall consider the following aspects of each application to the extent that they are applicable to the proposal:
 - 1. Maximum height, lot coverage and setbacks (if not covered in the zoning ordinance); The proposed structure would be 27 feet tall where 35 feet maximum is allowed.
 - 2. Overall mass and bulk of structures; The overall mass and bulk of the proposed structures is consistent with the rest of the structures at the site and surrounding industrial and commercial structures.
 - 3. Special features of the development, such as walls, screen, towers and signs; The features of the development such as exterior materials, shapes roof forms are consistent with the existing site structures and surrounding industrial and commercial structures.

4. Effective concealment and sound attenuation of exposed mechanical and electrical equipment; The proposed warehouse screens all mechanical and electrical equipment within the shell of the building. The site perimeter will be fenced to minimize public view, however the scale of the warehouse is industrial in nature so some aspects of it will be reasonably visible.
 5. Colors and materials on the exterior face of building or structure, striving for a limited number of colors and materials for each project; The proposed exterior colors and treatments are required to be non-reflective and compatible with the surroundings.
 6. Avoidance of repetition of identical entities whenever possible; The proposed warehouse addition is similar to other industrial structures in the vicinity but unique in appearance and tailored to the subject site particulars.
 7. Harmonious relationship with existing and proposed adjoining developments, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted; The proposed new warehouse will be sited in an orderly manner and will be harmonious with the existing structure, site features and adjacent industrial/commercial sites.
 8. Pleasing landscaping which incorporates existing landscaping and terrain as a complement to the structure, using plants which thrive in the Pittsburgh climate and which are large enough in size to be effective; A condition of approval requires attractive landscaping around the perimeter of the site to minimize visual impacts on adjacent properties.
- B. The standards to be used by the Planning Commission in reviewing an application:
1. The structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the proposed new installations are sited and organized in an orderly manner. The proposed structure uses materials and colors that are in keeping with the character of the area. The proposed project will also result in the development of an under-utilized parcel with outdoor storage. The new structure will now store the outdoor materials and eliminate blight within the neighborhood.
 2. The structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable, in that the project would be required to comply with all applicable building and fire codes and be required to meet applicable performance standards to minimize potential noise and vibration impacts.

3. The exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value in that the project design is a contemporary design that incorporates architectural elements and high-quality materials and landscaping that will make the site more attractive than in its current state of outdoor storage and underutilization.
4. The structure will be in harmony with proposed developments on land in the general area, in that the proposed structure's materials and colors are not only in keeping with but will also enhance the character of the area and currently there are no other proposed developments near the project's vicinity.
5. The proposed projects will conform with the criteria set forth in the City's adopted Development Review Design Guidelines (DRDG, Planning Commission Resolution No. 9864), if conditions of approval are adopted requiring the project to: a) screen all utility box transformers, backflow preventers, meters, and junction boxes from public view and b) incorporate a cool roof on the building.

B. The Staff Report entitled, "Hospital Systems Inc. Warehouse Addition, AP-24-0117 (UP, DR)" dated December 10, 2024, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, this Planning Commission hereby approves the Use Permit and Design Review Application No. 24-0117, subject to the following conditions:

Planning Conditions:

1. **Conformity with Project Plans.** The project shall be constructed in substantial conformity with the project plans submitted on October 22, 2024, except as hereinafter may be modified. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.
2. **Exterior Appearance.** The exterior of the structure shall be maintained in a good state of repair and the exterior finish must be clean and well maintained.
3. **Site Maintenance.** The entire parcel shall be kept clean and free of all litter, debris, and refuse.

4. Electric Vehicle Charging. The business operator shall install electric vehicle charging station for a minimum of one electric vehicle parking space. Final design and location shall be shown on the Improvement Plans submitted for the proposed project.
5. Business License. The business operator to obtain and maintain a valid business license for the business at all times.
6. Landscape Maintenance: The applicant or subsequent business owner or operator shall be responsible for maintaining landscaping in accordance with the approved landscape plan. Amendments or modifications to the approved landscape plan shall be submitted to the city planner for approval.
7. Cool Roof: The entire roofing surface behind the building parapets shall be painted white to create a 'cool roof', consistent with Guideline VI.D.1 of the City of Pittsburgh Development Review Design Guidelines (Planning Commission Resolution No. 9864).
8. Bicycle Parking. The applicant shall maintain permanent, fixed bicycle racks or lockers for a minimum of one (1) bicycle parking rack, accommodating a total of six bicycle parking stalls. The final design and location of any new bicycle rack(s) shall be subject to review and approval by the Planning Division.
9. Utility Screening: All air conditioning units, utility boxes, transformers, backflow preventers, meters, and junction boxes shall be substantially screened from public view using a block or retaining wall screen, wood/architectural screen, or dense landscaping screen, consistent with Guideline IV.d of the City of Pittsburgh Development Review Design Guidelines (Planning Commission Resolution No. 9864). Final utility screening methods shall be included on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit.
10. Gutters & Downspouts: All gutters and downspouts shall be placed behind exterior walls, consistent with Guideline IV.m of the City of Pittsburgh Development Review Design Guidelines (Planning Commission Resolution No. 9864). Final gutter and/or downspout placement shall be identified on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit.
11. Peace and Order: The business operator shall be responsible for maintaining the peace and order on the premises. All necessary steps shall be taken to ensure that the customers refrain from incidents of violence that adversely impact the safety of the community. Should the business operator fail to control loitering, noise, public disturbances or incidents of violence, and in the event that the business necessitates an increased police

presence, the Chief of Police may require the business owner to provide additional public safety measures, including but not limited to, video cameras, additional exterior lighting, hiring licensed and bonded security guards approved by the Police Department, or such other measures as determined necessary by the Chief of Police. Any such required additional measures shall be at the business owner/operator's sole expense.

12. Site Maintenance: The site shall be kept clean and free of all litter, debris and refuse at all times. All landscaping on site shall be kept weed free and maintained in a healthy and thriving condition. Outdoor storage on-site shall be prohibited.
13. Signage: New signage for the use is not approved with this resolution. The applicant or their designee shall submit proposed signs as part of a separate sign permit application, which will be subject to review and approval by the Planning Division prior to installation.

Building Conditions:

14. All new businesses must acquire a Certificate of Occupancy permit prior to opening any business in the City of Pittsburg.
15. On the cover sheet, please indicate the building Design Codes applicable to this project. The City of Pittsburg has adopted and enforces the following building Design Codes: 2022 California Administrative Code (CAC), 2022 California Building (CBC), 2022 California Historical Building Code (CHBC), 2022 California Existing Building Code (CEBC), 2022 California Green Building Standards Code (CGBSC), 2022 California Mechanical Code (CMC), 2022 California Plumbing Code (CPC), 2022 California Electrical Code (CEC), 2022 California Energy Code (CEC Part 6), 2022 California Fire Code and the Pittsburg Municipal Code (RMC). Reference CBC Sec. 107.
16. On the cover sheet, please verify the Drawing Index includes all plan sheets. Reference CBC Sec. 107.
17. On the cover sheet, provide or verify the Code Analysis includes the proposed tenant's Use, Occupancy Group, Type of Construction, Separated or Nonseparated Mixed Occupancies, whether or not the building is Fire Sprinkled, Floor Area (S.F.), Number of Stories and Occupant Load. Reference CBC Sec. 111, 302.1, 401, 503, 508, 601, 903 and 1004.1.
18. The preparation of plans or specifications for commercial buildings and tenant improvements shall be performed by a licensed architect or engineer (Exception: Interior alterations that involve only non-bearing partitions). The

licensed architect or engineer shall affix a stamp to the plans as evidence of the person's responsibility for the documents. Licensed Mechanical, Plumbing and Electrical Contractors may design the systems that they are to install.

19. The Site Plan shall include code compliant accessible parking spaces and access aisles, and an accessible route from accessible parking spaces to all entrances and exterior ground floor exits. The clear width for sidewalks and walks shall be 48" minimum. The slope of the accessible route shall not exceed 1:20 (5%) in the direction of travel for walking surfaces, 1:12 (8.3%) in the direction of travel for ramps, and the cross slope shall not exceed 1:48 (2%). The slope of curb ramps shall not exceed 1:12 (8.3%). Where the accessible route crosses onto a vehicular route of travel, provide a 36" long continuous detectable warning mat where the pedestrian path crosses or adjoins the vehicular way, such as a driveway, to warn of potential hazards.
20. At least one accessible route shall be provided within the site from accessible parking spaces and accessible loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible.
21. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.

Engineering Conditions:

Engineering Fees:

22. Improvement and Grading Plan Review fees. The applicant shall provide an initial payment for review of the grading and improvement plans with the first submittal. These fees are based on the engineer's estimated costs for site improvements and grading, which shall be submitted with the plans. The improvement plan check fee is 7% of the cost of the improvements. The grading plan check fee is 2.5% of the cost for grading, or it may be based upon cubic yards of earth disturbance as set forth in the City's Master Fee Schedule. Fifty percent (50%) of these total fees are to be paid with the initial submittal of plans and engineer's cost estimate. These initial payments will be credited towards the final fees as determined at engineering permit. The remainder of the fees shall be due payable prior to issuance of an engineering permit.
23. Improvement and Grading Inspection fees. The applicant shall pay the improvement and/or grading inspection fee(s) to the Engineering Division

prior to the issuance of a single parcel development permit. The current improvement inspection fee is 6.75% of the engineer's estimated cost for improvements. The grading inspection fee is 3% of the engineer's estimated cost of grading. The grading inspection fee may also be based upon an approved engineer's estimate of total cubic yards, according to the current schedule of grading fee charges as set forth in the City's Master Fee Schedule.

24. Facility Reserve Charge. Prior to the issuance of a building permit, the applicant shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Division for water and sewer service in the amounts in effect at the time of building permit issuance. The applicant understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City.
25. Local Traffic Mitigation Fee. Prior to issuance of a building permit, the applicant shall pay the Local Transportation Mitigation Fee (PMC Chapter 15.90) (the "LTMF") amount in effect at the time of building permit issuance. The applicant understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City.
26. Regional Traffic Mitigation Fee. Prior to issuance of a building permit, the applicant shall pay the Regional Transportation-Development Impact Mitigation Fee (PMC Chapter 15.103) (the "RTDIM") amount in effect at the time of building permit issuance. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News-Record Construction Costs Index – San Francisco Bay Area, between September 1 and September 1 of the preceding two calendar years.
27. GIS Update. Prior to the issuance of an engineering permit, the applicant shall pay the Geographic Information System (GIS) fee as set forth in the City's Master Fee Schedule. The current fee is \$114.19 per parcel plus \$0.06/sf of parcel improvements for non-residential uses.
28. Supplemental Studies. If additional engineering studies are deemed necessary by the City Engineer, i.e. geotechnical, structural, hydraulic, etc.,

or expedited reviews are requested by the applicant, the applicant shall pay for all costs related to the extra work. The costs shall be paid at the time of first plan check submittal, and they may include all costs associated with the preparation of special studies, additional staff time, and/or reviews of the special studies if studies are prepared by the applicant's engineer.

Engineering Submittals:

29. Improvement Plans. The applicant shall submit the following plans to the Engineering Division for review and approval. The plans shall be prepared by a registered civil engineer, to include but not be limited to the following:
 - a) A Site Plan
 - b) A Grading and Drainage Plan
 - c) A Utilities Plan
 - d) A Landscaping and Irrigation Plan
 - e) An Erosion and Sedimentation Control Plan
 - f) Offsite Improvements due to Project Impacts
30. Geotechnical Report. The applicant shall submit a current geotechnical report that supports the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and/or the issuance of a site development permit.

NPDES Requirements:

31. Stormwater Pollutants. The applicant shall incorporate long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long term BMPs to limit pollutant generation, discharge, and runoff. Such source control design measures may include:
 - a) Incorporating landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices.
 - b) Using pavers for walkways and other appropriate hardscape surfaces to minimize impervious areas.
 - c) Minimizing the amount of directly connected impervious surface area.
 - d) Marking all storm drains with "No Dumping, Drains to Delta" messages.
 - e) Constructing concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
 - f) Plumbing of the following discharges to the sanitary sewer, subject to Delta Diablo's authority and standards:

- Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurant.
 - Dumpster drips from covered trash and food compactor enclosures.
 - Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.
32. Stormwater Pollution Protection During Construction. Prior to the issuance of a grading permit, the applicant shall submit an Erosion and Sedimentation Control Plan or Stormwater Pollution Prevention Plan (if the project requires a permit from the State Water Resources Control Board under the provisions of the General Construction Permit) to the Engineering Division for review. The Stormwater Pollution Prevention Plan measures shall also include measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with California Stormwater Quality Association's (CASQA's) construction handbook.
33. Consistency with Stormwater Control Plan. Grading, improvement, and/or building plans shall be consistent with the approved Stormwater Control Plan. The applicant shall submit a complete Stormwater Control Plan and Report compliant with the requirements set forth in the City's most current NPDES permit. The C.3 treatment facilities shall be adequately sized to treat the stormwater runoff from the associated drainage management areas. The grading and/or building plans shall include drawings and specifications necessary to implement all measures in the approved Stormwater Control Plan. Design features should incorporate low impact development design standards as outlined in the most current edition of the Contra Costa Clean Water Program's C.3 Guidebook. These features include limiting directly connected impervious area, and incorporating pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants. Grading and/ or building permits shall not be issued until this condition is met to the satisfaction of the Engineering and Planning Divisions.
34. Operations and Maintenance Plan. The applicant shall submit a Stormwater BMP Operation and Maintenance Plan for the continuous maintenance of all C.3 facilities constructed to meet the C.3 requirements of the project. The final plan shall be submitted to the Engineering Division prior to the certificate of occupancy.
35. Operation and Maintenance Agreement and Right of Entry. The applicant shall execute the Operations and Maintenance Agreement and Right of Entry, which pertain to the transfer of ownership and / or long-term

maintenance of stormwater treatment BMPs or hydrograph modification BMPs prior to the issuance of a certificate of occupancy. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook, most current edition.

36. Off-Site Capacity Evaluation. The applicant shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities required to be constructed to accommodate the project shall be borne by the applicant.
37. Sanitary Sewer. The applicant shall provide 6-inch sanitary sewer laterals located 5 feet horizontally from the water service lateral, with a two-way cleanout at the property line.

Project Specific Conditions – Engineering

38. Discharge into Kirker Creek is subject to outside agency approvals and permitting such as Fish and Wildlife, USACOE, etc.
39. The applicant will be required to provide a hydrology analysis. No stormwater from the new development will be discharged into Kirker Creek that will cause the flow of the creek to exceed its maximum design capacity.
40. If C.3 discharge will be allowed into Kirker Creek, applicant will be required to seek an easement from the City and execute a Right of Entry and Maintenance Agreement for the continued maintenance of the C.3 facility and ensure discharge does not cause downstream erosion.
41. Applicant shall have their engineer complete the attached Stormwater Control Plan workbook and submit the C.3 narrative report and plan.
42. Applicant to submit a soils report.
43. Applicant to indicate size of proposed water meter and show proposed irrigation meter for landscaping. Connection to City's sanitary sewer within the easement requires a structure.
44. Applicant shall provide a 10' sidewalk fronting the project site along Garcia Avenue, and ADA compliant driveway.

Standard Conditions:

45. Other Agency Requirements. The applicant shall comply with all the

requirements of the Community Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.

46. Sales Tax on Construction Materials. The applicant, subsequent developers, or their contractors, subcontractors, agents, or affiliates shall use best reasonable efforts to pay local sales tax in connection with the purchase, acquisition, and/or supply of goods and materials, as well as any new or replacement equipment and supplies purchased during the course of operation. Sales tax(es) shall be apportioned and paid at the applicable sales tax rate in effect for the City as administrated by the California Department of Tax and Fee Administration (CDTFA). At no point may Developer or its contractors, subcontractors, agents or affiliates contractually agree to waive or share sales and use taxes from this Project with any other city, county or entity in the State of California, including another jurisdiction where they have offices or conduct business. The City of Pittsburg will be the sole jurisdiction of record to the transfer of title. Developer and its contractors, subcontractors, agents and affiliates shall comply with the Sales and Use Tax Requirements ("Requirements") set forth below and all CDTFA requirements.
47. Standard Conditions of Development. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is conflict between the Standard Conditions of Development and the specific conditions of approval specified in this resolution, the specific conditions of this Resolution shall govern.
48. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.
49. Expiration of Approval. This design review and use permit approval will

expire on December 10, 2026, unless a building permit or grading permit has been issued for purposes of construction of this project, or a written request for an extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of permit issuance, unless work commences and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Robinson, seconded by Commissioner Popova, the foregoing resolution was passed and adopted the 10th day of December 2024, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

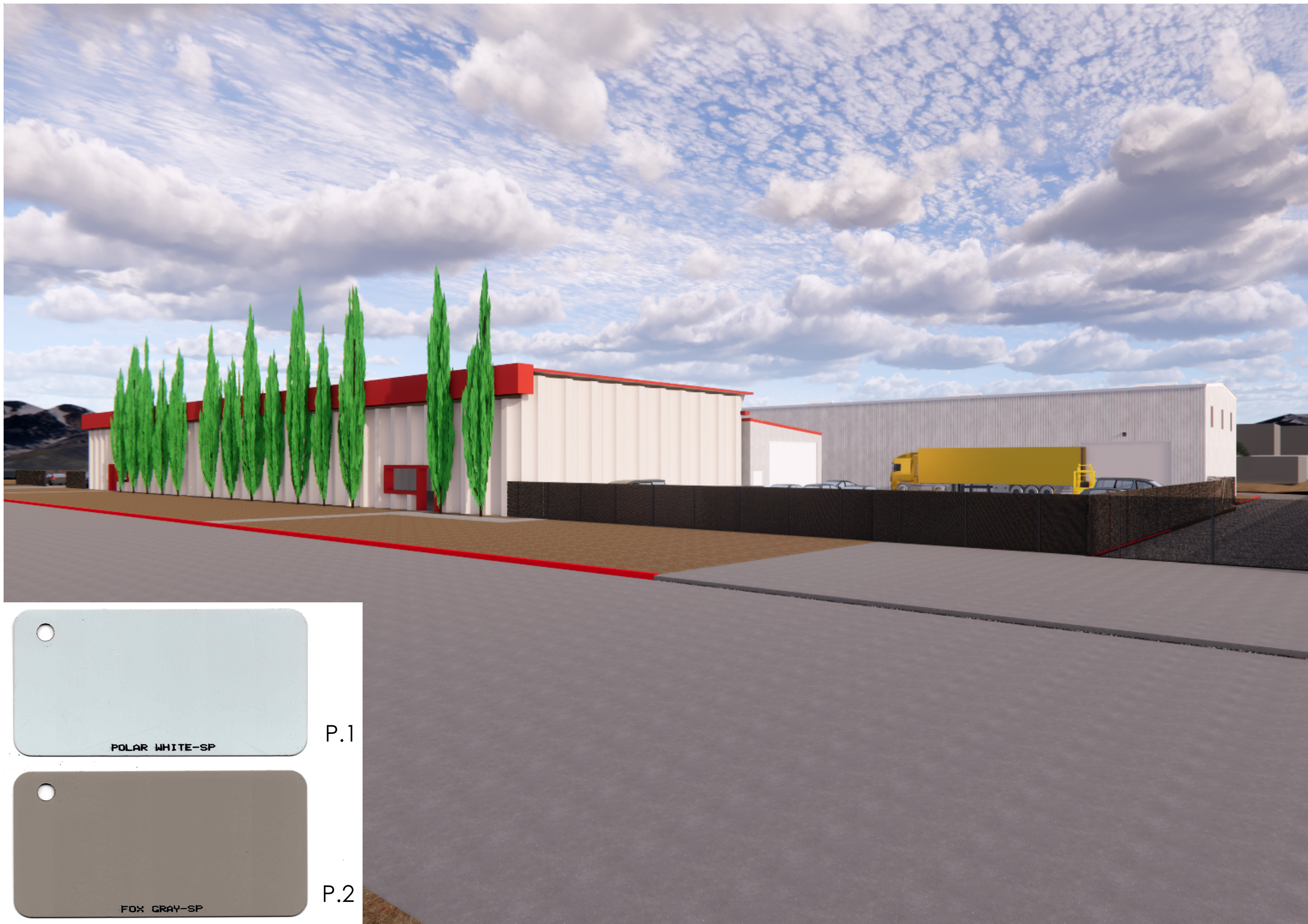
ABSENT:

I hereby certify that the above Resolution No. _____ was adopted by the Planning Commission of the City of Pittsburg on December 10, 2024.

