



City of Pittsburgh Planning Commission Agenda

February 13, 2019

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

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

Planning Commission Members

**James Coniglio, Chair
Elissa Robinson, Vice-Chair
Durie Foster, Commissioner
Jeremy Ward, Commissioner
Mark Linde, Commissioner
Sarah Foster, Commissioner
J. Faye Fields, 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, Pittsburgh. 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

CONSENT

1. Minutes

Meeting Minutes of January 23, 2019

PUBLIC HEARINGS

2. St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP)

This is a public hearing on a request for approval of a use permit to allow the sale of beer and wine for onsite consumption incidental to an existing cigar shop and lounge located at 160 East Fourth Street, in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-109-005.

3. Ramar Foods Cold Storage Expansion, AP-18-1383 (UP, DR)

This is a public hearing on a request for use permit and design review approval of plans to construct a 9,545-square-foot addition for an existing food processing facility located at 335 Central Avenue in the CS-O (Service Commercial with Limited Overlay) District. Assessor's Parcel No. 086-132-022.

STUDY SESSION

4. Pittsburgh Technology Park, Conceptual Plan, AP-18-1395 (PPR)

This is a study session to receive initial comments on a Preliminary Plan Review for a conceptual plan which would facilitate development of a series of data centers, or other light industrial park uses yet to be determined, on a 101-acre portion of the former Pittsburgh Golf Course. The proposal would include, at minimum: 1) general plan amendment from Park to Business Commercial; 2) rezoning from OS (Open Space) District to IP-P (Industrial Park with a Master Plan Overlay) District; and 3) major subdivision of the site

into approximately 24 two and a half-acre lots for future development under the terms of the master plan. The site generally encompasses the eastern half of the existing 175-acre golf course located at 2232 Golf Club Road. APN's: 095-150-032; 094-080-011; 095-160-001; 095-160-002; and portions of 094-080-002 and 094-090-001.

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.

**MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION**

January 23, 2019

A regular meeting of the Pittsburg Planning Commission was called to order by Chair Coniglio at 7:01 p.m. on Tuesday, January 23, 2019, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL

Present: Chair Coniglio, Vice-Chair Robinson, Commissioner D. Foster, S. Foster, Linde

Absent: Commissioner Fields, Ward

Staff: Community Development Director Jill Hecht, City Engineer Richard Abono, Planning Manager/ Secretary Kristin Pollot, Deputy City Clerk Amanda McVey, Senior Planner Hector Rojas, Planning Technician Celina Palmer

PLEDGE OF ALLEGIANCE

Commissioner Linde led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

There were no deletions, withdrawals, or continuances.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

PRESENTATIONS

There were no presentations.

CONSENT

1. Minutes of December 11, 2018

On motion by Commissioner D. Foster seconded by Commissioner S. Foster to approve the Consent Calendar and carried by the following vote:

AYES:	Coniglio, D. Foster, S. Foster, Linde, Robinson
NOES:	None
ABSTAIN:	None
ABSENT:	Fields, Ward

PUBLIC HEARINGS

2. Commercial Scaffolding, AP-17-1291 (UP)

A public hearing requesting approval of a use permit to establish a contractor yard within an approximately 50,000 square-foot space enclosed by a fence, on an approximately 73,000 square-foot parcel, located at 1451 Loveridge Road, in the IG (General Industrial) District. APN: 073-230-015.

Planning Technician Celina Palmer gave a presentation.

Timothy Trask spoke as the applicant. He stated he agrees to all conditions as presented.

On motion by Commissioner D. Foster seconded by Commissioner Linde to approve and carried by the following vote:

AYES:	Coniglio, D. Foster, S. Foster, Linde, Robinson
NOES:	None
ABSTAIN:	None
ABSENT:	Fields, Ward

3. Dos Cuñados Market, AP-18-1372 (UP)

A public hearing requesting approval of a use permit to sell beer, wine, and distilled spirits at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

Senior Planner Hector Rojas gave a presentation.

Sergeant Nicholas Law presented

Amen A. Saleh spoke on behalf of the applicant. He stated he agrees to all conditions as presented

Anthony Berry, Pittsburg business owner, spoke in favor of the approving the application.

On motion by Commissioner S. Foster seconded by Commissioner Robinson to approve and carried by the following vote:

AYES:	Coniglio, S. Foster, Robinson
NOES:	D. Foster. Linde
ABSTAIN:	None
ABSENT:	Fields, Ward

ZONING ADMINISTRATOR REPORTS

3. Notice of Intent to Exercise Delegated Design Review Authority, Conduct a Zoning Administrator Public Hearing, and Submittal of Adopted Zoning Administrator Resolutions

The Zoning Administrator submits: 1) one notice of intent to exercise delegated design review authority for two new air compressor enclosures for DOW Chemical at 901 Loveridge Road; 2) one notice of intent to conduct a Zoning Administrator public hearing on a proposed fence height exception for the Pittsburg Seventh-Day Adventist Church at 900 Los Medanos Street and 925 Cumberland Street, and 3) three resolutions previously approved under the delegated authority (Planning Commission Resolution No. 9918).

Commissioners acknowledged receipt of the two notices of intent and three previously approved resolutions.

STAFF COMMUNICATIONS

Planning Secretary / Planning Manager Kristin Pollot provided informational materials and discussed the following items:

Tentative Schedule

Public Hearing Notices on Nextdoor.com

SB35 – Veteran’s Square – effective January 1, 2018

COMMITTEE REPORTS

Chair Coniglio reported TRANSPLAN is scheduled to meet February 14, 2019.

Vice Chair Robinson reported Land Use is scheduled to meet January 29, 2019.

ADJOURNMENT

The meeting was adjourned at 8:01 p.m. to February 13, 2019.

Respectfully Submitted,

Kristin Pollot, AICP, Secretary

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
February 13, 2019**

ITEM: St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP).

ORIGINATED BY: Ronelle Schroeder-Hill, 160 E. 4th Street. Pittsburg, CA 94565

SUBJECT: This is a public hearing on a request for approval of a use permit to allow the sale of beer and wine for onsite consumption incidental to an existing cigar shop and lounge located at 160 East Fourth Street, in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-109-005.

RECOMMENDATION:

Staff recommends the Commission adopt Resolution No. 10114, approving Use Permit Application No. 18-1378, as conditioned.

BACKGROUND:

The existing cigar shop and lounge was legally established prior to the effective date of City Council Ordinance No. 16-1419 (December 21, 2016), which instituted the requirement for a use permit to operate a smoke shop or smoking lounge, as well as the requirements that these uses be located at least 1,000 feet away from the property line of a school and front door of an existing smoke shop or smoking lounge, and that appropriate air filtration systems be required for lounges if there are potential impacts to adjacent land uses.

However, it should be noted that the existing cigar lounge is not located within 1,000 of the property lines of an existing or approved school, or the front door of an existing smoke shop or lounge. Further, the owner of the business, when notified of the potential for future air purification requirements, took the initiative to install an air purification system which includes two 625 cubic feet of air per minutes (CFM) HEPA air filters, which were determined by the City's Chief Building Official to satisfactorily serve the lounge space.

PROJECT DESCRIPTION:

Existing Conditions: The project site is an approximately 1,625-square foot tenant space located on the south side of E. 4th Street, between Railroad Avenue and Cumberland Street. As mentioned above, the tenant space is currently being used as a cigar shop and lounge. The ground level of the tenant space currently includes a humidor where cigars are stored, as well as a small retail area and cash register, a large table with chairs, a lounge area with televisions, and a restroom. Above the ground floor lounge area is a second, mezzanine-level lounge area with a television and coffee bar. The tenant space also includes a basement, which is used for storage and not open to the public.

Planning Commission Staff Report
St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP)
February 13, 2019



Fig. 1: Front façade along E. 4th St.

Fig. 2: Back of building from parking lot



Fig. 3: Humidor and sales area



Fig. 4: Seating and locker area



Fig. 5: Ground floor lounge



Fig. 6: Mezzanine lounge

Surrounding Land Uses:

North:	E. 4 th Street; commercial/residential mixed-use buildings
West:	Ground-floor commercial tenant space; second-story apartment
South:	City-owned parking lot
East:	Office



Fig. 7: Surrounding Land Use Map

Proposed Project: As mentioned above, the applicant is requesting approval of a use permit to allow the sale of beer and wine for onsite consumption (Type 42 ABC License) incidental to the existing cigar shop and lounge. The applicant has proposed initial operating hours of: 12:00 p.m. to 8:00 p.m., Tuesday and Wednesday; 12:00 p.m. to 10:00 p.m. Thursday through Saturday; 12:00 p.m. to 6:00 p.m. Sunday; and closed Monday (it should be noted staff has recommended a condition of approval which also allows for operation between 12:00 p.m. and 8:00 p.m. Mondays to allow the operator the flexibility to open on Mondays). Beer and wine would be available for sale during these hours, and would be limited, at this time, to one small display fridge located near

the sales area (see Figure 3, above). The business operator estimates selling an average of 25-30 servings of alcohol per week.

CODE COMPLIANCE:

General Plan: The project site is located in the 'Downtown Subarea,' of the General Plan, and has a land use designation of *Downtown Commercial*. This land use designation is intended to accommodate specialty retail within a pedestrian-oriented environment. In accordance with General Plan Goal 5-G-1 and Policy 5-P-6, the use would continue to provide a ground-level storefront within a walkable-pedestrian-oriented area.

Pittsburg Municipal Code: The CP District is intended to provide a vibrant destination area that caters to pedestrian shoppers and visitors in the Downtown commercial core. The CP District is intended to create a place for pedestrian-oriented activity by providing inviting, pedestrian-friendly storefronts. Pursuant to PMC section 18.52.010, "smoke shops," "smoking lounges," and "alcoholic beverage establishments," are permitted uses subject to an approved use permit.

It should be noted that while the existing cigar shop and lounge was legally established as described in the 'Background' section, above, as a result of the adoption of City Council Ordinance No. 16-1419, the existing use is considered legally-established but non-conforming, and as such, would be allowed to otherwise continue operation but would not be allowed to expand the operation. However, approval of the requested use permit would confirm the use as a legally-established, conforming, and conditionally permitted smoke shop and smoking lounge, and ancillary alcoholic beverage establishment.

Further, as previously mentioned, the proposed use would be consistent with PMC section 18.52.010, Limitation-165, as the use would not be located within 1,000 of the property lines of an existing or approved school (approximately 1,150 feet from Marina Vista Elementary), or the front door of an existing smoke shop or lounge, and currently includes an air purification system.

PMC section 8.20 deals with smoking in public and workplaces, and section 8.20.070(H) identifies "private smokers' lounges," which are enclosed areas in or attached to a retail or wholesale tobacco shop that is dedicated to the use of tobacco or smoking products, including, but not limited to, cigars and pipes, as optional smoking areas not subject to the smoking restrictions of this chapter. As discussed in more detail within the "Analysis" section below, staff has drafted conditions intended to ensure that the predominant use remain dedicated to tobacco retail.

Off-Street Parking: PMC section 18.78.040 sets forth standards for off-street parking. PMC section 18.78.040(G)(3) specifies that 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).

Required Use Permit Findings: Pursuant to Pittsburg Municipal Code (PMC) section 18.16.040, in order to approve the use permit for the proposed project, the Planning Commission must find that the proposed use:

- A. 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;
- 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.

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 before February 1, 2019, a notice of the February 13, 2019, public hearing for this project was posted at City Hall and at or near the proposed project site; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to all owners of property within 300 feet of the project site, to local service agencies expected to provide services to the business, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091. In addition, a copy of the notice was posted on the "Public Notices" section of the City's website. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Old Town Pittsburg" Nextdoor neighborhood.

ANALYSIS:

Allowing limited alcohol (beer and wine) service in conjunction with the existing cigar shop and lounge would help sustain the operation of the existing business at this location, as it would encourage customers who may purchase cigars for off-site consumption to remain on-site and enjoy the lounge. Staff's research has indicated that the nearest cigar lounge with incidental alcohol sales is located in Danville, and as such, approval of the proposed use permit would serve to help attract new, more regional customers to Downtown Pittsburgh.

Staff also believes that if the use can help to encourage patrons to hang out Downtown for extended periods of time, the surrounding restaurants and food-service businesses would benefit, as the proposed use would not serve cooked-to-order food. The applicant's requested hours of operation for alcohol service (noon-8 p.m., Tuesday through Sunday) are consistent and within those of similar uses in the area, namely E.J. Phair Tavern and CreAsian Restaurant.

There are currently ten active businesses operating with ABC licenses within Census Tract 3090, which includes the Downtown and Marina areas of Pittsburgh. Of these businesses, three are restaurants with beer and wine sales only (Type 41); three are restaurants with full alcohol sales (i.e. beer, wine, and "hard" alcohol; Type 47); two are club and lodge uses (the Yacht Club [Type 51] and Elk's Club [Type 57]); one is a restaurant with beer and wine sales, as well as a brewery (Types 41 and 23); one boating charter (Type 54); and one is a fully-operational bar (Pineda's; Type 48).

As a result of the number of onsite alcohol sales licenses in the area, the Department of Alcoholic Beverage Control (ABC) does consider this Census Tract (3090) to be overconcentrated, and thus requires the City to find that the use would serve the public convenience or necessity. However, as the use would involve the only Type 42 license (onsite beer and wine sales) in the area, and for the reasons noted above, staff believes the findings of public convenience can be made.

Staff believes the Commission can make the required findings to approve the request for limited alcoholic beverage service in conjunction with the cigar shop and lounge if certain conditions are set in place to ensure the main function of the business remain a cigar shop and lounge, and public health and safety are maintained. Key conditions would require that:

- 1) alcohol sales be limited to beer and wine for onsite consumption only, and the operator maintain an active and approved ABC license;
- 2) due to the allowance for indoor smoking, all employees of the business shall be principals of the business;
- 3) tobacco products offered for sale shall be limited to cigars, common cigar-related paraphernalia, pipe tobacco, and non-glass tobacco pipes only;

- 4) food service, consisting of pre-packaged food, shall be available for sale during all hours of alcohol service;
- 5) other products offered for sale, including but not limited to clothing, magazines, or other items not commonly associated with tobacco consumption and excluding food, drink, and alcohol displays, shall be limited to a total of 25 square feet of wall and/or floor space;
- 6) the business owner shall ensure the provision, operation, and proper maintenance of an air purification system;
- 7) signage advertising the availability of alcohol for purchase shall not be posted so as to be visible to any individual positioned outside of the business; and,
- 8) the Police Department retains authority to implement additional public safety measures deemed necessary, at the applicant's sole expense.

ACTION REQUIRED:

Move to adopt Resolution No. 10114, approving Use Permit Application No. 18-1378, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10114
2. Project Plans
3. Project Description
4. Public Hearing Notice/Vicinity Map

Prepared by: Jordan Davis, AICP, Senior Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Smoking Lounge)	
and Alcoholic Beverage Establishment at)	Resolution No. 10114
160 East Fourth Street, for, "St. Claire)	
Cigar Lounge, AP-18-1378 (UP).")	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On November 1, 2018, Ronelle Schroeder-Hill, owner of St. Claire Cigars, filed Use Permit Application No. 18-1378, requesting approval of a use permit to allow the sale of beer and wine for onsite consumption incidental to an existing cigar shop and lounge located at 160 East Fourth Street, in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-109-005.
- B. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburgh General Plan, and Pittsburgh Municipal Code (PMC) Title 18 ("Zoning").
- C. On July 16, 2007, the City Council adopted Resolution No. 07-10847, authorizing the City Manager or their designee to determine whether issuance of liquor licenses serves the public convenience or necessity, pursuant to Business and Professions Code section 23958.4.
- D. The existing cigar shop and lounge was legally established prior to the effective date of City Council Ordinance No. 16-1419 (December 21, 2016), which established the requirement for use permit to establish a smoke shop or smoking lounge, as well as the requirements that these uses be located at least 1,000 feet away from the property line of a school and front door of an existing smoke shop or smoking lounge, and that appropriate air filtration systems be required for lounges if there are potential impacts to adjacent land uses.
- E. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities," of the state CEQA Guidelines, section 15301.
- F. On or prior to Friday, February 1, 2019, notice of the February 13, 2019, public hearing to consider this application was posted at City Hall, at the proposed project site, and on the "Public Notices" section of the city's website; was delivered to the Pittsburgh Library; and was mailed via first class or electronic mail to the applicant/property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services

to the use, and to individuals who had previously filed written request for such notice, in accordance with PMC 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 Pittsburg” Nextdoor neighborhood.

- G. On February 13, 2019, the Planning Commission held a public hearing on Use Permit Application No. 18-1378, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, “St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP),” dated February 13, 2019, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. Pursuant to City Council Resolution No. 07-10847, and Business and Professions Code section 23958.4, the City Planner, as designated by the City Manager, has determined that the issuance of liquor licenses at this location serves the public convenience. As this would be the only non-eating establishment onsite beer and wine (Type 42) license within the subject census tract, and one of the few cigar lounges with incidental alcohol sales in the County, the use would help to attract new, more regional customers to Downtown Pittsburg, helping to support an existing business and potentially increase the City’s sales tax base and thus, its general fund revenues, which can be used to fund public safety and infrastructure projects City-wide.
 3. The proposed use:
 - a. Is in accord with the objective of the zoning ordinance (PMC Title 18), the purposes of the land use district in which it is located and is appropriate to the specific location. The site is located within the CP District, which allows smoking lounges and smoke shops in areas no less than 1,000 feet away from the property line of a school or front door of an existing smoke shop or lounge, subject to a use permit and installation of an air filtration system for lounges if it is determined there are potential impacts to adjacent land uses. The existing smoke shop and lounge is not located within 1,000 of the property lines of an

existing or approved school, or the front door of an existing smoke shop or lounge. Further, the existing lounge includes two 625 cubic feet of air per minutes (CFM) HEPA air filters, which have been determined to satisfactorily serve the lounge space, and a condition of approval shall require these, or similar air purification systems, to remain and be properly maintained. Alcoholic beverage establishments are also allowed subject to an approved use permit. Use of the tenant space as a cigar shop and lounge, with beer and wine sales for onsite consumption, will help to attract customers to the area, thereby helping to grow the economic and social vitality of Downtown Pittsburgh.

- b. Will not be detrimental to the health, safety, and general welfare of the city, if conditions are added to require that the existing or similar air purification systems remain and be properly maintained, and the business operator be responsible for maintaining the peace and order on the premises, and 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 at the business owner/operator's sole expense.
- c. Will not adversely affect the orderly development of property within the City, in that the proposed use will occupy an existing commercial space, and the applicant is proposing no exterior building improvements or expansions.
- 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, as the continued occupancy of tenant spaces throughout the City will increase property values as well as the City's tax base, and if conditions are added to require that: 1) the existing or similar air purification systems remain and be properly maintained, and 2) the business operator be responsible for maintaining the peace and order on the premises, and 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 at the business owner/operator's sole expense.
- e. Is consistent with the General Plan, in that the area has a General Plan land use designation of *Downtown Commercial*, which is intended to accommodate specialty retail, personal services, restaurants, offices, financial organizations, institutions, and other businesses serving the daily needs of downtown residents. More specifically, the use is consistent with General Plan Goals 5-G-1 and 5-G-2, which promote a mix of residential and commercial uses in a walkable, pedestrian-

oriented district, and the development and intensification of the Downtown commercial core as both a visitor destination and a neighborhood retail center. The proposed use will provide recreational and social opportunities for adult residents and visitors of Downtown Pittsburgh.

- f. Will not create a nuisance or enforcement problem within the neighborhood because any such 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. Additionally, proposed conditions of approval shall require that: 1) the existing or similar air purification systems remain and be properly maintained; 2) amplified sound other than that prerecorded music played from household stereo or similar system, is prohibited; 3) 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; and 4) the business operator shall be responsible for maintaining the peace and order on the premises, and 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 at the business owner/operator's sole expense.
- g. Will not encourage marginal development within the neighborhood, in that the use will occupy an existing commercial space 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 use will not require water or sewer services beyond that for which the building has been designed to accommodate, and a proposed condition of approval states the business operator shall be responsible for maintaining the peace and order on the premises, and 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 at the business owner/operator's sole expense.
- i. Is consistent with the city's approved funding priorities, in that there is no contribution of public funds necessary for the establishment of the use, and that the use will contribute to the sales tax base in the City.
- j. Will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere

along the primary downtown corridor, in that the use is located along a side street but includes an entry façade with large floor to ceiling windows inviting pedestrians walking by to easily see inside the space. The specialty use is expected to bring additional regional customers to Downtown Pittsburg which will positively affect surrounding businesses by bringing more foot traffic to the area.

- B. The staff report entitled, “St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP),” dated February 13, 2019, is referenced hereto as additional support for the findings.

Section 3. Decision

- A. Based on the findings set forth above, the Commission hereby approves Use Permit Application No. 18-1378, subject to the following conditions:
1. Conformity with project plans. The approved use shall be operated substantially as presented to the Planning Commission in the staff report identified in Section 2 above, except as modified by the conditions below. Operation of the approved business in a manner inconsistent with this description and this use permit shall be grounds for revocation of the use permit.
 2. ABC License. The business owner shall maintain, in good standing, all appropriate permits and approvals required from the Department of Alcoholic Beverage Control (ABC). In accordance with California Business and Professions Code section 23800 E, if an application is ever filed to transfer ownership of the Alcoholic Beverage Control (ABC) license, the Pittsburg Police Department shall reserve the right to amend the conditions of the Alcoholic Beverage Control license. In the event that there is a conflict between the conditions of this resolution and the terms specified in the ABC license, the more restrictive term or condition shall govern.
 3. Employees. All employees of the business shall be principals of the business. All employees shall be 21 years of age or older.
 4. Hours of alcohol sales. Alcohol sales shall be limited to the hours between:
 - a. Monday through Wednesday: 12 p.m. and 8 p.m.;
 - b. Thursday through Saturday: 12:00 p.m. and 10:00 p.m.; and
 - c. Sunday: 12:00 p.m. and 6:00 p.m.

Extended hours may be permitted on a case-by-case basis with approval of a Temporary Activity Permit or Special Event Permit for a specific

event.

5. Products offered for sale.
 - a. Tobacco. Products offered for sale shall be limited to cigars, common cigar-related paraphernalia, pipe tobacco, and non-glass tobacco pipes only. Sale of cigarettes, electronic cigarettes, vape pens, oils and extracts, or other products containing nicotine or cannabis, as well as rolling papers, rolling machines, grinders, scales, glass pipes, hookah pipes, bongs, bubblers or similar paraphernalia commonly associated with hookah and/or cannabis use, shall be prohibited. The business owner shall ensure that there is no provision of tobacco products outside of the building.
 - b. Alcohol. Sales shall be limited to beer and wine for onsite consumption only. The business owner shall ensure that there is no provision of alcohol outside of the building.
 - c. Food. Food service, consisting of pre-packaged food, shall be available for sale during all hours of alcohol service. The business owner shall ensure that there is no provision of food outside of the building.
 - d. Other. Other products offered for sale, including but not limited to clothing, magazines, or other items not commonly associated with tobacco consumption and excluding food, drink, and alcohol displays, shall be limited to a total of 25 square feet of wall and/or floor space.
6. Minimum age requirement. No person under the age of 21 shall be allowed within the building during operating hours. Under no circumstances shall tobacco and/or alcohol products be furnished to or handled by any person under the age of 21 or the legal consumption age specified by state law, whichever is more restrictive.
7. Air purification systems. The business owner shall ensure the provision, operation, and proper maintenance of an air purification system consisting of a minimum of two (2) HEPA-certified purifiers with a minimum CFM rating of 625 (with filters installed), or similar system approved by the Planning Division.
8. Visibility into the business. The business operator shall ensure that all windows, including windows within doors, are not screened, tinted, or otherwise obscured, and allow for visibility into the business.
9. Business signage. This resolution does not approve any on-site signage. No permanent wall signs or temporary, promotional, or event signs and banners may be placed on the site prior to approval by the Planning

Division. All signage shall comply with the applicable Downtown Pittsburg Design Guidelines.

10. Notification signage. One or more signs shall be placed in a prominent location within three feet of the main entrance of the building in English, Spanish, and other language(s) predominantly spoken by patrons, conveying the following messages:
 - a. Indoor smoking permitted;
 - b. California State Law prohibits the sale of alcoholic beverages and tobacco products to persons under 21 years of age; and
 - c. No Loitering or Public Drinking.
11. Advertising. Signage advertising the availability of alcohol for purchase, including display of corporate logos of alcohol vendors, shall not be posted so as to be visible to any individual positioned outside of the business.
12. Property 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. The exterior of the building shall be kept clean and free of all stains or other discolorations and repainted as necessary.
13. Outdoor storage. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
14. Basement. The basement area shall remain closed to patrons at all times.
15. Noise generation. Noise generated from the establishment shall not be audible beyond the property lines of the subject parcel. Amplified sound other than that prerecorded music played from household stereo or similar system, is prohibited. Amplified sound or other live entertainment (as defined under PMC section 18.06.030) may be permitted on a case-by-case basis with approval of a Temporary Activity Permit or Special Event Permit for a specific event.
16. Exterior lighting. All exterior lighting fixtures shall be maintained in good working order at all times. If any exterior areas around the building become too dark, as determined by the Pittsburg Police Department, then new light fixtures shall be added to provide the necessary light needed on site surrounding the building. This determination shall be made at the discretion of the Police Department, in collaboration with the Planning Division. Any new light fixtures shall be reviewed and approved by the Planning Division prior to installation.
17. Peace and order. It shall be the responsibility of the business owner to

maintain the peace and order on and around the premises. All necessary steps shall be taken to ensure that the customers refrain from incidents of violence and/or intoxication that adversely impact the safety of the community. The establishment's operators shall discourage loiterers and ask persons loitering longer than 15 minutes to leave the area and contact Pittsburg Police for enforcement of applicable trespassing and loitering laws if the persons requested to leave fail to do so. Should the business owner 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 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 additional measures required by the Chief of Police shall be at the business owner's sole expense.

18. Outdoor cleanup. The business owner shall practice dry clean-up methods for outdoor sidewalk and patio surface areas, in accordance with the guidelines established by the Bay Area Stormwater Management Agencies Association (BASMAA). The business owner shall ensure detergents/degreasers are never used in the process of outdoor cleaning.
19. Disposal of cleaning liquids. The business owner shall ensure employees collect and dispose of water and cleaning liquids to the sanitary sewer, not the exterior storm drain inlets/catch basins.
20. Contra Costa Environmental Health. The business owner shall comply with all requirements of the Contra Costa Environmental Health Department (CCEH) and maintain all necessary permits from CCEH in good standing.
21. Local, state, and federal agency requirements. The business owner shall comply with all of the requirements of the City Planning, Building, and Engineering Divisions, the Contra Costa County Fire Protection District, and all applicable local, state, and federal agencies.
22. Standard conditions of development. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as condition of approval for this project as applicable. Where there is a conflict between the conditions of approval of Resolution No. 8931 and the specific conditions identified herein, the specific conditions of this Resolution No. 10114 shall apply.
23. Indemnification. Business owner 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 business owner's sole cost and expense. Business owner may select its own legal counsel to represent business owner's interests at business owner's sole cost and expense. Business owner 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.

24. Expiration. This use permit will expire on February 13, 2020, unless the use has been legally established and all applicable conditions of approval complied with 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.