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

PROJ. NO: Project No. HSI110
COPYRIGHT: © 11/22/2024
DRAWN BY: SE
FILE:
C:\Users\sead\Documents\EA_PROJECT\HSI10x_HOSPITAL
SYSTEMS, INC.\PROJ DWGS\090624_HSI.pln

REV.	DATE	DESCRIPTION



H.S.I., Inc. | APPROACH ON GARCIA AVENUE

8



EXISTING BLDGS. (LEFT) + PROPOSED BLDG. + DRIVE AISLE TO REAR YARD

2



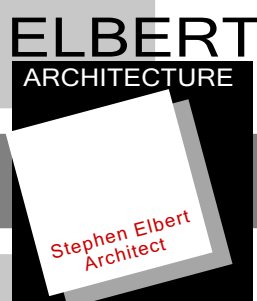
C.3 BASIN + PROPOSED BLDG. + WEST SERVICE AISLE + EXISTING BLDGS.

7



SITE from EAST (Aerial)

1



3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
E se @ elbertarchitecture.com
W www.elbertarchitecture.com

Graphic Scales:
1/4" = 0' 5"
1/8" = 0' 10"
1/16" = 0' 20"

A 7.1

3d IMAGERY

VICINITY MAP



PROJECT
SITE

SITE AREA DATA:

Property:	Existing s.f.	Proposed s.f.	TOTAL s.f.
	148,281 s.f.	Same	

Pervious / Landscape Area Summary:

Area	Existing s.f.	Proposed s.f.
L.1	2444 s.f.	
L.2	5342 s.f.	
L.3	1518 s.f.	
L.4	1194 s.f.	
L.5		456 s.f.
L.6	20,136 s.f.	
Total Landscape =	30,634 s.f. +	456 s.f. = 31,090 s.f.

Total, Landscape Area on site = 31,090 s.f.

C.3 Basin = 2340 s.f.

Total, Pervious Area on site = 33,430 s.f.

Landscape Area = 20.9 % of site area. (15% min. required)
Pervious Area = (Landscape + C.3) = 22.5 % of site area (5% min. required)

Impervious Surfaces Summary:

STRUCTURES:	Existing s.f.	Proposed s.f.	TOTAL s.f.
(E) Main Building =	14,260 s.f.		
(E) Metal Building =	2884 s.f.		
Proposed =		12,000 s.f	
Sub-Total =	17,144 s.f.	12,000 s.f.	29,144 s.f.
Misc. Outbuildings =	246 s.f.		
(E) Compr. Area #1		123 s.f.	
Compr. Area #2			
Sub-Total =	246 s.f.	123 s.f.	369 s.f.

TOTAL BUILDING = 17,390 s.f. 12,123 s.f. 29,513 s.f.

HARDSCAPE:		
IP.1 =	12,143 s.f.	
IP.2 =	17,104 s.f.	
IP.3 =		2400 s.f.
IP.4a =	422 s.f.	
IP.4b =	213 s.f.	
IP.5 =		75 s.f.

TOTAL HARDSCAPE = 29,882 s.f. 2475 s.f. 32,357 s.f.

TOTAL ADDED HARDSCAPE = 14,598 s.f.

SUMMARY SCOPE OF WORK:

Construct new Pre-Engineered Metal Building (P.E.M.B.) for storage of metal extrusions used to fabricate the Owner's products; within the building a metal shop will be outfitted .

Work includes the following scope and disciplines:
Demolition of existing site appurtenances for the proposed construction; modify paving between the existing and new buildings.
Grading for proposed slab.
Construct new P.E.M.B. and slab-on-grade foundation.
Building is insulated; with ventilation but is not "Conditioned Space".
Construct CCCFPD approved fire lane around the building.
Construct new C.3 basin to return the site's rain water to the ground.
Extend power, sanitary sewer and water to proposed building.
Install fire sprinklers system into proposed building (DEFERRED SUBMITTAL).

PROPERTY + OWNER:

A.P.N.: 088-250-070-5
Property Address: 750 Garcia Avenue
Pittsburg, CA 94565
Owner, Address: Hospital Systems, Inc.
750 Garcia Avenue
Pittsburg, CA 94565

APPLICABLE CODES:

2022 CBC
2022 CMC
2022 CEC
2022 CPC
2022 CFC
2022 CA ENERGY STANDARDS (Non-Residential)

T.24 ENERGY CALCS:
BLDG. ENVELOPE: SEE DWG A 1.3
HVAC: N.A.
INT. LIGHTING: SEE DWG. E 1.0
EXT. LIGHTING: SEE DWG. E 1.0

2022 Cal Green Standards

Latest Edition:
Pittsburg, CA Municipal Code
NEC
NFPA

SEPARATE / DEFERRED SUBMITTAL(S):

Work to be submitted separately include(s):
Fire Sprinklers

PROPERTY DATA:

Use:	Existing	Proposed
Commercial -		
Warehousing & Storage	Same	
Industrial -		
Manufacturing (Limited)	Same	

Occupancy / Constr. Type:

Occupancy: B / S.2 Same
Constr. Type: V.b Same
Fire Sprinklers: No Yes -- install in proposed building.

Flood Zone: No
Liquefaction Zone: Yes
High Fire Zone: No
Landslide Zone: No
RS-VP Zone: ??

Sanitation District: Pittsburg Water / Delta Diablo Sanitation
School District: Pittsburg Unified School District

PLANNING COMPLIANCE:

Zone:	Code Requirement	Proposed	Status
Lot:			
Width (min.):	80'	150' (average, existing to remain) = ok!	
Frontage (min.):	N.A.	N.A.	
Area:	15,000 s.f. (min.)	3.04 acres / 148,281 s.f.	= ok!
Lot Coverage:			
F.A.R.; Max. ???%:	75%	27.53%	= ok!
Landscape Area:	15%	20.9 %	= ok!

Floor Areas (see Det. 3 / A 1.1):	Existing	Proposed	Total
(E) Main Building =	15,253 s.f. (1st Floor)		
(E) Metal Building =	2658 s.f. (2nd Floor = 976 s.f. Office + 1672 s.f. Stor.)		
Proposed =	2884 s.f.	12,000 s.f.	
Sub-Total =	20,795 s.f.	12,000 s.f.	32,795 s.f.
Misc. Outbuildings =	246 s.f. ((E) Compressor Area #1)		
		123 s.f. (Proposed Compressor Area #2)	

TOTAL 21,041 s.f. + 12,123 s.f. = 33,164 s.f.

Setbacks: Front = 25'
Side (Corner) = N.A.
Side = 10'
Rear = 10'

Code	Proposed
Height (max.):	35' 27'0" (at low eave) = ok!

On-Site Parking:

Off Street Loading: See Dwg. AS 2.1.
Truck Loading Facilities: Existing to remain.
Existing to remain.

BUILDING COMPLIANCE:

Allowable s.f. (CBC T506.2): Code Proposed
Existing to remain; no expansion of (E) s.f.; or,
intensification of use = N.A.

Height (Max.) (CBC T504.3): 40' 28'9"

Stories (max.) (CBC T504.4): 2 Stories 1 Story

Rated Walls: Fire Separation Distance does not require any rated walls
(See Dwg. 1 / AS 2.1). There is no limit on the area of openings
applicable to this project.

ABBREVIATIONS:

AC ACOUSTICAL
AFF ABOVE FINISH FLOOR
CABT. CABINET
CEIL. CEILING
CL; or C.L. CENTER LINE
CLR. CLEAR
CONC. CONCRETE
CONTR. CONTRACTOR
C.T. CERAMIC TILE
D.A. DISABLED
DI. DIAMETER
DISP. DISPENSOR
D.W. DISHWASHER
(E) EXISTING
EA. EACH
ELEC. ELECTRIC
F.T. FIRE TREATED
FIN. FINISH
FLR. FLOOR
F.O.F. FACE OF FINISH
F.O.S. FACE OF STRUCTURE
FRP. FIBER REINFORCED PLASTIC
GA GAUGE
G.B.; or GYP. BD. GYPSUM BOARD
G.C. GENERAL CONTRACTOR
H. HIGH
H2O WATER
HORIZ. HORIZONTAL
INSUL. INSULATION
KEC KITCHEN EQUIPMENT
CONTRACTOR
MAX. MAXIMUM
MIN. MINIMUM
(N) NEW
NON-BRG. NON-BEARING
O.C. ON CENTER
PART. PARTITION
PNL. PANEL
P.O.S. POINT OF SALE
(R) REMOVE
(R/R) REMOVE / REPLACE
R.C.P. REFLECTED CEILING PLAN
REF. REFRIGERATOR
SCHED. SCHEDULE
SIM. SIMILAR
S.M.B.D. SEE METAL BUILDING
DRAWINGS
S.S.D. SEE STRUCTURAL DRAWINGS
T.I. TENANT IMPROVEMENTS
T.M.E. TO MATCH EXISTING
TYP. TYPICAL
U.O.N. UNLESS OTHERWISE NOTED
VCT. VINYL COMPOSITION TILE
VEST. VESTIBULE
V.I.F. VERIFY IN FIELD

WALL SYMBOLS:

4-Hr. Occup. Separation Wall
3-Hr. Occup. Separation Wall
2-Hr. Occup. Separation Wall
1-Hr. Occup. Separation Wall
20 Min. Separation Wall
Conc. masonry wall. (verify ht.)
Conc. masonry wall: full height.
(N) Int. stud wall (see details)
(E) Int. stud wall (see details)
(N) Ext. stud wall (see details)
(E) Ext. stud wall (see details)
(E) wall to be removed

PROJECT CONTACTS:

PROPERTY OWNER:

HSI, Inc.
750 Garcia Avenue
Pittsburg, CA 94565

ARCHITECT:

Elbert Associates, Stephen Elbert, Architect
3620 Mt. Diablo Blvd.
Lafayette, CA 94549
925.980.4344

ENGINEERS:

STRUCTURAL:
T.B.D.
Street
City, CA 9???
tel.
CIVIL:
P / A Design Resources, Inc.
3021 Citrus Circle
Suite 150
Walnut Creek, CA 94598
925.210.9300

ENERGY:
Title 24 Data Corp., David McClain
PO Box 2199
Frazier Park, CA 93225
800.237.8824

CONTRACTOR:

Metal Building Company
9957 Medford Avenue, Bldg. 14A
Oakland, CA 94603
510.635.0111

DD / CD Sheet Index

General Drawings

A 1.0 Cover Sheet

Civil Drawings

1 CONCEPT GRADING PLAN
2 SECTIONS
3 SEMI-TRUCK PATH OF TRAVEL
4 FIRE TRUCK PATH OF TRAVEL

Architectural Site Plans

AS 2.0 SITE PLAN | EXISTING
AS 2.1 SITE PLAN | PROPOSED
AS 2.2 PARKING+TRUCK LAYOUT PL.
AS 2.3 SITE PLAN | LANDSCAPE + ...
AS 2.4 ROOF PLAN | PROPOSED ...

Floor Plans

A 2.1 PLAN | 1st FLOOR (Partial)
A 2.2 PLAN | 1ST FLOOR (Partial)

Elevations

A 4.1 ELEV. | EXT.
A 4.2 ELEV. | EXT.

Hospital
Systems, Inc.

750 Garcia Avenue
Pittsburg, CA 94565

DESIGN REVIEW

PROJ. NO: Project No. HSI110
COPYRIGHT: © 10/18/2024
DRAWN BY: SE

FILE:
C:\Users\sead\Documents\EA_PROJECT\HSI10x_HOSPITAL
SYSTEMS, INC\PROJ DWGS\090624_HSI.pln

REV. DATE DESCRIPTION

ELBERT
ARCHITECTURE

Stephen Elbert
Architect

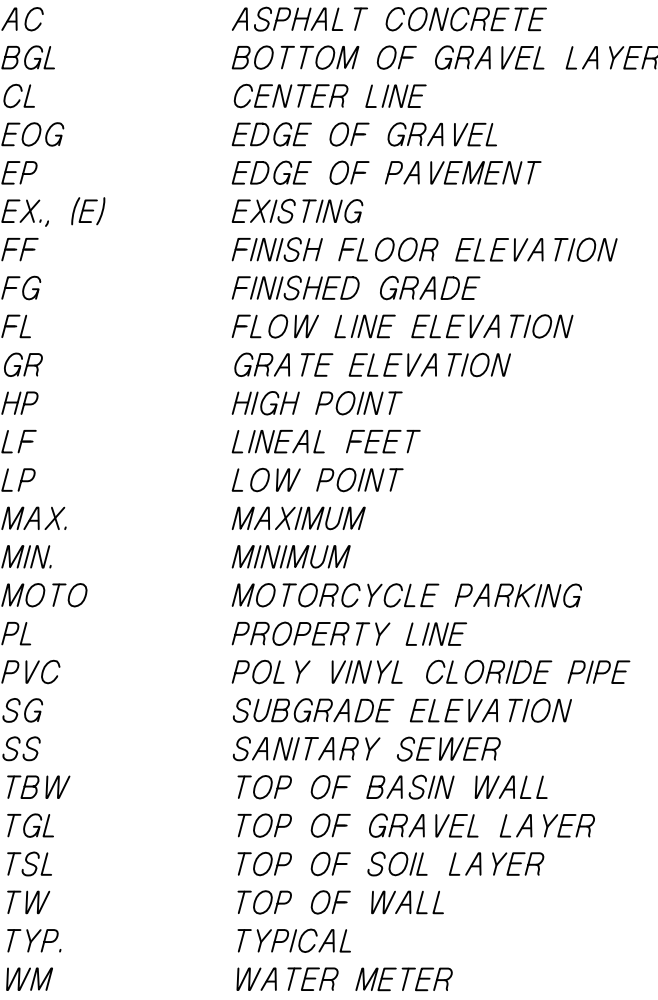
3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
E se @ elbertarchitecture.com
W www.elbertarchitecture.com

Graphic Scales:
1/4": 0 5
1/8": 0 10
1/16": 0 20

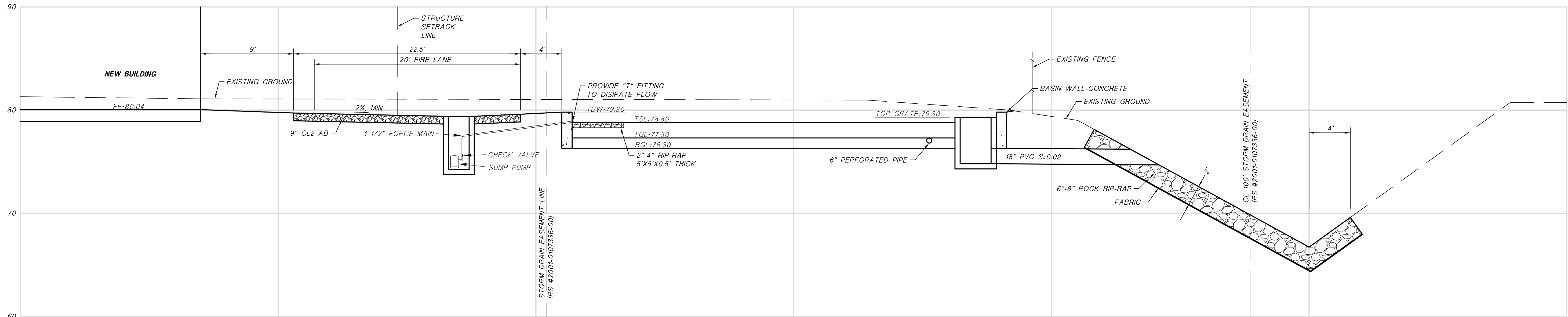
A 1.0

Cover Sheet

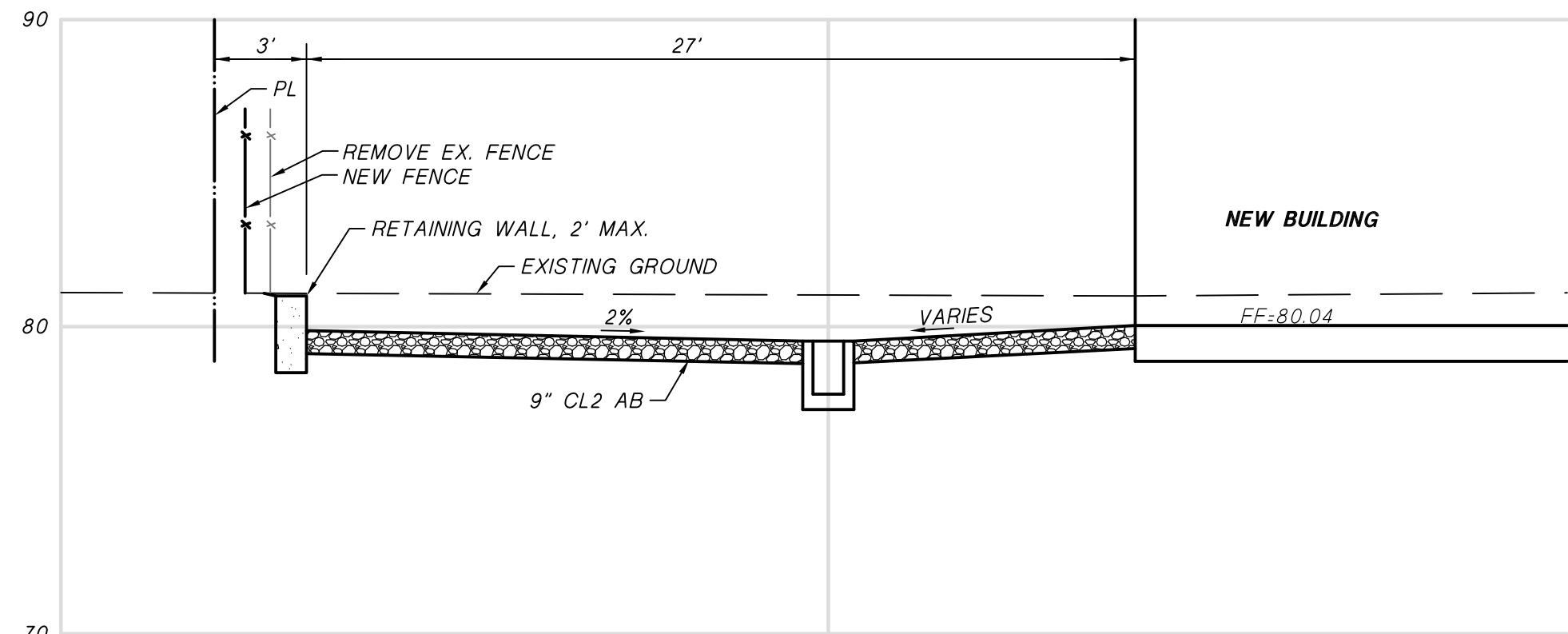


OF 4 SHEETS

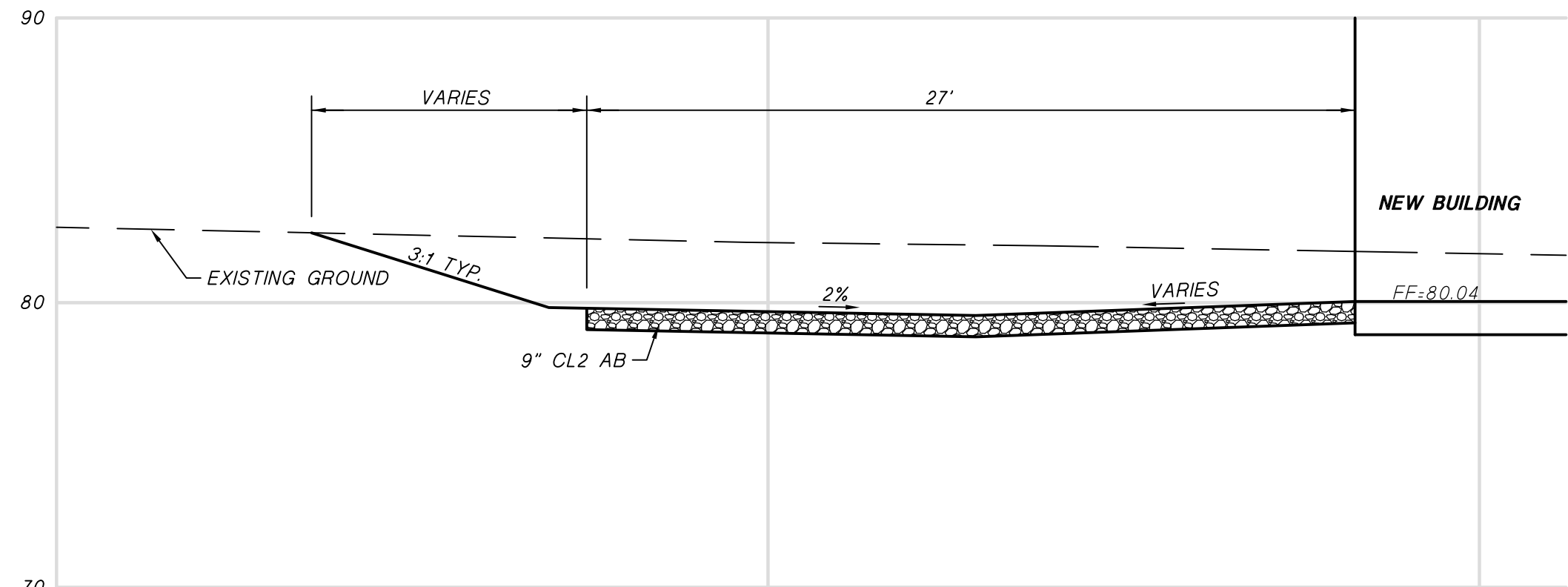
PROJ. NO. 23011-20



C3 BASIN SECTION A-A
SCALE 1"=5'



SECTION B-B
SCALE 1"=5'



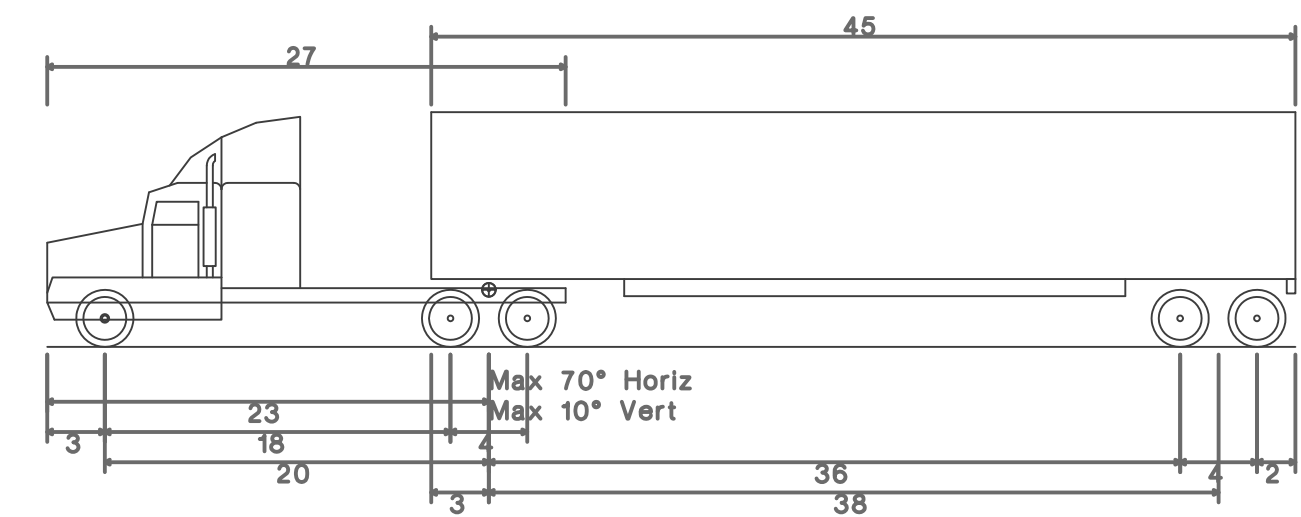
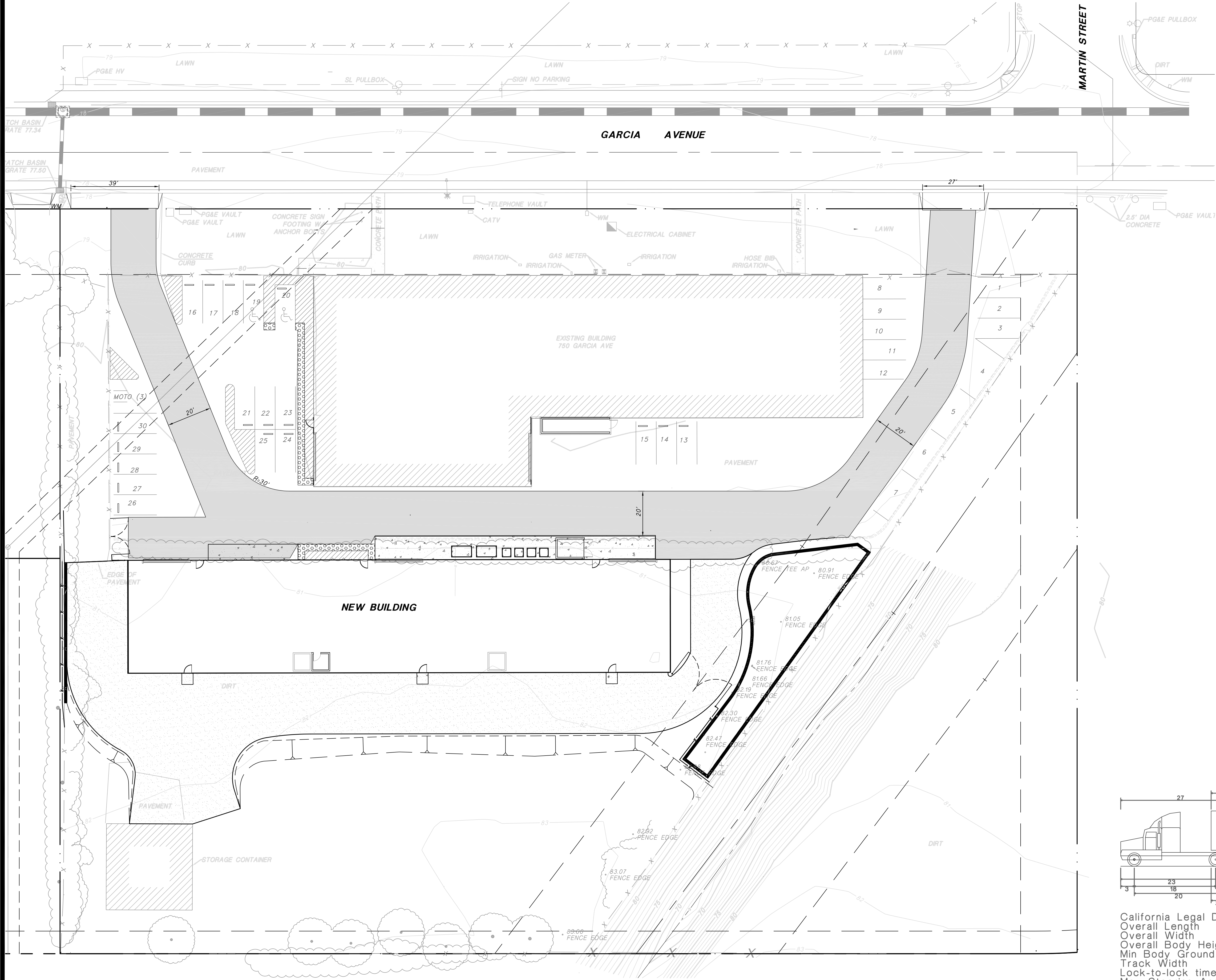
SECTION C-C
SCALE 1"=5'

NO.	BY	DATE	REVISIONS

750 GARCIA AVENUE
APN 088-250-070-5
SECTIONS
CALIFORNIA
PITTSBURG

PA Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

DATE: September 17, 2024	
SCALE	HORIZ. 1"=10'
	VERT.
DESIGN:	
CHECKED:	
SHEET	
2	
OF 4 SHEETS	
PROJ. NO. 23011-20	



California Legal Design Vehicle	65.000ft
Overall Length	12.227ft
Overall Width	1.422ft
Overall Body Height	8.500ft
Min Body Ground Clearance	6.00s
Track Width	26.30°
Lock-to-lock time	
Max Steering Angle (Virtual)	

750 GARCIA AVENUE
APN 088-250-070-5
PROPOSED SEMI-TRUCK
PATH OF TRAVEL EXHIBIT

PITTSBURG
CALIFORNIA

PA

Design Resources, Inc.

Planning ■ Engineering ■ Surveying

3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

DATE: September 17, 2024

SCALE
HORIZ. 1"=20'
VERT.

DESIGN:
CHECKED:
SHEET

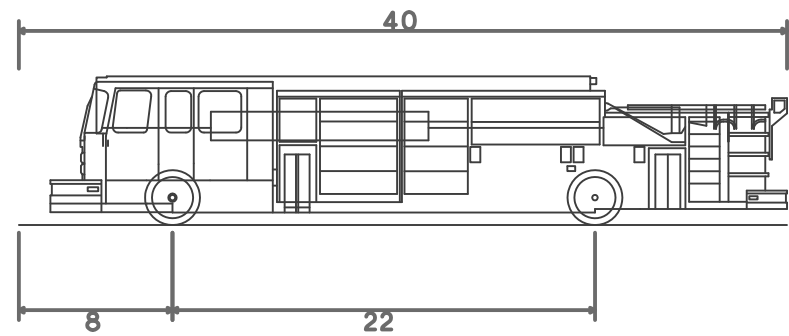
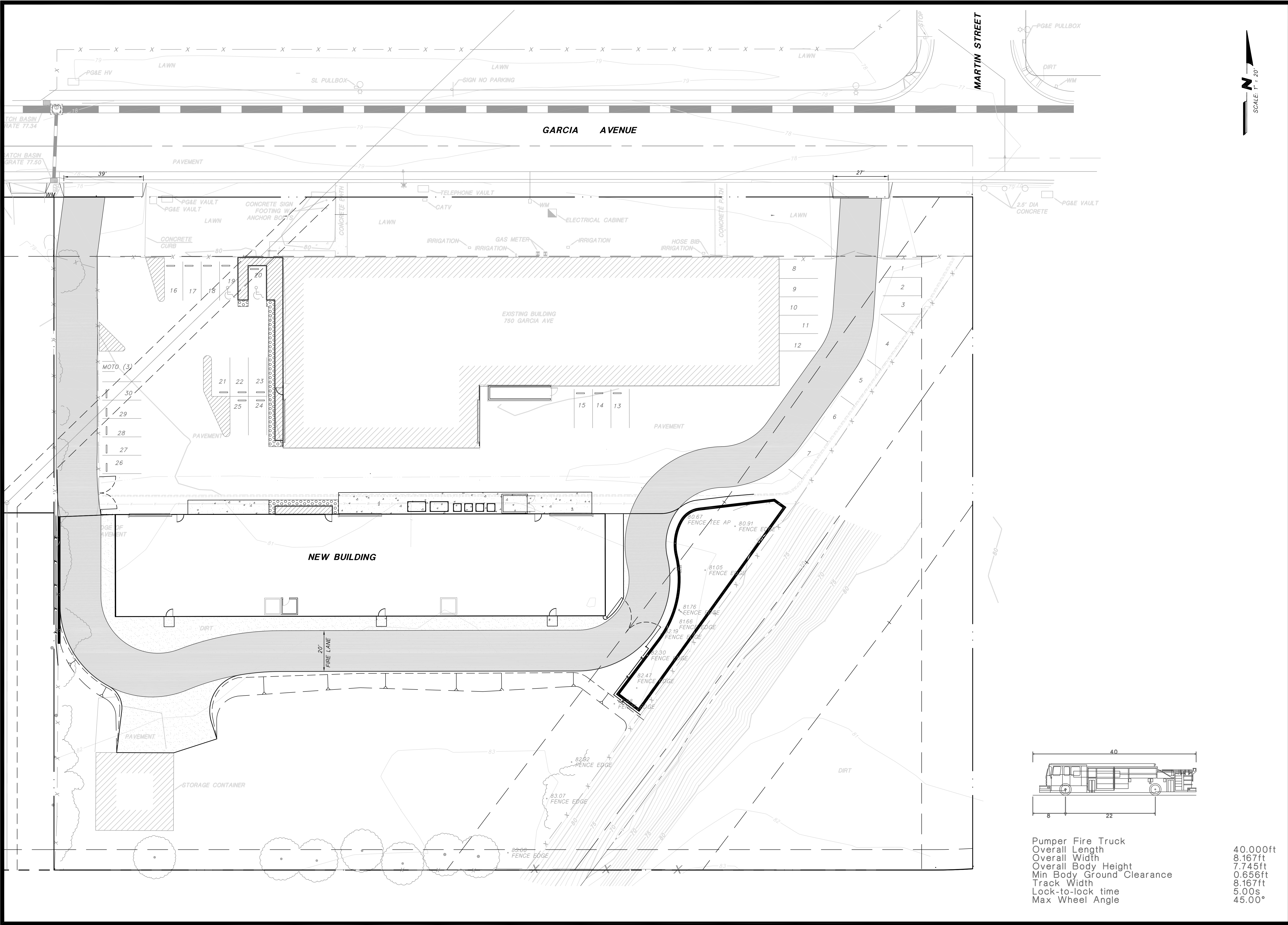
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OF 4 SHEETS

PROJ. NO. 23011-20

P:\Drawings\23011-30 Garcia Ave lot merger - Pittsburg\CAD 2004\23011 Plot Plan Master.dwg, 9/17/2024 11:32:49 AM, 1:1

31



Pumper Fire Truck	40.000ft
Overall Length	8.167ft
Overall Width	7.745ft
Overall Body Height	0.656ft
Min Body Ground Clearance	8.167ft
Track Width	5.00s
Lock-to-lock time	45.00°
Max Wheel Angle	

750 GARCIA AVENUE
APN 088-250-070-5
PROPOSED FIRE TRUCK
PATH OF TRAVEL EXHIBIT
PITTSBURG CALIFORNIA

PA

Design Resources, Inc.

Planning ■ Engineering ■ Surveying

3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635

TEL (925) 210-9300

DATE: September 17, 2024

SCALE

HORIZ. 1"=20'

VERT.