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 13th day of February 2019, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

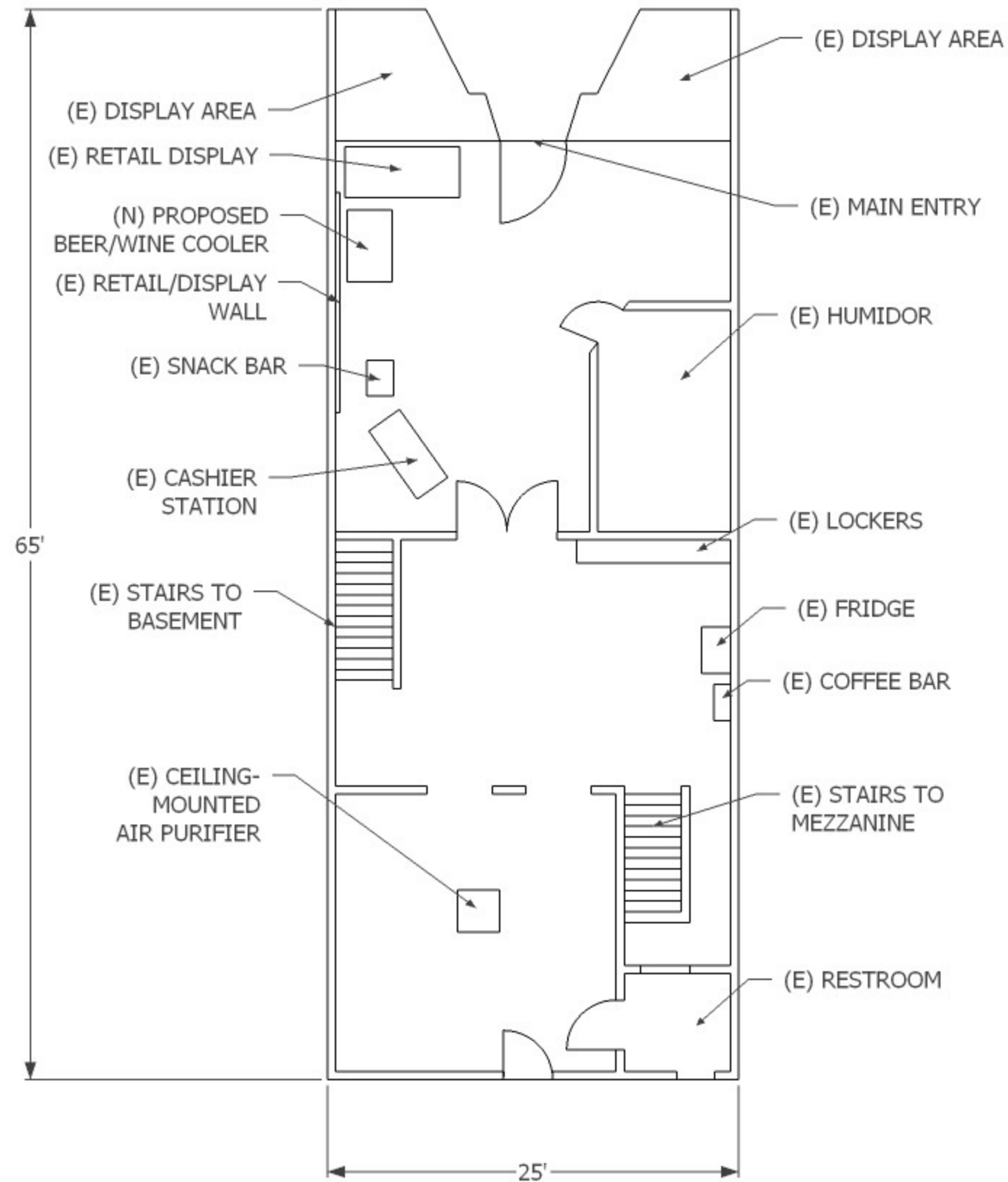
ABSTAIN:

ABSENT:

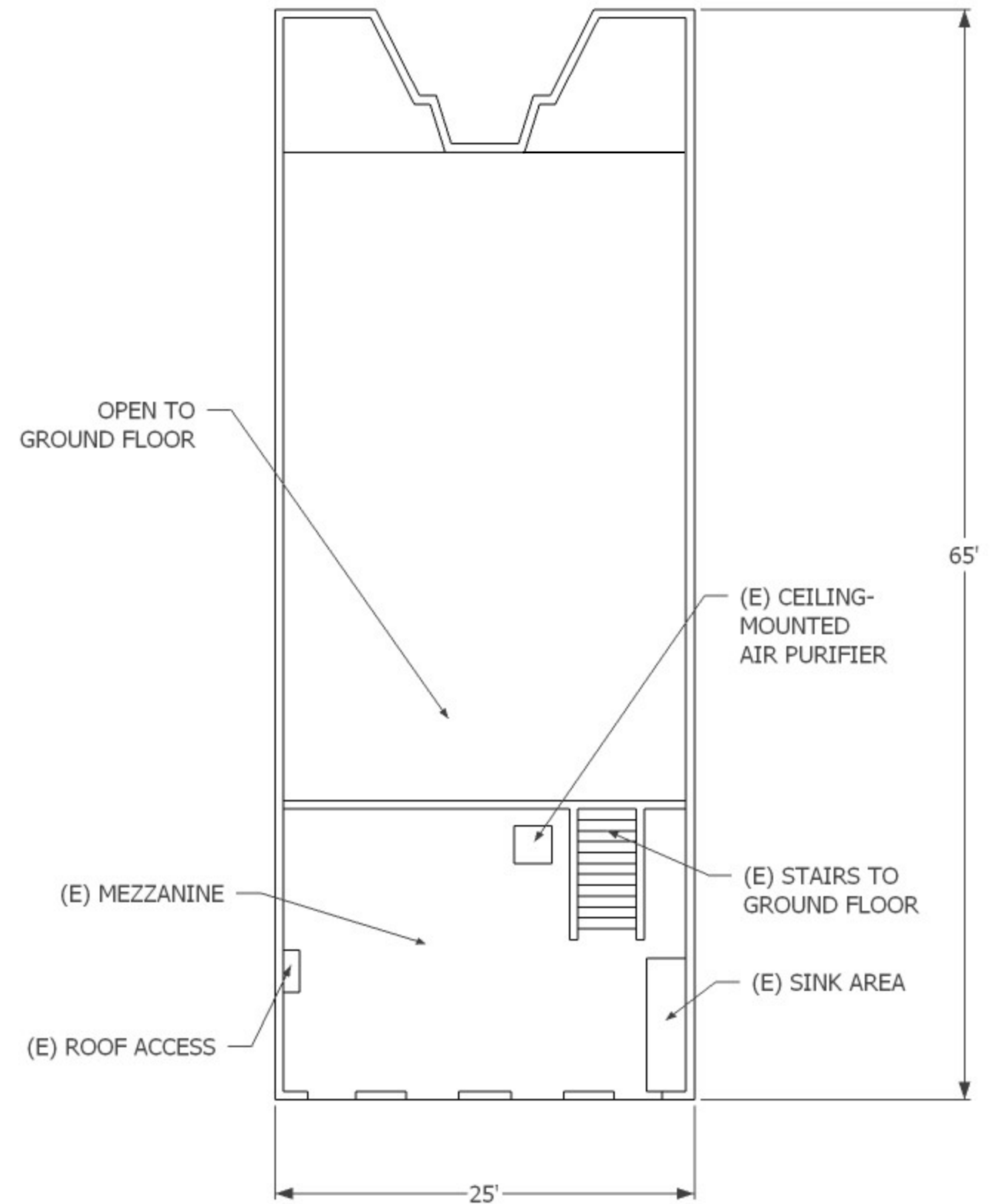
I hereby certify that the above Resolution No. 10114 was adopted by the Planning Commission of the City of Pittsburg on February 13, 2019.

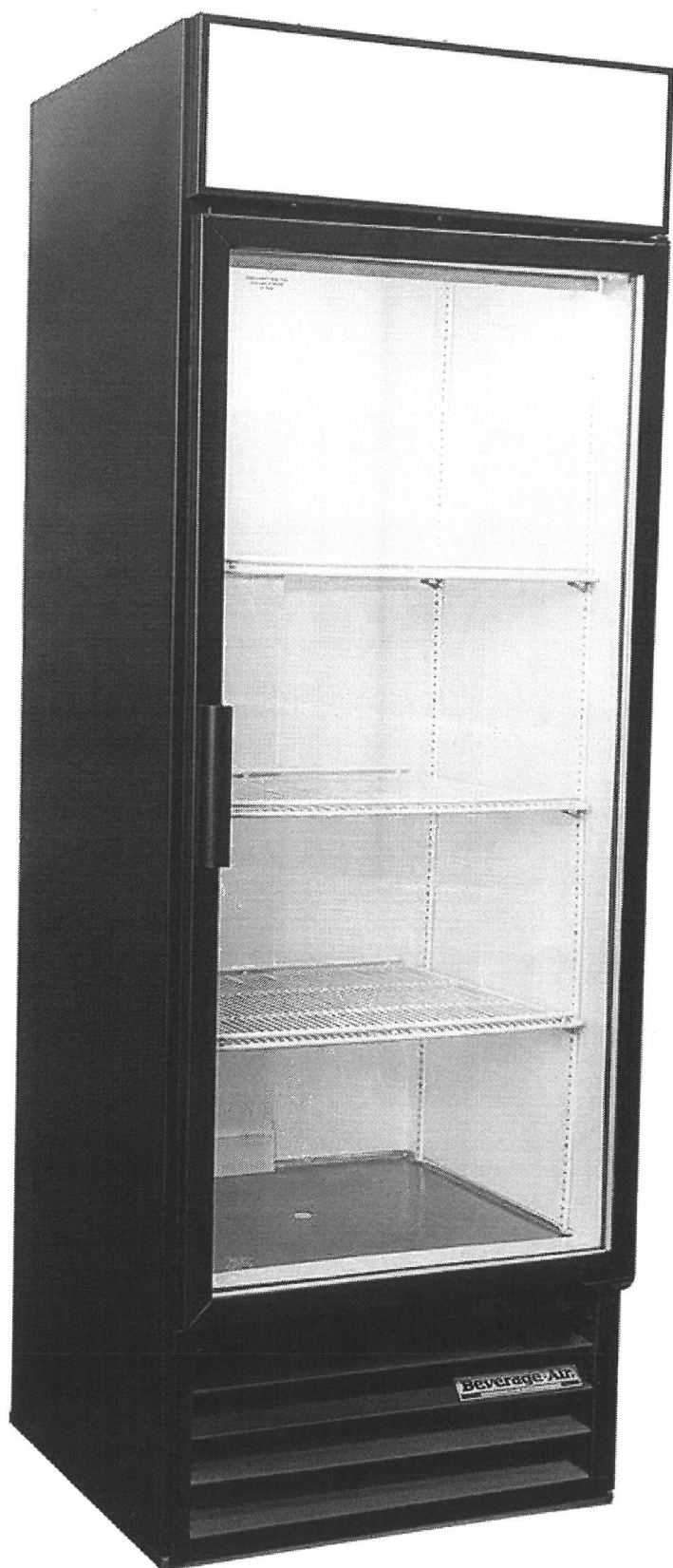
KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

GROUND FLOOR



MEZZANINE





Cooler for beer and wine

REFRIGERATOR MANUFACTURER
Turbo air
 more durable, efficient, beautiful

4184 E. Conant St.
 Long Beach, CA 90808
 Tel. 310-900-1000
 Fax. 310-900-1077
 www.turboairinc.com

Project :	
Model # :	
Item # :	Qty :
Available W/H :	
Approval :	

Swing Door Merchandiser

Glass Door Merchandisers
 Refrigerators

Model : TGM-11RV

FEATURES & BENEFITS

■ **LED lighting interior**

Brighter and longer lasting LED lights provide attractive, enhanced illumination compared to fluorescents. It saves energy by producing less heat, while maximizing the visibility in the display area.

■ **Hot gas condensate system** Only Turbo Air models

Through Turbo Air's creative innovation, the condensate system surfaces have been specially treated to resist corrosion. This not only increases efficiency without the risk of refrigerant leakage from corrosion, but also prevents the overflow of condensate water.

■ **Double pane glass door with Low-E glass**

Energy saving double pane glass door is equipped with Low-emissivity glass, which reduce outer heat gain and decrease energy consumption. It enhances energy efficiency and minimizes condensation. Lightweight door construction also reduce door maintenance and bushing wear, which in turn facilitates smoother door openings.

■ **Efficient refrigeration system**

Turbo Air's glass door refrigerators are designed with oversized and balanced (CFC Free R-134A) refrigeration systems. These include efficient evaporators and condensers for faster cooling and greater efficiency.

■ **Adjustable, heavy duty, PE (polyethylene) coated wire shelves**

■ **Bottom mount compressor unit**

■ **Ergonomically designed door with easy grip handle**

■ **Magnetic door gasket**

■ **High-density polyurethane insulation**

The entire cabinet structure is foamed-in-place using high density, CFC free polyurethane insulation.

■ **Refrigerator holds 33°F ~ 38°F for the best in beverage preservation**

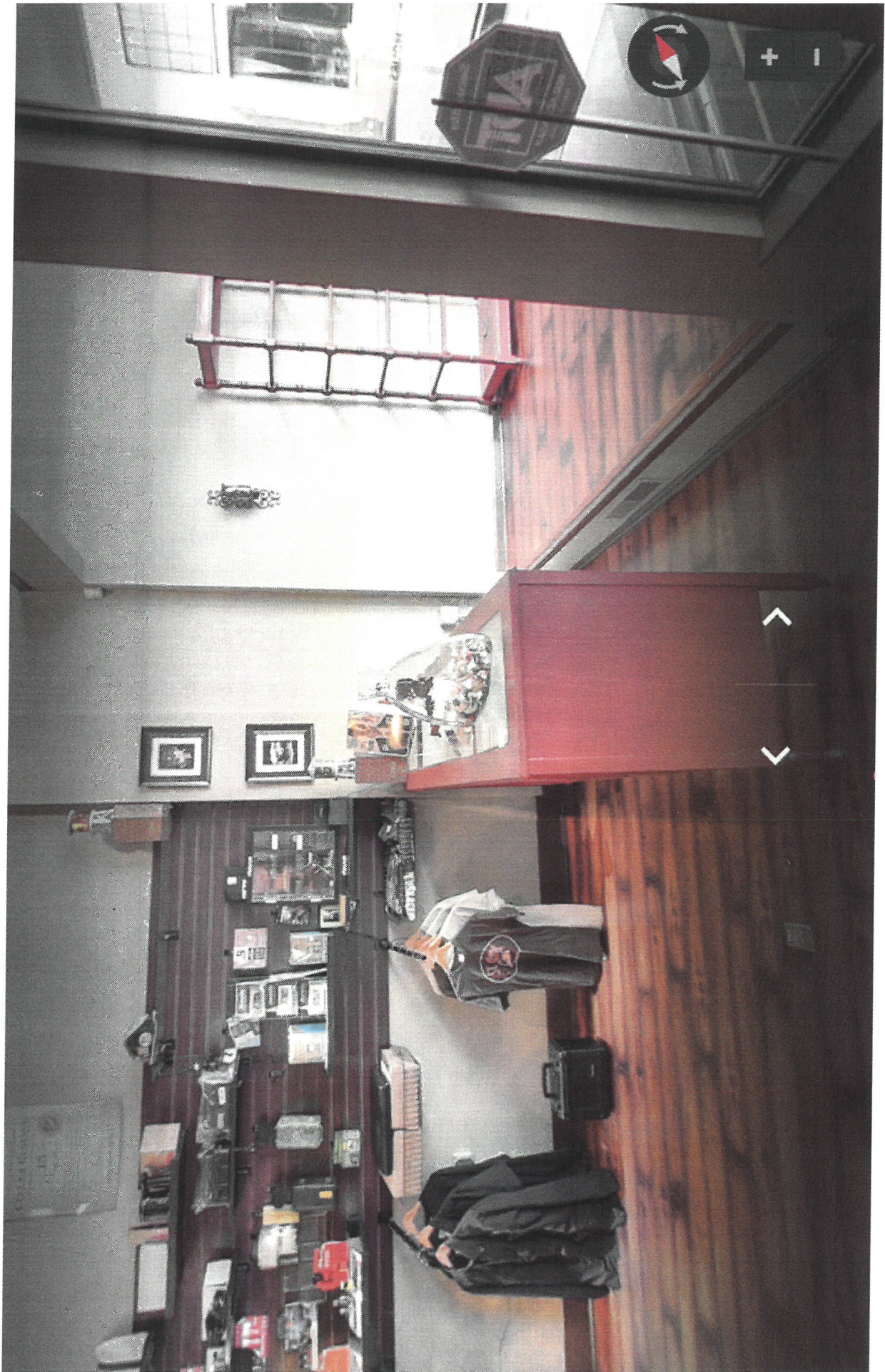


ENERGY STAR®
 Qualified

Model	Swing Door	CU./FT.	#of Shelves	HP	AMPS	Crated Weight (lbs.)	L x D* x H (inches)
TGM-11RV	1	11	4	1/4	5.4	163	235/8 x 233/8 x 623/4

Ver.201602

* Depth does not include 1-3/8" for door handle. Depth does not include 1-1/4" for rear spacers.



City of Pittsburg Planning Department

65 Civic Avenue

Pittsburg, CA. 94565

Hello Planning Department! St. Claire Cigars is requesting your help with the next stage in our development. We are seeking a beer and wine license; a small selection of excellent wine and beer will complement our premium cigars nicely.

We have found our customers are taking so many of their cigars home to smoke alone instead of relaxing here in Old Town because they have beer and wine at home. A beer and wine license would keep more customers in the store and in Old Town longer.

The updated business plan is to simply add a cooler to the front of the store to sell beer and wine from. We are not looking to redesign the store or change the name, atmosphere or anything else into a bar. Attached are photos of a cooler similar to one we will purchase and place in the area shown in the second photo (both attached). A new wine glass will be included with the purchase of the single serve bottles of wine.

We project selling an average of 25 to 30 servings per week based on our average of 425 transactions per month. It is projected low since we will never be a bar, we will simply sell one maybe two servings of per cigar. The selection will be higher end and craft beers, not Bud or Coors found in most bars. This small number can still increase our revenue as the customers will likely make another cigar purchase for here or to take with them.

Hopefully this letter answers all the questions you may have had, we're happy to answer any additional questions that may have been missed in this letter. We look forward to working together on this next step and the continued growth and success of St. Claire's and Old Town Pittsburg!

A handwritten signature in black ink that reads "Ronelle Schroeder Hill". The signature is written in a cursive, flowing style with a large loop at the end of the last name.



NOTICE OF PUBLIC HEARING

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

DATE: February 13, 2019
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP).

This is a public hearing on a request for approval of a use permit to allow the sale of beer and wine for onsite consumption incidental to an existing cigar shop and lounge located at 160 East Fourth Street, in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-109-005.

PROJECT PLANNER: Jordan Davis, (925) 252-4015 or jdavis@ci.pittsburg.ca.us

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 at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

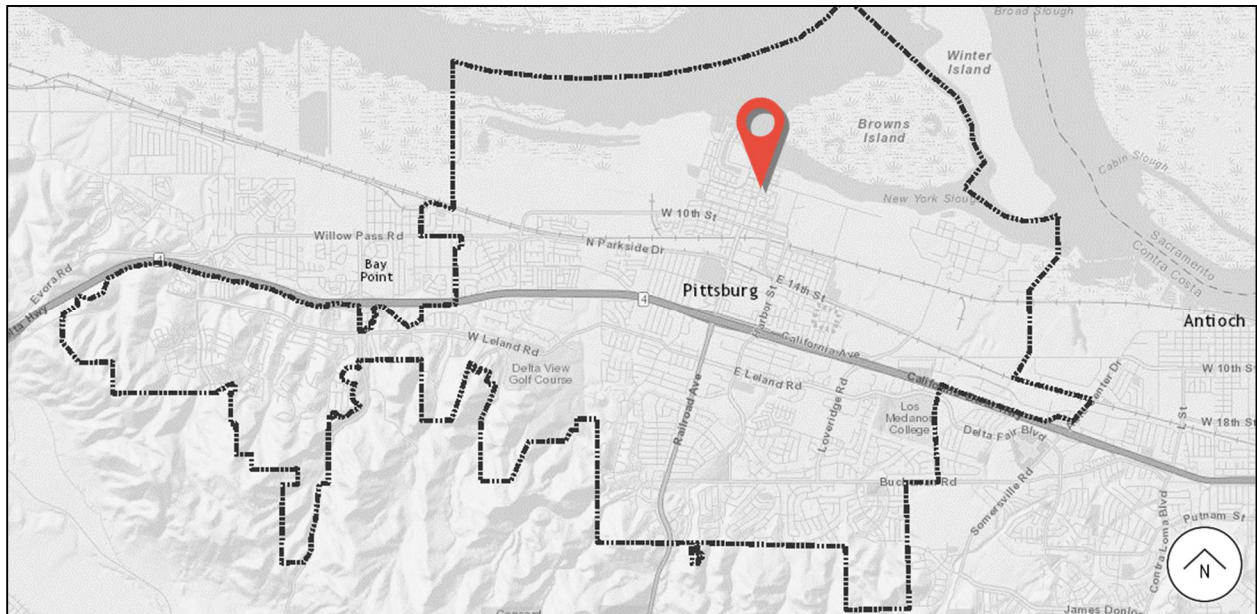
What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. 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. You may also register your comments or objections by attending the public hearing on the date and time listed above.

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.


**KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION**

Project Title: St. Claire Cigar Lounge and Alcoholic Beverage Establishment, AP-18-1378 (UP).
Location: 160 E. 4th Street, APN: 085-109-005



City of Pittsburg

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

NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
February 13, 2019**

ITEM: Ramar Foods Cold Storage Expansion, AP-18-1383 (UP, DR).

ORIGINATED BY: Rick Hallenbeck on behalf of Ramar Foods International, 3050 Pullman Street, Costa Mesa, CA. 92626

SUBJECT: This is a public hearing on a request for use permit and design review approval of plans to construct a 9,545-square-foot addition for an existing food processing facility located at 335 Central Avenue in the CS-O (Service Commercial with Limited Overlay) District. Assessor's Parcel No. 086-132-022.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 10115, approving Planning Application No. 18-1383, subject to conditions.

BACKGROUND:

Ramar Foods International (Ramar Foods) is a manufacturer and distributor of Filipino frozen food products including ice cream, dim sum, and lumpia. Its flagship food processing facility at 335 Central Avenue has been operating since 2008. The company has experienced growth over the past several years which has required it to lease cold storage facilities outside of Pittsburgh. Ramar Foods would like to expand its Pittsburgh facility to help consolidate its cold storage operations.

PROJECT DESCRIPTION:

Existing Conditions: The project site is a 2.27-acre rectangular parcel located on Central Avenue between Railroad Lane and Moose Way. There is a 30,740-square-foot food processing facility at the center of the site. The western part of the building was formerly 'Marina Skate'. Prior to 2008, Ramar Foods purchased the site, remodeled the building, and built an 8,733-square-foot, pre-engineered metal building (PEMB) addition east of the original building. The processing facility now includes solar panels, administrative offices, a cooler/freezer, trash enclosure, and areas for processing, packaging, and cold storage. There are currently 56 parking spaces which wrap around the western, southern, and eastern sides of the processing facility. Most of the parking spaces are covered with metal canopies that also generate solar energy for the processing facility. There is a ten-foot-wide planter with trees, shrubs, and a six-foot-tall, decorative wrought-iron fence along Moose Way, Central Avenue, and Railroad Lane.

See Attachment 2 for photos of the project site.

Surrounding Land Uses:

North: Ramar Foods International, City of Pittsburg Corporation Yard
West: Auto Glass Express, Automotive Services Group, Jolly Wrenches
South: Liberty Subdivision
East: Fil-American Association Cultural Center

See Attachment 3 for a map of surrounding uses.

Proposed Project: Ramar Foods proposes to expand its existing cold storage area by building another PEMB addition east of the current building. The addition would cover 9,545 square feet and match the design of the previous PEMB addition which consists of a shed roof and metal siding painted light and dark brown with blue accents. As part of the previous remodel, Ramar Foods installed a series of murals along the southern face of the original building. Another set of murals would be installed along the southern face of the previous and proposed PEMB additions to reduce the appearance of a large blank wall.

To make room for the addition, total off-street parking would be reduced from 56 to 43 spaces. Two solar canopies located east and south of the existing building would also be removed, but the solar panels would be reinstalled on the roof of the addition. Three bike racks would be installed just outside the main building entrance and a new trash enclosure would be built at the northeastern corner of the site. Additional landscaping would be installed along the base of the southern building wall and the existing ten-foot planter along the street frontages.

It should be noted the processing facility currently generates about 65 truck trips per week. Completion of the proposed addition would help Ramar consolidate its cold storage operations and reduce its overall truck traffic to 55 trips per week.

See Attachments 6 and 7 for Project Plans and a Color Board.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is located in the 'East Central Subarea' of the General Plan and has a land use designation of 'Service Commercial'. This designation is intended to provide sites for businesses with light industrial characteristics like food processing facilities with heavy vehicle or truck traffic. The project is consistent with the General Plan, and more specifically the economic development objectives (General Plan, page 6-2) which support retention and expansion of the City's manufacturing base and encourage employment growth.

Zoning: The project site is zoned 'CS-O (Service Commercial with Limited Overlay) District' (Ordinance No. 05-1239). The existing use falls under the classification of 'Food and Drug Processing' as defined by Pittsburg Municipal Code (PMC) section 18.08.100(A). In 2005, the Planning Commission adopted Resolution Nos. 9554 and 9555 granting use permit and design review approval for the original food processing

facility. Since the proposed project would expand the existing use, a new use permit is required. As shown in Attachment 4 of this report, the property complies with the CS-O District development regulations related to height, FAR, lot coverage, lot area, lot width, setbacks, landscaping, parking, loading berths, parking lot trees, and trash enclosures.

Development Review Design Guidelines (DRDGs): The City's DRDGs provide a framework for the design review of residential, commercial, and industrial projects. As shown in Attachment 4 of this report, the proposed project complies with the DRDGs with the exception of DRDG IV.d, IV.m, VI.D.1, and IV.D.4, which encourage: a) screening for all utility box transformers, backflow preventers, meters, and junction boxes; b) hiding or camouflaging downspouts and gutters; c) buildings with cool roofs; and d) electric vehicle (EV) parking spaces with fully-operational electric vehicle supply equipment (EVSE). Additional discussion about these guidelines is included in the staff analysis section below.

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

- A. 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.
- B. The structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable.
- C. 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.
- D. The structure is in harmony with proposed developments on land in the general area.
- E. The application conforms with the criteria set forth in any applicable City adopted Design Guidelines.

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:

- 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; and,
9. is consistent with the City's approved funding priorities.

Environmental: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301(e). This section exempts additions under 10,000 square feet. The proposed addition is 9,545 square feet.

Public Notice: On or prior to February 3, 2019, notice of the February 13, 2019 public hearing was posted at City Hall, near the proposed project site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburg Library; 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 proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) 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 "Harbor and School St." Nextdoor neighborhood.

ANALYSIS:

Staff believes that the Commission can make the required findings to grant use permit and design review approval for the project. The proposed PEMB addition would be finished in materials and colors matching the previous addition and the project would heighten the appearance of the property and neighborhood. The project would be consistent with the City's DRDGs if conditions of approval are adopted requiring the project to: a) screen all utility box transformers, backflow preventers, meters, junction boxes, and roof-mounted equipment from public view; b) hide or camouflage gutters and downspouts; c) incorporate a cool roof; and d) provide at least two electric vehicle spaces with fully operational electric vehicle supply equipment.

Approval of the project would also align with the General Plan's economic development objectives (General Plan, page 6-2), which support retention and expansion of the City's manufacturing base and encourage job growth. Ramar Foods currently provides 55 full-time jobs at its processing facility. The company expects to increase its employment with the completion of project.

ACTION REQUIRED:

Move to adopt Resolution No. 10115 approving Use Permit and Design Review Application No. 18-1383, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10115
2. Site Photos
3. Map of Surrounding Uses
4. Development Regulations Table
5. Development Review Design Guidelines Table
6. Project Plans
7. Color Board
8. Public Hearing Notice
9. Resolution 9554
10. Resolution 9555

Prepared by: Hector J. Rojas, AICP, Senior Planner

Attachment 1

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Use Permit and	)	
Design Review Approval to Construct a	)	
9,545-square-foot addition to an Existing	)	
Food Processing Facility Located at 335	)	Resolution No. 10115
Central Avenue, for "Ramar Foods Cold	)	
Storage Expansion, AP-18-1383 (UP,	)	
DR)."	)	

The Planning Commission of the City of Pittsburgh DOES RESOLVE as follows:

Section 1. Background

- A. On February 23, 2005, the Planning Commission adopted Resolution Nos. 9554 and 9555 approving Use Permit and Design Review Application No. 04-164, allowing the establishment of a food processing facility on 2.27-acre site located at 335 Central Avenue (the project site) in the CS-O (Service Commercial with Limited Overlay) District. Assessor's Parcel No. 086-132-022.

- B. On November 6, 2018, Rick Hallenbeck filed Planning Application No. 18-1383, requesting use permit and design review approval for plans to construct a 9,545-square-foot addition to the existing food processing facility (the project). The addition would expand the facility's cold storage capacity.

- C. The proposed project is governed by 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).

- D. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301(e). This section exempts additions under 10,000 square feet. The proposed addition is 9,545 square feet.

- E. On or prior to February 3, 2019, notice of the February 13, 2019 public hearing was posted at City Hall, near the proposed project site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburgh Library; 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 proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburgh Municipal Code (PMC) 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 "Harbor and School St" Nextdoor neighborhood.

- F. On February 13, 2019, the Planning Commission held a public hearing on Planning Application No. 18-1383, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Ramar Foods Cold Storage Expansion, AP-18-1383 (UP, DR)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference

Design Review

2. The proposed project will:

- a) conform with good taste, good design and in general will contribute to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that it will be finished in materials and colors to match existing structures on site, which do not contrast with neighboring developments.
- b) be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable, in that the proposed structures will be required to comply with all applicable building and fire codes.
- c) not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value; rather, proposed building addition, site, and landscaping improvements will heighten the appearance of the property and neighborhood.
- d) be in harmony with proposed developments like the Liberty Residential Subdivision across the street, in that: a) it will be finished in materials and colors to match existing structures on site, which do not contrast with neighboring developments; b) it will be set back approximately 50 feet from Central Avenue; c) it will be built behind landscaping to help screen it from view; and d) result in an overall reduction of truck trips from approximately 65 to 55 trips per week.
- e) conform to the criteria set forth in the City's Development Review Design Guidelines (DRDGs), if conditions of approval are adopted requiring the project to: a) screen all utility box transformers, backflow preventers, meters, junction boxes, and roof-mounted equipment from public view; b) hide or camouflage

gutters and downspouts; c) incorporate a cool roof; and d) provide at least two electric vehicle spaces with fully operational electric vehicle supply equipment.

Conditional Use Permit

3. The food processing facility 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 it is a conditionally permitted use in the CS-O District.
- b) not be detrimental to the health, safety, and general welfare of the City, in that it will continue to meet health and safety requirements of the Pittsburg Community Development Department, the Contra Costa Fire Protection District, and the Environmental Health Division of Contra Costa Health Services.
- c) will not adversely affect the orderly development of property within the City, in that it is located near other light industrial uses on Central Avenue including Signode Western Operations (a manufacturer of package plastic strapping, strapping machines, hand tools, and other packaging accessories), Petsport USA (a manufacturer of pet toys and accessories), the City of Pittsburg Corporation Yard.
- 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 proposed building addition, site, and landscaping improvements will reflect continued investment in the neighborhood.
- e) will be consistent with site's 'Service Commercial' General Plan land use designation. This designation is intended to provide sites for businesses with light industrial characteristics like food processing facilities. 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) 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) will not encourage marginal development within the neighborhood, in that the proposed building addition, site, and landscaping improvements will heighten the appearance of the property and neighborhood.
- 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 food processing facility has access to existing infrastructure, including fire, police, and water.

- i) will not be inconsistent with the City's approved funding priorities, in that it does not require City funding.
- B. The staff report entitled, "Ramar Foods Cold Storage Expansion, AP-18-1383 (UP, DR)," dated February 13, 2019, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Planning Application No. 18-1383, subject to the following conditions listed below. The conditions shall take the place of all prior conditions adopted through Planning Commission Resolution No. 9554.

Planning Conditions

1. **Conformity with Project Plans:** The project shall be constructed in substantial conformity with the project plans and color board date-stamped January 11, 2019, except as may be hereinafter modified. Any major changes to the project plans or color board shall be subject to review and approval by the Planning Commission at the City Planner's discretion.
2. **Building Murals:** The City of Pittsburg Planning Manager shall have authority to review and approve the design of each building mural prior to installation on the building addition. The murals shall be installed prior occupancy of the building addition.
3. **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 Appendix 1 of the City of Pittsburg Development Review Design Guidelines (Planning Commission Resolution No. 9864).
4. **Gutters and Downspouts:** If utilized, any gutters and downspouts shall be placed behind exterior walls or painted to match the adjacent building color.
5. **Cool Roof:** The addition shall incorporate a cool roof for reduction of heat island effect, consistent with Guideline IV.D.1.c of the City of Pittsburg Development Review Design Guidelines. The cool roof shall meet the minimum solar reflectance requirements discussed under CalGreen Residential Voluntary Measure A5.106.11 (see 2016 California Green Building Standards Code, Part 11).
6. **EV Spaces and EVSE:** At least two (2) Electric Vehicle (EV) spaces with Electric Vehicle Supply Equipment (EVSE) shall be installed, consistent with Guideline IV.D.4 of the City of Pittsburg Development Review Design Guidelines. The installed EVSE shall be 'Level 2', capable of charging at 30 amperes or higher at 208 or 240 volts. The appropriate permissive and regulatory signage shall be provided immediately adjacent to each EV space in accordance with California Manual on Uniform Traffic Control

Devices and Title 24 of the California Building Code. The EV spaces with EVSE and signage shall be shown on the construction drawings for the project and shall be reviewed and approved by the Community Development Department prior construction.

7. Filters and Ventilation Equipment: The food processing facility operator shall ensure that carbon filters or other ventilation equipment used in cooking designed to reduce or mask food odors emitted from the facility's kitchens are kept in proper working condition and routinely maintained as recommended by the manufacturer.
8. Indoor Operations: All activities shall occur entirely indoors with the exception of pick-ups and deliveries to the facility.
9. Outdoor Storage: Outdoor storage of materials, parts, equipment, products, or unsightly objects shall be prohibited.
10. Lighting: All lighting shall be arranged to reflect light away from adjoining properties and public rights-of-way. In general, lighting fixtures shall be shielded to prevent glare on adjoining properties and public rights-of-way.
11. Heat, Humidity, and Odors: The facility shall not produce an unreasonable, disturbing, or unnecessary emission of heat, humidity, or odors at the property line of the site that causes material distress, discomfort or injury to the average person (PMC sections 18.82.035 and 18.82.045).
12. Noise: The facility shall comply with PMC chapter 9.44 (Noise).
13. Water Discharge: The facility shall not discharge liquids of any kind into a public or private sewage system, watercourse, body of water, or the ground, except in compliance with California Water Code, Division 7, Article 4.
14. Property Maintenance: Each exterior of a building or other structure shall be kept in a good state of repair and the exterior finish shall be kept clean and well maintained. The entire site including paved, unpaved, and landscaped areas shall be kept in a neat and orderly manner, free of weeds, loose trash, debris, and other litter (PMC section 18.82.050).
15. Graffiti Removal: All graffiti shall be removed on any part of the property within 48 hours of its appearance.

Engineering Conditions – Fees

16. Grading Plan Review Fees: The total grading plan review fee is 2.5% of the engineer's estimated cost for grading, or it may be based upon cubic yards of earth disturbance as set forth in the City's Master Fee Schedule. An initial payment of 50% of the total grading plan review fee is to be submitted to the Engineering Division with the engineer's estimate with the first plans submittal. This initial payment will be credited toward the final fees. The remainder of the fee shall be due payable prior to issuance of an engineering permit.

17. Grading Inspection Fees: 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. The fee shall be due payable prior to issuance of engineering permits.

18. Facility Reserve Charge: If the project requires an increase in size of water or sewer services to accommodate the project, the applicant shall pay the City of Pittsburgh 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 incremental amounts in effect when the applicant obtains a building permit. 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. This fee shall be due payable prior to issuance of building permits.

19. NPDES Plan Review Fee: The applicant shall pay a National Pollutant Discharge Elimination System ("NPDES") plan review fee for review of stormwater control plans and processing of closeout agreements and/or review of Storm Water Pollution Prevention Plans ("SWPPP"). The current fee is:

- \$3,000 for the first 10,000 sf up to 1st acre
- Add additional \$136/acre for projects greater than 1 acre, up to the first 5 acres
- Add additional \$31/acre for projects greater than 5 acres

This fee shall be due payable prior to issuance of engineering permits.

20. NPDES Site Inspection Deposit: The applicant shall pay an NPDES inspection deposit for city staff's inspection of C.3 compliant facilities constructed, and/or inspection of construction site for compliance with Best Management Practices in accordance with the City's Municipal Regional Stormwater NPDES Permit. The current rate is:

- \$12,000 for the first 10,000 sf up to 1st acre
- \$24,000 for projects greater than 1 acre

This deposit shall remain in place for the duration of the first year of the project. If the project is completed prior to the project's one-year anniversary, the remaining balance of the deposit will be returned to the applicant. This deposit is due payable prior to issuance of engineering permits.

Engineering Conditions – Submittals

21. Improvement Plans: The applicant shall submit five (5) copies of the engineering 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:

- Site Plan
- Traffic Signing and Striping Plan
- Grading and Drainage Plan

- Utilities Plan
- Landscaping and Irrigation Plan
- Erosion and Sedimentation Control Plan
- Offsite Improvements due to Project Impacts

Engineering Conditions - NPDES

22. 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. Providing covered trash, food waste, and compactor enclosures;
- 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 joins 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, accessories; fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.

23. 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.

24. Stormwater Pollution Protection During Construction: Prior to issuance of a Grading Permit, the applicant shall submit the following to the Engineering Divisions for review: 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. 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.

25. Operations and Maintenance Plan: Prior to final inspection approvals by the Engineering Division, the applicant shall submit a Stormwater Best Management Practices (BMPs) Operation and Maintenance Plan for review and approval by the Engineering Division. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are available on the Contra Costa Clean Water Program's website.
26. Operations and Maintenance Agreement and Right of Entry: Prior to occupancy of the building addition, 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. 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.
27. 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.

Standard Conditions

28. Grounds for Revocation: Operation in a manner inconsistent with that described in the staff report, violation of a zoning regulation or condition of this resolution, existence of a public nuisance, or conviction of a federal or state law or city ordinance in connection with the operation of the use shall be grounds for revocation of the use permit (PMC section 18.28.100).
29. 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 a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.
30. Other Agency Requirements: The applicant shall comply with all the requirements of the City's Community Development Department, Contra Costa County Fire Protection 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.
31. Indemnification: The food processing facility operator 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 operator's sole cost and expense. The food processing facility operator may select its own legal counsel to represent the operator's interests at the operator's sole cost and expense. The operator 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.

32. Expiration of Approval: Design review approval will expire on February 13, 2021, unless a building permit or grading permit has been issued or a written request for extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of building or grading permit issuance, unless work is commenced and diligently pursued prior to the expiration of the building or grading permit. The term of the use permit approval shall be co-terminus with the design review approval for this project.

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 13th day of February 2019, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

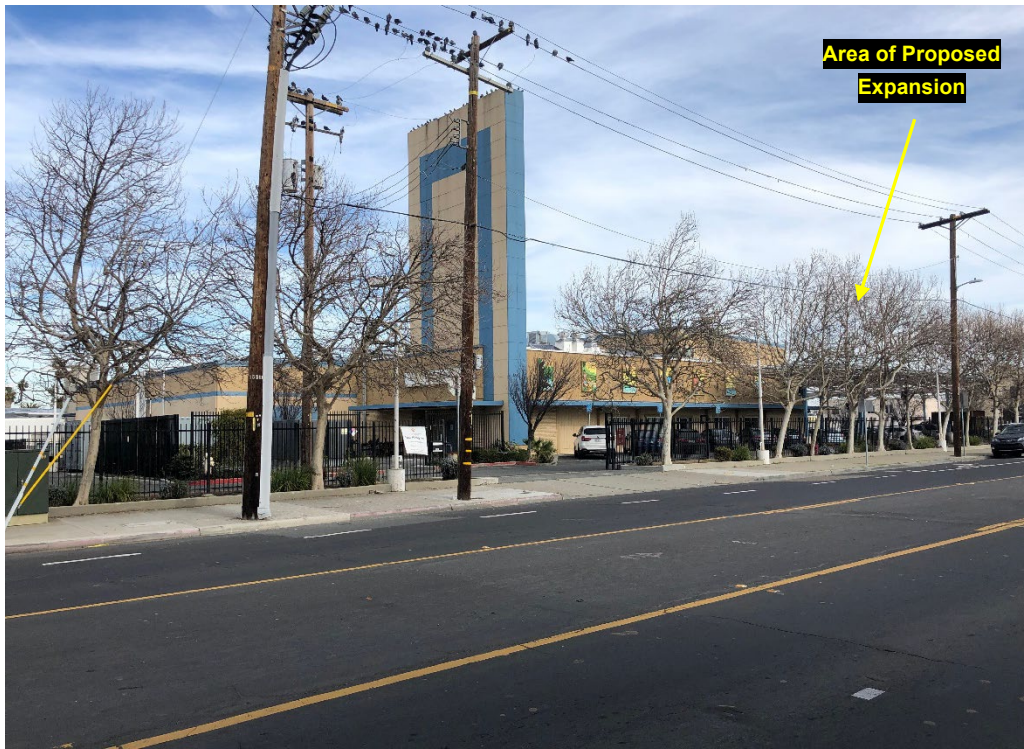
ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10115 was adopted by the Planning Commission of the City of Pittsburg on February 13, 2019.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Attachment 2
Site Photos
Ramar Foods Expansion, AP-18-1383 (UP, DR)



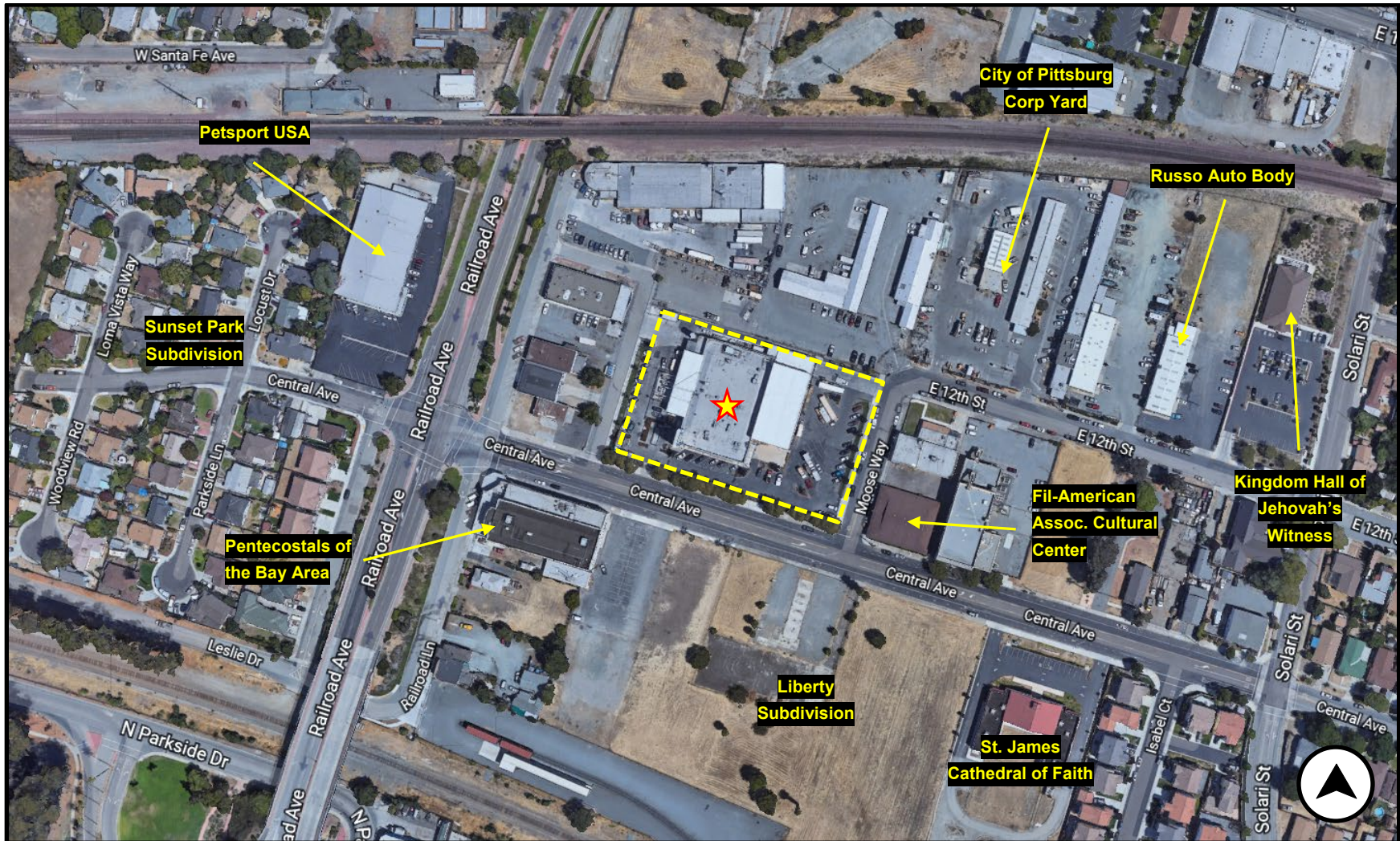
Above: View of Ramar Foods facility from Central Avenue looking northeast

Below: View of same from Central Avenue looking northwest



Attachment 3
Map of Surrounding Uses
Ramar Foods Expansion, AP-18-1383 (UP, DR)

★ **Project Site**



Attachment 4
Property Development Regulations Table – PMC Schedule 18.52.115
Ramar Foods Expansion, AP-18-1383 (UP, DR)

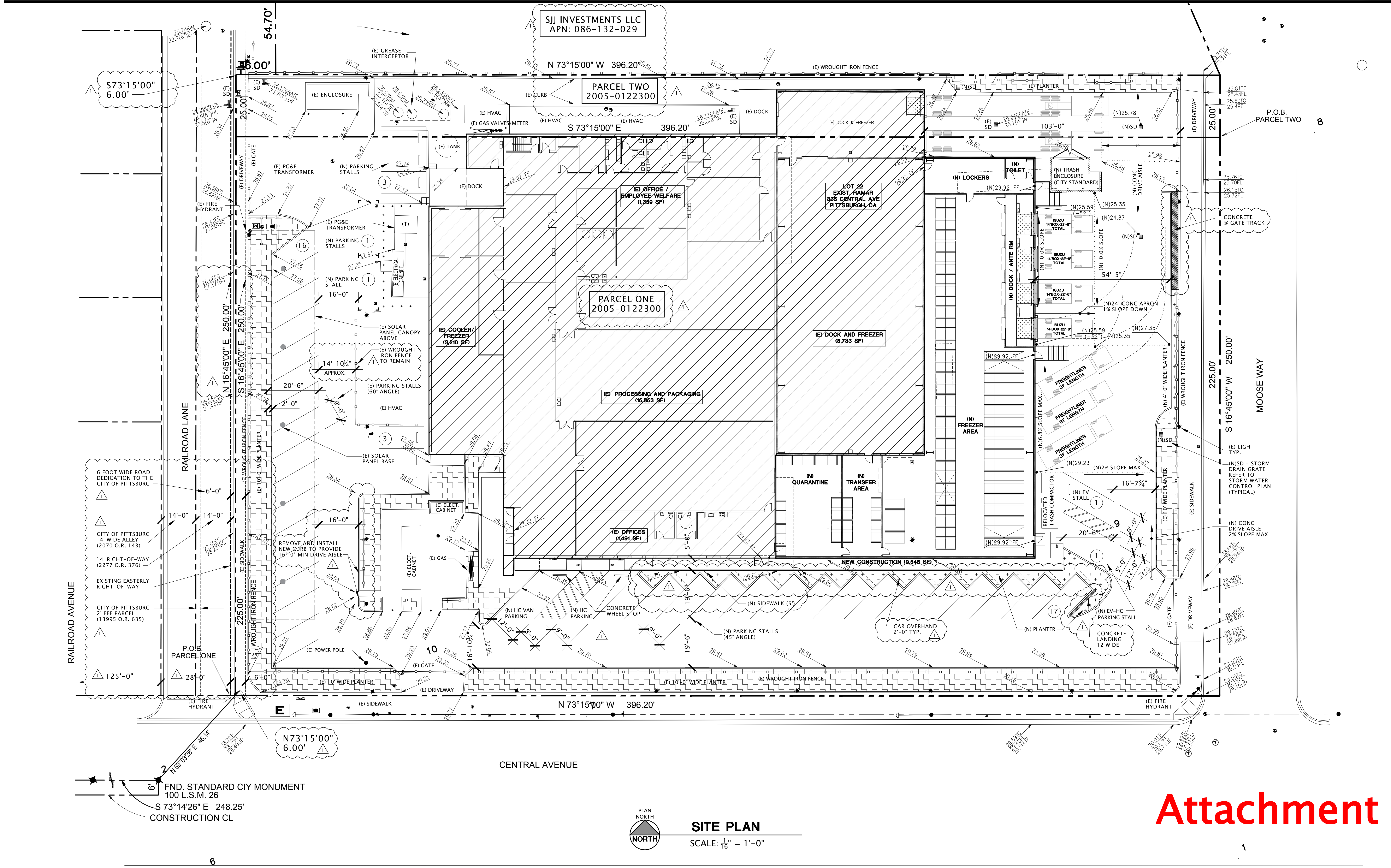
District Development Regulations for Service Commercial with Limited Overlay (CS-O):	Requirement:	Proposed Project:
Max. Height	50'-0"	35'-4"
Max. FAR	0.5	0.43
Max. Lot Coverage	60%	40.74%
Min. Lot Area	5,000 sq. ft.	
Min. Lot Width	70'-0"	
Min. Front Yard Setback (South)	10'-0"	49'-0"
Min. Side Setback	None	58'-5"
Min. Rear Setback	None	6'-0"
Min. Site Landscaping	7%	8.42%
Min. Parking (Offices)	11 spaces (2,850 SF/250)	
Min. Parking (Docks, Cooler, Freezer, Storage)	11 spaces (21,488 SF/2,000)	
Min. Parking (Processing and Packaging)	21 spaces (15,947 SF/750)	
Min. Total Parking	43	43
Loading Berths	2	6
Min. Bike Parking	6	6
Parking Lot Trees	7	20
Trash Enclosure	1	2

Attachment 5
Development Review Design Guidelines (DRDG) Table
Ramar Foods Expansion, AP-18-1383 (UP, DR)

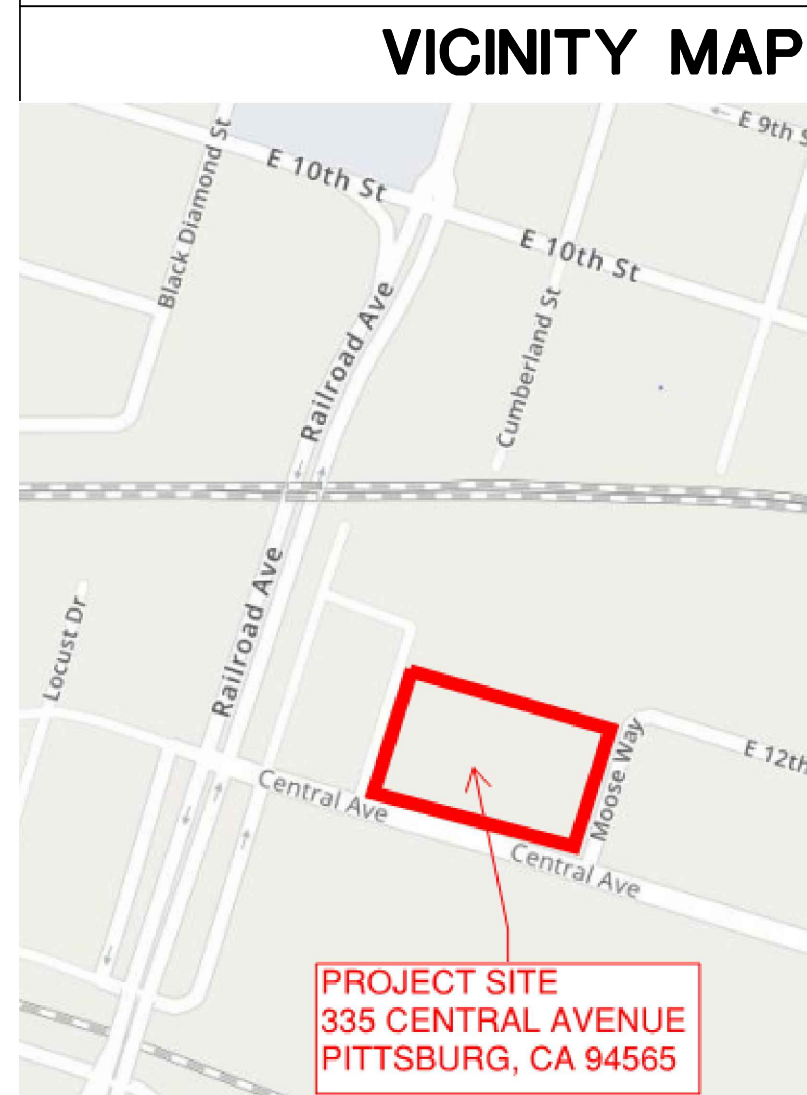
DRDG No.	Meets Guideline?
IV.a: Parking areas should be screened from view from any public right-of-way. Parking areas should be broken up to eliminate vast areas of parking especially along street frontages.	Not applicable. The project does not include an expansion of the existing parking lot. However, it should be noted that there are existing trees and landscaping installed along Railroad Lane, Central Avenue, and Moose Way which provide some screening of the existing parking lot areas.
IV.b: Provisions should be made for permanent shopping cart corrals in retail shopping centers.	Not applicable. The project is not intended for a grocery store or similar use.
IV.c: Existing trees on site should be incorporated into the project site design, unless waived by the City Planner or Planning Commission.	Yes. There are several existing trees along the site's perimeter that will be preserved and incorporated into the project.
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. To satisfy this guideline, staff recommends the Commission adopt a condition of approval requiring all air conditioning units, utility boxes, transformers, backflow preventers, meters, and junction boxes be substantially screened from public view using a block or retaining wall screen, wood/architectural screen, or dense landscaping screen consistent with Appendix 1 of the City of Pittsburg's DRDGs.
IV.e: Projects with many buildings (greater than three) should have a variety of building sizes and masses.	Not applicable. The project involves only one building.
IV.f: Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 feet in length unless architecture or size dictate a greater expanse.	Generally. The project incorporates a 58'-4" long continuous horizontal roofline. However, the impact is mitigated because the roofline is sloped to provide differentiation along the building frontage.
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. The project will expand an existing cold storage area on the eastern portion of the building. The main entrance on the western portion of the building will not be affected.

IV.h: Building elevations visible from public right-of-ways should be addressed in design review and treated appropriately.	Yes. The project will be finished in materials and colors to match the existing building and additional landscaping will be provided to enhance the visual character of the site.
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.	
IV.k: All structures including, but not limited to, 'tilt-up' type structures, should have structural reliefs and articulated entries.	Not applicable. The project does not provide much relief or articulation; however, this is acceptable because it will be located in a less prominent area of the site screened by a row of trees on Central Avenue.
IV.l: Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade.	Yes. The project does not include any fire escapes or other similar appurtenances. Two metal exit staircases will be provided along the eastern portion of the building addition, but these are small and will be screened from Central Avenue.
IV.m: Downspouts should be designed into the façade of the building unless architecturally treated.	Conditionally. To satisfy this guideline, staff recommends the Commission adopt a condition of approval requiring any gutters and downspouts be placed behind exterior walls or painted to match the adjacent building color.
IV.n: Add murals, lattice or some other space-frame type treatment to blank walls visible from public view.	Yes. Blank walls will be mitigated by installing several murals along the southern and eastern elevations of the building addition.
IV.o: Prototype or 'theme' architecture is discouraged.	Not applicable. The building features a non-thematic architectural style.
IV.p: New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development.	Yes. The project will be finished in materials and colors to match existing structures on site, which do not contrast with neighboring developments.
IV.q: The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation.	Not applicable. See comment under DRDG No. IV.k.
IV.r: Trash enclosures should include area for collection of recyclables (i.e. space for two 90-gallon containers minimum).	Yes. There is an existing trash enclosure at the northwest corner of the site. An additional trash enclosure will be provided at the north east corner of the site consistent with Appendix 2 of the City of Pittsburgh's DRDGs.

DRDG No.	Meets Guideline?
VI.D.1: Roofs should be designed to integrate renewable energy systems and provide a cool urban environment.	Conditionally. To satisfy these guidelines, staff recommends the Commission adopt a condition of approval requiring the project incorporate a cool roof.
VI.D.2: Urban heat island impacts should be minimized.	
VI.D.3: Hardscapes should be constructed with permeable surfaces. Impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature.	Yes. To meet its C.3 stormwater requirements, the project will be replacing some existing impervious parking areas with pervious pavers.
VI.D.4: Design choices should incorporate or prepare for electric vehicle charging or used vegetable oil fueling infrastructure.	Conditionally. To satisfy this guideline, staff recommends the Commission adopt a condition of approval requiring installation of at least two electric vehicle parking spaces with full electric vehicle supply equipment.
VI.D.5: Fuel cell technology should be considered where other renewables are infeasible.	Not applicable. The existing building currently uses solar energy to power its operations.
VI.D.6: Reclaimed water should be used for as much non-potable water uses as feasible and practical.	Not applicable. Recycled water is not available for use at this site.
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. The existing building is not currently used for commercial or institutional purposes.
VI.D.8: Street side building faces should encourage walking.	Yes. The project site will continue to have access to sidewalks along Moose Way and Central Avenue.
VI.D.9: Secure bicycle parking facilities should be provided for at least 10 percent of expected peak hour trips.	Yes. The project will provide bicycle racks to accommodate up to six bicycles in compliance with PMC section 18.78.045.



Attachment 6



BUILDING AREA / PARKING TABULATIONS			
EXISTING BUILDING AREA			
(E) OFFICES:	2,850 SF @ $\frac{1}{200}$	=	30,740 SF
(E) DOCKS, COOLER, FREEZER, STORAGE:	11,943 SF @ $\frac{1}{200}$	=	11 STALLS
(E) PROCESSING & PACKAGING:	15,947 SF @ $\frac{1}{750}$	=	6 STALLS
(E) TOTAL		=	21 STALLS
PROPOSED BUILDING AREA			
(N) DOCKS & FREEZER:	9,545 SF @ $\frac{1}{200}$	=	5 STALLS
TOTAL BUILDING AREA		=	38 STALLS
PARKING SPACES REQUIRED / PROVIDED			
PARKING SPACES REQUIRED	=	43 SPACES	
PARKING SPACES PROVIDED	=	43 SPACES (INCLUDES HC & EV PARKING)	
H/C SPACES REQ'D / PROVIDED	=	(1) HC + (1) VAN	
EV HC SPACE REQ'D / PROVIDED	=	(1) EV HC VAN	
EV SPACE REQ'D / PROVIDED	=	(1) EV	
LANDSCAPE TREE SHADE			
PARKING LOT AREA	=	38,995 SF	
SHADE TREE AREA FOR MATURE TREE	=	13,826 SF	
TREE SHADE PERCENTAGE ACTION	=	35%	
TREE SHADE PERCENTAGE REQD MIN.	=	35%	

LOT AREA TABULATIONS	
LOT AREA	= 2.27 AC / 98,881 SF
EXISTING LOT COVERAGE	= 31.09 %
PROPOSED LOT COVERAGE	= 40.74 %
MAX. LOT COVERAGE ALLOWED	= 60.00 %
FAR (FLOOR AREA RATIO)	
FAR BUILDABLE AREA	= 93,054 SF
FAR GROSS BLDG AREA	= 40,285 SF
FAR ACTUAL PERCENTAGE	= .43%
FAR MAX ALLOWED	= .50%
LANDSCAPE AREA % REQ'D	
NEW LANDSCAPE REQUIRED	= 7.00%
PROPOSED LANDSCAPE AREA %	= 8.42%
PROPOSED LANDSCAPE AREA SF	= 8,326 SF
TREES (NEW+EXIST)	
TREES REQUIRED	= 41 TREES
[1 PER (6) PARKING STALLS (43)]	= 7 TREES
TREES EXISTING	
TREES NEW	= (31) TREES
TREES EXIST	= (17) TREES
TREES PROVIDED	= (48) TREES

LEGAL DESCRIPTION

Real property in the City of Pittsburgh, County of Contra Costa, State of California, described as follows:

PORTION OF THAT PARCEL OF 3.328 ACRES DESCRIBED IN A DEED FROM C.A. HOOPER & CO., TO CITY OF PITTSBURGH, DATED NOVEMBER 3, 1943, RECORDED NOVEMBER 17, 1943, IN BOOK 705 OF OFFICIAL RECORDS, PAGE 14, RECORDS OF CONTRA COSTA COUNTY, THE SAID PORTION BEING DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEGINNING AT A POINT IN THE NORTHERLY BOUNDARY OF CENTRAL AVENUE, THE SAID POINT BEING EASTERLY 139.00 FEET BY RIGHT ANGLE MEASUREMENTS FROM THE EASTERLY BOUNDARY OF RAILROAD AVENUE, AND BEING IN THE EASTERLY BOUNDARY OF THAT STRIP OF LAND 14.00 FEET WIDE KNOWN AS A PRIVATE ALLEY AND FORMERLY CONVEYED BY THE CITY OF PITTSBURGH TO JOSEPH V. RAGUSA AND OTHERS IN JOINT TENANCY, TO BE USED AS A COMMON ALLEY BY THE GRANTEEES AND DESCRIBED IN A DEED RECORDED IN BOOK 2070 OF OFFICIAL RECORDS, PAGE 143, RECORDS OF CONTRA COSTA COUNTY; THENCE FROM SAID POINT OF BEGINNING ALONG THE EASTERLY BOUNDARY OF THE SAID STRIP OF LAND, 14.00 FEET WIDE, NORTH 16° 45' EAST, 225.00 FEET; THENCE SOUTH 73° 15' EAST, 396.20 FEET TO A POINT THAT IS WESTERLY 27.00 FEET BY RIGHT ANGLES MEASUREMENT FROM THE EASTERLY BOUNDARY OF THE HEREINBEFORE MENTIONED 3.328 ACRE PARCEL; THENCE SOUTH 16° 45' WEST, 225.00 FEET TO A POINT IN THE NORTHERLY BOUNDARY OF CENTRAL AVENUE; THENCE ALONG THE NORTHERLY BOUNDARY OF CENTRAL AVENUE, NORTH 73° 15' WEST 396.20 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

BEGINNING ON THE WEST LINE OF THE PARCEL OF LAND DESCRIBED AS PARCEL TWO IN RESOLUTION NO. 3063 DEDICATING CERTAIN LAND AS A PUBLIC STREET, DATED MARCH 15, 1954, RECORDED APRIL 12, 1954, IN BOOK 2299 OF OFFICIAL RECORDS, PAGE 160, AT THE NORTH LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM CITY OF PITTSBURGH TO SAFEWAY STORES, INCORPORATED, DATED FEBRUARY 1, 1954, RECORDED MARCH 2, 1954, IN BOOK 2277 OF OFFICIAL RECORDS, PAGE 396; THENCE FROM SAID POINT OF BEGINNING NORTH 16° 45' EAST, ALONG SAID WEST LINE, 25 FEET; THENCE NORTH 73° 15' WEST, PARALLEL WITH THE NORTH LINE OF SAID SAFEWAY STORES PARCEL (2277 OR 376), 396.20 FEET TO THE EAST LINE OF A STRIP OF LAND 14 FEET WIDE KNOWN AS A PRIVATE ALLEY AND FORMERLY CONVEYED BY THE CITY OF PITTSBURGH TO JOSEPH V. RAGUSA, ET AL. BY DEED RECORDED IN BOOK 2070 OF OFFICIAL RECORDS, PAGE 143; THENCE SOUTH 16° 45' WEST, ALONG SAID EAST LINE 25 FEET TO THE NORTH LINE OF SAID SAFEWAY STORES PARCEL (2277 OR 376); THENCE SOUTH 73° 15' EAST ALONG SAID NORTH LINE, 396.20 FEET TO THE POINT OF BEGINNING.