DESIGN:

CHECKED:

SHEET

4

OF 4 SHEETS

PROJ. NO. 23011-20

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32

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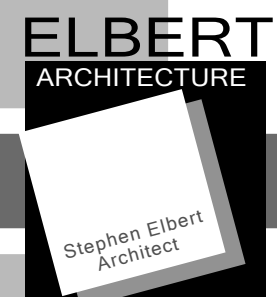
Stephen Elbert
Architect

925.980.4344
se @ elbertarchitecture.com
www.elbertarchitecture.com

AS 2.0

SITE PLAN | EXISTING

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Suite 200
Lafayette, CA 94549

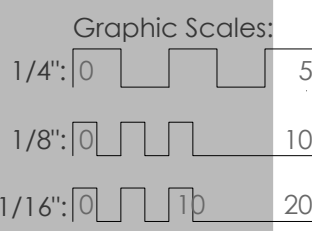
C 925.980.4344
E se @ elbertarchitecture.com
W www.elbertarchitecture.com

PARKING:

	EXISTING	PROPOSED
AUTOS:		
(E) BLDG. =	20	--
(N) BLDG. =		
Commercial / Warehousing & Storage:		
8000 g.s.f. @ 1 stall / 2000 s.f. =	4	
Industrial / Manufacturing (Limited):		
4000 g.s.f. @ 1 stall / 750 s.f. =	6	
TOTAL =	20 + 10	30 stalls
ACCESSIBLE SPACES if 26-50 stalls =	1 VAN + 1 STD.	
(2022 CBC Table 118-208.2)		
LG. TRUCKS:		
(E) BLDG. =	0	--
(N) BLDG. = Group II < 15,000 s.f. =	--	0
TOTAL =	0	0
BICYCLE:	0	1

C.C.C.F.P.D. FIRE LANE STDS.

WIDTH, min. =	20'
HEIGHT, min. =	13'6" CLEAR
ROAD SURFACE =	ALL WEATHER
IMPOSED LOAD, min. =	37 tons (74,000 lbs.)
< APPROACH =	10% max.
TURNING "Y" =	
OUTSIDE, max. =	45'
INSIDE, min. =	25'
DEADEND w/o TURNAROUND =	150'

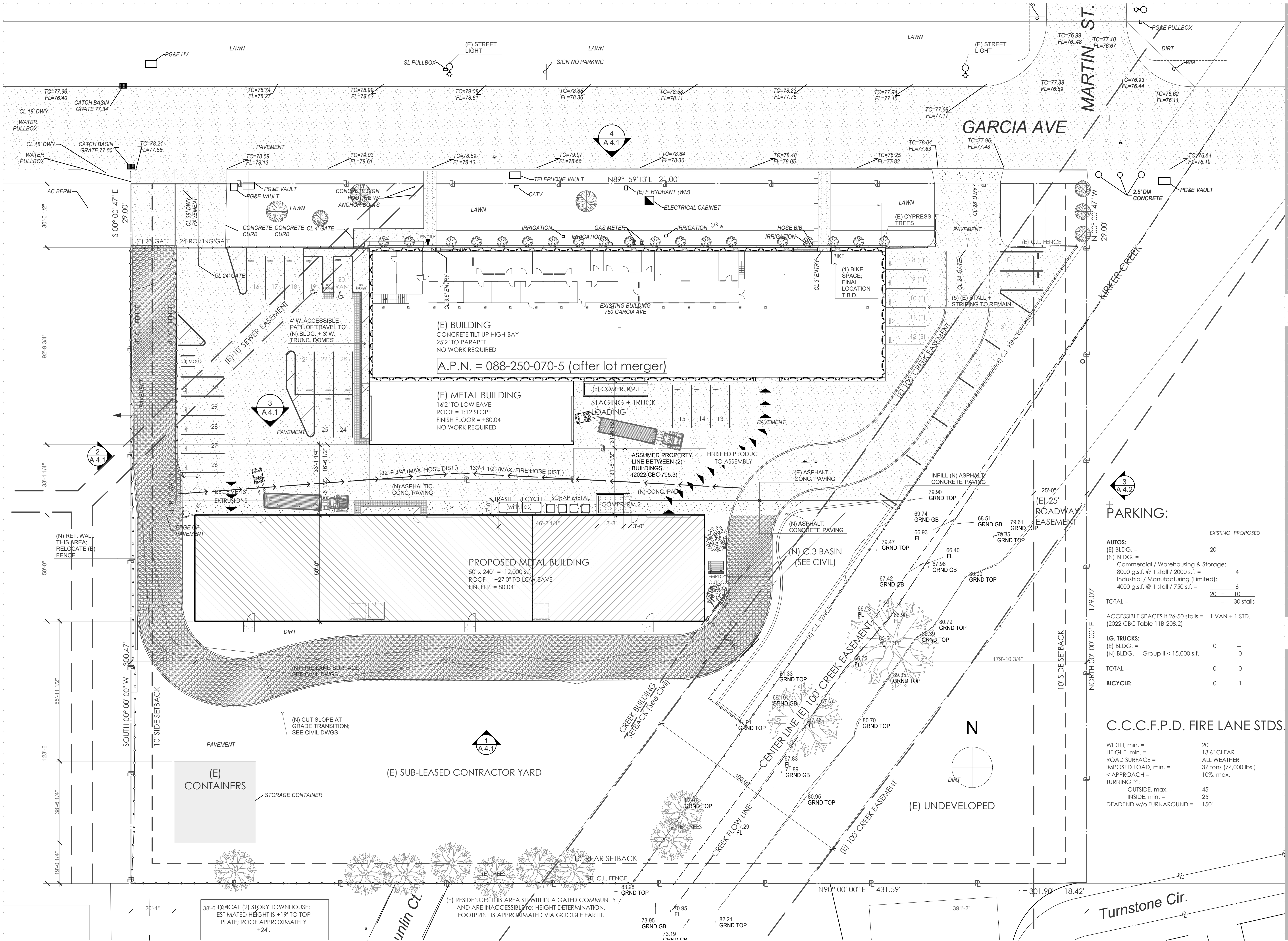


AS 2.1

SITE PLAN | PROPOSED

SITE PLAN | PROPOSED
SCALE: 1" = 20'

1





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Pervious / Landscape Area Summary:

Area	Existing s.f.	Proposed s.f.
L.1	2444 s.f.	
L.2	5342 s.f.	
L.3	1518 s.f.	
L.4	1194 s.f.	
L.5		456 s.f.
L.6	20,136 s.f.	
Total Landscape =	30,634 s.f. +	456 s.f. = 31,090 s.f.

Total, Landscape Area on site = 31,090 s.f.

C.3 Basin = 2340 s.f.

Total, Pervious Area on site = 33,430 s.f.

Landscape Area = 20.9 % of site area. (15% min. required)
Pervious Area = (Landscape + C.3) = 22.5 % of site area (5% min. required)

Impervious Surfaces Summary:

	Existing s.f.	Proposed s.f.	TOTAL s.f.
STRUCTURES:			
(E) Main Building =	14,260 s.f.		
(E) Metal Building =	2884 s.f.		
Proposed =		12,000 s.f.	
Sub-Total =	17,144 s.f.	12,000 s.f.	29,144 s.f.
Misc. Outbuildings =			
(E) Compr. Area #1	246 s.f.	123 s.f.	
Compr. Area #2	246 s.f.	123 s.f.	
Sub-Total =	246 s.f.	123 s.f.	369 s.f.
TOTAL BUILDING =	17,390 s.f.	12,123 s.f.	29,513 s.f.
HARDSCAPE:			
IP.1 =	12,143 s.f.		
IP.2 =	17,104 s.f.		
IP.3 =		2400 s.f.	
IP.4a =	422 s.f.		
IP.4b =	213 s.f.		
IP.5 =		75 s.f.	
TOTAL HARDSCAPE =	29,882 s.f.	2475 s.f.	32,357 s.f.
TOTAL ADDED HARDSCAPE =		14,598 s.f.	

ELBERT
ARCHITECTURE

Stephen Elbert
Architect

3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
E se @ elbertarchitecture.com
W www.elbertarchitecture.com

Graphic Scales:
1/4" = 0'
1/8" = 0'
1/16" = 0'

AS 2.3

SITE PLAN | LANDSCAPE +
PERVIOUS SURFACE PLAN

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ARCHITECTURE



3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
E se @ elbertarchitecture.com
W www.elbertarchitecture.com

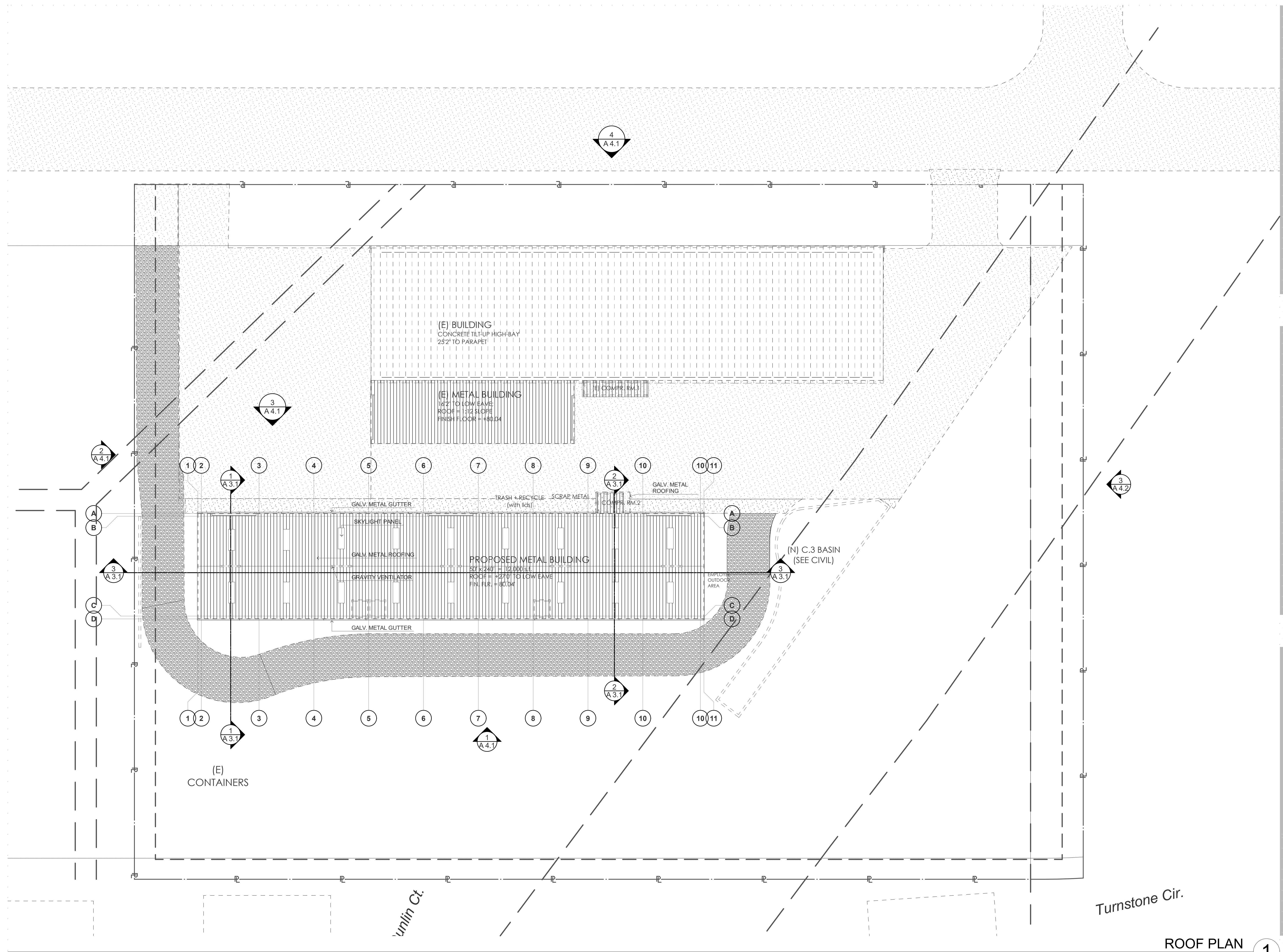
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1/8" = 0' 10"
1/16" = 0' 20"

AS 2.4

ROOF PLAN | PROPOSED +
EXISTING

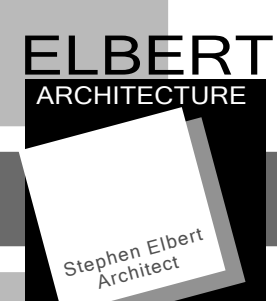
ROOF PLAN
SCALE: 1" = 20'

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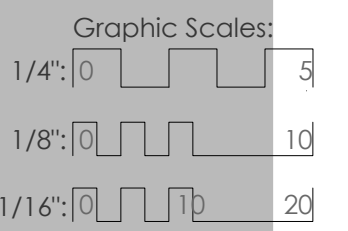
DESIGN REVIEW

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REV.	DATE	DESCRIPTION



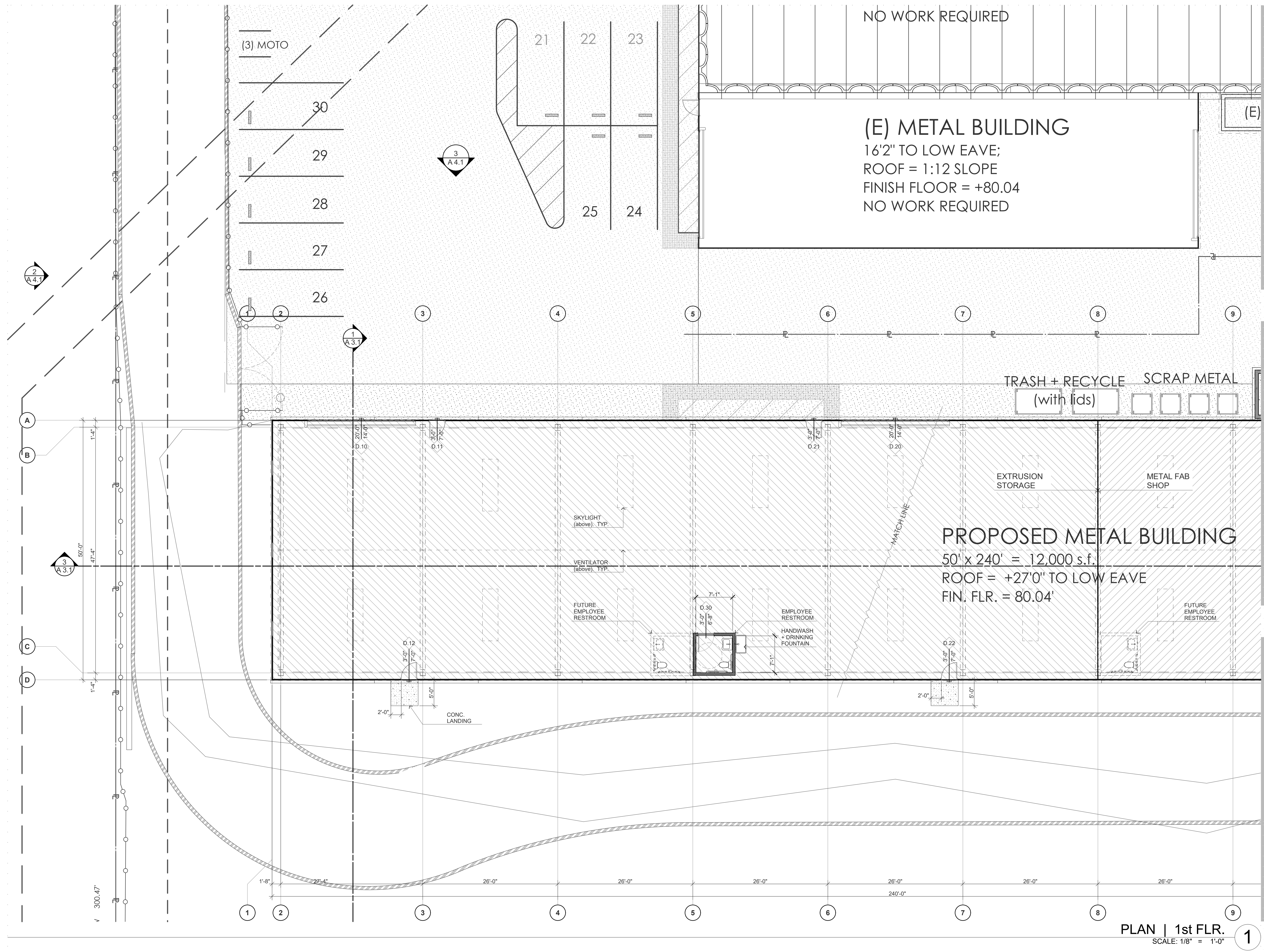
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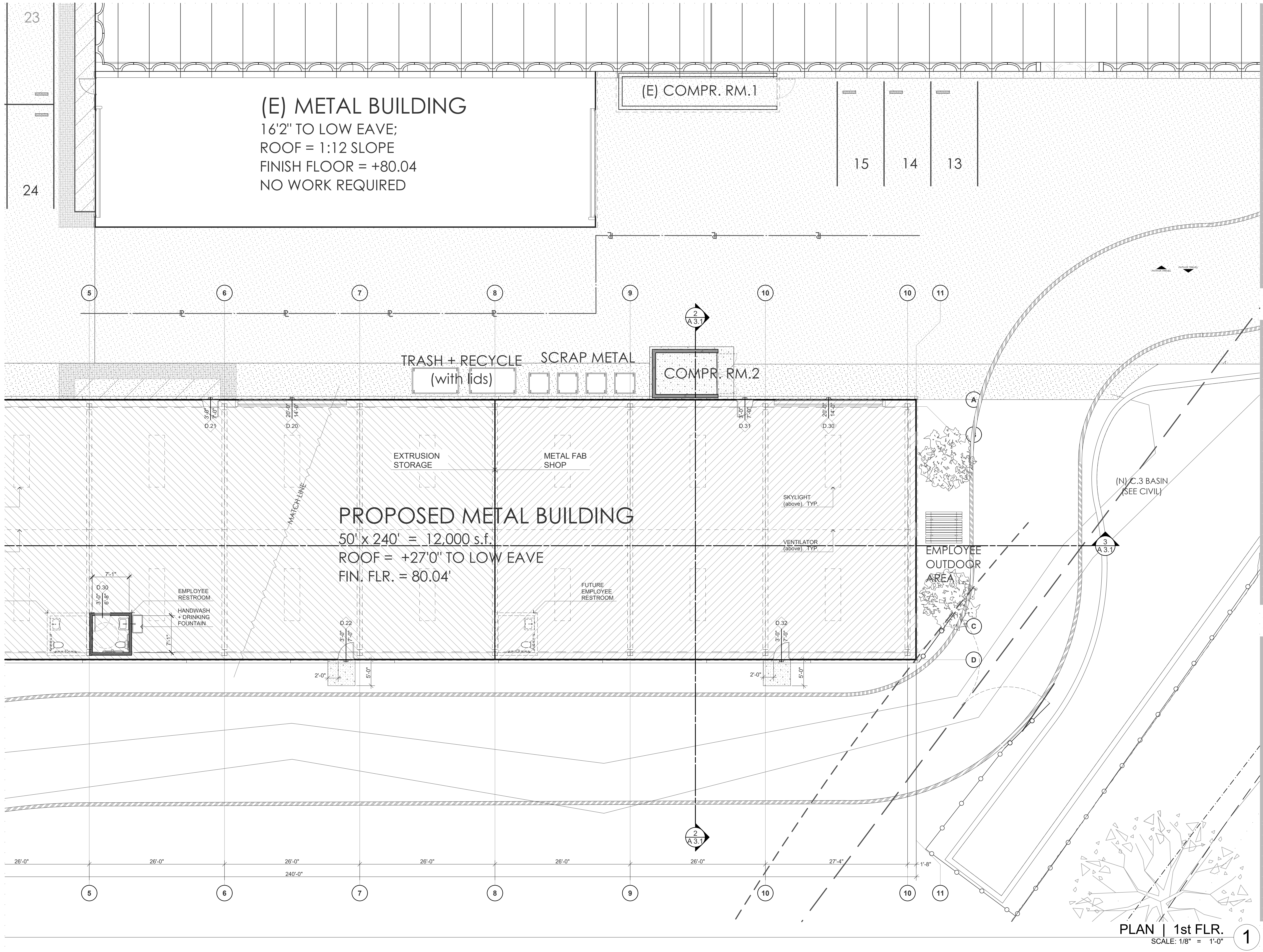
A 2.1

PLAN | 1st FLOOR (Partial)



PLAN | 1st FLR.
SCALE: 1/8" = 1'-0"

1



Hospital Systems, Inc.