EXCEPT FROM PARCELS ONE AND TWO ABOVE:

THAT PORTION GRANTED TO THE REDEVELOPMENT AGENCY OF THE CITY OF PITTSBURGH, RECORDED NOVEMBER 3, 1987, BOOK 13995, OFFICIAL RECORDS, PAGE 635, CONTRA COSTA COUNTY RECORDS.

APN: 086-132-022-4

SHEET INDEX	
SHT NO	SHEET DESCRIPTION
A0.10	SITE PLAN / NOTES & TABULATIONS
A0.20	EXISTING SITE / DEMO PLAN
A1.00	FLOOR PLAN
A3.00	ROOF PLAN
A4.00	EXTERIOR ELEVATIONS
A4.01	EXTERIOR ELEVATIONS / SECTION
L1	PRELIMINARY LANDSCAPE PLAN
L2	PRELIMINARY LANDSCAPE PLAN
C1	PRELIMINARY STORM WATER CONTROL PLAN
TITLE REPORT	
TITLE COMPANY: NORTH AMERICAN TITLE COMPANY	
TITLE REPORT NUMBER: 1389312	
DATE: NOVEMBER 24, 2015	
THIS MAP WAS PREPARED IN ACCORDANCE WITH THE ABOVE REFERENCED TITLE REPORT, AND DEPICTS THE REAL PROPERTY AND PLOTTABLE ENCUMBRANCES DESCRIBED THEREIN. ITEMS PERTAINING TO TAXES, FINANCING, LIENS AND OTHER INTANGIBLE TITLE MATTERS ARE BEYOND THE SCOPE OF THIS SURVEY AND ARE NOT REPRESENTED HEREON.	

www.atiaae.com
3050 Pullman Street
Contra Costa, CA 94569
T 925.646.8900

4750 Willow Rd #250
Pittsburgh, CA 94561
T 916.772.1900

ITEM	REVISIONS/ISSUE	DATE
1	PLANNING 1ST ISSUE	11-6-18
2	PLANNING 2ND ISSUE	01-11-19

OWNER:

CONSULTANT STAMP

GENERAL CONTRACTOR:

PROFESSIONAL STAMP

APPROVALS:

PROJECT TITLE:

EXPANSION & RENNOVATION

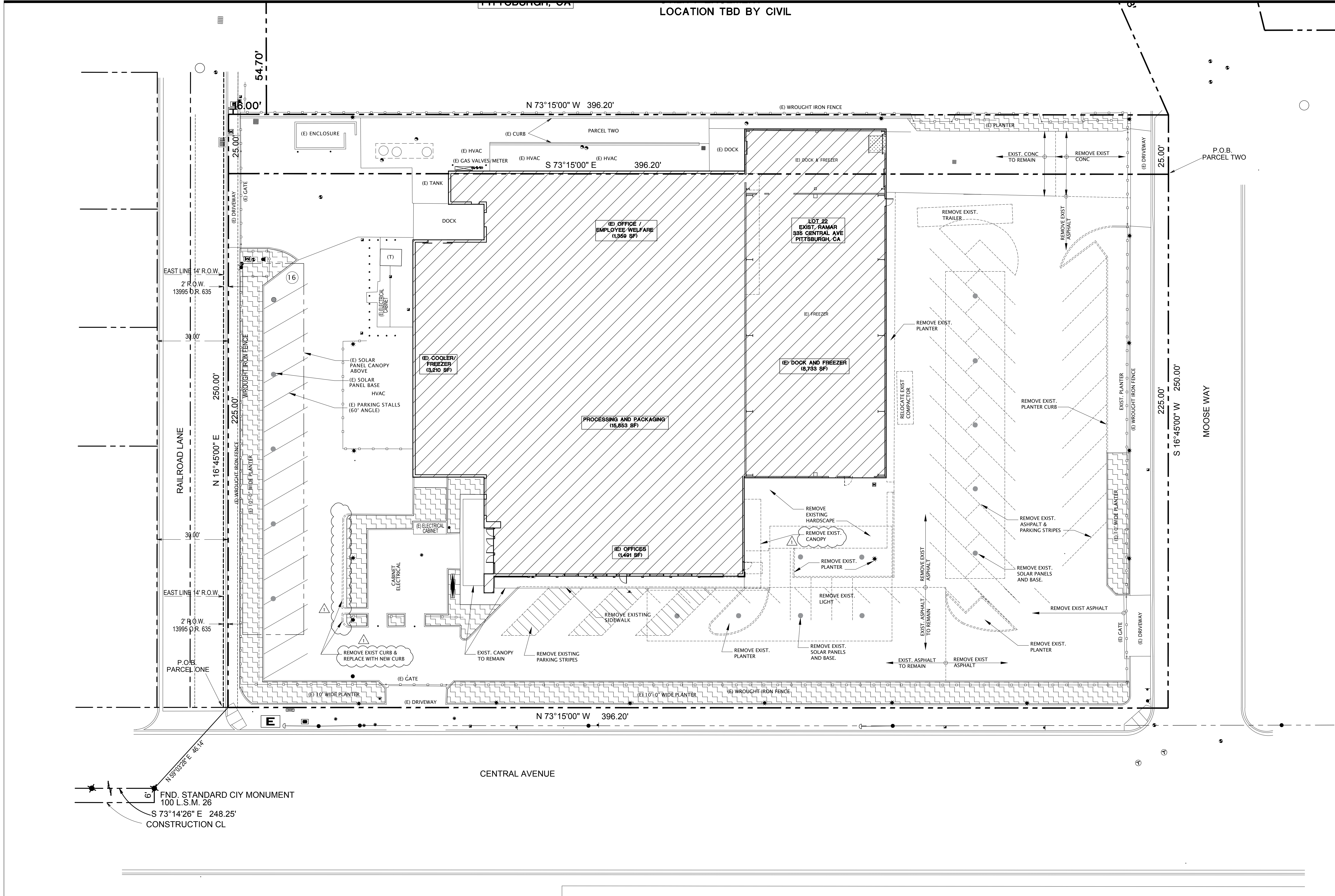
RAMAR INTERNATIONAL
335 CENTRAL AVENUE
PITTSBURGH, CA 94565

SHEET TITLE:

**SITE PLAN
NOTES
TABULATIONS**

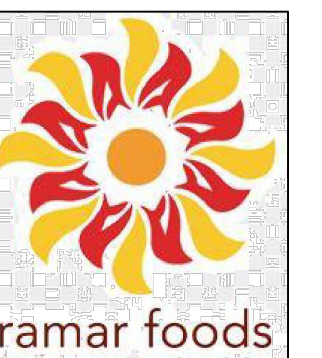
DATE:	SCALE:
01-11-19	AS NOTED
DRAWN BY:	CHECKED BY:
RAI	RH 01-11-19
CAD FILE:	
SHEET NO:	

A0.10



www.atiae.com
3050 Pullman Street
Corte Madera, CA 94505
T 714.338.1600
4750 Willow Rd. #200 3009 Douglas Blvd., #200
Pittsburgh, CA 94558 Roseville, CA 95661
T 925.646.8000 T (916) 772-1800

ITEM	REVISIONS/ISSUE	DATE
1	1ST PLANNING DESIGN REVIEW	11-6-18
2	PLANNING 2ND ISSUE	01-11-19



OWNER:

CONSULTANT STAMP



GENERAL CONTRACTOR:

PROFESSIONAL STAMP

APPROVALS:

PROJECT TITLE:
EXPANSION & RENNOVATION

RAMAR INTERNATIONAL
335 CENTRAL AVENUE
PITTSBURGH, CA 94565

SHEET TITLE:
DEMO
SITE PLAN

DATE:	SCALE:
01-11-19	AS NOTED
DRAWN BY:	CHECKED BY:
RH	RH 01-11-19

JOB NO:

CAD FILE:

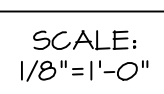
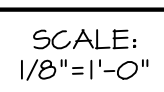
+A9101-A0.20.dwg

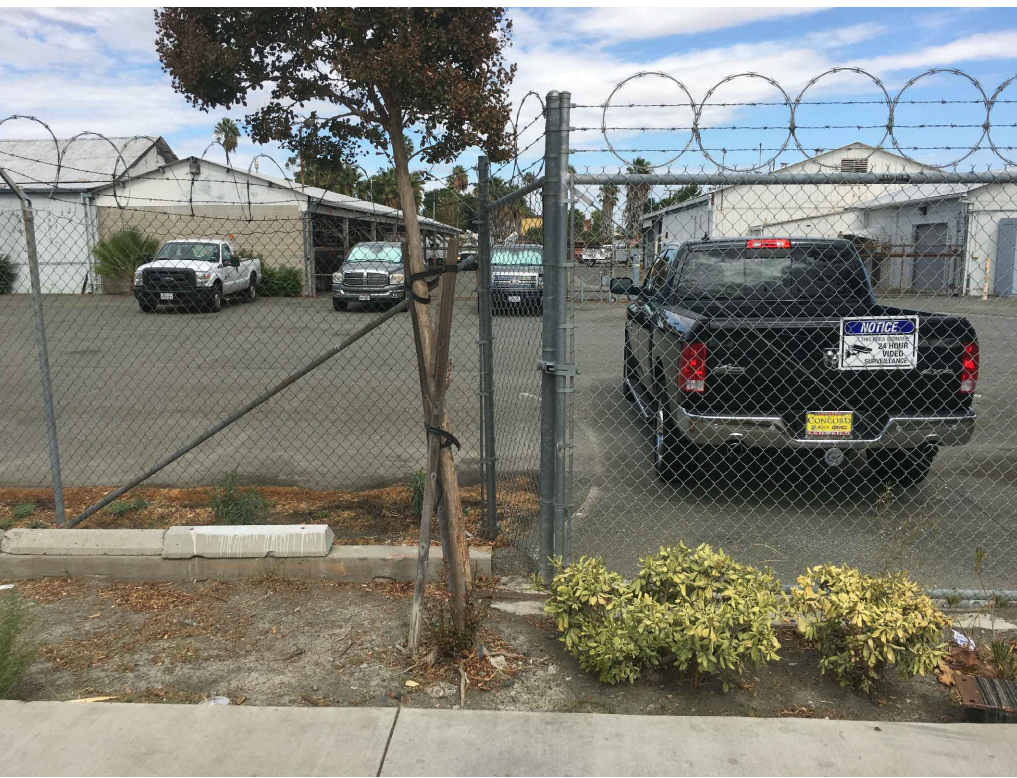
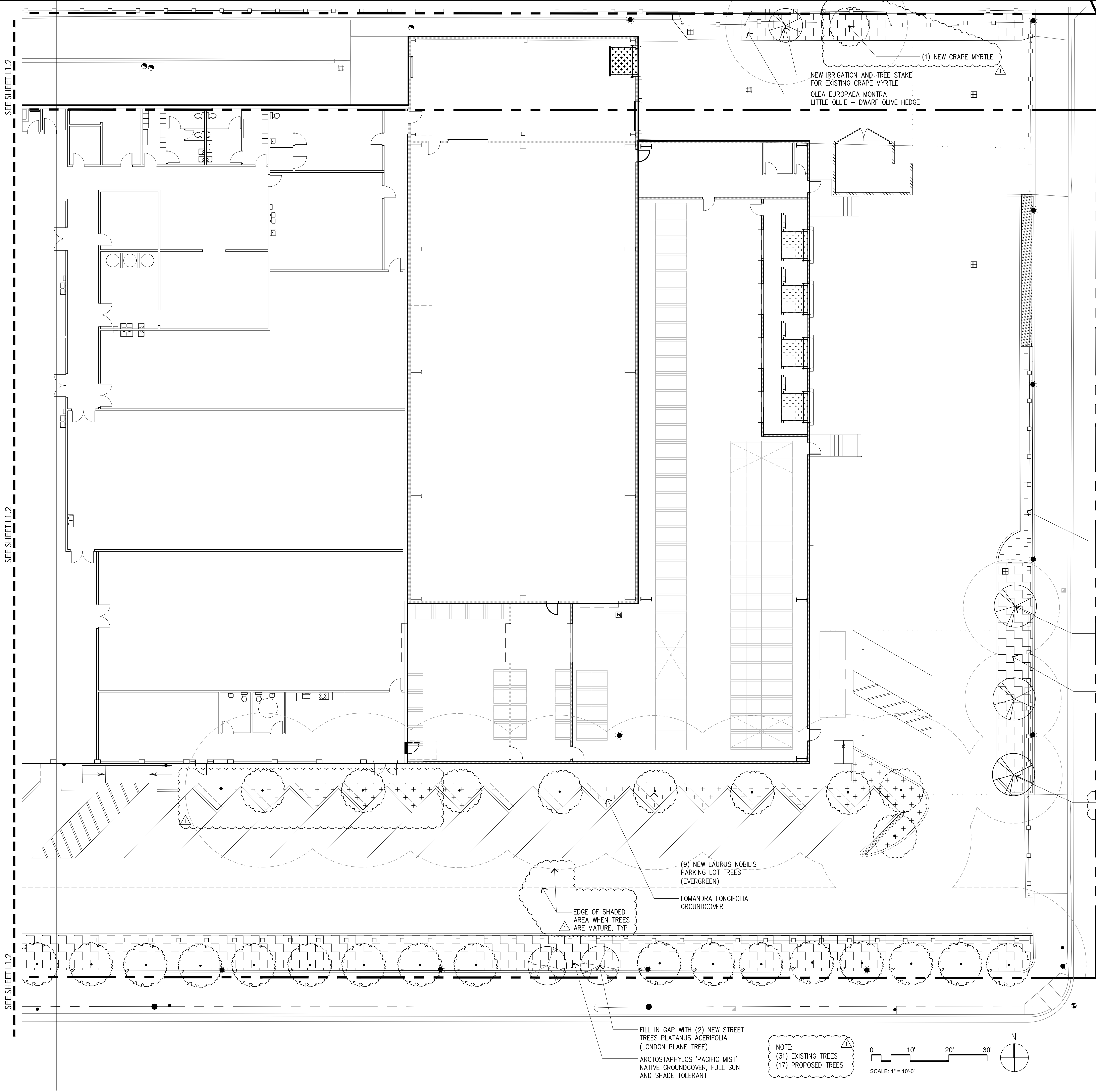
SHEET NO:



A0.20

DEMO SITE PLAN





EXISTING CRAPE MYRTLE



LITTLE OLLIE (HEDGE)



LOMANDRA LONGIFOLIA



CEANOTHUS 'YANKEE POINT'



LAURUS NOBILIS (NEW PARKING LOT TREES)



GAP IN STREET TREES



ARCTOSTAPHYLOS 'PACIFIC MIST'

www.atiaa.com
3050 Pullman Street
Contra Costa, CA 94526
T 774.538.1000

4750 Willow Rd. #250 3000 Douglas Blvd., #200
Pleasanton, CA 94566 Roseville, CA 95661
T 925.464.8500 T 916.772.1800

ITEM:	REVISIONS/ISSUE:	DATE:
PLANNING 1ST ISSUE		11-06-18
PLANNING 2ND ISSUE		01-11-19
"PROGRESS"		

OWNER:

Keller Mitchell & Co.
Landscape Architecture
302 Fourth Street
Oakland, California, 94607
T 510 451 9987 F 510 452 9987
www.kellermitchell.com

CONSULTANT STAMP

GENERAL CONTRACTOR:

PROFESSIONAL STAMP

APPROVALS:

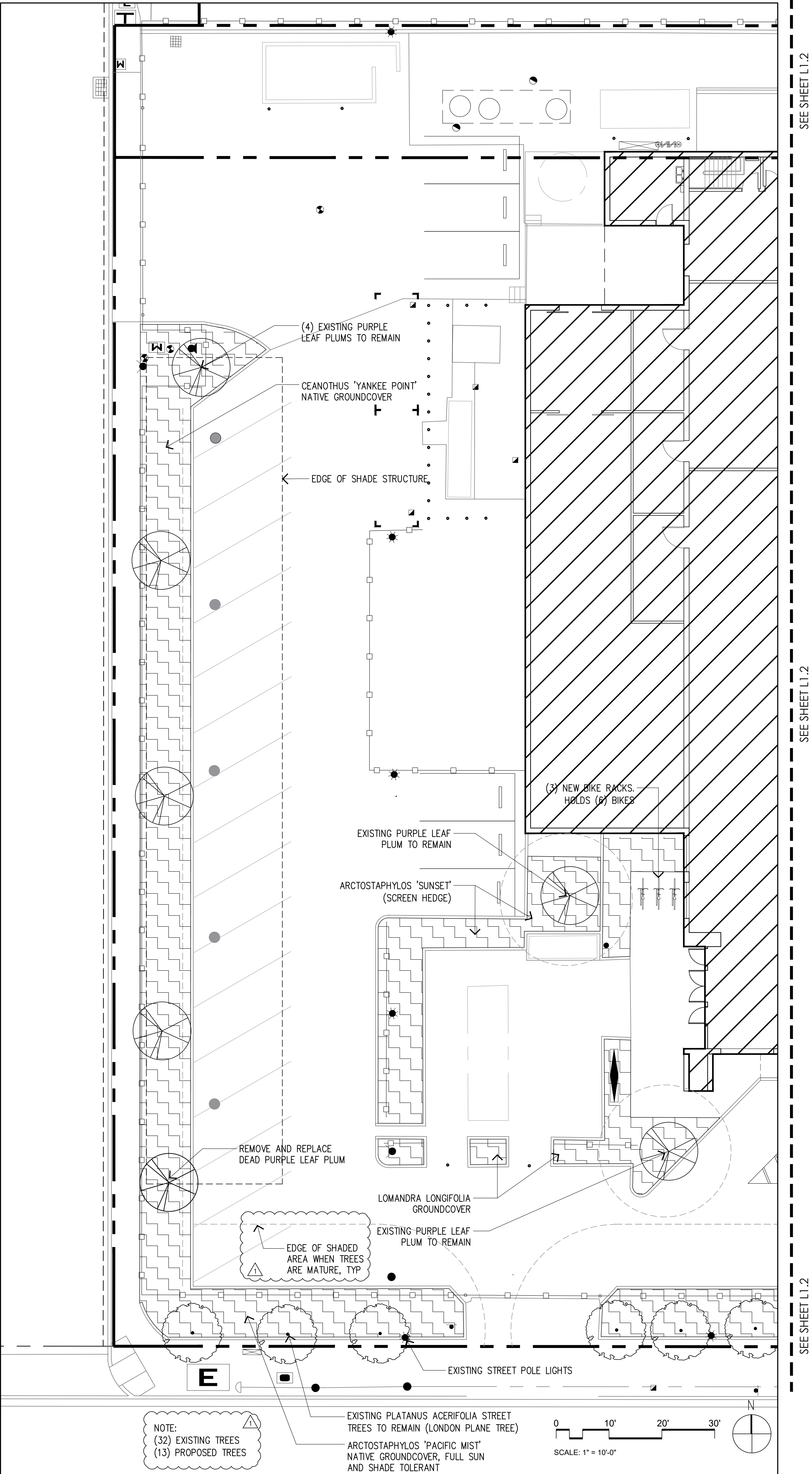
PROJECT TITLE:
EXPANSION & RENNOVATION

RAMAR INTERNATIONAL
335 CENTRAL AVENUE
PITTSBURG, CA 94565

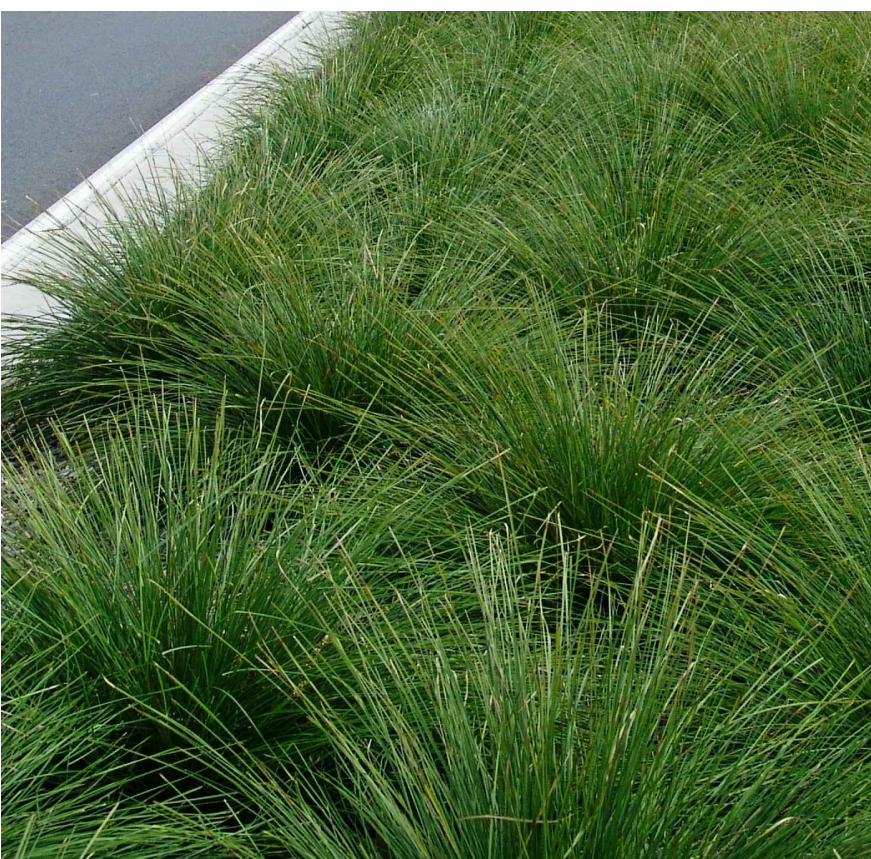
SHEET TITLE:
PLANTING PLAN (EAST)

DATE:	SCALE:
10/31/2018	1" = 10'-0"
DRAWN BY:	CHECKED BY:
SD	RH
JOB NO:	
A9101	
CAD FILE:	
Ramar-L1_1.dwg	
SHEET NO:	

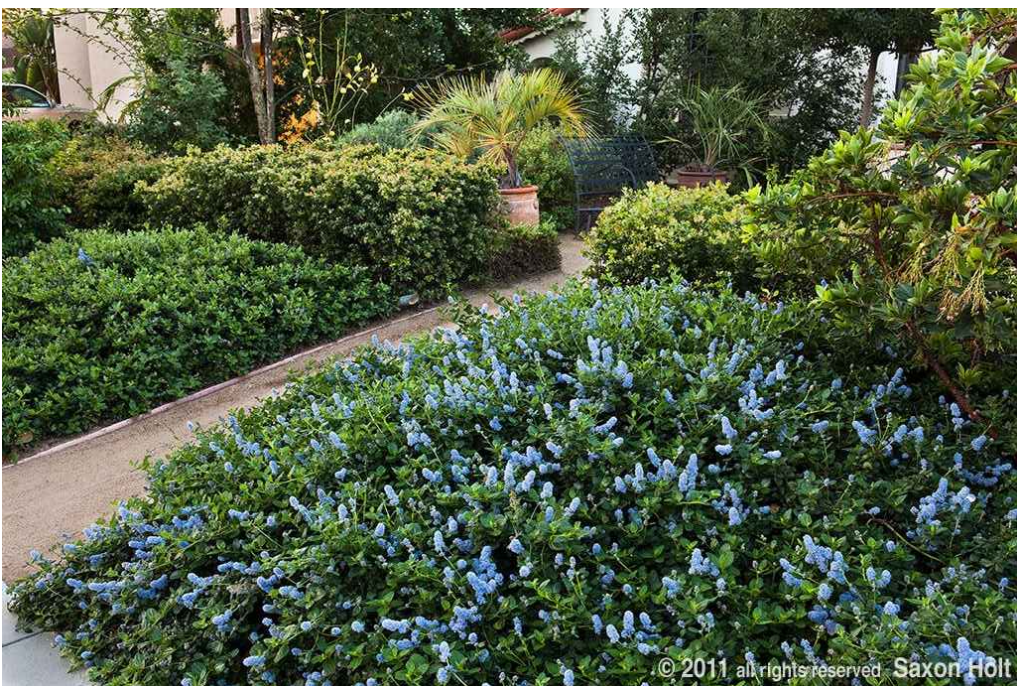
L1.1



ARCTOSTAPHYLOS 'SUNSET' (NATIVE HEDGE)



LOMANDRA LONGIFOLIA



CEANOTHUS 'YANKEE POINT' (NATIVE GROUNDCOVER)



DEAD PURPLE LEAF PLUM TO BE REPLACED



GAP IN STREET TREES



BIKE RACKS



ARCTOSTAPHYLOS 'PACIFIC MIST' (NATIVE GROUNDCOVER)



ATI
ARCHITECTS
+
ENGINEERS

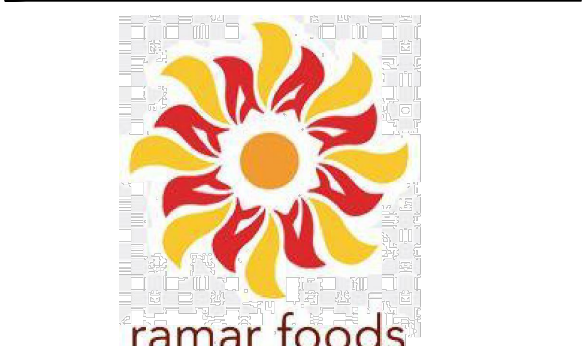
www.atiaa.com

3050 Pullman Street
Contra Costa, CA 94568
T 925.452.1000

4750 Willow Rd. #250
Pleasanton, CA 94568
T 925.452.1000

3000 Douglas Blvd., #200
Reno, NV 89501
T 775.772.1001

ITEM	REVISIONS/ISSUE	DATE
PLANNING 1ST ISSUE		11-06-18
PLANNING 2ND ISSUE		01-11-19
"PROGRESS"		



ramar foods

OWNER:



Keller Mitchell & Co.
Landscape Architecture

302 Fourth Street
Oakland, California, 94607

T 510 451 9987 F 510 452 9987
www.kellermitchell.com

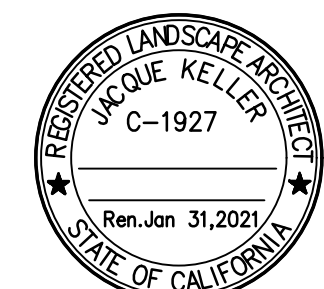
CONSULTANT STAMP



alston
CONSTRUCTION

GENERAL CONTRACTOR:

PROFESSIONAL STAMP



APPROVALS:

PROJECT TITLE:

EXPANSION & RENNOVATION

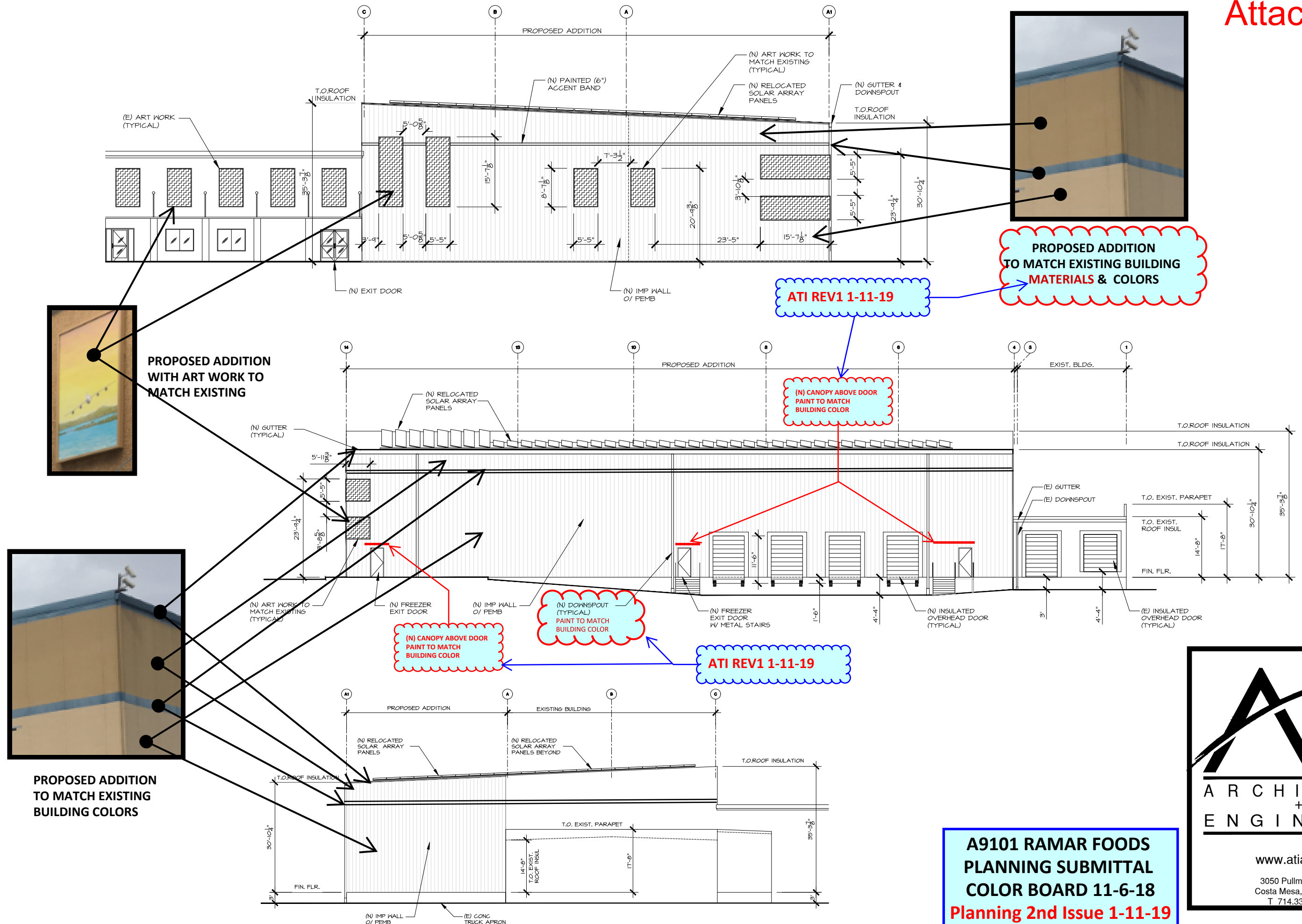
RAMAR INTERNATIONAL
335 CENTRAL AVENUE
PITTSBURG, CA 94565

SHEET TITLE:

PLANTING PLAN (WEST)

DATE:	SCALE:
10/31/2018	1" = 10'-0"
DRAWN BY:	CHECKED BY:
SD	RH
JOB NO:	
A9101	
CAD FILE:	
Ramar-L1_1.dwg	
SHEET NO:	

L1.2



**A9101 RAMAR FOODS
PLANNING SUBMITTAL
COLOR BOARD 11-6-18
Planning 2nd Issue 1-11-19**

ATI
ARCHITECTS
+
ENGINEERS

www.atiae.com

3050 Pullman Street
Costa Mesa, CA 92626
T 714.338.1600



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

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

DATE: February 13, 2019
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
 65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Ramar Foods Cold Storage Expansion, AP-18-1383 (UP, DR).

This is an application by Ramar Foods International, requesting use permit and design review approval for plans to construct a 9,545-square-foot addition to its existing food processing facility located at 335 Central Avenue in the CS-O (Service Commercial with Limited Overlay) District. Assessor's Parcel No. 086-132-022. The purpose of the addition is to expand the facility's existing cold storage area.

PROJECT PLANNER: Hector J. Rojas, (925) 252-4043 or hrojas@ci.pittsburg.ca.us

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 at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

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

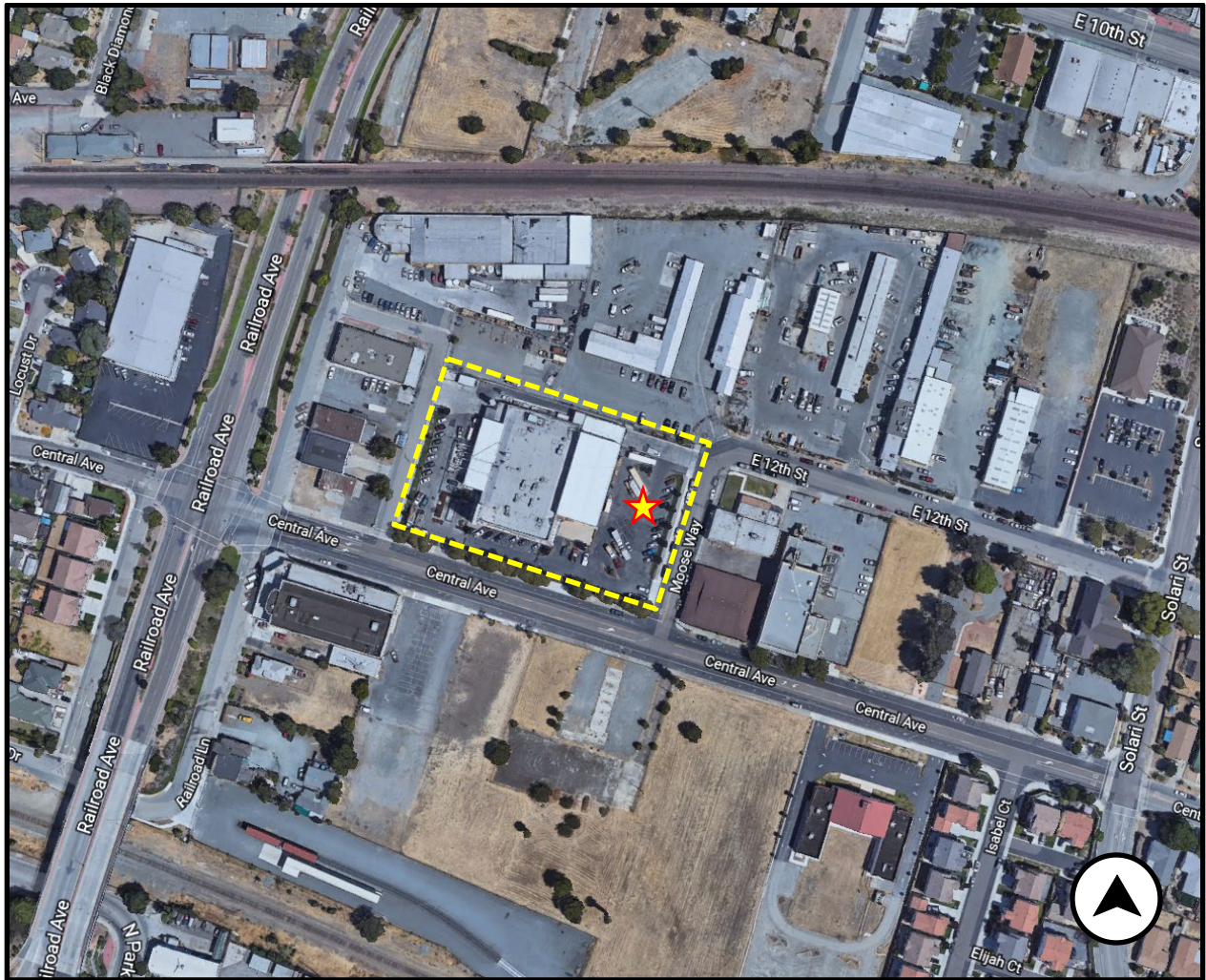
Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

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.


 KRISTIN POLLET, AICP, SECRETARY
 PITTSBURG PLANNING COMMISSION

Project Title: Ramar Foods Expansion, AP-18-1383 (UP, DR)
Location: 335 Central Avenue, APN: 086-132-022

★ **Project Location**



City of Pittsburg

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

NOTICE OF PUBLIC HEARING

Attachment 9

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution of Approval of a Use Permit to	)	
Establish a Frozen Food Processing Facility at	)	Resolution No. 9554
335 Central Avenue For "Ramar Foods at	)	
Marina Skate". AP-04-164 (UP).	)	

The Planning Commission DOES Resolve as follows:

Section 1. Background

- A. On September 16, 2004, Primo Quesada of Ramar Foods International filed Use Permit Application No. AP-04-164 (UP) in accordance with Chapter 18.12 of the Pittsburgh Municipal Code (PMC) requesting approval of a use permit to establish a frozen food processing facility at 335 Central Avenue, CN (Neighborhood Commercial) District, Service Commercial General Plan Land Use designation (Ordinance No. 04-1215) APN 086-132-022.
- B. On February 8, 2005, the Planning Commission held a duly noticed public hearing on Rezoning Application No. AP-04-164, at which time the Commission considered public testimony on the proposed rezoning application, and motioned to continue the public hearing to February 23, 2004 for final review and approval of the proposed use permit and design review after City Council adoption of the Negative Declaration prepared for the project. After considering testimony from the public, the Commission approved Resolution No. 9548 recommending the City Council rezone the subject property from CN (Neighborhood Commercial) District to CS-O (Service Commercial with a Limited Overlay) District and adding "Food and Drug Processing" as a conditionally permitted use.
- C. On February 22, 2005 the City Council adopted the Negative Declaration prepared for the project, and took the necessary action to initiate rezoning the subject property from CN (Neighborhood Commercial) District to CS-O (Service Commercial with a Limited Overlay) District. Upon the effective date of City Council Ordinance No. 05-1239, the CS-O District would be subject to Service Commercial District regulations with the exception that "Food and Drug Processing" would be a conditionally permitted use.
- D. The proposed use to establish a frozen food processing facility is classified under the "Food and Drug Processing" use classification of PMC. A "Food and Drug Processing" facility would be a conditionally permitted use under the new CS-O District.

- E. The proposed plans conform with the policies and guidelines of the City of Pittsburgh General Plan.
- F. PMC §18.84.315 requires that one tree for each six parking spaces be evenly distributed throughout the parking lot. The proposed distribution of the trees is concentrated along Moose Way and at the ends of the parking isles. In order to evenly distribute the trees through the parking lot as required by the Landscape Ordinance, the landscape plan would have to be modified to distribute the trees within the parking areas.
- G. With the exception of the distribution of trees throughout the parking lot, the project is consistent with CS District development regulations.
- H. On February 23, 2005, the Planning Commission continued the public hearing for Use Permit and Design Review Application No. AP-04-164, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. The Planning Commission has reviewed and considered the Negative Declaration prepared for this project.
- B. The Planning Commission finds that based on the Planning Commission Staff Report entitled, "Ramar Foods at Marina Skate. AP-04-164 (UP, DR)", dated February 23, 2005, and based on all the information contained in the Planning Department files on the project, adopted and incorporated here by reference and available for review in the Planning Department located at 65 Civic Avenue in Pittsburgh, and based on all written and oral testimony presented at the meeting:
 - 1. The proposed use to establish a frozen food processing facility:
 - a. is in accordance with the objectives of the General Plan and the land use district in which it is located in that a frozen food processing facility will be a conditionally permitted use under the "Food and Drug Processing" use classification, pending the effective date of City Council Ordinance No. 05-1239 (rezoning the property from CN to CS-O (Service Commercial with a Limited Overlay) District);
 - b. is not detrimental to the health, safety and general welfare of the City in that Ramar Foods International's operations, as established by it's reputable business practices in the City since 1988, is conducted in a fashion which does not have a potential to negatively impact the health, safety or general welfare of the City.
 - c. will not adversely affect the orderly development of property within the City, in that the *Service Commercial* General Plan land use designation is intended

for light industrial businesses with operations which do not require a strong orientation towards less intensive land use designations (such as retail and office uses);

- 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 in that the building addition and renovation and site development plans will enhance the value of the property to the community and positively contribute to the value of property in the surrounding Central Avenue neighborhood;
- e. will not encourage marginal development within the neighborhood provided that the landscaping plan is revised to evenly distribute trees throughout the parking lot as required by the City's Landscape Ordinance, and in that the building addition/renovation and site development plans are otherwise consistent with the City's adopted Design Review Guidelines and CS District standards and designed in good taste to provide an attractive and functional environment for visitors to the site;
- f. 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 in that the project is located in an area of the City served by existing utilities and in that the use will be maintained and operated at the cost of the applicant.

Section 3. Approval

- A. Based on the findings set forth above, this Planning Commission hereby approves Use Permit Application No. AP-04-164, subject to the following conditions:
 - 1. The proposed use for frozen food processing facility shall be conducted as presented to the Planning Commission in the Staff Report dated February 23, 2005, except as hereinafter may be modified.
 - 2. The site shall be developed substantially as presented in the submitted site plan/conceptual landscape plan date stamped February 23, 2005 except as follows: The site plan/conceptual landscaping plan shall be modified to meet all CS District development regulations. Specifically, the applicant shall modify the site plan/conceptual landscaping plan to meet the minimum required planting area width and parking standards for the CS District.
 - 3. Food processing onsite shall be limited exclusively to the production of frozen food products. Other uses identified under the "Food and Drug Processor" definition shall not be permitted under this use permit.
 - 4. The site shall be kept clean and free of all litter, debris and refuse.

5. The applicant shall ensure that the dumpster/trash enclosure area is swept daily and that waste debris is disposed of properly.
6. All activities shall occur entirely indoors with the exception of pick-ups and deliveries to the site.
7. The applicant shall ensure that carbon filters or other ventilation equipment used in cooking designed to reduce/mask food odors emitted from the kitchen are kept in proper working conditioned and routinely maintained as recommended by the manufacturer.
8. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval of this proposal as applicable.
9. The applicant shall defend, indemnify and hold harmless the City of Pittsburg, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, which action brought within the applicable time period of Government Code section 65907. In the event the City becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action or proceeding, if both the following occur: (a) the City bears its own attorneys' fees and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the settlement is approved by the applicant.
10. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code section 66020 (d) (1), these conditions constitute written notice of a statement of the amount of fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day approval period in which you may protest these fees, dedications, reservations and exactions, pursuant to Government Code section 66020 (a) has begun. If you (the applicant) fail to protest within this 90-day period by complying with all of the requirements of section 66020, you (the applicant) will be legally barred from later challenging such exactions.
11. The applicant shall comply with all requirements of the Engineering Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District and all other applicable local, state and federal agencies prior to issuance of a certificate of occupancy by the Building Division.

12. This approval will run coterminous with the design review approval of this project (Planning Commission Resolution No. 9555).

Section 4. Effective Date

This resolution shall take effect on the effective date of City Council Ordinance No. 05-1239.

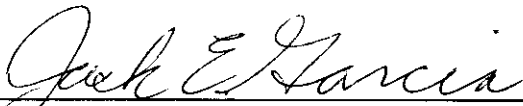
On motion by Commissioner Ramirez, seconded by Commissioner Williams, the foregoing resolution was passed and adopted the 23 day of February, 2005, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Dolojan, Garcia, Ohlson, Ramirez, Williams

NAYES: None

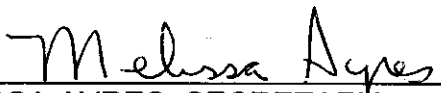
ABSTAIN: Gordon, Tumbaga

ABSENT: None



JACK GARCIA, CHAIRPERSON
PITTSBURG PLANNING COMMISSION

I hereby attest the above signature and certify that the above Resolution No. 9554 was adopted by the Planning Commission of the City of Pittsburg on February 23, 2005.



MELISSA AYRES, SECRETARY
PITTSBURG PLANNING COMMISSION

Attachment 10

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution for Design Review Approval	)	
of Architectural and Site Development Plans	)	
to Add Approximately 11,280 Square Feet to	)	
an Existing 18,920 Square Foot Building	)	Resolution No. 9555
Located at 335 Central Avenue for "Ramar	)	
Foods at Marina Skate". AP-04-164 (DR).	)	

The Planning Commission DOES Resolve as follows:

Section 1. Background

- A. On September 16, 2004, Primo Quesada of Ramar Foods International filed Design Review Application No. AP-04-164 in accordance with Chapter 18.12 of the Pittsburgh Municipal Code (PMC) requesting approval of a architectural and site development plans to add approximately 11,280 square feet to an existing 18,920 square foot building located at 335 Central Avenue, CN (Neighborhood Commercial) District, Service Commercial General Plan Land Use designation (Ordinance No. 04-1215) APN 086-132-022.
- B. On February 8, 2005, the Planning Commission held a duly noticed public hearing on Rezoning Application No. AP-04-164, at which time the Commission considered public testimony on the proposed rezoning application, and motioned to continue the public hearing to February 23, 2004 for final review and approval of the proposed use permit and design review after City Council adoption of the Negative Declaration prepared for the project. After considering testimony from the public, the Commission approved Resolution No. 9548 recommending the City Council rezone the subject property from CN (Neighborhood Commercial) District to CS-O (Service Commercial with a Limited Overlay) District and adding "Food and Drug Processing" as a conditionally permitted use.
- C. On February 22, 2005 the City Council adopted the Negative Declaration prepared for the project, and took the necessary action to initiate rezoning the subject property from CN (Neighborhood Commercial) District to CS-O (Service Commercial with a Limited Overlay) District. Upon the effective date of City Council Ordinance No. 05-1239, the CS-O District would be subject to Service Commercial District regulations with the exception that "Food and Drug Processing" would be a conditionally permitted use.
- D. PMC §18.84.315 requires that one tree for each six parking spaces be evenly distributed throughout the parking lot. The proposed distribution of the trees is

concentrated along Moose Way and at the ends of the parking isles. In order to evenly distribute the trees through the parking lot as required by the Landscape Ordinance, the landscape plan would have to be modified to distribute the trees within the parking areas. Adding a condition that that requires that the landscape plan be modified so that trees are evenly distributed throughout the parking area, would bring this project into compliance with this code requirement.

- E. The proposed plans conform with the policies and guidelines of the City of Pittsburg General Plan.
- F. With the exception of the distribution of trees throughout the parking lot, the project is consistent with CS District development regulations.
- G. On February 23, 2005, the Planning Commission reviewed the plans for Design Review Application No. AP-04-164 at which time oral and/or written testimony was considered.

Section 2. Findings

- A. The Planning Commission has reviewed and considered the Negative Declaration prepared for this project.
- B. The Planning Commission finds that based on the Planning Commission Staff Report entitled, "Ramar Foods at Marina Skate. AP-04-164 (UP, DR)", dated February 23, 2005, and based on all the information contained in the Planning Department files on the project, adopted and incorporated here by reference and available for review in the Planning Department located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting:
 - 1. The architectural and site development plans to add approximately 11,280 square feet to an existing 18,920 square foot building located at 335 Central Avenue:
 - a. conform 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 provided that the landscape plan is revised to evenly distribute trees throughout the parking lot as required by the City's Landscape Ordinance and conditioned by this resolution, and in that building addition/renovation is attractively designed with multiple plane changes, decorative cornice and tube steel lattice treatments, and a complimentary color palette in character with properties in the general area;

- b. is in harmony with proposed developments on land in the general area and is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value in that the site development plans will set a desirable standard for landscaping in the area and in that the building addition/renovation will improve the overall aesthetic value which the property contributes to the Central Avenue neighborhood.

Section 3. Approval

A. Based on the findings set forth above, this Planning Commission hereby approves Design Review Application No. AP-04-164, subject to the following conditions:

1. The project shall be constructed in substantial conformity with the building elevation plans date stamped December 23, 2005, and site plan/conceptual landscaping plan date stamped February 23, 2005 submitted during the Planning Commission hearing on February 23, 2005, except as hereinafter may be modified.
2. The landscape plan shall be designed in a fashion which evenly distributes trees throughout the parking area. Trees shall also be planted along the Moose Way and Railroad Lane street frontages. A detailed landscape plan shall be submitted to the city park planner for review and approval prior to installation.
3. In the event that the applicant encounters circumstances which would make relocating the onsite overhead utility poles infeasible, the applicant shall reconfigure the site design to function in substantial conformity with the Commission approved site plan while still meeting all CS District development regulations. Changes to the site plan shall be subject to review and approval of the Planning Department.
4. The applicant shall install a gate at the northeast corner of the property to restrict pedestrian movement between the building and the existing fence to the north.
5. The site plan/conceptual landscaping plan submitted to the Planning Commission on February 23, 2005, shall be modified to meet all CS District development regulations. Specifically, the applicant shall modify the site plan/conceptual landscaping plan to meet the minimum required planting area width for the CS District (10-foot minimum width).
6. The applicant shall replace all damaged and broken concrete sidewalks, and install/replace the existing asphalt sidewalks around the perimeter of the property along Central Avenue, and Moose Way. These improvements shall be subject to review and approval by the Engineering Department.
7. The applicant shall install a combination of hardscape and landscaping around the area fronting the main entrance to the building (southwest corner of the

building). This requirement shall be reflected on the building plans for the project and shall be subject to review and approval of the Building Division prior to issuance of a building permit.

8. All site improvements, including landscaping shall be installed prior to issuance of a certificate of occupancy by the Building Division.
9. The applicant shall install bicycle parking facilities designed to accommodate at least six bicycles within the courtyard area. The relocated position of the bicycle parking facilities shall be reflected on the building plans for the project.
10. The applicant shall not begin any construction prior to the issuance of building permits.
11. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval of this proposal as applicable.
12. The applicant shall defend, indemnify and hold harmless the City of Pittsburg, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, which action brought within the applicable time period of Government Code section 65907. In the event the City becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action or proceeding, if both the following occur: (a) the City bears its own attorneys' fees and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the settlement is approved by the applicant.
13. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code section 66020 (d) (1), these conditions constitute written notice of a statement of the amount of fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day approval period in which you may protest these fees, dedications, reservations and exactions, pursuant to Government Code section 66020 (a) has begun. If you (the applicant) fail to protest within this 90-day period by complying with all of the requirements of section 66020, you (the applicant) will be legally barred from later challenging such exactions.
14. The applicant shall comply with all requirements of the Engineering Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District and

all other applicable local, state and federal agencies prior to issuance of a certificate of occupancy by the Building Division. The developer shall provide hydraulic calculations to ensure that the existing utilities such as storm, sewer, and water, are adequate for the intended use of the building, and inform the City of any discrepancies. The cost for installation of additional utilities shall be borne by the developer.

15. The developer shall dedicate an additional 6 feet of right of way along the west side of the property, fronting Railroad Lane, and install a new 6 foot wide concrete sidewalk. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
16. The developer shall provide ADA compliant driveways and handicap ramps with truncated domes.
17. Prior to any clearing or grading of the site, the developer shall submit the following to the Engineering Department for review: an Erosion and Sedimentation Control Plan, and a copy of the Notice of Intent (NOI), which was submitted to the State Water Resources Control Board. The erosion control / SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The SWPPP measures shall also include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
18. The developer shall submit an up to date geotechnical report to the Engineering Department, prior to the approval of any civil plans and issuance of an engineering permit.
19. The developer shall submit five (5) sets of engineering plans to the Engineering Department for review and approval at time of submittal for development permits. These plans shall include, but not be limited to:
 - a. Site Plan
 - b. Grading and drainage Plan
 - c. Utilities Plan
 - d. Landscaping and Irrigation Plan

20. The developer shall submit, prior to the approval of the improvement and grading plans, an approved Engineer's Estimate for determination of the plan check and inspection fees (items a thru d below). All fees listed below shall be paid to the City at the time of engineering permit issuance.

- a. The improvement plan check fee is 6% of the cost of the site improvements.
- b. The improvement Inspection fee is 5.75% of the cost of the site improvements.
- c. The grading plan check fee is 2.5% of the cost of grading.
- d. The grading inspection fee is 3% of the cost of grading.
- e. The developer shall pay the City of Pittsburg Facilities Reserve Charge (PMC chapter 13.08)(the "FRC") in the amount on file as established by the City Council resolution or ordinance, in the amount then in effect. The developer understands that the current FRC on file, effective July 1, 2000, shall be paid in accordance with the fee schedule approved by Resolution 98-8551.
- f. The developer shall pay the City's Transportation Mitigation Fee (PMC Chapter 15.90) (the "TMF") in the amount on file and as established by City Council resolution or ordinance at the time the developer obtains a building permit, in the amount then in effect. The developer understands that the TMF on file is \$3,918.00per unit and \$.61 per square foot for commercial uses, as part of the City's 2004 review of the TMF and Resolution No. 04-10200, and has been in effect since February 20, 2005. The developer understands the TMF is reviewed by the City on an annual basis and that based on the City's review and the cost of capital improvements required to mitigate future growth in the City, the developer understands that the TMF may increase in accordance with the cost of living and in accordance with the formula contained in Chapter 15.90. An increase in the TMF is calculated based on the cost of living and on Dwelling Unit Equivalencies ("DUE") that relate all types of land use designations to a residential dwelling unit equivalent based on a relationship between the peak hour traffic generated by a multifamily residence and the peak hour traffic generated by other General Plan land use designations. The TMF is calculated by dividing the total fee share of improvement costs by the total number of DUE's in the City. The developer understands that the City reviews the TMF on an annual basis and that as part of that review, the TMF may be increased in accordance with the calculations described herein and in Chapter 15.90 to ensure that sufficient funds are available to mitigate traffic impacts caused by new development in the City.
- g. The developer shall pay the Regional Traffic Mitigation Fee (PMC Chapter 15.100)(the "RTMF") in the amount on file and as established by City Council

resolution or ordinance at the time the developer obtains a building permit, in the amount then in effect. The developer understands that the RTMF on file is \$7,767 per unit and \$0.08 per square foot for commercial uses; however, that fee is subject to review and adjustment by the Joint Powers Authority, which consists of the cities of Pittsburg, Antioch, Brentwood, and Contra Costa County (the "JPA"). The developer understands that the RTMF is subject to review and adjustment by the JPA in accordance with the PMC chapter 15.100 as necessary to ensure that sufficient funds are available to mitigate traffic impacts caused by new development in the East County Region.

- h. The developer shall pay the Contra Costa Water District Facilities Reserve Charge (PMC Chapter 13.10)(the "CCWD FRC") in the amount on file and as established by CCWD and passed through by the City Council resolution or ordinance, prior to the developer obtaining a building permit, in the then current amount. The CCWD FRC on file is based on meter size and may increase at anytime thereafter dependent upon CCWD's discretion. The developer understands that the CCWD FRC set by the CCWD Board of Directors and is imposed on all developers who request a new or enlarged water meter. Chapter 13.10 contains the City's written pass through policy whereby the City passes through, to developers requesting a new or enlarged water meter, the CCWD FRC established by the CCWD Board of Directors. The developer understands that the CCWD FRC may be reviewed and adjusted by the CCWD Board of Directors at their sole discretion and that the City does not have the jurisdiction to determine when or if any such increase in the CCWD FRC may occur. The developer understands and acknowledges that any such increase in the CCWD FRC may occur. The developer understands and acknowledges that any such increase in the CCWD FRC shall be passed through by the City to the developer and that the developer shall be responsible for and obligated to pay the CCWD FRC in the amount on file when the developer obtains a building permit. The developer understands that regardless of the dollar amount of the CCWD FRC and the number of times that it may increase, it is the City's policy under Municipal Code Chapter 13.10 to pass the CCWD FRC through to developers. The City recommends and encourages the developer to consult with the CCWD regarding the nature and dollar amount of any increases in the CCWD FRC.
 - i. The developer shall pay the City \$0.05 per square foot of building for county LIS update.
21. This approval will expire one year from the effective date of City Council Ordinance No. 05-1239, unless a building permit or grading permit has been issued or a written request for extension is filed with the Planning Department prior to the expiration date and 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 is commenced and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect on the effective date of City Council Ordinance No. 05-1239.

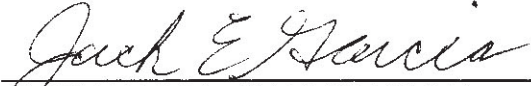
On motion by Commissioner Ramirez, seconded by Commissioner Dolojan, the foregoing resolution was passed and adopted the 23 day of February, 2005, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Dolojan, Garcia, Ohlson, Ramirez, Williams

NAYES: None

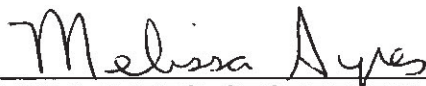
ABSTAIN: Gordon, Tumbaga

ABSENT: None



JACK GARCIA, CHAIRPERSON
PITTSBURG PLANNING COMMISSION

I hereby attest the above signature and certify that the above Resolution No. 9555 was adopted by the Planning Commission of the City of Pittsburg on February 23, 2005.



MELISSA AYRES, SECRETARY
PITTSBURG PLANNING COMMISSION

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
February 23, 2005**

ITEM: 1 **RAMAR FOODS AT MARINA SKATE. AP-04-164 (UP, DR).**

ORIGINATED BY: Primo Quesada of Ramar Foods International, 1101 Railroad Lane, Pittsburg, CA 94565.

SUBJECT: This is a continued public hearing on a request for approval of a use permit to establish a food processing plant, and design review of architectural and site development plans to add approximately 11,280 square feet to an existing 18,920 square foot building located at 335 Central Avenue (known as the Marina Skate building), CN (Neighborhood Commercial) District, Service Commercial General Plan land use designation (Ordinance No. 04-1215) APN 086-132-022.

RECOMMENDATION:

Staff recommends the Commission adopt Resolution Nos. 9554 and 9555, approving Use Permit and Design Review Applications No. AP-04-139, respectively.

BACKGROUND:

The project requires an overlay zone, a use permit and design review approval. On February 8, 2005, the Commission approved Resolution No. 9548 recommending the City Council rezone the subject property from CN (Neighborhood Commercial) District to CS-O (Service Commercial with a Limited Overlay) District that would allow "Food and Drug Processing" with a conditional use permit. The City Council is scheduled to consider the rezoning request at its February 22, 2005 meeting. Planning staff will provide the Commission with an update of the status of the rezoning application at the Commission meeting.

In it's deliberations on the project, the Commission provided staff and the applicant with feedback on the proposed use permit and design review applications. Comments were provided on issues related to the undergrounding of utilities, quantity and placement of trees, bicycle parking location, and the installation of a gate at the northeast corner of the building. Planning staff has subsequently incorporated the feedback provided by the Commission into the project design as conditions of approval. An analysis of these issues is covered in the analysis section of this staff report.

PROJECT DESCRIPTION:

Use Permit: The applicant is requesting a use permit to establish a food processing business (defined as a "Food and Drug Processor" under PMC §18.08.100(A)) in the proposed CS-O District. The proposed food processing facility will have approximately 30 employees and will operate from 7:00 a.m. to 5:00 p.m. Monday through Friday. Food processing activities will be conducted entirely indoors. Truck deliveries and pick-ups will occur during regular business hours and will be limited to standard pick-up trucks and container vans. The manufacturing process will involve the production of egg rolls from meats and vegetables which will be cooked at the facility and flour which will be stored within two, eight-foot wide by 24-foot tall silos (proposed at the western side of the building). The cooking room will be equipped to dissipate cooking odors through commercial exhaust and filter systems. The facility is expected to produce approximately 10,000 cases of frozen egg rolls per month. It will be subject to regulations of the U.S. Department of Food and Agriculture (USDA).

Design Review: The applicant is proposing to modify the existing building to accommodate a frozen food processing facility. In order to maintain compatibility of the use with the surrounding neighborhood, the applicant is proposing a substantial increase in site landscaping and exterior building renovations. The following modifications are proposed for the building:

- 1) Installation of two large refrigeration units on the eastern and western sides of the building. The unit on the eastern elevation will stand approximately 32-feet tall (approximately eight feet taller than the existing 24-foot high roofline) and measure approximately 147-feet long by 50-feet wide. The unit on the western elevation will stand flush with the existing roofline and will measure approximately 100-feet long by 30-feet wide. A spray stucco finish will be applied to the refrigeration units to match the texture the existing building's exterior.
- 2) Wood mechanical screening to screen roof mounted mechanical equipment.
- 3) Long vertically oriented steel tube embellishments mounted on the south east and west facing building elevations.
- 4) Horizontally oriented aluminum framed storefront windows along the southern elevation facing Central Avenue and adjacent to the main entrance on the western elevation.
- 5) Replacement of existing doors on the western elevation with a glass storefront system.

- 6) Removal of the existing brick veneer and wood siding around the main entrance of the building at the southwestern corner of the building and application of a texture coated finish to the area.
- 7) Installation of two, eight-foot wide by 24-foot tall silos at the northwestern side of the building.
- 8) Installation of a four-inch thick by 18-inch tall stucco covered foam molding around the roofline of the building on all elevations.
- 9) Repaint the existing concrete masonry wall to contrast with the building color (the dominant, vertically oriented, square feature positioned at the southwest corner of the building).
- 10) Install tension cable supports onto the existing trellises on the southern and western elevations.
- 11) Installation of a new sign face over an existing 76 square foot illuminated cabinet wall sign above the main entrance to the building on the western elevation.

The applicant is proposing a sand color ("Bermuda Sand") for the body of the building and a darker brown color ("Cliveden Leather") for the foam molding and trellises overhanging the walkways around the building. A blue color is proposed for the large vertical tube steel elements.

Site Plan: The main entrance to the building will remain at the original location at the southwestern corner of the building. Access to the site will be via one new 25-foot wide driveway at Railroad Lane (widened from an existing 18.5 foot wide driveway), one existing 23-foot wide driveway at Central Avenue (the second existing driveway at Central Avenue will be removed and landscaped), and one existing 30-foot wide driveway at Moose Way. Proposed site development plans include the following improvements/changes:

- 1) Removal of existing transformer poles in the parking lot on the western side of the building.
- 2) Removal and reconfiguration of parking stalls throughout the parking area. The row of parking stalls abutting Railroad Lane and the handicapped stalls abutting the southern building elevation will be removed. The striping and configuration of the eastern parking area will be modified with the removal of the SBC vehicle parking lease area and building expansion.