750 Garcia Avenue
Pittsburg, CA 94565

DESIGN REVIEW

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ELBERT
ARCHITECTURE

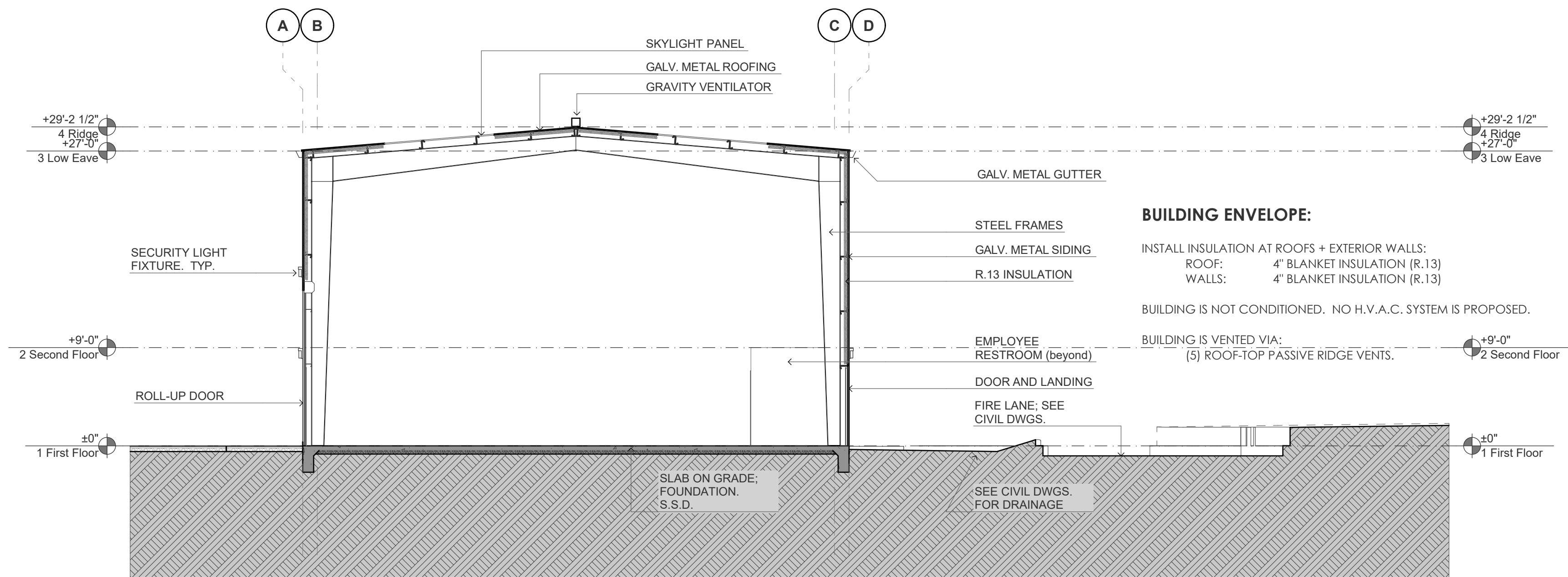
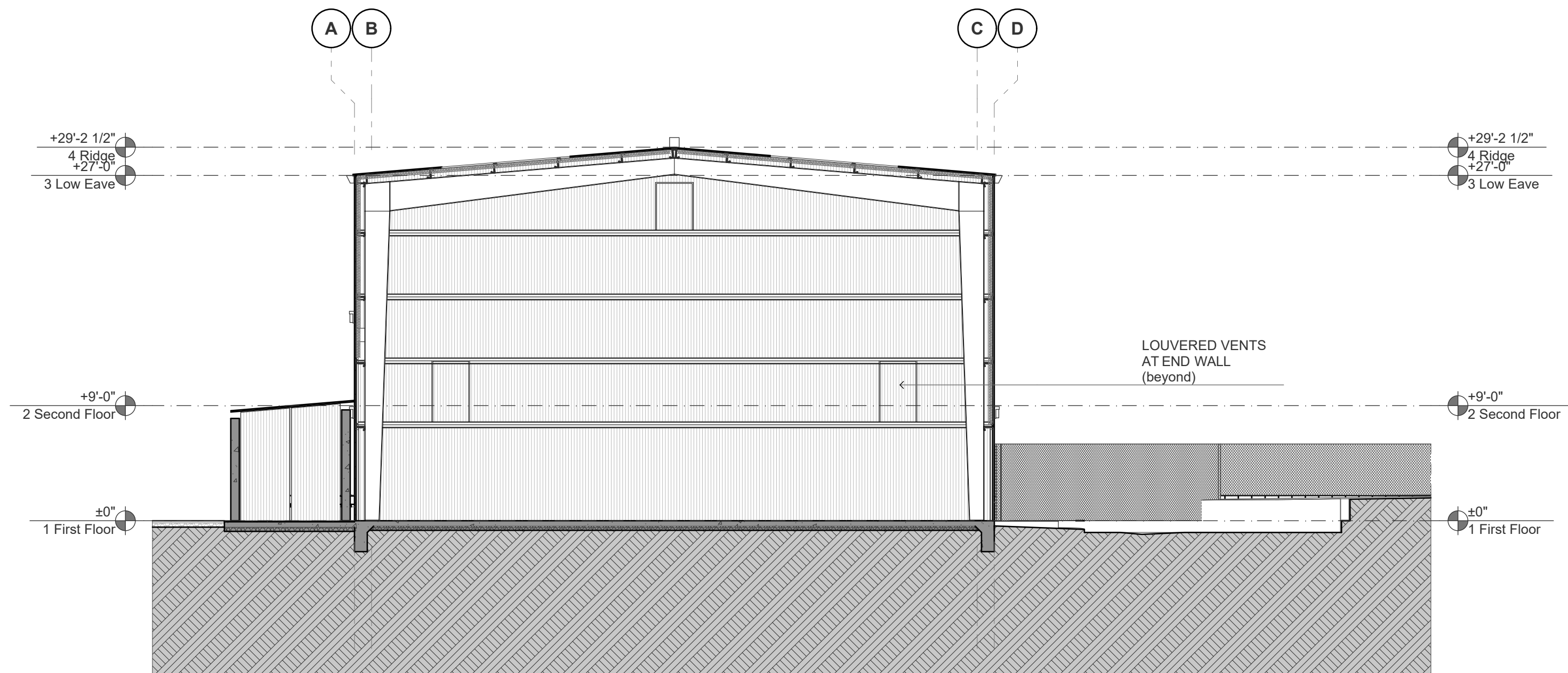
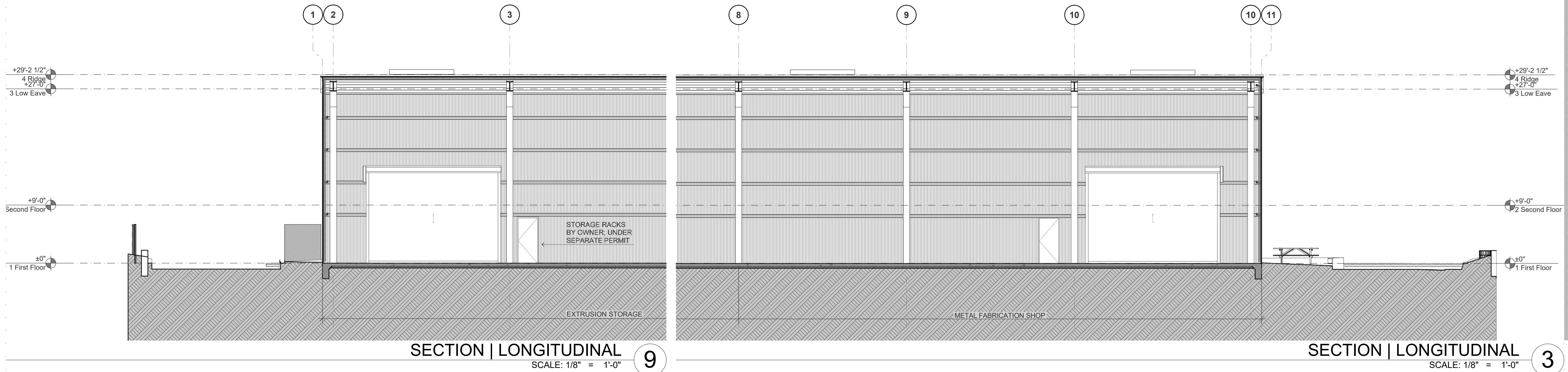
Stephen Elbert
Architect

3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
E se @ elbertarchitecture.com
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Graphic Scales:
1/4" = 0' 0"
1/8" = 0' 0"
1/16" = 0' 0"

A 2.2
PLAN | 1ST FLOOR (Partial)



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SYSTEMS, INC\PROJ DWGS\090624_HSI.pln
REV. DATE DESCRIPTION

ELBERT
ARCHITECTURE

Stephen Elbert
Architect

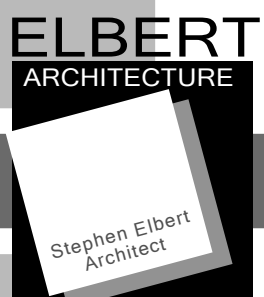
3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
E se @ elbertarchitecture.com
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Graphic Scales:
1/4": 0 5
1/8": 0 10
1/16": 0 20

A 3.1

SECTIONS | BLDG.



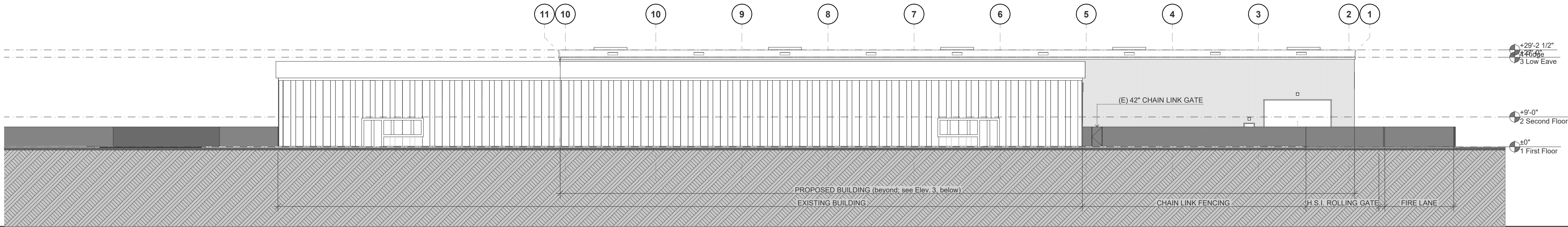
3620 Mt. Diablo Blvd.
Suite 200
Lafayette, CA 94549

C 925.980.4344
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Graphic Scales:
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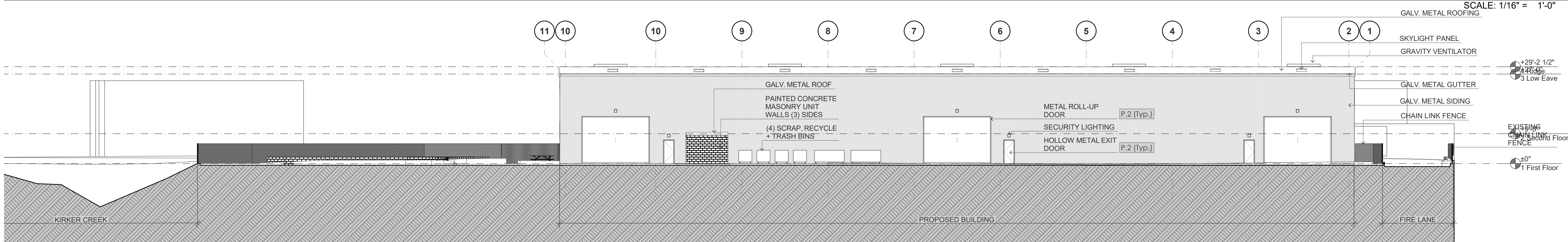
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ELEV. | EXT.



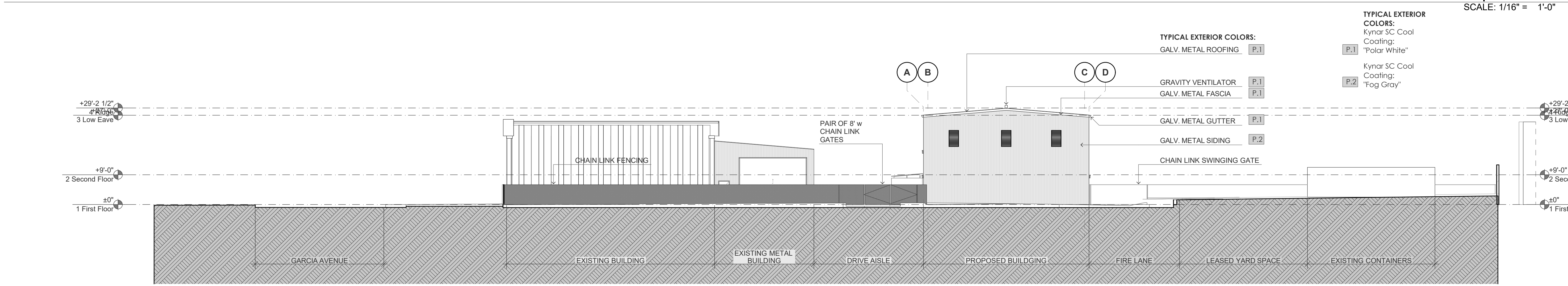
EXT. ELEVATION | NORTH at GARCIA AVENUE

4



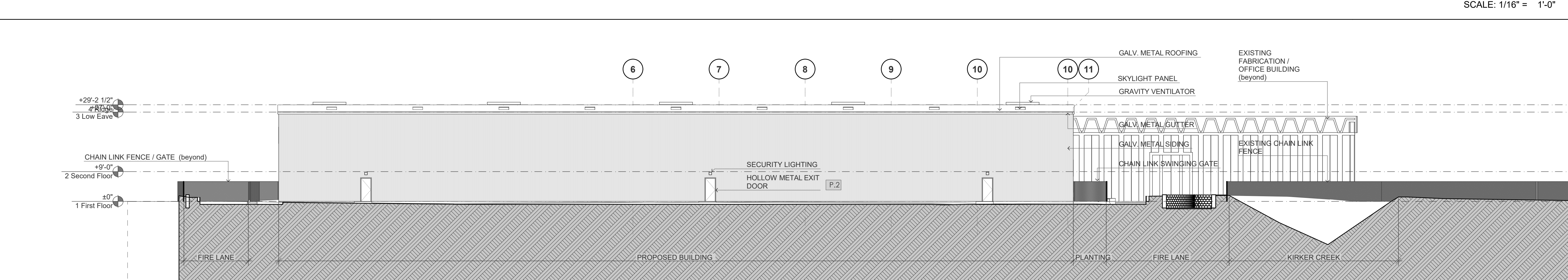
EXT. ELEVATION | NORTH

3



EXT. ELEVATION | WEST

2



EXT. ELEVATION | SOUTH

1

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REV. DATE DESCRIPTION

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ARCHITECTURE



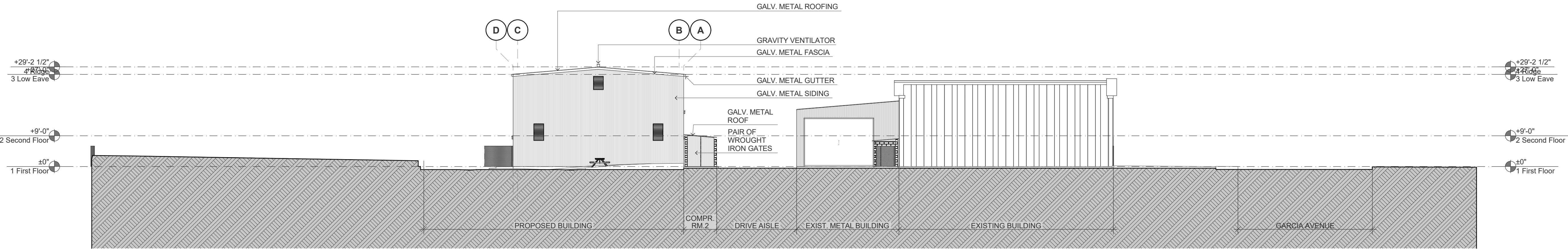
3620 Mt. Diablo Blvd.
Suite 200
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Graphic Scales:
1/4" = 0' 5"
1/8" = 0' 10"
1/16" = 0' 20"

A 4.2

ELEV. | EXT.