- 3) Installation of a new six-foot wide sidewalk along Railroad Lane (and dedication of right of way).
- 4) Upgrade of driveways and pedestrian paths to meet American with Disabilities Act (ADA) requirements.
- 5) Installation of a courtyard enclosed by a four foot tall concrete masonry unit (CMU) wall at the southeast corner of the building.
- 6) Installation of bicycle parking facilities adjacent to the courtyard area.
- 7) Installation of a new 16-foot wide by 14-foot long covered trash enclosure on the western side of the building.

Landscape Plan: A conceptual landscaping plan is proposed with the site development plans. The applicant is proposing turf, trees and shrubs throughout the landscaped area. Actual tree and plant species are not specified at this time. The applicant is proposing to increase the site landscaping from 930 square feet (0.9% of the site area) to 13,529 square feet (13.7% of the site). A significant amount of the new site landscaping will serve as landscape buffers between the property and abutting streets. A 10-foot wide landscape strip is proposed along Railroad Lane and Moose Way, and a 15-foot wide strip along Central Avenue. Additional landscaping islands will be added to the ends of rows of parking. The existing handicapped parking stalls located on the southern side of the building will be removed and replaced with a 12 foot wide landscaped strip and new seven foot wide concrete walkway. An additional 12 foot wide landscape strip will be added in front of the new courtyard area abutting the south side of the new freezer unit (east of the existing building).

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The proposed modifications to the building will be to establish a light industrial food processing facility which is not inconsistent with the site's General Plan land use designation of *Service Commercial*.

Zoning Ordinance: The change in zoning of the property from CN (Neighborhood Commercial) to CS-O (Service Commercial with a Limited Overlay) District is pending final approval by the City Council. Operation of a food processing facility will be a conditionally permitted use under the proposed CS-O District if the overlay zone is adopted by the Council.

The project is consistent with CS (Service Commercial) District development standards which regulate development on this property including the applicable height, lot coverage, building setbacks, parking, and landscaping standards.

Landscape Requirements: The proposed landscaping plan is generally consistent with the City's Landscape Ordinance (PMC §18.84.300). The applicant is proposing approximately 19 new trees with the landscape plan. PMC §18.84.315 requires that one tree for each six parking spaces be evenly distributed throughout the parking lot. The proposed distribution of the trees is concentrated along Moose Way and at the ends of the parking isles. In order to evenly distribute the trees through the parking lot as required by the Landscape Ordinance, the landscape plan would have to be modified to distribute the trees within the parking areas. Condition 2 of the attached design review resolution requires that the proposed trees onsite be evenly distributed throughout the parking area and along Moose Way and Railroad Lane, subject to review and approval by the City Park Planner.

Design Review Guidelines (DRG's): The proposed building addition/exterior modifications and landscape buffers along abutting streets are consistent with the City's adopted DRG's for commercial/industrial development. The project specifically addresses the following DRG policies:

- 1) Proposed landscape buffers, tube steel elements, and stucco moulding enhances the street oriented building elevations (DRG IV(y)), encourages/creates shadow lines (DRG IV(s)), provides frame type wall treatments for breaking up blank visible walls (DRG IV(v)), and provides appropriate landscape widths (DRG DRG IV(g)) and screening from view of the public right of way (DRG IV(d)).
- 2) The proposed matching texture coated finishes and colors for the renovation of the building exterior and refrigeration units are compatible with adjacent development (DRG IV(x)).
- 3) The proposed wood mechanical screening will adequately screen roof mounted equipment from view of the public right of way (DRG IV(r)).

Sign Ordinance: The proposed wall sign on the western building elevation is consistent with sign code regulations for placement and size. The details of the sign face are not proposed at this time. The final design of the face of the cabinet will be subject to review and approval of the Planning Department under Pittsburg Municipal Code (PMC) Title 19 (Sign Ordinance).

Required Findings:

A use permit may be granted only after the Planning Commission makes the following findings (PMC §18.16.040):

- 1) The proposed use is in accord with the objectives of the general plan and zoning code and is not detrimental to the health, safety, and general welfare of the City.

- 2) The use will not encourage marginal development, create a nuisance or enforcement problem within the neighborhood and 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.

The Planning Commission must determine if the project meets the following standards before approving the design review 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.
- 2) The exterior design and appearance of the structure is in harmony with proposed developments on land in the general area and is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value.

Environmental: A Notice of Intent to Adopt a Negative Declaration for this proposed project was filed with the County Clerk on January 18, 2005, the Planning Director having found that no significant effects upon the environment would occur as a result of this project. The Notice specified the beginning and ending dates of the public review period on the proposed Negative Declaration; a brief description of the project, its location, less than significant impacts; the location where information on the project and other supporting documentation were available for review; and the date, time and location of the February 22, 2005, City Council public hearing on the project.

ANALYSIS:

Proposed Use Permit: Ramar Foods International has an established record in the City of Pittsburg for conducting its frozen food processing operations in a fashion which has been compatible with neighboring land uses. As verified by several field inspections by the Planning Department, the company's facilities are operated in a clean and professional manner. Other than occasional deliveries and pick-ups by standard sized pickups and delivery vans, business operations are not noticeable from outside the building. The commercial kitchens associated with its operations are amply air conditioned and fitted with exhaust systems which reduce any cooking odors leaving the facility to a negligible level. Staff observed this during a site visit to the Garcia Avenue facility while cooking activities were being conducted.

Staff believes that the proposed frozen food processing business will be compatible with the Central Avenue neighborhood. In order to ensure that activities onsite remain compatible with the surrounding neighborhood, staff recommends that food processing onsite be limited to exclusively allow the production of frozen food products. Other uses

identified under the "Food and Drug Processor" definition would not be permitted at this time. Condition 2 of the attached use permit resolution reflects this recommended limitation to the use permit. This recommendation will be reflected as a condition of approval on the resolution prepared for the use permit.

Site Plan and Architecture Analysis: Staff believes the Commission can make the required findings to approve the proposed project as conditioned. The proposed building addition and site development plans are appropriate to accommodate a frozen food processing facility, and will be compatible with the surrounding neighborhoods, provided that certain modifications are made to the site design. At the public hearing held on February 8, 2005, staff made recommendations for improving the site. With input from the Commission, staff worked with the applicant to address these issues. The following is a list of staff's original recommendations followed by a response which staff believes reflects the Commission's direction:

- 1) Installation of additional tree planting wells throughout the parking lot (to establish an overhead canopy), and street trees along Railroad Lane.

The applicant is proposing approximately 19 new trees (this does not include the existing street trees along Central Avenue) with the landscape plan. Staff believes that the number of trees proposed will be sufficient to evenly distribute one tree per six parking spaces throughout the parking area and leave enough trees to adequately landscape the Moose Way and Railroad Lane street frontages. With 48 parking spaces eight trees will have to be distributed within the parking area. This will leave 11 trees to be distributed along the two street frontages.

- 2) Conversion of overhead utilities fronting Central Avenue to underground utilities.

Upon further discussion with the applicant and the Engineering Department, staff agrees that the proposed project should not be required to underground existing overhead utility poles along Central Avenue. The existing overhead utility poles on the Marina Skate property, however, should be removed as originally proposed by the applicant. This will ensure that on-site circulation will function properly. In the event that the applicant encounters circumstances which would make relocating the overhead lines infeasible, condition 3 of the attached design review resolution requires that the applicant reconfigure the site design to function in substantially conformity with the Commission approved site plan while still meeting all CS District development regulations. As conditioned, any changes to the site plan will be subject to review and approval of the Planning Department.

- 3) Replacement of all damaged and broken concrete sidewalk around the perimeter of the property along Central Avenue, and Moose Way.

The applicant has agreed to comply with this item as a condition of approval.

- 4) Installation/replacement of existing asphalt sidewalks with concrete sidewalks.

The applicant has agreed to comply with this item as a condition of approval

- 5) Installation of a landscaped and hardscaped area around the main entrance to the building.

The applicant has agreed to comply with this item as a condition of approval

- 6) Reposition bicycle parking facilities to an area closer to the main entrance.

*The applicant has agreed to install the bicycle parking facilities within the courtyard area instead of the location near the main entrance of the building.
This change is consistent with the feedback provided by the Commission.*

The applicant has also agreed to install a gate at the northeast corner of the property to restrict pedestrian movement between the building and the existing fence. This issue was brought to the attention of staff and the applicant during the public hearing on February 8, 2005. The gate will help deter trespassing in the area between the north wall of the building and the fence along the northern property line. Condition 4 of the attached design review resolution requires that a gate be installed accordingly.

Staff believes the proposed building addition/renovation is attractively designed with multiple plane changes, decorative cornice and tube steel lattice treatments, and a complimentary color palette in character with properties in the general area. Furthermore, as conditioned, the site development plans will set a desirable standard for landscaping in the area and improve the overall aesthetic value which the property contributes to the Central Avenue neighborhood.

ACTION REQUIRED:

Move to adopt Resolution No. 9554 approving Use Permit Application AP-04-164, as conditioned.

Move to adopt Resolution No. 9555 approving Design Review Application AP-04-164, as conditioned.

ATTACHMENTS:

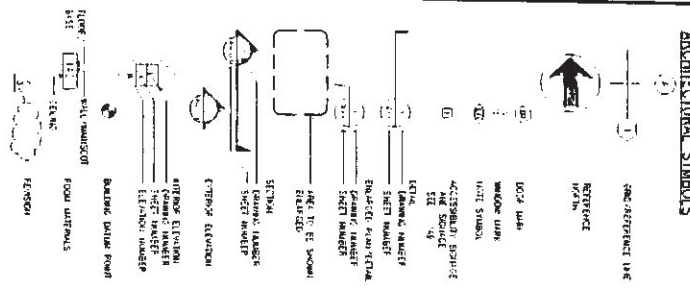
1. Proposed Use Permit Resolution
2. Proposed Design Review Resolution
3. Applicant's Plans
4. Negative Declaration
5. Site Vicinity Map
6. CEQA Initial Study (Commission Only)

Prepared by: Chris Barton, Project Planner 

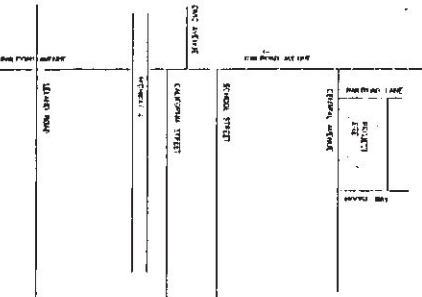
ABBREVIATIONS

SYMBOL	ABBREVIATION	DESCRIPTION
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17
18	18	18
19	19	19
20	20	20
21	21	21
22	22	22
23	23	23
24	24	24
25	25	25
26	26	26
27	27	27
28	28	28
29	29	29
30	30	30
31	31	31
32	32	32
33	33	33
34	34	34
35	35	35
36	36	36
37	37	37
38	38	38
39	39	39
40	40	40
41	41	41
42	42	42
43	43	43
44	44	44
45	45	45
46	46	46
47	47	47
48	48	48
49	49	49
50	50	50
51	51	51
52	52	52
53	53	53
54	54	54
55	55	55
56	56	56
57	57	57
58	58	58
59	59	59
60	60	60
61	61	61
62	62	62
63	63	63
64	64	64
65	65	65
66	66	66
67	67	67
68	68	68
69	69	69
70	70	70
71	71	71
72	72	72
73	73	73
74	74	74
75	75	75
76	76	76
77	77	77
78	78	78
79	79	79
80	80	80
81	81	81
82	82	82
83	83	83
84	84	84
85	85	85
86	86	86
87	87	87
88	88	88
89	89	89
90	90	90
91	91	91
92	92	92
93	93	93
94	94	94
95	95	95
96	96	96
97	97	97
98	98	98
99	99	99
100	100	100

ARCHITECTURAL SYMBOLS



NEIGHBORHOOD MAP



PROJECT TEAM

NAME	ROLE
Michael Kee & Associates	ARCHITECT
City of Pittsburgh	CLIENT
...	...

GENERAL NOTES

1. All work shall be in accordance with the latest edition of the City of Pittsburgh Building Code.
2. The owner shall be responsible for obtaining all necessary permits.
3. The architect shall be responsible for coordinating all construction activities.
4. The contractor shall be responsible for obtaining all necessary permits.
5. The architect shall be responsible for coordinating all construction activities.
6. The contractor shall be responsible for obtaining all necessary permits.
7. The architect shall be responsible for coordinating all construction activities.
8. The contractor shall be responsible for obtaining all necessary permits.
9. The architect shall be responsible for coordinating all construction activities.
10. The contractor shall be responsible for obtaining all necessary permits.

SHEET INDEX

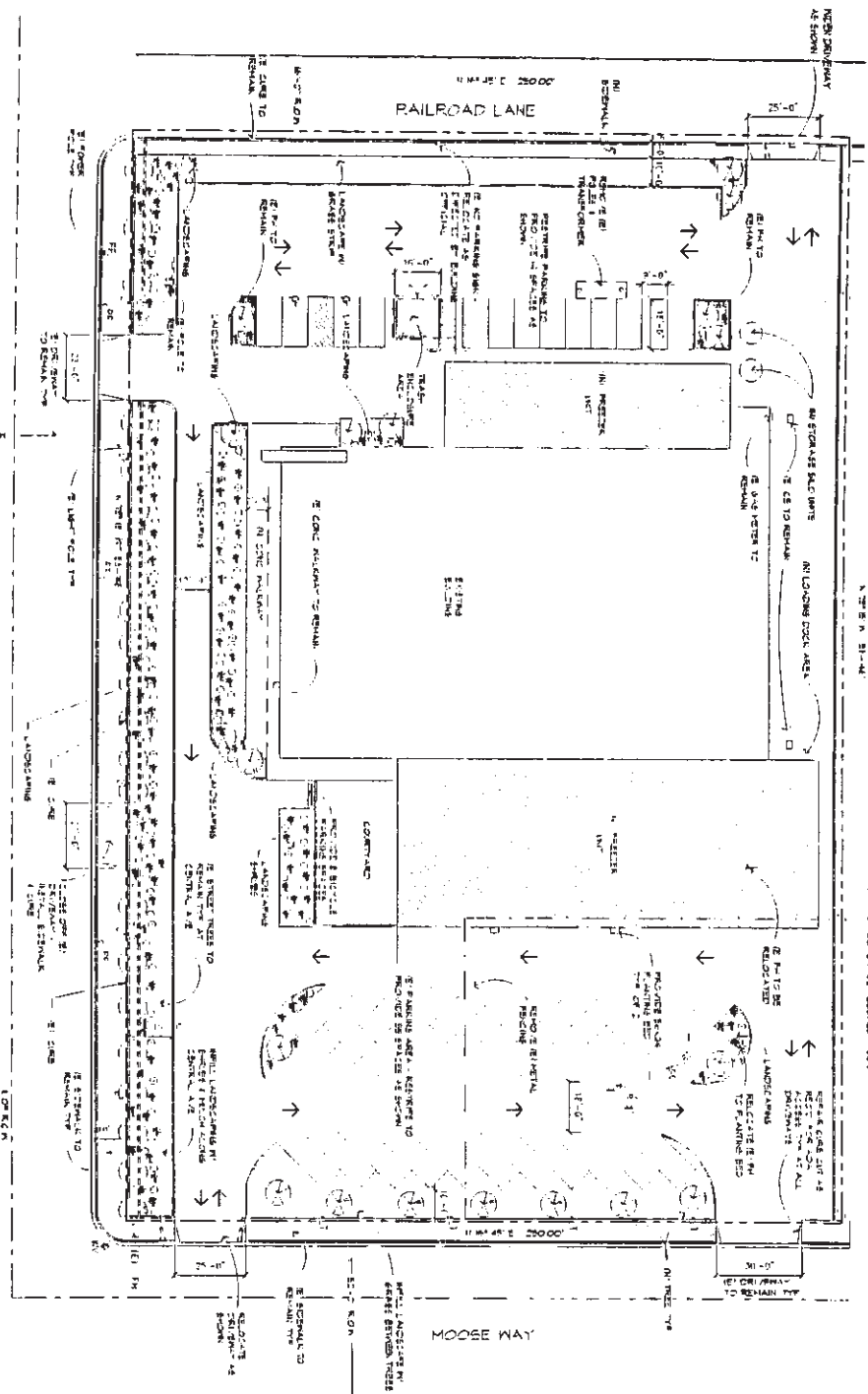
SHEET NO.	TITLE
1	...
2	...
3	...
4	...
5	...
6	...
7	...
8	...
9	...
10	...

RECEIVED
DEC 23 2004
CITY OF PITTSBURGH
PLANNING DEPARTMENT
1000 PENNSYLVANIA AVENUE
PITTSBURGH, PA 15222

CODE ANALYSIS

SECTION	DESCRIPTION
1	...
2	...
3	...
4	...
5	...
6	...
7	...
8	...
9	...
10	...

Michael Kee & Associates
ARCHITECTS
4400 PENNSYLVANIA AVENUE
SUITE 210
PITTSBURGH, PA 15222
TEL: 412-681-1000
FAX: 412-681-1001



Michael Kee & Associates
ARCHITECTS

400 MARQUETTE
SUITE 210
PITTSBURGH
CALIFORNIA
94608-1000

TELEPHONE
415-437-1000
FAX
415-437-1000

NOTES:

NO.	DESCRIPTION	DATE
1	REVISION	

DATE: 10/10/00
BY: [Signature]
CHECKED BY: [Signature]

EXPANSION & RENOVATION FOR

PLANT RESEARCH
211 CENTRAL AVENUE
PITTSBURGH, CA 94608

SHEET 000A-001

SHEET 001

SITE PLAN & CONCEPTUAL LANDSCAPING PLAN

A1.1

Scale: 1"=30'-0"
Drawn by: GAT Date: 10/10/00

40 BROAD AVE.
SUITE 210
PITTSBURGH
CALIFORNIA
9 4 5 6 3

TELEPHONE
925 421 1085
FACSIMILES
925 427 1085

NOTES:

NO. DESCRIPTION BY DATE

DATE 12/23/04 SHEET 16

PROJECT NUMBER 12-121

PROJECT

EXPANSION &
RENOVATION FOR

STATE AGRICULTURE
MARKETING
ENTERPRISE, INC.

SHEET CONSULTANT

SHEET TOTAL

POOF PLAN

SHEET NO.

A1.2

SCALE 1"=20'-0"

DRAWN BY: LBY

CHECKED BY: LBY

DATE 12/23/04

PROJECT

EXPANSION &
RENOVATION FOR

STATE AGRICULTURE
MARKETING
ENTERPRISE, INC.

SHEET CONSULTANT

SHEET TOTAL

POOF PLAN

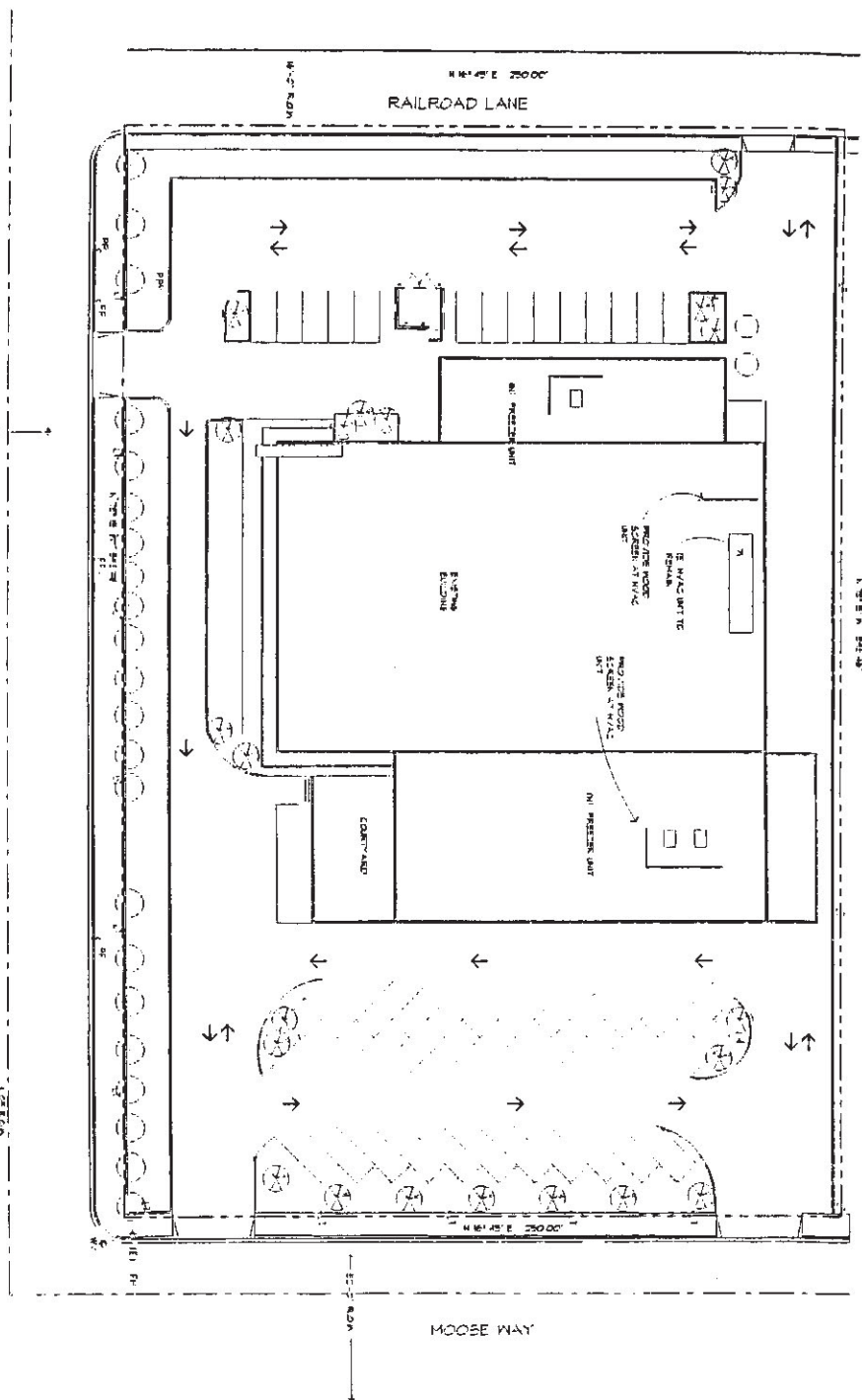
SHEET NO.

A1.2

SCALE 1"=20'-0"

DRAWN BY: LBY

CHECKED BY: LBY



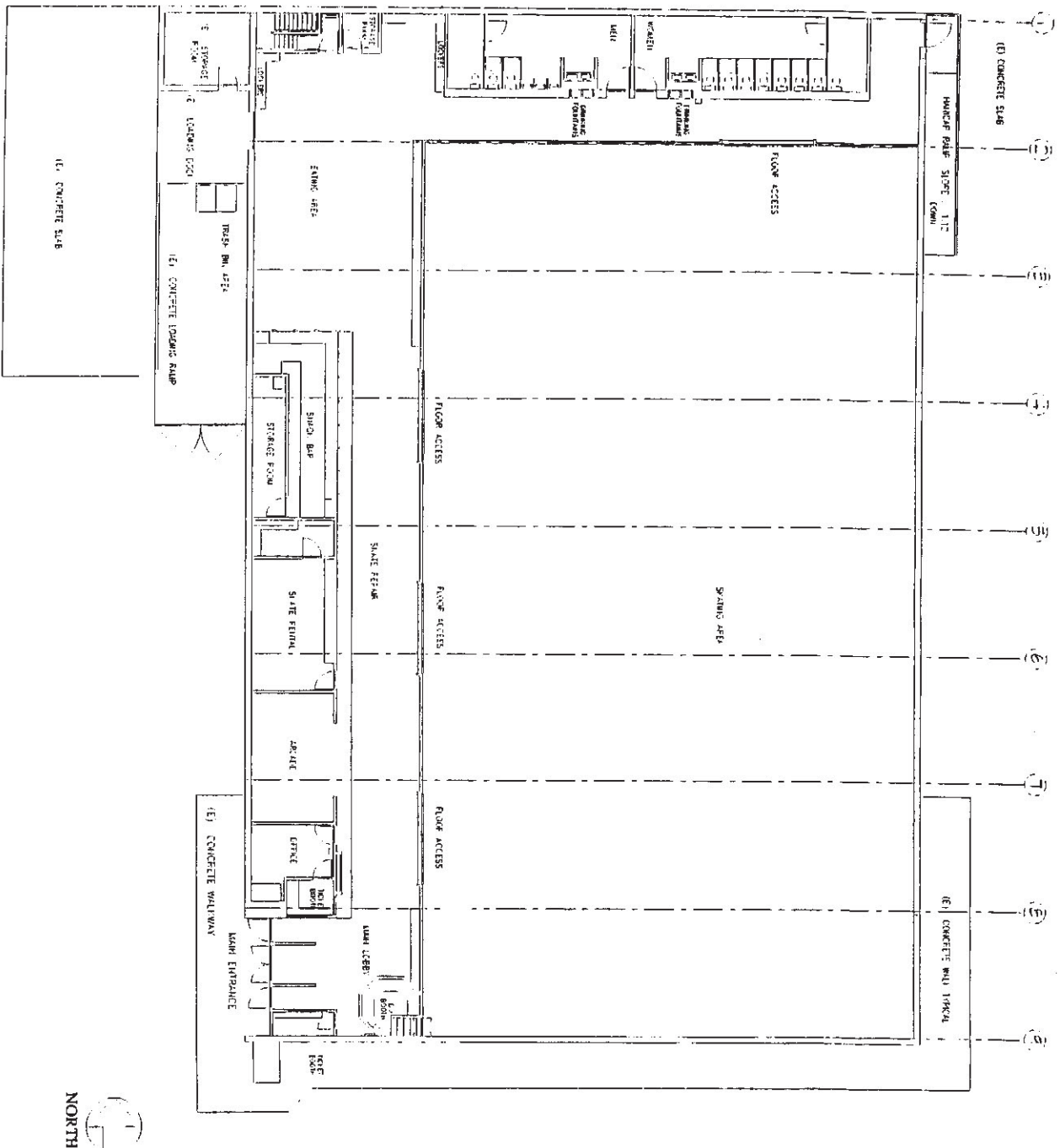
440 BALBOA AVE.
SUITE 210
PITTSBURGH
CALIFORNIA
94543

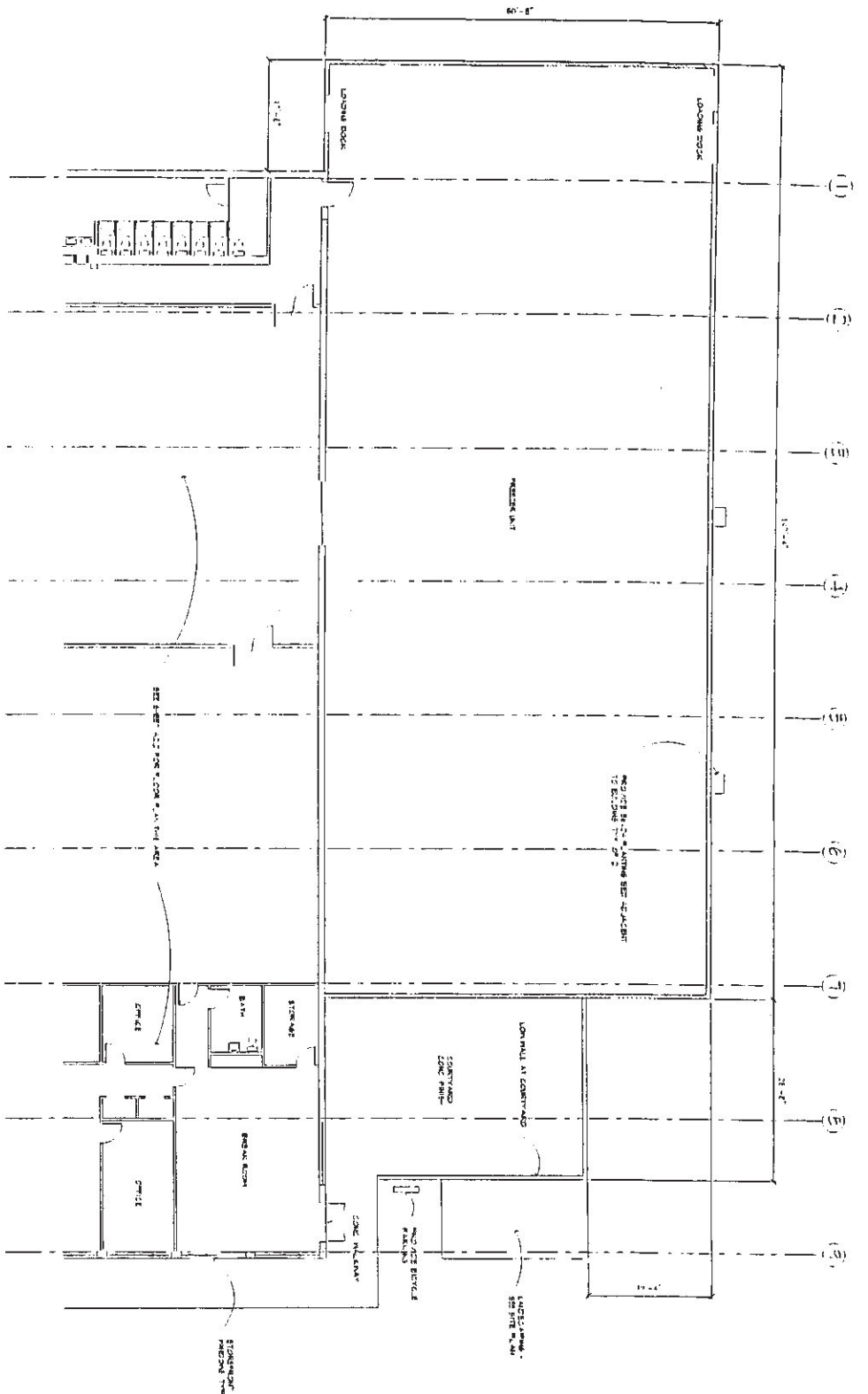
1. **Product Name:** [Product Name]
 2. **Product Code:** [Product Code]
 3. **Product Description:** [Product Description]
 4. **Product Category:** [Product Category]
 5. **Product Status:** [Product Status]

PAUL & PEGGY TRUMAN
THE WHITE HOUSE
WASHINGTON, D. C. 20540

SHEET NO. 1

SCALE: 1' = 1" - C
 (ELEV: 8' - 24" (4' 0" - 8' 0")





NORTH

**Michael Kee &
Associates
Architects**

400 BROADWAY
SUITE 210
PITTSBURGH
CALIFORNIA
94066
TELEPHONE
833 021 080
FACSIMILE
833 027 1000

LEGEND

RECEPTION AREA

DATE 11/14/04 PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

PROJECT 08

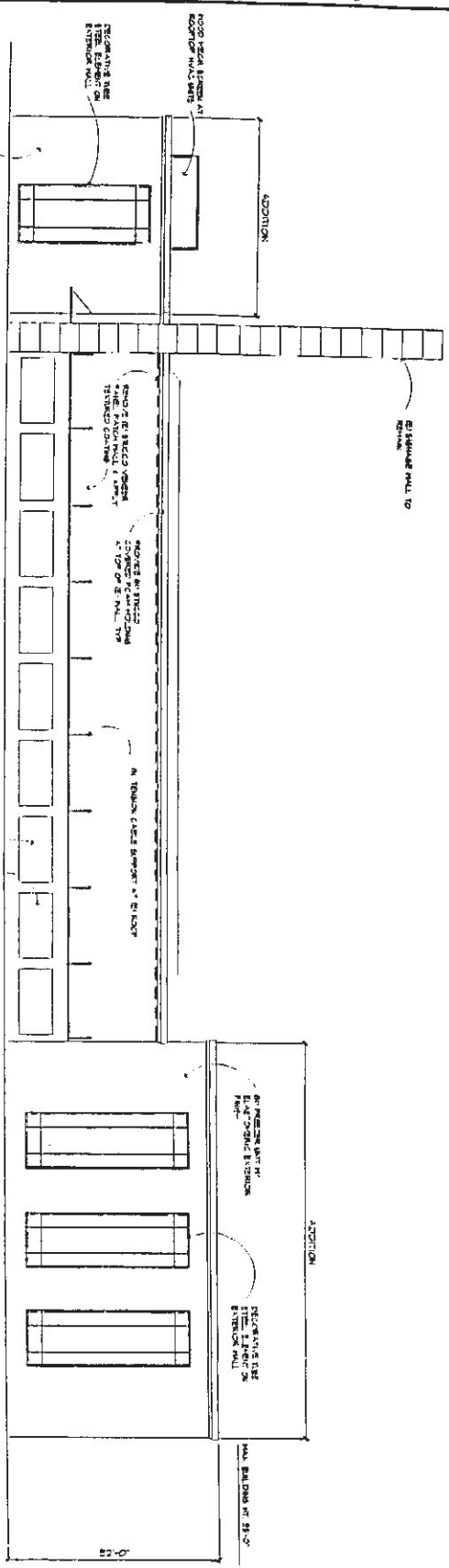
PROJECT 08

PROJECT 08

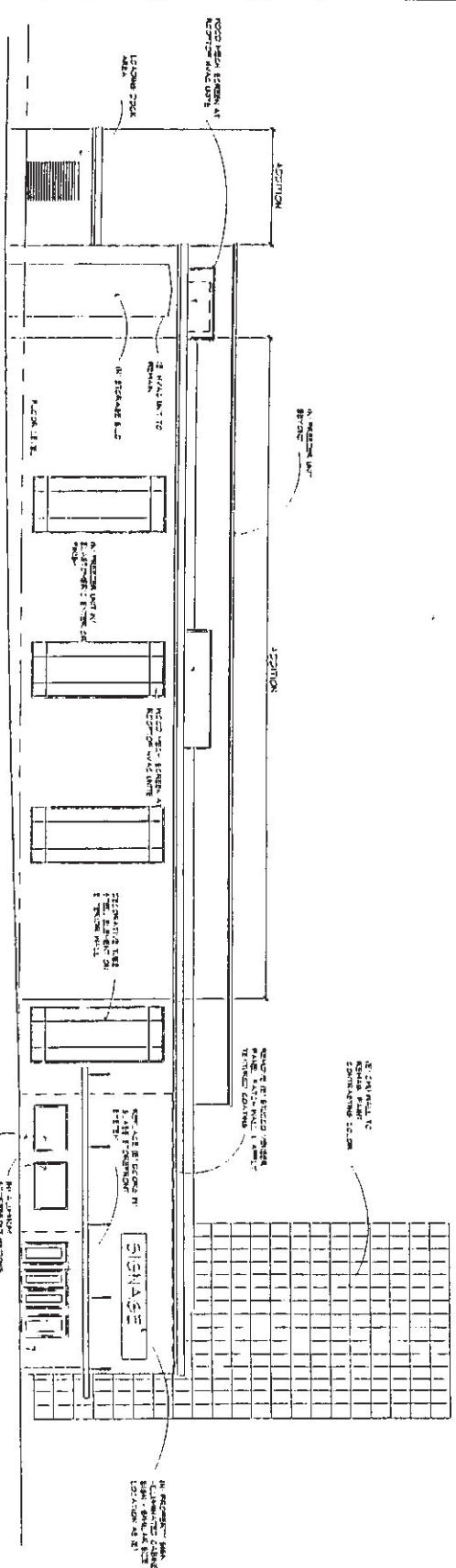
PROJECT 08

Michael Kee & Associates
ARCHITECTS

440 BROADWAY
SUITE 210
PITTSBURGH
CALIFORNIA
94060
TELEPHONE
925 437 1000
FACSIMILE
925 437 1000



SOUTH ELEVATION



WEST ELEVATION

NO.	DESCRIPTION	BY	DATE
1	REVISION		

DATE: 12/29/01
DRAWN BY: [Name]
CHECKED BY: [Name]

PROJECT: [Project Name]
SHEET: [Sheet Number]

EXHIBIT: [Exhibit Name]
FURNITURE: [Furniture Name]

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

SHEET: 20/20

EXTERIOR ELEVATIONS

SHEET NO.

A3.1

DATE: 12/29/01

CHECKED BY: [Name]

DRAWN BY: [Name]

PROJECT: [Project Name]

SHEET: 20/20

EXTERIOR ELEVATIONS

SHEET NO.

A3.1

DATE: 12/29/01

CHECKED BY: [Name]

Michael Kee & Associates
ARCHITECTS

440 BALDWIN AVE
SUITE 210
PITTSBURGH
CALIFORNIA
94065-5655
TELEPHONE
925-431-1100
FACSIMILE
925-431-1100

NOTES:

NO.	DESCRIPTION	BY	DATE
1	REVISION		

DATE: 12/23/04 SHEET 06

© 2004 Michael Kee & Associates Architects

ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM MICHAEL KEE & ASSOCIATES.

EXPANSION & REINFORCEMENT FOR

OWNER: ALBERTA PACIFIC
2000 ALBERTA PACIFIC
PITTSBURGH, CA 94065

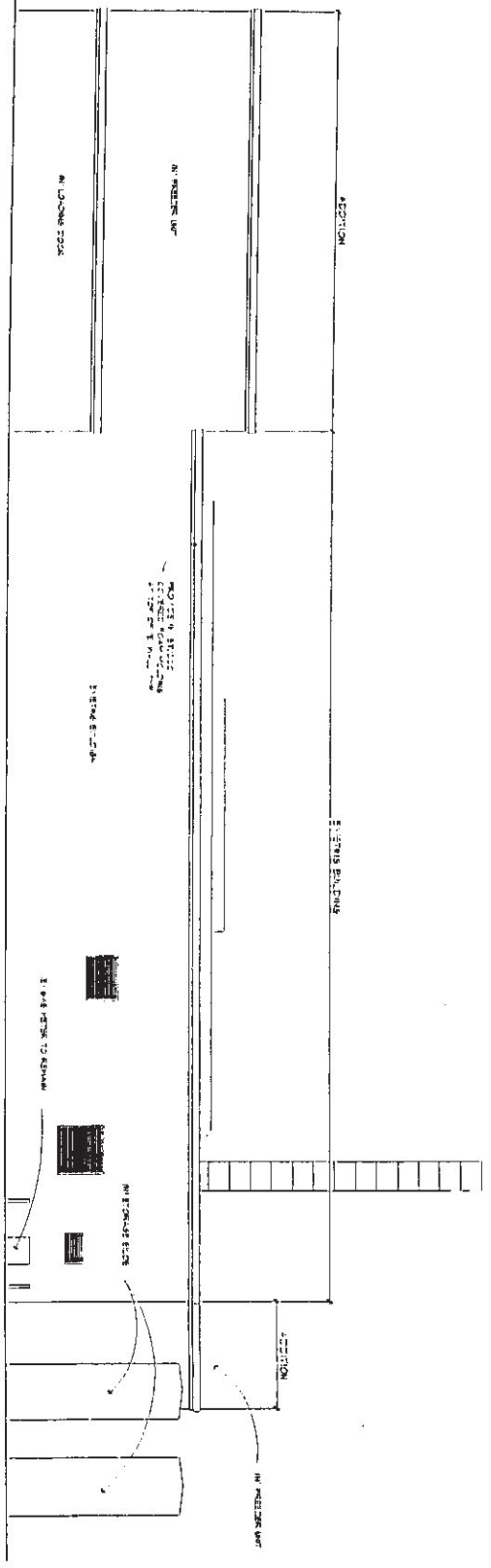
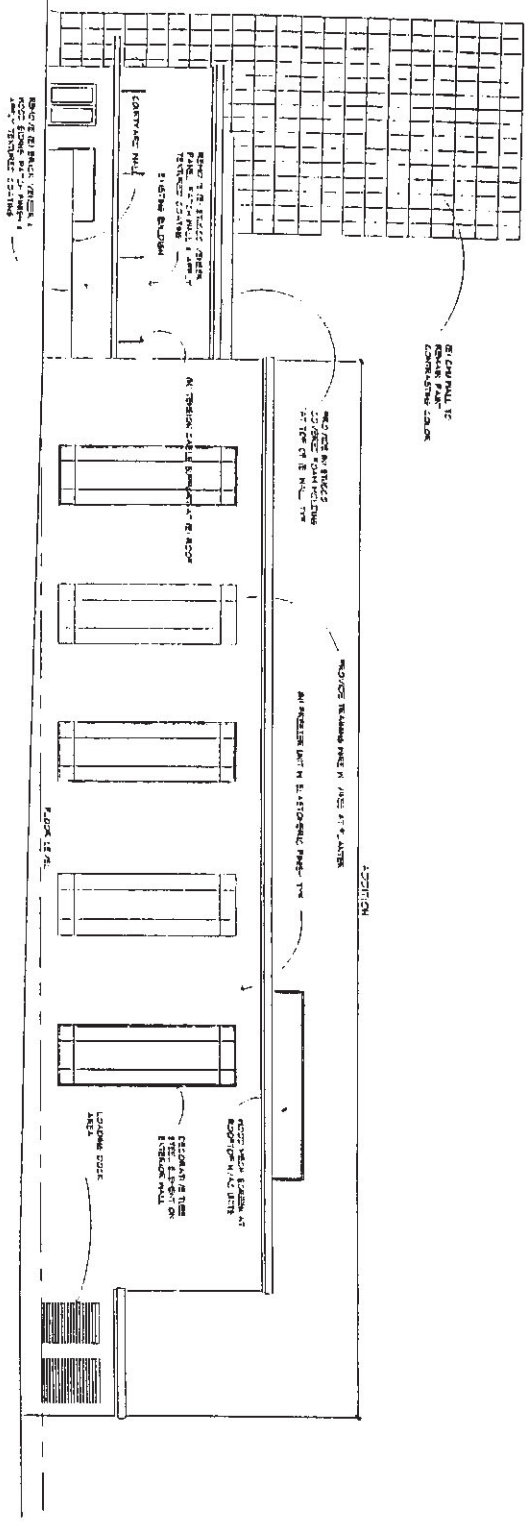
1-1/2" CORRELATION

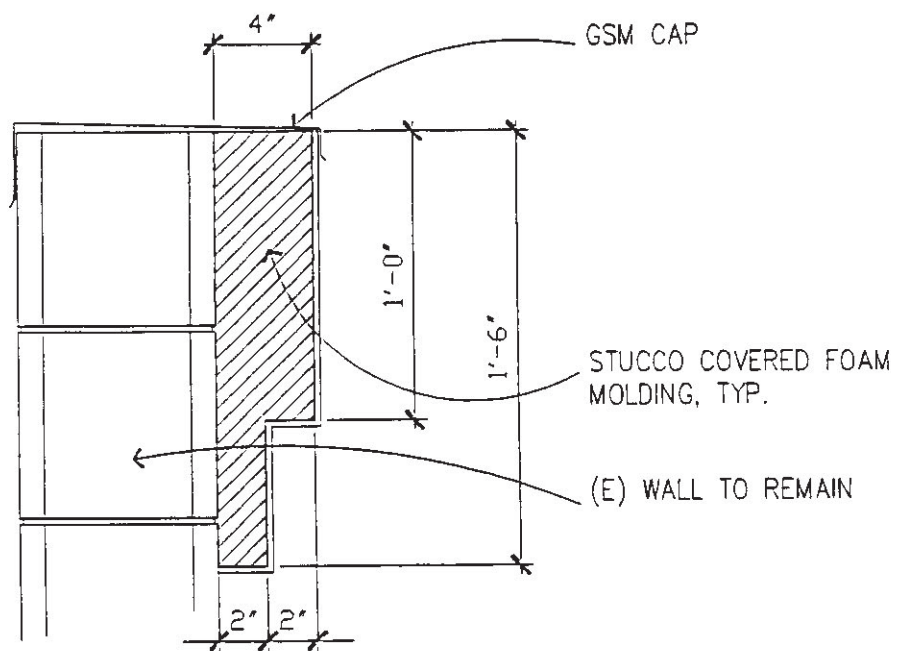
1-1/2" WIDE

EXTERIOR ELEVATIONS

SHEET NO. A3.2

SCALE: 1/8" = 1'-0"
DRAWN BY: GAO CHECKED BY: MKN

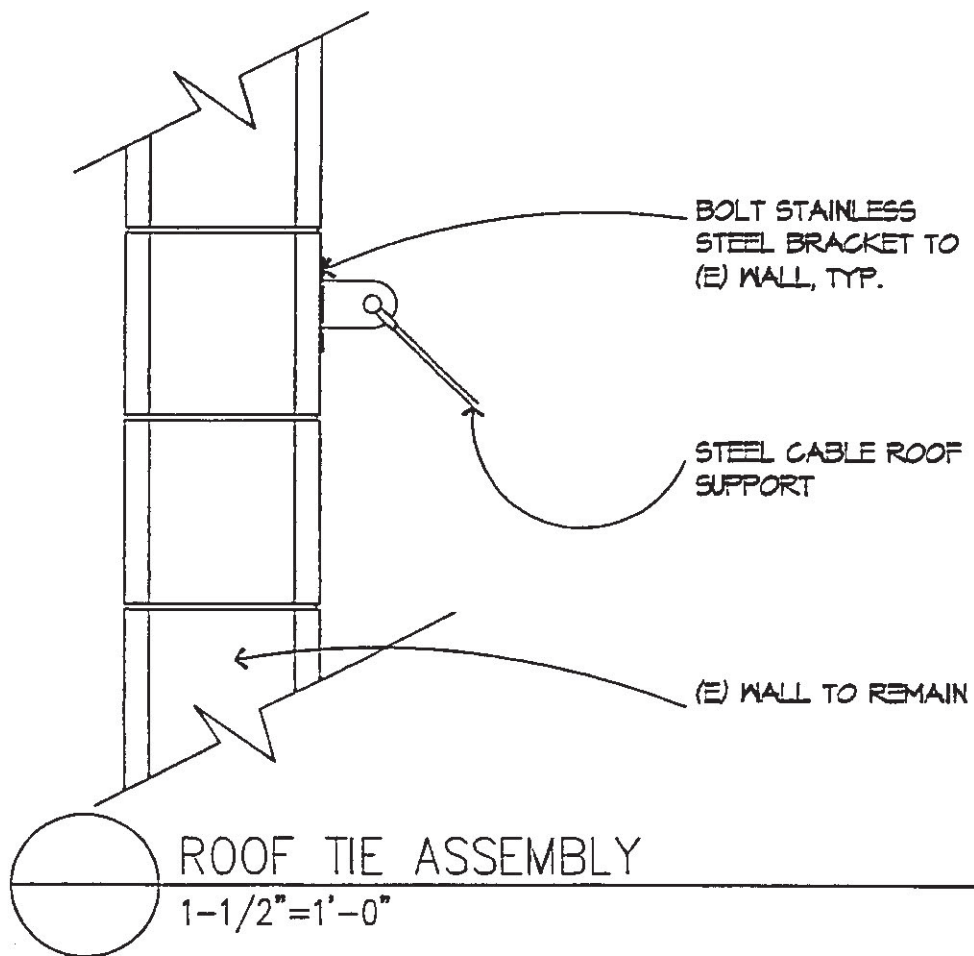




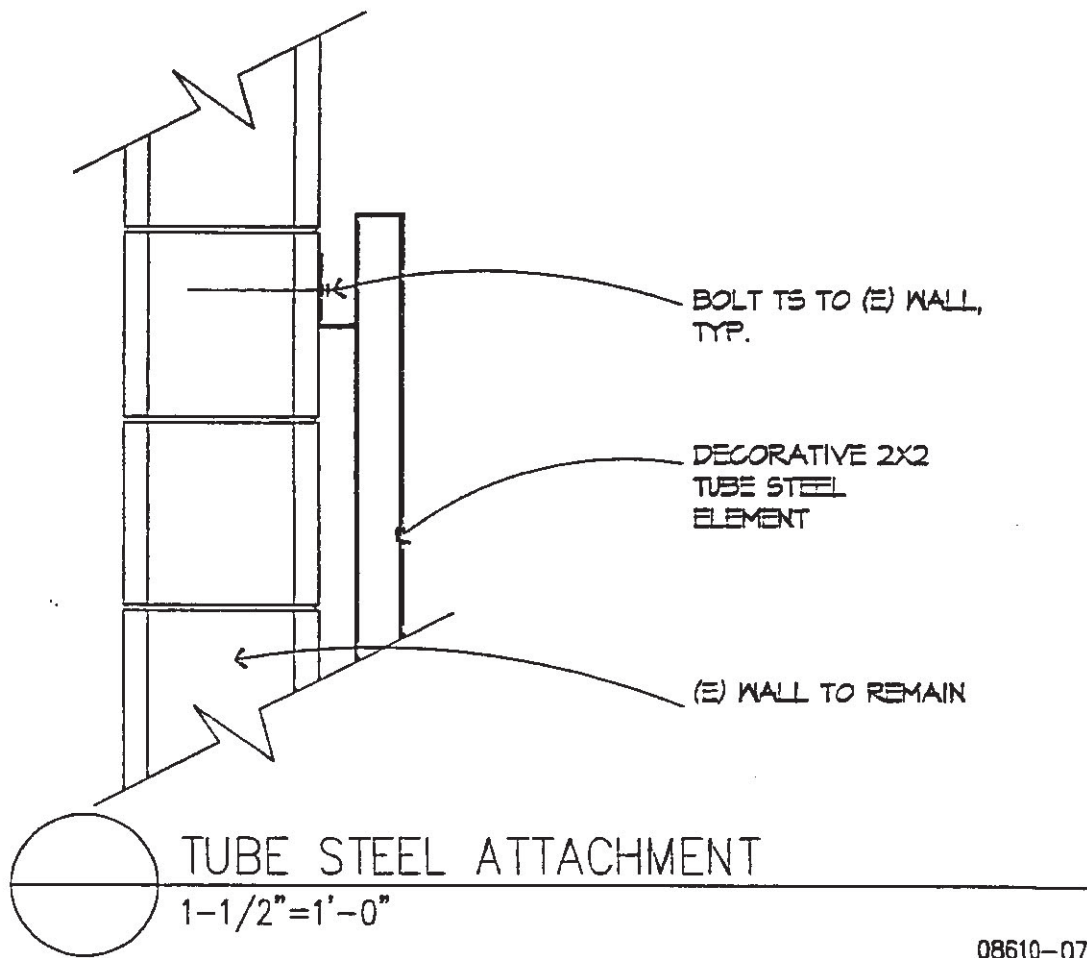
FOAM MOLDING

1-1/2"=1'-0"

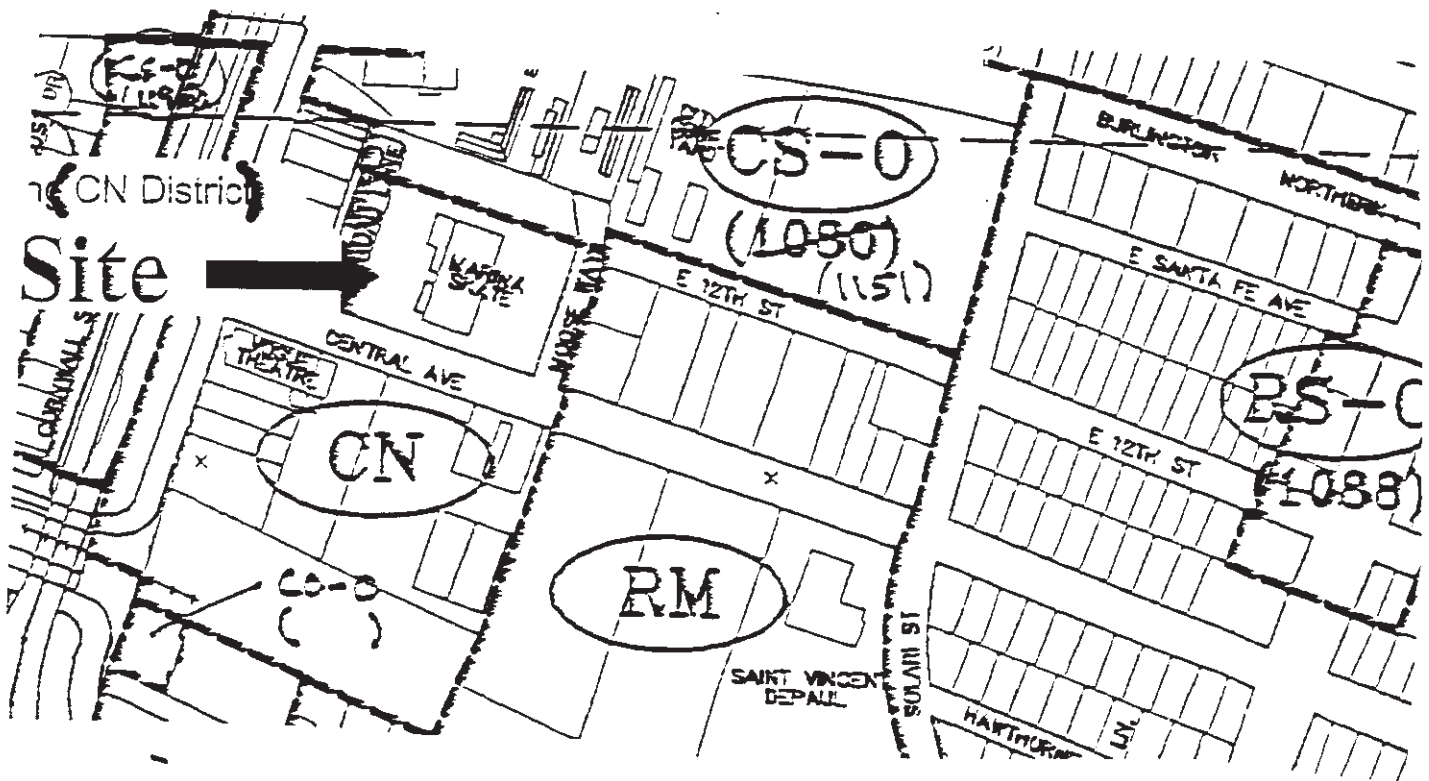
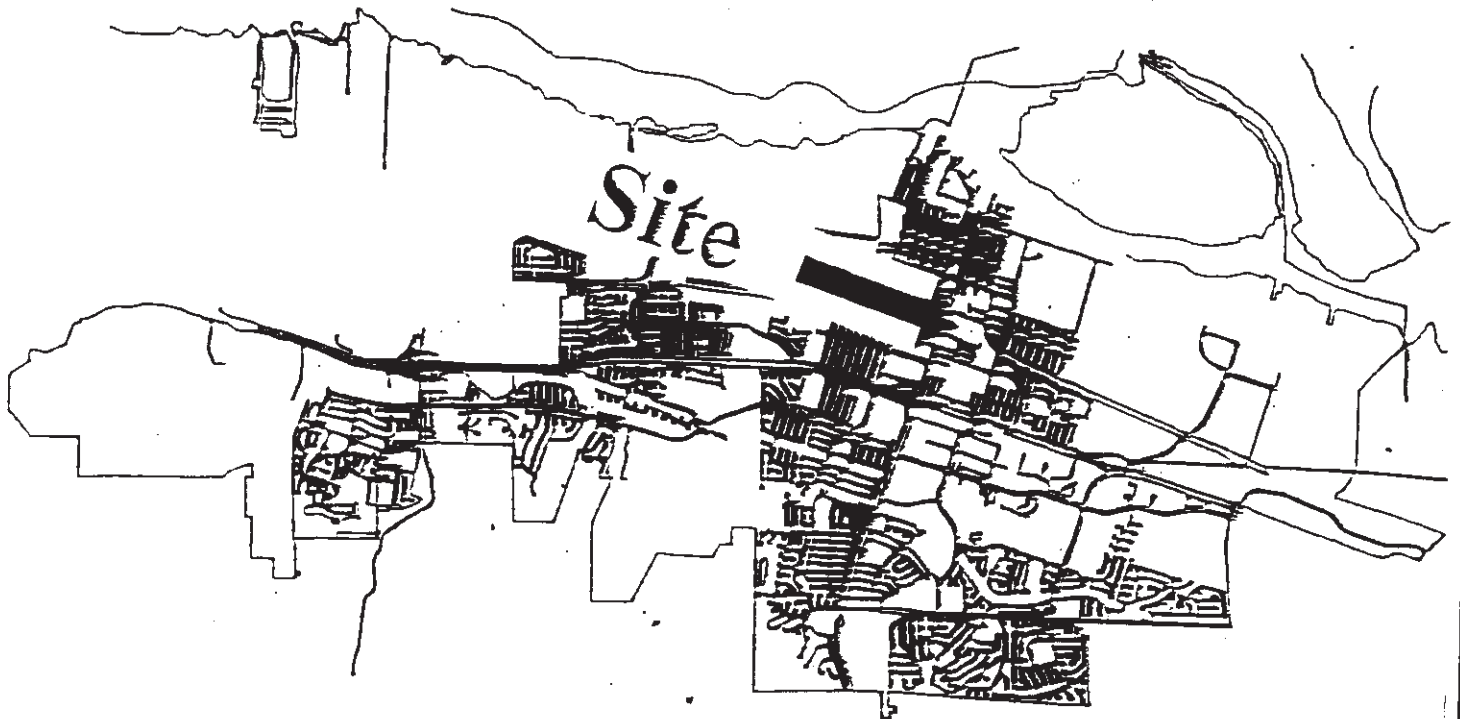
08610-10



08610-09



08610-07



Project Title: RAMAR FOODS AT MARINA
SKATE. AP-04-164 (RZ, UP, DR)

Location: 335 CENTRAL AVENUE
APN: 086-132-022



LEAD AGENCY:
CITY OF PITTSBURG
Civic Center, 65 Civic Avenue
Pittsburg, CA 94565
Telephone: (925) 252-4920 • FAX: (925) 252-4814

CEQA INITIAL STUDY CHECKLIST

1. Project title: Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR).
2. Contact person and phone number: Chris Barton. 925-252-4920
3. Project location: 335 Central Avenue. Pittsburg CA 94565; Contra Costa County
4. Project sponsor's name and address: Primo Quesada of Ramar Foods International Corp.
1101 Railroad Lane, Pittsburg, CA 94565
5. General plan designation: Service Commercial
6. Zoning: CN (Neighborhood Commercial)

7. Description of project:

The applicant is requesting the rezoning of 2.27 acres from CN (Neighborhood Commercial) to CS-O (Service Commercial with a Limited Overlay), a use permit to establish a food processing plant, and design review approval of architectural and site development plans to add 15,000 to 18,000 square feet to an existing 18,595 square foot building located at 335 Central Avenue (old Marina Skate building), CN (Neighborhood Commercial) District, Service Commercial General Plan Land Use designation (Ordinance No. 04-1215) APN 086-132-022.