EXT. ELEVATION | EAST
SCALE: 1/16" = 1'-0"

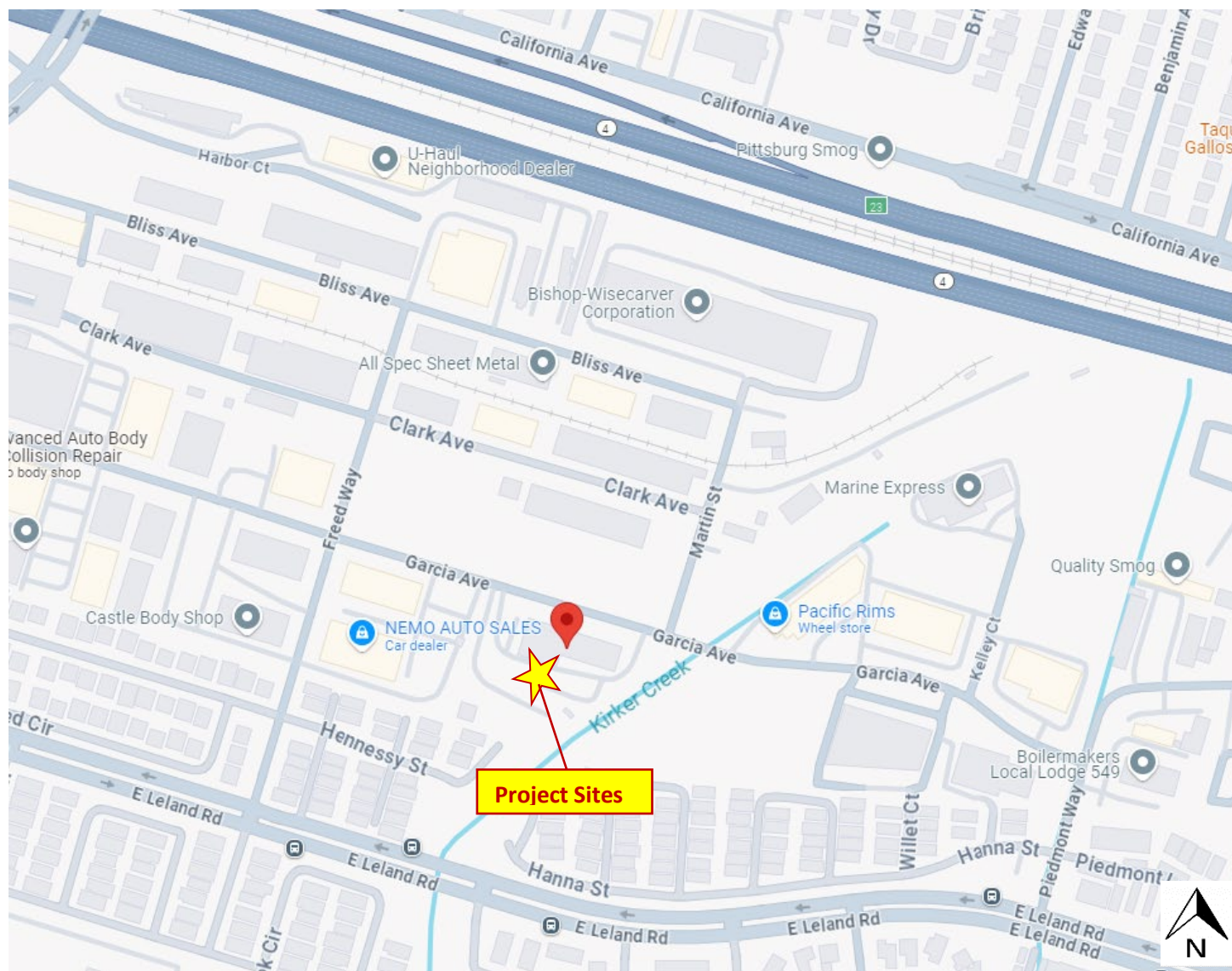
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Attachment 3 – Project Site Photos – 750 Garcia Avenue, Pittsburg, CA 94565

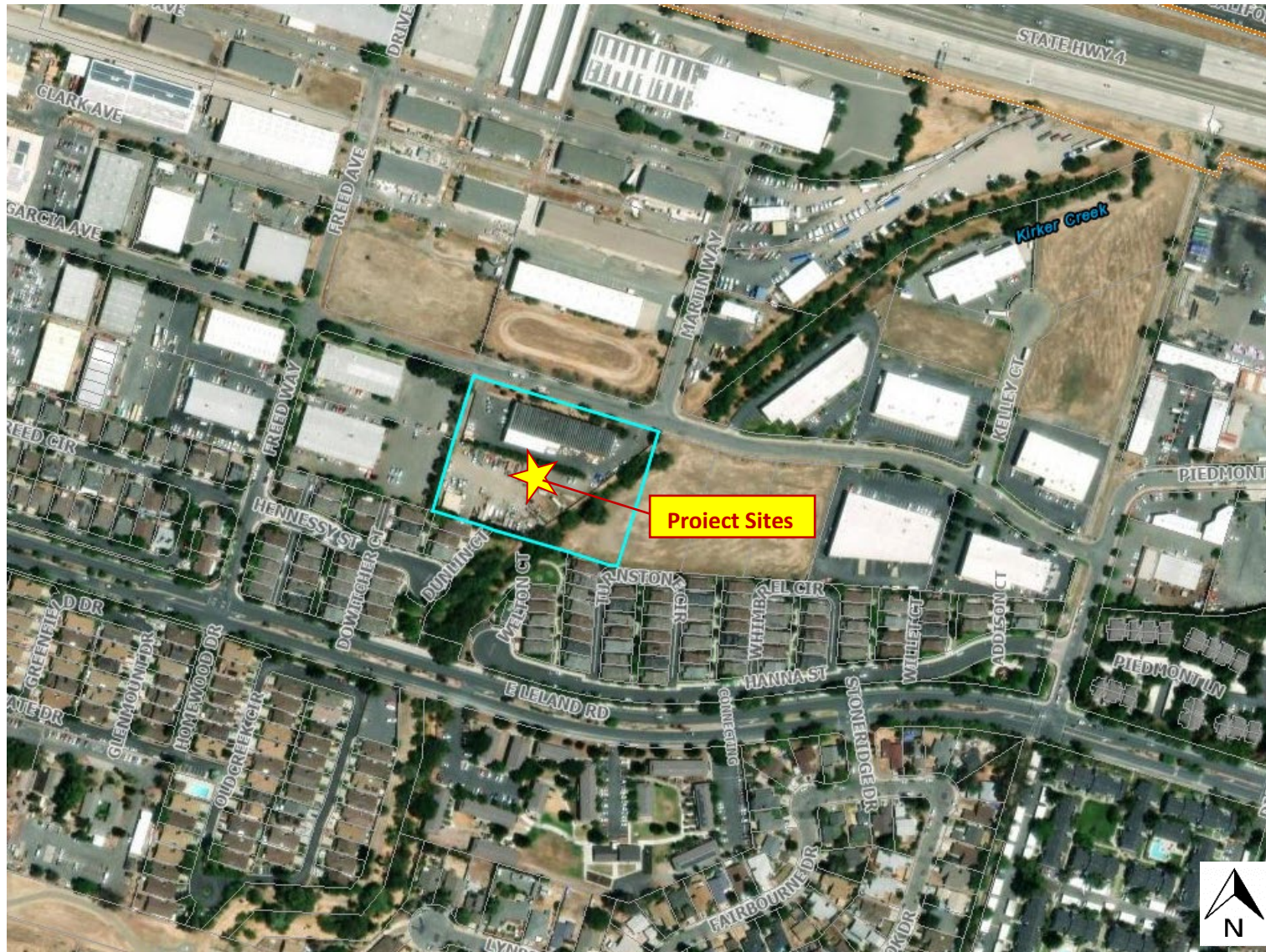


Vicinity Map

AP-24-0117	750 Garcia Avenue, Pittsburg, CA 94565
Hospital Systems Inc. Warehouse Addition (UP, DR)	Assessor's Parcel No. 088-250-070



Aerial Map



Attachment 5 – Property Development Regulations Table

Development Classifications	IP	Proposed Project
Minimum lot area (sq. ft.)	15,000 sq. ft.	Existing; Greater than 15,000 sq. ft.
Minimum lot width (ft.)	80 ft.	Existing; Greater than 80'
Minimum yards (ft.)	-	-
Front	25 ft.	Existing; approx. 25'
Corner side	25 ft.	Not applicable.
Side	10 ft.	Greater than 10'.
Side (adjacent to nonindustrial district)	10 ft	Not applicable.
Rear	10 ft.	Greater than 10'.
Rear (adjacent to nonindustrial district)	10 ft.	Not applicable.
Maximum height of structures	35 ft.	Less than 35'
Maximum lot coverage	50%	Existing; Less than 35'
Maximum FAR	0.8	Less than 0.8.
Minimum site landscaping	15%	Existing; Greater than 15%.

Attachment 6 – Development Review Design Guidelines Table

Design Review Guideline	Meets Guideline?
IV.a: Parking areas should be screened from view from any public right-of-way (beaming or hedge-type plant material). Parking areas should be broken up (landscape islands, projections, etc.) to eliminate vast areas of parking especially along street frontages.	Yes. The on-site parking area is already screened (existing).
IV.b: Provisions should be made for permanent shopping cart corrals in retail shopping centers.	Not applicable. This guideline is intended to apply to retail shopping centers.
IV.c: Existing trees on site should be incorporated into the project site design, unless waived by the City Planner or Planning Commission.	Yes.
IV.d: Developer should elect, at least, one of the schemes provided in Appendix #1 for screening all utility box transformers, backflow preventers, meters and junction boxes.	Conditionally. A condition of approval states, All air conditioning units, utility boxes, transformers, backflow preventers, meters, and junction boxes shall be substantially screened from public view using a block or retaining wall screen, wood/architectural screen, or dense landscaping screen. Final utility screening methods shall be included on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit.
IV.e: Projects with many buildings (greater than three) should have a variety of building sizes and masses.	Not applicable. There are two structures proposed on site.
IV.f: Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 (fifty) feet in length unless architecture or size dictate a greater expanse.	Yes.
IV.g: Building entries should be designed as a focal point. They should be designed to set the theme or be the primary feature of the building or commercial center.	Not applicable.

Attachment 6 – Development Review Design Guidelines Table

IV.h: Building elevations (example: rear of shopping centers) visible from public right-of-ways should be addressed in design review and treated appropriately.	Not applicable. Rear of structure not visible from ROW.
IV.i: A free-standing structure within an existing commercial or industrial center should be architecturally compatible with the center, including but not limited to materials, colors and architectural elements.	Not applicable. Not within a commercial or industrial center.
IV.j: All roof mounted equipment should be screened completely from view from all public right-of-ways. A site-line study may be necessary to determine appropriate screening method.	Yes.
IV.k: All Structures, including, but not limited to, “tilt-up” type structures, should have structural reliefs and articulated entries (Encourage the creation of shadow lines).	Yes. The building has articulated entries.
IV.l: Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade.	Conditionally. A condition of approval states, all gutters and downspouts shall be placed behind exterior walls. Final gutter and/or downspout placement shall be identified on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit.
IV.m: Downspouts should be designed into the façade of the building unless architecturally treated.	
IV.n: Add murals, lattice or some other spaceframe type treatment to blank walls visible from public view.	Yes. Blank walls are broken up with the installation of windows.
IV.o: Prototype or “theme” architecture is discouraged.	Not applicable. No themed architecture is proposed.
IV.p: New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development.	Yes. The proposed structure’s features are in keeping with the character of the area, in design, color, and materials.

Attachment 6 – Development Review Design Guidelines Table

IV.q: The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation (i.e., no loading doors or large blank walls, absence of architectural features found on other elevations, and limited landscaping as typically found on interior property lines).	Yes.
IV.r: Trash enclosures should include area for collection of recyclables (example: space for two 90-gallon containers minimum, See Appendix #2 Trash Enclosure Design Standards).	Not applicable. Trash enclosure is existing, no change proposed.
Green Building Design Guideline	Meets Guideline?
VI.D.1: Roofs should be designed to integrate renewable energy generation systems and provide a cool urban environment.	Conditionally. A proposed condition of approval requires the applicant to paint the entire roofing surface behind the building parapets to be painted white to create a 'cool roof'.
VI.D.2: Parking lot impacts should be minimized.	Not applicable. Parking lot is existing.
VI.D.3: Hardscapes should be constructed with permeable surfaces (e.g. pervious concrete, porous asphalt, unit pavers, and granular materials). Permeable paving consisting of porous above-ground materials, a 6- inch porous sub-base, and a base layer that is designed to ensure proper drainage away from the building and neighboring properties. Alternatively, impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature (e.g. vegetated swale, on-site rain garden, or rainwater cistern).	Conditionally. A proposed condition of approval requires the applicant to comply with all C3 regulations.
VI.D.4: Design choices should incorporate or prepare for electric vehicle charging or used vegetable oil fueling infrastructure.	Not applicable.

Attachment 6 – Development Review Design Guidelines Table

VI.D.5: Fuel cell technology should be considered for application where (1) space or cost prohibits non-emitting on-site generation (such as solar, wind or geothermal), AND either (2) the heat resulting from fuel combustion is utilized for water or space heating, and/or (3) the fuel cells would be used primarily during peak utility hours.	Conditionally. A proposed condition of approval requires the project to comply with current California Building Code regulations, which require solar installation on all roofs.
VI.D.6: Reclaimed (purple pipeline) water should be used for as much non-potable water uses as feasible and practical. Landscaping water fixtures using reclaimed water should be purple, and purple and white signage should clearly mark areas that are irrigated with reclaimed water.	Not applicable. Landscaping is existing and no proposed or required modifications.
VI.D.7: Large commercial and institutional facilities that are anticipated to employ more than 50 employees, should consider providing on-site shops and services for those employees.	Not applicable. Less than 50 employees are expected to work within proposed new building.
VI.D.8: Street side building faces should encourage walking.	Not applicable. Existing building frontage has sidewalk and landscaping.
VI.D.9: Secure bicycle parking facilities should be provided for at least 10% of expected peak hour trips. Bicycle parking structures should be complementary to the surrounding structures and may be partially obscured by vegetation or painted with a mural design that is consistent with surrounding aesthetics. Shade trees should be planted if the parking facility is located in an area not shaded by surrounding structures. They should be located in an accessible and visible space to discourage misuse.	Conditionally. Proposed project is conditioned to install required bicycle parking spaces, as prescribed by the Pittsburg Municipal Code.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct a public hearing on:

DATE: December 10, 2024
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Hospital Systems Inc. Warehouse Addition, 750 Garcia Avenue, AP-24-0117 (UP, DR)

Use Permit (UP) and Design Review application to construct a new 12,000 square-foot industrial warehouse for storage of aluminum extrusions and other materials behind existing main industrial building for Hospital Systems Inc. (HSI) located at 750 Garcia Avenue in the Employment Center Industrial (ECI) Land Use General Plan Area and the IP – Industrial Park Zoning District. Assessor's Parcel No. 088-250-070.

Environmental Determination

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 2, "Infill Development Projects," of the CEQA Guidelines, section 15332.

PROJECT PLANNER: Maurice Brenyah-Addow, (925) 252-4261 or
mbrenyah-addow@pittsburgca.gov

Why am I receiving this notice?

You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

What can I do if I have comments on the project?

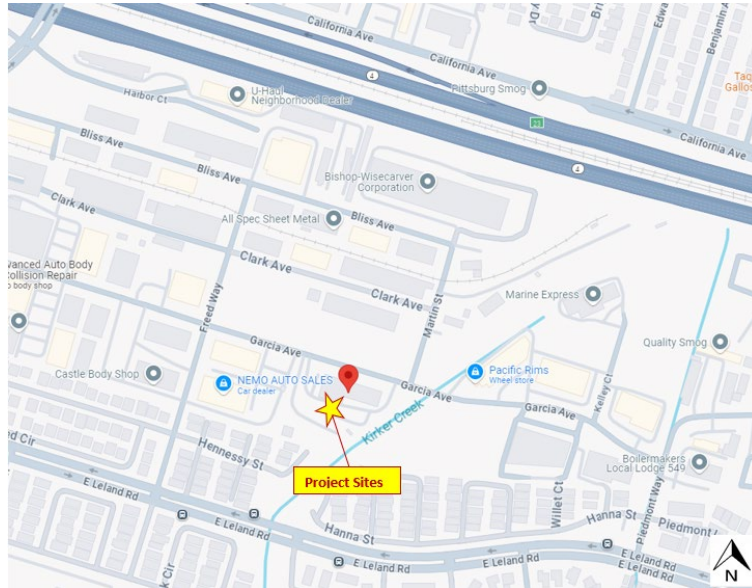
Comments or objections to the project can be made by writing or through e-mailed testimony prior to the meeting or provided orally during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

*Para información en
español:
(925) 252-4920*

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Hospital Systems Inc. Warehouse Addition, 750 Garcia Avenue, AP-24-0117 (UP, DR)
Location: 750 Garcia Avenue, Assessor's Parcel No. 088-250-070



City of Pittsburg

Community and Economic Development Department - Planning
Division
65 Civic Avenue
Pittsburg, CA 94565

NOTICE OF PUBLIC HEARING



**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
December 10, 2024**

ITEM: Resolution Granting Approval of a Modification to the Existing Use Permit for Doctorbird Market, AP-23-0048 (UP).

ORIGINATED BY: Danielle and Zane Fiala, 90 East 4th Street, Pittsburg, CA 94565

SUBJECT: This is a public hearing on a request for approval of a Modification to Use Permit AP-23-0048 to Conditions of Approval No. 5 and 10 for Doctorbird Market. The modification request is to allow for a Type 42 License with Alcoholic Beverage Control (ABC), which would establish a “Wine Bar”. The subject site is located at 90 East 4th Street. Assessor’s Parcel No. 085-104-006.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution, modifying Use Permit Application Number 23-0048, Conditions of Approval No. 5 and 10 for Doctorbird Market subject to conditions.

BACKGROUND:

The project is located within the historic Bank of America Building. The Bank of America Building was constructed in 1921 and is a contributor to the New York Landing Historic District.

On July 11, 2023, the City of Pittsburg Planning Commission approved Use Permit Application No. 23-0048 under Resolution No. 10230, establishing a Specialty Food Market with alcohol sales as an ancillary use. The Specialty Food Market includes sales of artisanal foods, beer, wine, and branding merchandise. The Market also hosts community events with local authors, winemakers, and producers, as well as interactive tastings.

On November 21, 2024, the applicant filed Use Permit Application No. 24-0132, requesting approval of a modification to the approved Use Permit to expand its current business operations.

PROJECT DESCRIPTION:

Existing Conditions: The proposed business utilizes the existing tenant space of approximately 1,287 square feet located on a parcel with an existing 11,380 multi-tenant building known as the Bank of America Building, located on the southwestern corner of Railroad Avenue and East 4th Street in Downtown Pittsburg. The parcel contains a two-story multi-tenant mixed-use building that encompasses the entire parcel with zero-yard setbacks with frontage on both Railroad Avenue and East 4th Street. The tenant space can be accessed by entrances to the north along East 4th Street and to the east along Railroad Avenue. The tenant space is located on the first floor of the building, within the historic Bank of America building.

There is no off-street parking street located on the subject property, however, there is street parking available along both frontages on East 4th Street and Railroad Avenue. Public parking lots are available near the site, approximately 50 feet away to the north and 170 feet to the east of the project site.

Surrounding Land Uses:

North: East 4th Street, New Mecca Café, Public Parking Lot
East: Burlessas Building (Future Mixed Use Residential – Apartments/Commercial)
South: La Veranda Ristorante Italiano, John Buckley Square
West: Railroad Avenue, Office Spaces, St. Claire Cigars

See Attachment 2 for a map of surrounding land uses.

Proposed Project: The applicant is requesting approval of Modification to their existing Use Permit for Doctorbird Market, which is an existing business operating under approved Use Permit Application No. 23-0048, Planning Commission Resolution No. 10230. Planning Commission Resolution No. 10230 Conditions of Approval approved a specific type of Alcoholic Beverage Control (ABC) License and required that any modification to the ABC License be reviewed and potentially require a modification of the Use Permit (Condition of Approval #10). Further, the Conditions of Approval requires that any expansion or substantial changes in operation relating to alcoholic beverage sales as determined by the Community and Economic Development Director shall require review and approval of a new Use Permit (Condition of Approval #5).

Doctorbird Market is a specialty retail market in Old Town Pittsburgh, selling handcrafted, artisan wines, beer, olive oil, cheese, snacks, and other food products, in addition to cookbooks and gift items. Several times a month, Doctorbird Market hosts events such as guided wine pairings, culinary demonstrations, and cookbook signings.

Doctorbird Market currently operates under a Type 20 ABC license, which allows for the sale of wine and beer to be consumed off-premises, and with a Type 86, “Instructional Tasting License,” add-on which allows educational tasting on premises—up to 6 oz of alcohol total per person.

Doctorbird Market proposes to apply for a Type 42 License with ABC, which would establish a “Wine Bar” at 90 E. 4th Street. The Type 42 ABC License would allow Doctorbird Market to continue as a retail operation but remove the restriction on how much they can pour (e.g., offer a continuous pour). Doctorbird Market does not propose any other changes to their existing business operations. To facilitate the change in ABC License, the business must obtain approval of a Modification to their existing Use Permit. Consistent with the Pittsburgh Municipal Code, this modification of use would require the offering for sale and on-site consumption of prepackaged food. Continuous pours are proposed during ticketed events and during normal business hours. The hours of operation are 10:00 A.M. to 8:00 P.M., seven days a week.

ABC Licensing: The project applicant has applied for and was granted licensing through the Department of Alcoholic Beverage Control (ABC) for a Type 20 and Type 86 license as discussed below:

Type 20: A Type 20 License authorizes the sales of beer and wine for consumption off the premises where sold.

Type 86: A Type 86 License allows for the tasting of beer, wine, and/or distilled spirits at off-sale license premises. The quantity and number of tastings that may be offered to consumers is limited. The license can only be held in conjunction with a qualified off-sale license.

With Use Permit Application No. 24-0132, the applicant proposes to apply for a Type 42 ABC License and deactivate the business's current Type 20 and 86 ABC Licenses. A Type 42 ABC License is further detailed below:

Type 42: A Type 42 License is issued to bars and taverns. It authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. This license type is subject to Responsible Beverage Service (RBS) requirements and requires alcohol servers and managers of alcohol servers to be RBS certified.

GENERAL PLAN/ZONING COMPLIANCE:

General Plan: The General Plan Land Use Designation for the project site is of *Downtown Commercial*, specifically located within the "Downtown" Subarea as depicted in the Pittsburgh General Plan Figure 2-3. The purpose and intent of this land use accommodates specialty retail, personal services, restaurants, offices, financial organizations, institutions, and other business serving the needs of Downtown residents. Limitations on the size and location of parking, coupled with building orientation and design standards, will ensure that a pedestrian-oriented environment is created. The proposed expanded business operations would further compliance with General Plan Goal 2-5, which promotes and maintains Downtown as a vibrant downtown and destination point with a mix of uses and walkable areas.

Zoning: The site is zoned Pedestrian Commercial (CP). Pursuant to the Pittsburgh Municipal Code (PMC) Section 18.52.005 (B.)(7.), the purpose of the CP District is to provide a vibrant destination area that caters to pedestrian shoppers and visitors in the downtown commercial core. Permitted uses on the ground floor along the primary corridor consist primarily of pedestrian-oriented retail, entertainment, restaurants, and galleries. Office uses are permitted above/below the ground floor and beyond the primary corridor of the CP district to increase the downtown population and employment/shopper base without detracting from the ground floor pedestrian retail synergy desired along the primary corridor. The district is intended to create a place for pedestrian-oriented activity by providing inviting, visually interesting, human-scale architecture, pedestrian-friendly storefronts, outdoor dining opportunities, and a limited

number of (public) parking facilities. The proposed use contributes to the intent of the CP Zoning District.

Required Findings: In accordance with Pittsburgh Municipal Code Section 18.16.040, a Use Permit may be granted only if the proposed use satisfies the required findings:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
2. is not detrimental to the health, safety, and general welfare of the City;
3. will not adversely affect the orderly development of property within the City;
4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
6. will not create a nuisance or enforcement problem within the neighborhood;
7. will not encourage marginal development within the neighborhood;
8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law;
9. is consistent with the City's approved funding priorities; and
10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.

Environmental: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities," of the CEQA Guidelines, section 15301.

Public Notice: On or prior to November 29, 2024, notice of the December 10, 2024 public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburgh Municipal Code section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the "Old Town Pittsburgh", and "The Village at New York Landing" neighborhoods.

STAFF ANALYSIS:

Staff believes that the Planning Commission can make the required findings to approve the proposed project, with the inclusion of specific Conditions of Approval, in addition to those included in the Planning Commission-adopted Resolution No. 10230. Recommended additional Conditions of Approval are listed below:

- The business operator shall ensure that the site is maintained in a neat and clean manner at all times. Trash and debris shall not be allowed to accumulate on or around the site, or on the street gutters and sidewalks. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
- The proposed business shall operate in substantial conformance with this Use Permit application. Any proposed change in use is subject to review and approval by the City of Pittsburg Planning Commission.
- The number of people within the tenant space shall not exceed the maximum occupancy for the space as determined by the California Building Code. The maximum number shall be limited to 22 people.
- The applicant shall ensure alcoholic beverages are not served to intoxicated adults or minors.
- Any expansion or substantial changes in operation relating to alcoholic beverage sales as determined by the Community and Economic Development Director shall require review and approval of a new Use Permit.
- Change of the ABC license to a different license type may require review and approval of a new Use Permit. To be determined by the Community and Economic Development Director.
- During all times, the business operator shall have pre-packaged food available for purchase and on-site consumption.

The City's tax base and other substantial revenue sources within the City would only be increased upon approval of the proposed project. The proposed use is consistent with the City's approved funding priorities in that there is no public funding proposed for the development. It will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law as there all utilities and offsite improvement have been established and are in satisfactory condition.

With the incorporation of the Conditions identified above, Conditions listed within Planning Commission Resolution 10230, and those listed within the proposed resolution, the proposed use will not be detrimental to the health, safety, and general welfare of the City, nor create a nuisance or enforcement problem within the neighborhood. The proposed project will help promote the general welfare of residents by expanding business services. The proposed project will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging atmosphere by drawing community members to Old Town Pittsburg, thereby increasing pedestrian

traffic for surrounding sites and businesses. Further, as part of the Type 42 ABC License application process, ABC requires the business owner and operator to pass a Responsible Beverage Server certification, which helps to address concern about alcohol sales and service in the community.

Census Tract 3090 and Alcohol License Concentration

The proposed project is located within Census Tract 3090, which encompasses the below area (see Figure 1). Currently, there are sixteen (16) on-sale Licenses within the Census Tract, held by twelve different businesses. Many of these businesses are local restaurants which serve alcohol as a beverage not to be consumed off-site. Type 41 On-sale Licenses allow alcoholic beverage to be consumed on the premises where sold. Doctorbird Market currently holds two (2) of the sixteen (16). Approval of this Use Permit modification request would decrease the total number of on-sale ABC Licenses to fifteen (15), given that the proposed Type 42 ABC License would take the place of the businesses current two on-sale Licenses (Type 20 and Type 86).

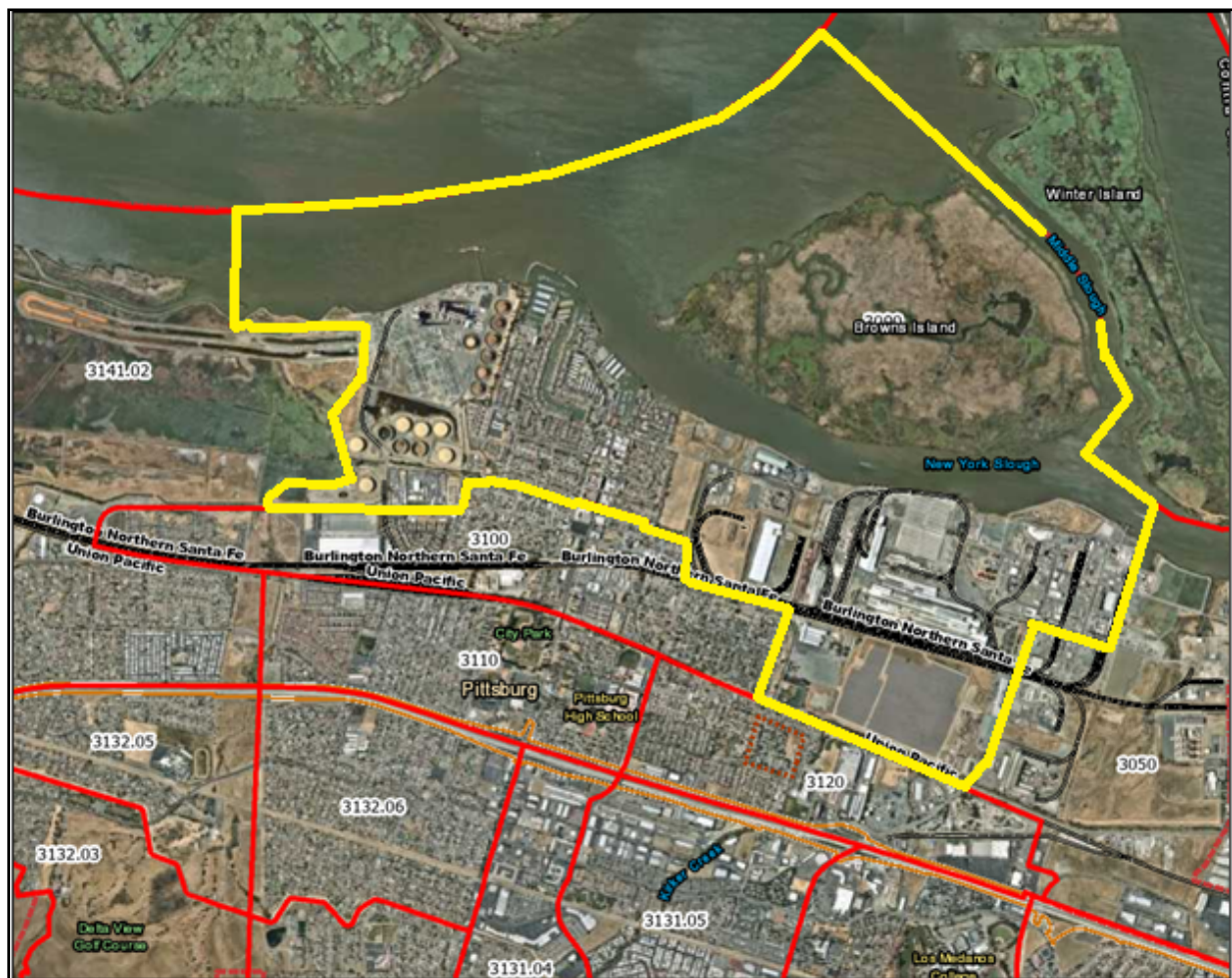


Figure 1 - Census Tract Map

The City of Pittsburg Municipal Code does not contain a standard for appropriate concentration level of alcohol sales outlets. The Department of ABC has set a maximum of four (4) on-sale licenses for this Census Tract (Attachment 3). With approval of the Type 42 ABC License, there will be a total of fifteen (15) on-sale ABC licenses within this census tract. Therefore, for the purpose of this application request, it does appear that the census tract is currently considered over-saturated, as this application request would be the first Type 42 ABC License in Census Tract 3090. Additionally, approval of the Type 42 ABC License would decrease the Census Tract's overall concentration of licenses.

Off-Street Parking: Per Pittsburg Municipal Code 18.78.040 G.3. nonresidential uses on properties located in the CP district shall not be subject to the minimum off-street parking and loading spaces required by (section 18.78.040). Therefore, no off-street parking is required for the proposed project.

ACTION REQUIRED:

Move to adopt a Resolution approving Use Permit Application No. 24-0132, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution
2. Map of Surrounding Land Uses
3. Existing Site Photos
4. Notice of Public Hearing

Prepared by: Kelsey Gunter, Associate Planner

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Approving Use Permit AP-23-0048)
Modification For Doctorbird Market,)
Planning Commission Resolution)
No. 10230 to Allow for the Operation)
of a Type 42 Alcoholic Beverage)
Control License at 90 East 4th)
Street, AP-24-0132 (UP).)

Resolution No. ____

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On July 11, 2023, the City of Pittsburg Planning Commission approved Use Permit Application No. 23-0048 under Resolution No. 10230, establishing a Specialty Food Market with alcohol sales as an ancillary use. The Specialty Food Market includes sales of artisanal foods, beer, wine, and branding merchandise. The Market also hosts community events with local authors, winemakers, and producers, as well as interactive tastings.
- B. On November 21, 2024, the applicant filed Use Permit Application No. 24-0132, requesting approval of a modification to the approved Use Permit to expand business operations.
- C. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburg General Plan, and Pittsburg Municipal Code (PMC) Title 18 ("Zoning").
- D. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities," of the CEQA Guidelines, section 15301.
- E. PMC Section 18.16.040 specifies that the following findings must be made before approval of a Use Permit. The Planning Commission may grant approval of a use permit if the proposed use:
 - 1. is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. is not detrimental to the health, safety, and general welfare of the City;
 - 3. will not adversely affect the orderly development of property within the City;

4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
 5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem within the neighborhood;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
 9. is consistent with the city's approved funding priorities; and
 10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.
- F. On or prior to November 29, 2024, notice of the December 10, 2024 public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburgh Municipal Code section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the "Old Town Pittsburgh", and "The Village at New York Landing" neighborhoods.
- G. On December 10, 2024, the Planning Commission held a public hearing on Planning Application No. 24-0132, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report titled, "Resolution Granting Approval of a Modification to the Existing Use Permit for Doctorbird Market, AP-23-0048 (UP), AP-24-0132 (UP)," dated December 10, 2024, all the information contained in the Planning Division files on the project adopted and incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburgh, and all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and incorporated herein by reference.

2. The proposed Specialty Food Market with alcohol sales an ancillary use, Doctorbird Market, will:
- a. be in accordance with the objectives of the Zoning Ordinance, the purpose of the land use district in which it is located and is appropriate to the specific location, in that the proposed retail space currently operating as a 'Specialty Food Market', with the addition of a Type 42 ABC License is a conditionally permitted use in the Pedestrian Commercial Zoning District (CP). Doctorbird Market is a pedestrian friendly food market that contributes to a vibrant downtown atmosphere through the sales of specialty foods and wines and through community events including interactive tastings;
 - b. not be detrimental to the health, safety, and general welfare of the City, in that the specialty food market and Type 42 ABC license is compatible with the character and uses of the CP District and is also compatible with the existing neighborhood. The business currently offers and plans to continue to offer community events and interactive tastings. The business is required to meet health and safety requirements of the Pittsburg Community and Economic Development Department, Contra Costa County Environmental Health Department, and the Contra Costa County Fire Protection District;
 - c. not adversely affect the orderly development of property within the City, in that approval of the Use Permit will allow the applicant to expand their existing business on a site located in an area where infrastructure is already present, and no changes are needed that could impact the orderly development of the surrounding area;
 - d. not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that the continued occupancy of tenant spaces throughout town will increase property values as well as the City's tax base, and the expansion of the existing use will likely draw new customers to Old Town Pittsburg, thereby increasing pedestrian traffic not only on site, but for surrounding sites and businesses therefore increasing revenue for the City;
 - e. will be consistent with the General Plan, in that the proposed tenant space will continue to occupy an existing commercial building, therefore maintaining a compact urban form within the City's projected municipal boundary and contribute to the pedestrian friendly atmosphere envisioned by the General Plan;
 - f. will not create a nuisance or enforcement problem within the neighborhood, in that the use will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns and if the applicant ensures alcohol will not be served to intoxicated adults or minors;

- g. will not encourage marginal development within the neighborhood, in that the business will continue to occupy a space located within an existing commercial building, and does not involve construction of a new building or building addition;
- h. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that the project site is located in an area of the City served by existing utilities, and the business will continue to be privately maintained and operated at the cost of the applicant;
- i. will not be inconsistent with the City's approved funding priorities, in that that there is no public money involved in this project; and
- j. will support the goals of creating vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along Railroad Avenue, in that the expanded use will likely draw new customers to Old Town Pittsburg, thereby increasing pedestrian traffic not only on site, but for surrounding sites and businesses.

B. The Staff Report entitled, "Resolution Granting Approval of a Modification to the Existing Use Permit for Doctorbird Market, AP-23-0048 (UP), AP-24-0132 (UP)," dated December 10, 2024, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, this Planning Commission hereby approves Planning Application No. 24-0132, subject to the following conditions:

Planning Conditions:

1. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
2. Conformity with Project Plans. The approved use shall be operated in substantial conformity with the project plans dated April 5, 2023, except as may be hereinafter modified. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.
3. License and Permitting. At all times during operation of the business, the business operator shall maintain a City Business License. All businesses utilizing the retail space, or businesses operating within the retail space, including but not limited to catering companies, small businesses selling goods, authors, winemakers, shall obtain and maintain a business license with the City of Pittsburg for the entire

duration of the event(s). Further, the business operator shall also obtain and maintain all required licenses with regulatory agencies, including but not limited to Contra Costa County Environmental Health Department and the Department of Alcoholic Beverage Control.

4. Hours of Operation. The hours of operation for the business shall be limited to 10:00 A.M. to 8:00 P.M. daily; except that the Zoning Administrator shall be authorized to extend the hours up to:
 - No later than 11:00 P.M. on Friday
 - No later than 12:00 A.M. on Saturday

This shall only be allowed through the request of the applicant to the Zoning Administrator. Community events and interactive tastings shall be limited to the hours of operation of the business; unless otherwise permitted by Temporary Activity Permit or Special Event Permit issued on behalf of the Planning Division.

5. Operation. Any expansion or substantial changes in operation relating to alcoholic beverage sales as determined by the Community and Economic Development Director shall require review and approval of a new Use Permit.
6. Sale and On-Site Consumption of Food. During all times, the business operator shall have pre-packaged food available for purchase and on-site consumption.
7. Maximum Occupancy. The maximum number of occupants shall not exceed Building and Fire Codes. Per the California Building Code, the maximum occupancy during community events, shall not exceed 22 people. Additionally, the number of attendees for any event shall not exceed the maximum occupancy for the space as determined by the Contra Costa County Fire Protection District.
8. Site Maintenance. The site and adjacent street and sidewalk shall be kept clean and free of all litter, debris, and refuse that may be generated from the operation of the business, at all times. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
9. Signage. Signage for the use is not approved with this resolution. Should the applicant consider signage for the building, the applicant or their designee shall submit proposed signs as part of a separate sign permit application, which will be subject to review and approval by the Planning Division prior to installation.
10. Peace and Order. The business operator shall be responsible for maintaining the peace and order on the premises. All necessary steps shall be taken to ensure that customers and/or attendees refrain from incidents of violence that adversely impact the safety of the community. Should the business operator fail to control loitering, noise, illegal parking, public disturbances or incidents of violence, and in the event that the business necessitates an increased police presence, the Chief of Police may require the business owner to provide additional public safety

measures, including but not limited to, video cameras, additional exterior lighting, hiring licensed and bonded security guards approved by the Police Department, reduced hours of operation, prohibition on alcohol service, submittal of a written acknowledgment by lessees allowing the Pittsburgh Police Department to enter the premises to conduct an inspection during events, or such other measures as determined necessary by the Chief of Police in their sole discretion. Any such required additional measures shall be at the business owner/operator's sole expense.

11. ABC License. Change of the ABC license to a different license type may require review and approval of a new Use Permit. To be determined by the Community and Economic Development Director.
12. Alcoholic Beverages. The business operator shall be subject to, and shall comply with, all regulations of the ABC License regarding the sales of alcohol beverages at the facility. Additionally, the business operator shall comply with all licensing conditions imposed by the State.
13. Alcoholic Beverages. The business operator shall ensure that there is no provision of alcohol anywhere outside of the building unless otherwise specified in a Temporary Activity Permit or Special Event Permit for a particular event.
14. Alcoholic Beverages. The business operator shall ensure alcoholic beverages are not served to intoxicated adults or minors.
15. Smoking. The business operator shall ensure there is no smoking within the building or within 20 feet of a doorway or operable window. This condition shall include but is not limited to tobacco, cannabis, vapes, or other commonly used smoking devices.
16. Refuse Disposal. The business operator shall ensure that trash and recycling facilities are properly maintained and provide adequate storage and pickup for all businesses utilizing the bins. Bins shall be kept indoors at all times except on pickup days, on which bins shall be brought indoors by 3:30 P.M. The applicant shall adhere to the City's Municipal Code Sections 8.04 Refuse Removal and Disposal, 8.06 Collection of Recyclable Refuse, and 8.09 Collection of Organic Refuse. The City Engineer reserves the right to require additional measures be taken to ensure proper maintenance of the refuse facility, including but not limited to requiring larger bins, an increased number of bins, and additional pickups to the maximum amount provided by the City-contracted refuse collection company.
17. Revocation. If the business operations cause adverse effects upon adjacent residences. Businesses, or operations including but not limited to noise, loitering, parking, or disturbance, the Use Permit shall be brought before the Planning Commission for consideration and possible suspension or revocation of the permit.

Standard Conditions:

18. Other Agency Requirements. The applicant shall comply with all the requirements of the Community and Economic Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
19. Standard Conditions of Development. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is conflict between the Standard Conditions of Development and the specific conditions of approval specified in this resolution, the specific conditions of this resolution shall govern.
20. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.
21. Expiration of Approval. This use permit approval will expire on December 10, 2027, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.
22. Transfer of Operator. Prior to any transfer of operator, the new operator shall submit a copy of an original signed letter to the City of Pittsburg Planning Division stating they have read, understand, and agree to abide by all conditions of approval contained in this resolution. Failure to submit this letter prior to transferring operation of alcoholic beverage sales in association with a specialty food market with community events and interactive tastings will constitute a failure to implement the adopted conditions of approval and may be grounds for revocation of the Use Permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 10th day of December, 2024, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

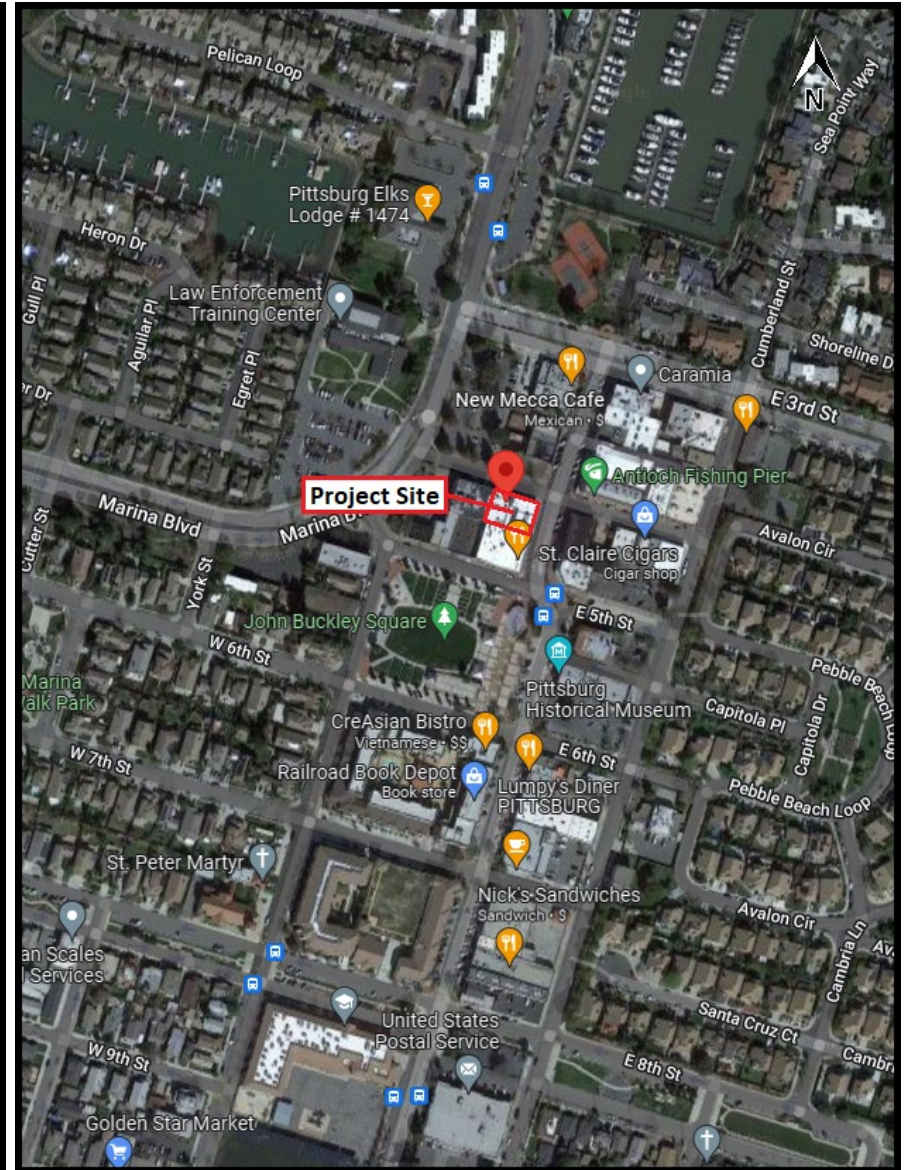
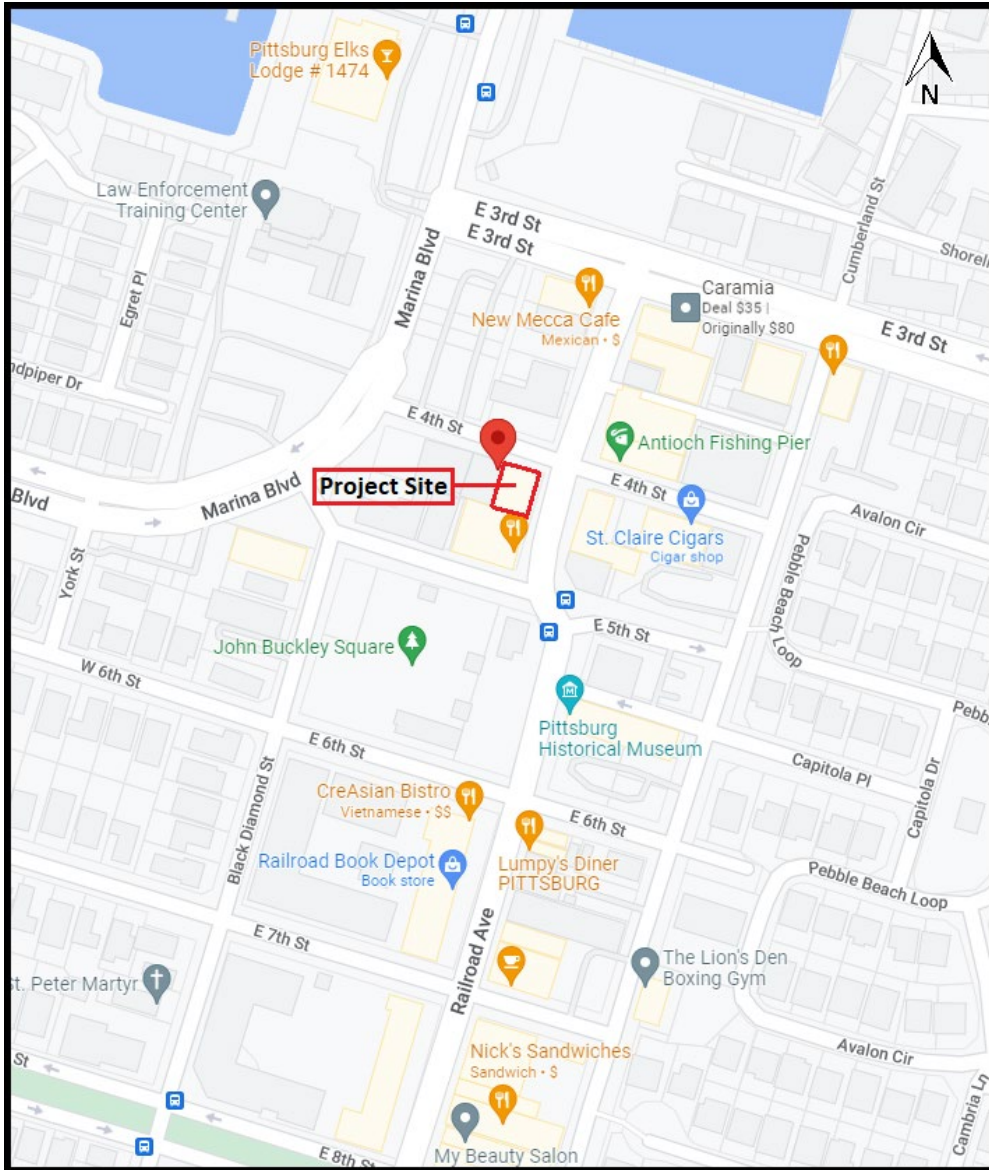
ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. _____ was adopted by the Planning Commission of the City of Pittsburg on December 10, 2024.

JOHN FUNDERBURG, M.S., SECRETARY
PITTSBURG PLANNING COMMISSION

Map of Surrounding Land Uses



Existing Site Photos





City of Pittsburg
California

65 Civic Avenue
Pittsburg, CA 94565
P: (925) 252-6900
F: (925) 252-4814
pittsburgca.gov

Community and Economic Development Department – Planning Division

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct a public hearing on:

DATE: December 10, 2024
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

SUBJECT: Modification of Use Permit, AP-23-0048 (UP)

This is a Public Hearing of a request to modify an existing Use Permit, approved under Planning Commission Resolution No. 10230 (Application No. AP-23-0048). Planning Commission Resolution No. 10230 Conditions of Approval (COA) approved a specific type of Alcoholic Beverage Control (ABC) License, and required that any modification to the ABC license be reviewed and potentially require a modification of the Use Permit (COA #10). Further, the COA requires that any expansion or substantial changes in operation relating to alcoholic beverage sales as determined by the Community and Economic Development Director shall require review and approval of a new Use Permit (COA #5). Doctorbird Market currently holds a Type 20 ABC license, which allows for the sale of wine and beer to be consumed off-premises, with a Type 86, "Instructional Tasting License," add-on which allows educational tasting on premises—up to 6 oz of alcohol total per person. Doctorbird Market proposes to apply for a Type 42 license with ABC, which would establish a "Wine Bar" at 90 E. 4th Street. A Type 42 ABC License would allow their business to continue as a retail operation but remove the restriction on how much they can pour (e.g., offer continuous pours). Doctorbird Market does not propose any other changes to their business operations. To facilitate the change in ABC License, the business must obtain approval of a Modification to their existing Use Permit. Consistent with the Pittsburg Municipal Code, this modification of use would require the offering for sale and on-site consumption of prepackaged food. The subject site is located at the property address 90 E. 4th Street and is within the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-104-006.

Environmental Determination

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities," of the CEQA Guidelines, section 15301.

PROJECT PLANNER: Kelsey Gunter, (925) 252-4824 or kgunter@pittsburgca.gov

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a 300-ft. radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project? The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

What can I do if I have comments on the project? Comments or objections to the project can be made by writing or through e-mailed testimony prior to the meeting or provided orally during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565.

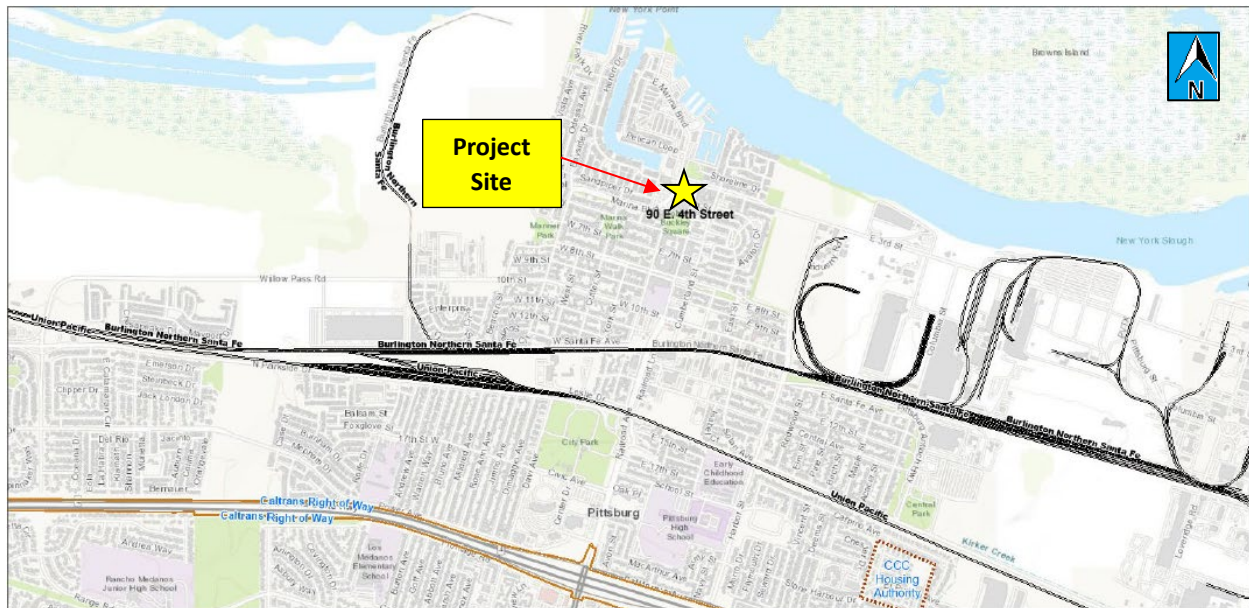
Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

*Para información en
español:
(925) 252-4920*

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Modification of Use Permit AP-23-0048 (UP)

Location: 90 E. 4th Street, Pittsburg, CA 94565, APN: 085-104-006.



City of Pittsburg

Community and Economic Development Department - Planning
Division
65 Civic Avenue
Pittsburg, CA 94565

NOTICE OF PUBLIC HEARING