8. Surrounding land uses and setting:

Surrounding uses include a SBC Communications fleet vehicle storage yard followed by a food processing plant (Ramar Foods) to the north, Moose way followed by a Moose Lodge (fraternal club) and a Filipino American Association Cultural Center (fraternal club) to the east, Central Avenue followed by a self service car wash, church and undeveloped property (with a Service Commercial General Plan Land Use Designation) to the south, and Railroad Lane followed by retail, office, and automobile service businesses to the west.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

U.S. Department of Agriculture

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. Check marks are indicated by the following symbol: ☒

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology /Soils |
| ☐ Hazards & Hazardous Materials | ☐ Hydrology / Water Quality | ☐ Land Use / Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population / Housing |
| ☐ Public Services | ☐ Recreation | ☐ Transportation/Traffic |
| ☐ Utilities / Service Systems | ☐ Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

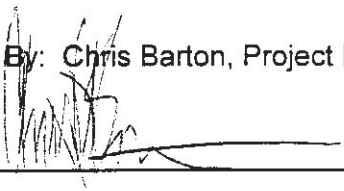
On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared By: Chris Barton, Project Planner



Signature

1/18/05

Date

Reviewed By: Melissa Ayres, Planning Director



Signature

1/18/05

Date

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>The project is located on low lying flat lands in the middle of an urbanized area away from any scenic vista (#1-site plan & project vicinity map).</i>	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>There are no state scenic highways near the project site (#1-site plan & project vicinity map)</i>	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i>The project will convert a building originally constructed as a grocery store in the 1950's into a building used for light industrial uses, specifically food processing activity will occur entirely indoors. Large refrigeration units will be installed on the west and east walls of the existing building. A substantial increase in site landscaping and the use of planting areas as buffers from abutting streets is proposed with the project's site development plans. The landscaping is proposed to be increased from 930 square feet (0.9% of the site area) to 13,529 square feet (13.7% of the site) which exceeds the City's minimum landscape requirement of 7%</i>	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>landscaping for CS Districts. The exterior finish of the building will be renovated (new spray textured stucco finish) and will include new architectural embellishments (decorative lattice features, cornice cap, trellises over windows, and additional windows along the Central Avenue street frontage. These changes are expected to enhance the street and neighborhood appeal of the property. A final determination will be made as to the suitability of the site improvement plans for fitting into the character of the neighborhood with findings made by the City's Planning Commission for design review approval of site development and architectural plans (#1 site plan and conceptual landscape plan & building elevations).</i>				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>The project will not introduce new sources for glare which would affect day or nighttime views in the area (#1 site plan and building elevations; 13a).</i>	☐	☐	☐	☒
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the				

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>The project will not impact farmland as it is located in an urbanized area within the City (#1 site plan and site vicinity map).</i>	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The City's General Plan designates the property for service commercial land uses. The site is not zoned for agricultural uses. (#2, #5)</i>	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i>(see Ila)</i>	☐	☐	☐	☒
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? <i>The use does not involve any activities which will emit air emissions regulated</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>by any air quality plan (#6, Pg. 18 - Table 4, trigger levels for potential odor sources; #7 e-mail correspondence with applicant regarding the proposed use).</i>				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (see IIIa)	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (see IIIa)	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations? (see IIIa)	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people? <i>The proposed use will involve cooking meat in its production process. The meat will be cooked using a similar process as that used at an existing Ramar Foods facility on Garcia Avenue in Pittsburg. During a site visit to the existing facility during cooking activities, no objectionable odors were observed within the facility or in the neighborhood. (#20; also see IIIa)</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES --				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? <i>The project is located within an urbanized area away from any potential habitat for special status species (#1, site plan and vicinity map).</i>	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (see IVa)	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (see IVa)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
native wildlife nursery sites? (see IVa)				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <i>The project does not conflict with any local policies related to resource conservation (#1, site plan and vicinity map; #2. General Plan Chapter 5, Resource Conservation).</i>	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (see IVa)	☐	☐	☐	☒
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5? <i>The project is not located on or in the vicinity of any known historical resources (#1, site plan and vicinity map; #2 Resource Conservation, Historical Resources page 9-29 Figure 9-3)</i>	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5? <i>The project is located within an urbanized area and will involve only minimal sub excavation of earth. There</i>	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>are not any known sensitive Native American or historic cultural resources onsite or in the vicinity (#4, page 181 Figure 8-2, Sensitive Historic and Cultural Areas)</i>				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <i>The project is located on a site which is already developed. There are not any known paleontological or unique geologic features onsite. (#4, page 263 Geology and Soils, also see Vb and Va).</i>	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (see Va,b,c)	☐	☐	☐	☒
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. <i>The project site appears to be on or in close proximity to a recently discovered fault ("Pittsburg Fault" U.S.Geological Survey Award 1434-HQ-97-GR-03079).</i>	☐	☐	☒	☐

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Pittsburg Municipal Code (PMC) requires that the project comply with the Uniform Building Code (UBC) which includes seismic requirements that address building design on or near earthquake faults. As part of the seismic requirements of the UBC and as required by the City's Grading Ordinance (PMC Chapter 15.88), a geotechnical report must be submitted and approved prior to issuance of a grading permit. Compliance with the Uniform Building Code and City's Grading Ordinance is expected to reduce potential for any adverse effects from the Pittsburg Fault to a less than significant level (#2 Page 10-9, Figure 10-2 Pittsburg Fault Branches; #3 PMC §15.08, §15.88; #8 Uniform Building Code Seismic Requirements).</i>				
ii) Strong seismic ground shaking? <i>The possibility of seismic ground shaking of moderate to high magnitude earthquakes is ubiquitous within the San Francisco Bay Region. Seismic requirements of the UBC and the implementation of recommendations of the project's geotechnical engineer is expected to reduce potential impacts from seismic ground shaking to a less than significant level (#3 PMC §15.08, §15.88; #8 Uniform Building Code Seismic Requirements).</i>	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction? <i>The project is not located in an area</i>	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>mapped for liquefaction hazards. There may be seismic-related ground failure associated with the Pittsburgh Fault identified in IVi and IVii. This impact is considered less than significant with the implementation of the UBC and recommendations of a geotechnical engineer as required by the City's municipal code (#4 Page 273, figure 13-4; also see VIIi, and VIIii).</i>				
iv) Landslides? <i>The project site and neighborhood is flat and not located in an area with steep topography which could result in landslide hazards (#1 site plan & vicinity map).</i>	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil? <i>(Topsoil is not present onsite. There is minimal potential for soil erosion associated with construction activities. The construction phase of the project will involve installation of two large freezers which will abut the existing building. Currently the areas proposed for new construction are surfaced with asphalt and concrete. Ground disturbing activities incidental to the installation of the freezers will be subject to City's grading ordinance, PMC §15.88, which requires that erosion and sediment control measures be implemented during construction (#3 PMC§15.88)</i>	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become	☐	☐	☒	☐

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (See Via)				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (See Via)	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? <i>The site is currently served by the City's waste water collection system (#1 site plan and site vicinity map, #4 page 214, wastewater collection system).</i>	☐	☐	☐	☒
VII. HAZARDS AND HAZARDOUS MATERIALS B Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? <i>The proposed use will not engage in activities which require the use of hazardous materials/substances (#1, project description/response to application status letter).</i>	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
of hazardous materials into the environment? (See VIIa)				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (See VIIa)	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <i>The project site has been in commercial use since 1955 and has never been identified as a hazardous materials site. The phase I environmental assessment conducted for the site did not find any hazardous substances onsite. (#9, Property Characteristics Data, #19).</i>	☐	☐	☐	☒
e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>The project is within the range of Fire Station #84. Also, the project is not in conflict with the City's adopted Emergency Response Plan. (#2, page 11-16, Figure 11-2; #10)</i>	☐	☐	☐	☒
f) Expose people or structures to a significant risk of loss, injury or death	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <i>The project is not located on or near any open space areas susceptible to wildland fire (#1 site plan and vicinity map).</i>				
VIII. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements? <i>The project will not introduce any new impervious surfaces to the property and will not require the discharge of any waste/effluent to storm drain/waterways. (#1, site plan, response to application status letter)</i>	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? <i>Project will not change absorption rates of soils onsite. The project is not located in an area which significantly contributes to the recharge of City's groundwater reserves (#4 page 245, drainage and watersheds).</i>	☐	☐	☐	☒

CEQA Initial Study Checklist

Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)

January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? <i>The project will not alter the existing drainage pattern onsite (#1 site plan)</i>	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i>(See VIIa, d)</i>	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i>(See VIIa)</i>	☐	☐	☐	☒
f) Otherwise substantially degrade water quality? <i>(See VIIa)</i>	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>Housing is not proposed (#1 project description).</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? Project is located in FEMA flood zone X, outside of the 100-year flood zone (#3, page 289 figure 13-7 100 and 500 year flood plains; #11, panel 2 of 4)	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Project is not located in the vicinity of a levee or dam (#1 site plan and vicinity map)	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow? <i>The project is not located in an area that could be affected by seiches or tsunamis. Areas that could be affected by seiches or tsunamis are located adjacent to the river. Projected wave height and tsunami run-ups are expected to be small in the interior portions of the Sacramento River Delta even further reducing risk (#2, pg. 10-10, inundation from seiche and tsunami. #4, pg. 285, inundation from seiche and tsunami. #12, pg. 4-108, inundation from seich and tsunami).</i>	☐	☐	☐	☒
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community? <i>The project is not located</i>	☐	☐	☐	☒

CEQA Initial Study Checklist

Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)

January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>on land that could divide any community, approved, planned or foreseeable. The proposed food processing plant would be consistent with other light industrial uses in the vicinity (Petsport USA at 1160 Railroad Avenue, and Ramar Foods at 1101 Railroad Lane) located in the CS-O district and designated Service Commercial and on the General Plan land use map (#2, page 2-12, figure 2-2 General Plan Diagram; #13a, #14, #15, #15,#17)</i>				
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? <i>The project site is currently designated Service Commercial under the City's General Plan land use map. The proposed use requires rezoning the property from CN (Neighborhood Commercial) to CS-O (Service Commercial with a Limited Overlay). This rezoning request is subject to approval of the City Council. Among the conditionally permitted uses in the proposed zone (and the existing zone to the north), "food and drug processing" would be allowed as a conditionally permitted use. The proposed overlay zone would make the property consistent with allowed and conditionally permitted land uses to the north currently zoned</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Service Commercial with a Limited Overlay zone. The request to include a light industrial land use as a conditionally permitted use is also consistent with an overlay zone approved for a limited manufacturing business in the vicinity for Petsport USA, which is also formerly a grocery store building which has recently been converted to light industrial use. The proposed site development plans have been designed in a fashion that will ensure that the use will be capable of operating in a fashion which is compatible with the adjacent uses (see lc above). In addition, as a conditionally permitted use, the Planning Commission will have the ability to impose conditions on the use permit required to establish a "food and drug processor" at the subject location. This will ensure compatibility of the food and drug processing uses with adjoining CS designated properties (#2, page 2-12, figure 2-2 General Plan Diagram; #13a, #14, #15, #17)</i>				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? <i>The City does not have an adopted habitat conservation plan or natural community conservation plan. Also, the project is located within an urbanized area away from any potential habitat for special status species. (#1 site plan, vicinity map).</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <i>The project does not involve mineral extraction or use of mineral resources in its operations (#1, project description).</i>	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (See Xa)	☐	☐	☐	☒
XI. NOISE B Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? <i>Food processing activities will be conducted entirely indoors and will not alter exterior noise levels. Truck deliveries/pick-ups will be the only source of exterior noise associated with the use. Vehicles will be limited to standard pick-up trucks and container van deliveries during regular business hours, which will not result in a significant noise impact. In addition, the Service Commercial land use designation also allows for high vehicle traffic volumes and more intensive uses</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>than allowed on in other commercial land use districts. (#1 project description and response to application status letter, #2 page 2-19, description of service commercial land use designation)</i>				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (See X1a)	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (See X1a)	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (See X1a)	☐	☐	☐	☒
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i>The proposed use will have approximately 30 employees. This will not induce substantial population growth in the City. (#1 project description, #13a)</i>	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
construction of replacement housing elsewhere? <i>The project does not involve displacement of any housing or people (#1 site plan and project description).</i>				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>(See XIIb)</i>	☐	☐	☐	☒
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection? <i>The project is within the service area of fire station #84 (#2 page 11-16, Figure 11-2 Fire station locations)</i>	☐	☐	☐	☒
Police protection? <i>The proposed use does not require any additional police protection beyond that already provided in the area (#13a).</i>	☐	☐	☐	☒
Schools?	☐	☐	☐	☒

CEQA Initial Study Checklist

Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)

January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(See XIIa)				
Parks? (See XIIa)	☐	☐	☐	☒
Other public facilities? <i>The proposed use will be privately owned and operated and will not require any public facilities for operations beyond the utilities serving the site. (#1 project description).</i>	☐	☐	☐	☒
XIV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (See XIIa)	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <i>The project does not include recreational facilities or necessitate such facilities. The proposed use will not impact recreational facilities (#1 project description, site plan; #13a)</i>	☐	☐	☐	☒
XV. TRANSPORTATION/TRAFFIC --				
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? <i>The proposed use will have 30 employees and truck traffic (regular sized pick-up and delivery vans) between 7:00 a.m. and 2:00 p.m. The City's Traffic Engineer has analyzed the operational characteristics of the proposed use and has determined that the existing streets and proposed onsite circulation will adequately service the volume of traffic expected for the proposed use. (#13b)</i>				
b) Exceed, either individually or cumulatively, a level of service standard (LOS) established by the county congestion management agency for designated roads or highways? <i>The project will not exceed the LOS standards specified by the Contra Costa Transportation Authority or the City's General Plan (#2 page 7-17 LOS standards; #13b).</i>	☐	☐	☐	☒
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (See XVa)	☐	☐	☐	☒
e) Result in inadequate emergency access? <i>The building is accessible to fire fighting apparatus and other emergency vehicles</i>	☐	☐	☐	☒

CEQA Initial Study Checklist

Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)

January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>from driveways located on Moose Way, Railroad Lane, and Central Avenue (#1 site plan; #13b)</i>				
f) Result in inadequate parking capacity? <i>The proposed parking onsite exceeds the parking requirement of the City's zoning code (#3, Title 18 §18.78.040)</i>	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>The project is consistent with the City's policies supporting alternative transportation. Eight bicycle parking racks are incorporated into the site design. The site is currently served by two bus stops within walking distance of the property. One at the intersection of Harbor Street and Central Avenue, the other at the intersection of Railroad Avenue and Central Avenue. (#2 page 7-30, Policy 7-P-34; #16).</i>	☐	☐	☐	☒
XVI. UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB)? <i>The site is currently connected to the City's existing sanitary sewer distribution system which is served by Delta Diablo Sanitation District. The proposed use is expected to generate approximately 8,000 to 10,000 gallons of waste water per day in its operations. The City's</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>public works department has verified that facilities serving the site have the capacity to serve the new use. In addition, wastewater treatment capacity is planned to accommodate the City's projected growth into the year 2030. Delta Diablo Sanitation District is currently in compliance with RWQCB requirements (#13e; #4 page 4-75 and 4-79; #18).</i> b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The project is located within an urbanized area of the City which is currently served by the City's water and sewer systems. The City's adopted water system master plan and Wastewater Collection Master Plan account for development in this area. Prior to discharge to the City's wastewater collection system, industrial businesses are required to obtain an industrial waste discharge permit which includes provisions for an applicant to demonstrate adequate wastewater disposal into the City's waste water collection system. No project specific mitigation is warranted (also see XVIa, #1, site plan and vicinity map, #12 page 4-74 to 4-80; #3, Industrial Waste Discharge Permit requirement PMC §13.20.050).</i>	☐	☐	☐	☒

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The project will not introduce any new impervious surfaces to the property. The existing storm drain facilities in place are adequate to serve the proposed development. New storm water drainage facilities are not needed for the project (#1 site plan, #13d).</i>	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>(see XVIb)</i>	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments? <i>(See XVIb)</i>	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>The project will not require additional solid waste disposal capacity beyond that which is currently planned for the build out of the City (#4Page 4-80 "solid waste disposal capacities").</i>	☐	☐	☐	☒
g) Comply with federal, state, and local				

CEQA Initial Study Checklist

Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)

January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
statutes and regulations related to solid waste?	☐	☐	☐	☒
<i>The proposed use will not involve the disposal of any hazardous/toxic substances which would require review and approval from state or federal agencies. The project plans have been referred to Pittsburg Disposal Company for review. Pittsburg Disposal Company has not identified any conflict with local requirements for solid waste disposal. The exact design, location, and operation of the refuse area may be subject to additional regulation by a USDA permit to establish a meat processing facility at the proposed location. The requirements of the USDA are not expected to create a significant impact on the site plan or environment. (#1 response to application status letter; #21, #22.)</i>				

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
<i>(As noted in above sections, the project</i>				

CEQA Initial Study Checklist
Ramar Foods at Marina Skate. AP-04-164 (RZ, UP, DR)
January 18, 2005

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>site is not environmentally sensitive, nor does it provide habitat for fish or wildlife species)</i>				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? <i>The project provides an in-fill opportunity to establish a new use on a currently underutilized property currently served by City utilities. There are no significant adverse impacts, either individually or cumulatively, associated with the proposed project.</i>	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? <i>Based on the analysis in the above sections there are not any environmental effects associated with the proposed project which will cause substantial adverse effects on human beings, either directly or indirectly.</i>	☐	☐	☐	☒

References Cited/Source List

The following information is available for review (during normal business hours) in the Planning Department located at 65 Civic Avenue in Pittsburg:

1. Project application submittal from Ramar Foods International
2. City of Pittsburg General Plan, dated September 2004
3. Pittsburg Municipal Code
4. Pittsburg General Plan Update: Existing Conditions and Planning Issues, June 1998
5. City of Pittsburg Zoning Map
6. BAAQMD CEQA Guidelines, Revised December 1999; Bay Area Air Quality Management District 1996
7. E-mail correspondence with applicant dated January 6, 2005, regarding the proposed use.
8. 2001 California Building Code, California Building Standards Association.
9. Property detail from Contra Costa County records.
10. City of Pittsburg Emergency Response Plan 1999 update
11. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map
12. Final Environmental Impact Report for the City of Pittsburg General Plan (January 2001)
13. Staff Determination
 - a. Chris Barton - Project Planner, City of Pittsburg Planning Department.
 - b. Paul Reinders - City of Pittsburg Traffic Engineer
 - d. Alfredo Hurtado - Senior Civil Engineer, City of Pittsburg Engineering Department
 - e. Joe Barajas - Public Works Superintendent, City of Pittsburg Public Works Department
14. Spring 2004 air photo of project site and surrounding neighborhood.
15. Ramar foods CS-O overlay district (RZ-84-04)
16. Letter from Tri-Delta Transit Dated September 28, 2004
17. City of Pittsburg City Council Ordinance No. 02-1190 (Petsport USA Overlay)
18. Phone conversation between Chris Barton and Jimmy Gaw of Ramar foods regarding waste water production estimate.
19. Phase I environmental assessment report, December 17, 2004, AEI Consultants
20. Site visit and tour of Ramar Foods food processing facility and vicinity at Garcia Avenue in Pittsburg.
21. Project referral form dated October 8, 2004.
22. Phone conversation between Chris Barton of Pittsburg Planning Division and Jim Nejdley of Pittsburg Disposal Company regarding the adequacy of solid waste disposal facilities.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
February 13, 2019**

ITEM: Pittsburg Technology Park, Conceptual Plan, AP-18-1395 (PPR).

ORIGINATED BY: Energy Delivery Solutions, 1 Letterman Dr. Building C, 5th Floor,
San Francisco, CA. 94129

SUBJECT: This is a study session to receive initial comments on a Preliminary Plan Review for a conceptual plan which would facilitate development of a series of data centers, or other light industrial park uses yet to be determined, on a 101-acre portion of the former Pittsburg Golf Course. The proposal would include, at minimum: 1) general plan amendment from Park to Business Commercial; 2) rezoning from OS (Open Space) District to IP-P (Industrial Park with a Master Plan Overlay) District; and 3) major subdivision of the site into approximately 24 two and a half-acre lots for future development under the terms of the master plan. The site generally encompasses the eastern half of the existing 175-acre golf course located at 2232 Golf Club Road. APN's: 095-150-032; 094-080-011; 095-160-001; 095-160-002; and portions of 094-080-002 and 094-090-001.

RECOMMENDATION:

Staff recommends that the Planning Commission: 1) receive a presentation regarding the proposed Technology Park project; and 2) provide staff with initial comments on the project.

BACKGROUND:

The Pittsburg Technology Park Project footprint consists of 101 acres of the former Delta View Golf Course which ceased operation in 2018. On March 19, 2018, the City Council directed staff to explore the possible uses suggested by the public for the site, and to bring options back for further consideration. In May 2018, Council direction set the goals of pursuing both economic development and multi-purpose recreational uses. In June 2018, the City executed an Option Agreement with the applicant to designate 101 acres as available for a technology park/data center use which would be consistent with the goal of economic development. The remaining 74 acres would be set aside for multi-purpose recreational use.

The Planning Division has held two meetings to receive public comments on the proposed Preliminary Plan to date:

1. Ad Hoc Land Use Subcommittee – January 29, 2019. The Committee made it clear that they want to ensure that this project would improve the aesthetics of the community, and that they are looking for a high level, quality design. Aesthetics will be a big a factor in the review of the project. Committee members expressed concern about how the community would make up the loss of open space. Staff indicated that this project could provide economic benefits which

would enable the City to develop the remaining 74-acre portion of the former Golf Course as a Community Park. The subcommittee also directed the applicant to provide pedestrian/bicycle trails around the perimeter of the project to connect to regional open space areas and the nearby John Henry Johnson Park.

2. Adjacent Residents Meeting – February 5, 2019. Meeting notices were sent to the 18 homes which are directly adjacent to the project site on Golf Club Road. Four homeowners attended this meeting. Their primary concern was the replacement of their open space views of the golf course from their backyards and how that would change with the development of this project. They were also concerned about the proximity of such large buildings close to their properties. They did not express concerns regarding the type of use proposed for the site.

PROJECT DESCRIPTION:

Surrounding Land Uses: To the east, the project site is bounded by the PG&E transmission line corridor, with residential development on the eastern border of the corridor. Directly north and adjacent to the site are eighteen single family residences. The area southwest of the project site is undeveloped at this time; however, there is an Exclusive Negotiating Rights Agreement (ENRA) with Discovery Builders, Inc. to develop an approximately 200-acre portion of vacant land (part of the Stoneman Property) with residences. The area southeast of the project is currently undeveloped land.

Proposed Project: The applicant proposes to develop a Technology Park on 101 acres of the former Delta View Golf Course. This would consist of subdividing the property into approximately 24 two and a half-acre lots to enable developers to build data centers or other similar facilities consistent with the zoning. The overall Master Plan (which is forthcoming) would include substantial grading of existing hills to create building pads, as shown on Attachment 1.

The first data center building would be a four-story structure, approximately 85 feet in height with an approximate area of 200,000 square feet (Attachment 1). This building would serve as a typical model for subsequent buildings to be constructed on the additional lots.

The current submittal is very conceptual in nature. The proposed project would entail a significant change in the land use of this site both in terms of the underlying use and the intensity of development. From a planning perspective this change in land use intensity can work if the project is carefully designed with particular attention to the transition from the industrial park use to the adjacent residential and open space areas.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is designated “Park” on the General Plan Land Use Map, which reflects the past use as a Golf Course. The proposed project would require a

General Plan Amendment to “Business Commercial”.

Zoning: The project site is designated OS (Open Space) District consistent with the General Plan designation of Park. The proposed project would require a rezoning from OS to IP-P (Industrial Park with a Master Plan Overlay) District. The IP District provides sites in landscaped settings for service-oriented commercial and light industrial uses with limited customer presence and turnover, including industrial office centers, research and development facilities and limited industrial activities. The proposed project would fit within the definition of limited industrial activities. The Master Plan designation would provide the opportunity to plan for the 101-acre development as a whole, rather than as a collection of discrete parcels.

Environmental: The environmental review process would begin when the applicant files an application for the project which would include sufficient detail regarding the project to conduct the necessary analysis. This is expected to occur in the next two to three months.

Public Notice: Although not required by the PMC, on or prior to February 1, 2019, notice of the February 13, 2019, study session was posted at City Hall, the Pittsburg Library, and on the “Public Notices” section of the City’s website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the surrounding Nextdoor neighborhoods: 1) Range and Wedgewood; 2) Ackerman; 3) W Leland/Montevideo; 4) Old Seeno; 5) Atherton Ave; 6) Golf Course/Crestview; and 7) Woodland Hills.

ANALYSIS:

Not applicable at this time.

ACTION REQUIRED:

Receive a presentation regarding the proposed change in land use, the intensity of the development, building design, potential site layout, and provide initial comments on the project.

ATTACHMENTS:

1. Preliminary Plan Application
2. Map of Surrounding Uses
3. Notice of Study Session

Prepared by: Joan Lamphier, Consulting Planner

Pittsburg Technology Park **PRELIMINARY PLAN APPLICATION**

The attached documents comprise Energy Delivery System LLC's Preliminary Plan Review Application to develop a Technology Park on 101 acres of the former Delta View Golf Course. Energy Delivery Systems plans to sub-divide the 101 acres into twenty lots to enable developers to build data centers or other facilities consistent with the zoning. The overall master plan will include grading of existing hills to create pads for level floor plates.

The first building is anticipated to be a four-story structure, approximately 85 feet in height with an approximate area of 200,000 square feet. Rooftop equipment above this height will be screened with a louvered screenwall. An image of that building as it will be seen from West Leland Road at a point close to the Contra Costa Canal is provided below. At full buildout the first data center will use approximately 25 Megawatts of power from Pittsburg Power Company.



Proposed Data Center as seen from West Leland Road at the Contra Costa Canal

Energy Delivery Solutions LLC
One Letterman Drive · C5-100 ·
San Francisco CA 94129
T 415 291 2300 · F 415 651 9500



PLANNING APPLICATION (Planning Commission or Zoning Administrator Review)
City of Pittsburg Development Services Department – Planning Division
65 Civic Avenue, Pittsburg, CA 94565
Phone: (925) 252-4920; Fax: 252-4814

TYPE OF APPLICATION REQUESTED:

- | | |
|--|--|
| ☐ UP Conditional Use Permit | ☐ SR Sign Programs/Exceptions |
| ☐ DR Design Review | ☐ SUB Tentative Map |
| ☐ GP General Plan Amendment | ☐ VA Variance |
| ☐ SUB Parcel Map | ☐ ZA Zoning Administrator Review |
| ☐ RZ Rezoning | ☒ Other <u>Preliminary Plan Review</u> |

STAFF USE ONLY

Application Number: _____ Date Filed: _____

PROJECT INFORMATION: (To be completed by applicant – only complete lines that are relevant to the application)

Name of Project; (Business/Development): Pittsburg Technology Park

Address/Location of Subject Property: 2232 Golf Course Drive, Pittsburg CA 94565

Assessor's Parcel No(s): 095-150-032,094-080-011,094-080-002,094-090-01, 095-60-001,095-160-002

Existing General Plan Designation/Zoning District: Open Space

Proposed General Plan Designation/Zoning District: Business Commercial/Industrial Park - P

Existing Use: Park/Golf Course Proposed Use: Technology Park

Size of Structure(s), (sq. ft.) existing: Not Applicable

Size of Addition(s), (sq. ft.) proposed: TBD

* Amount of impervious surface being created (sq. ft. or acres): _____ (see bottom of page).

Property Size (acres or sq. ft.): 101 No. of Lots Existing: _____ Proposed: _____

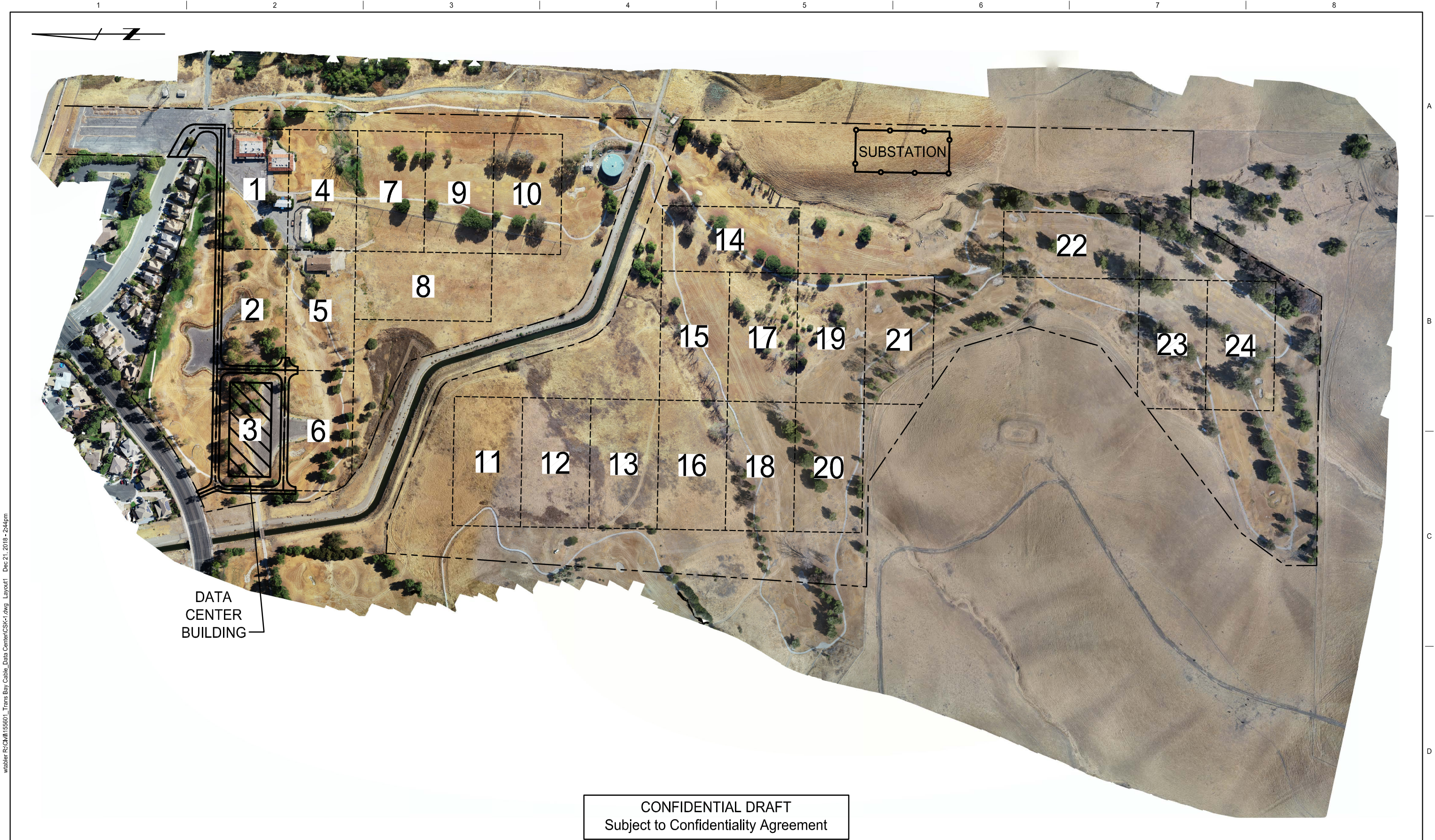
Days/Hours of Operation: 24 hours per day, 7 days per week

Number of Employees; Existing: 0 Proposed: +/-100

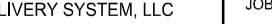
Number of On-Site Parking Stalls; Existing: _____ Proposed: _____

Describe proposed project/use on an attached sheet.

* If over 10,000 sq. ft., a stormwater control plan and related documents may be required per PMC §13.28.050(A)(2). Please contact Planning staff or refer to the Stormwater C.3 Guidebook available at www.cccleanwater.org/construction/nd.php for further guidance.



CONFIDENTIAL DRAFT
Subject to Confidentiality Agreement

THIS DRAWING WAS PREPARED BY POWER ENGINEERS, INC. FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH POWER AND POWER'S CLIENT IS GRANTED.										DSGN	WKW	12/19/18			ENERGY DELIVERY SYSTEM, LLC	JOB NUMBER	REV
										DRN	WMT	12/19/18			155601		
										CKD	WKW	12/20/18					
										SCALE: NTS						DRAWING NUMBER	
	A	ISSUED FOR PRELIMINARY PLAN REVIEW			12/21/18	WMT	WKW	WKW	SLH	FOR 22x34 DWG ONLY						CSK-1	
	REV	REVISIONS			DATE	DRN	DSGN	CKD	APPD								

CSK-1.dwg
w:\bler Rc\CHM155601_Trans Bay Cable_Data Center\CSK-1.dwg Layout1 Dec 21, 2018 - 2:44pm

Location Map – Pittsburg Technology Park, AP-18-1395 (PPR)

2232 Golf Club Road





City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF STUDY SESSION

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

DATE: February 13, 2019
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Pittsburg Technology Park, AP-18-1395 (PPR).

Energy Delivery Solutions, LLC, has requested Preliminary Plan Review for a conceptual plan which would facilitate development of a series of data centers, or other light industrial park uses yet to be determined, on a 101-acre portion of the former Pittsburg Golf Course. The proposal would include, at minimum: 1) general plan amendment from Open Space/Utility ROW to Business Commercial; 2) rezoning from OS (Open Space) District to IP-P (Industrial Park with a Master Plan Overlay) District; and 3) major subdivision of the site into approximately 24 two and a half-acre lots for future development under the terms of the master plan. The site is located at 2232 Golf Club Road. APN's: 095-150-032; 094-080-011; 095-160-001; 095-160-002; and portions of 094-080-002 and 094-090-001.

PROJECT PLANNER: Kristin Pollot, (925) 252-6941 or kpollot@ci.pittsburg.ca.us

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?

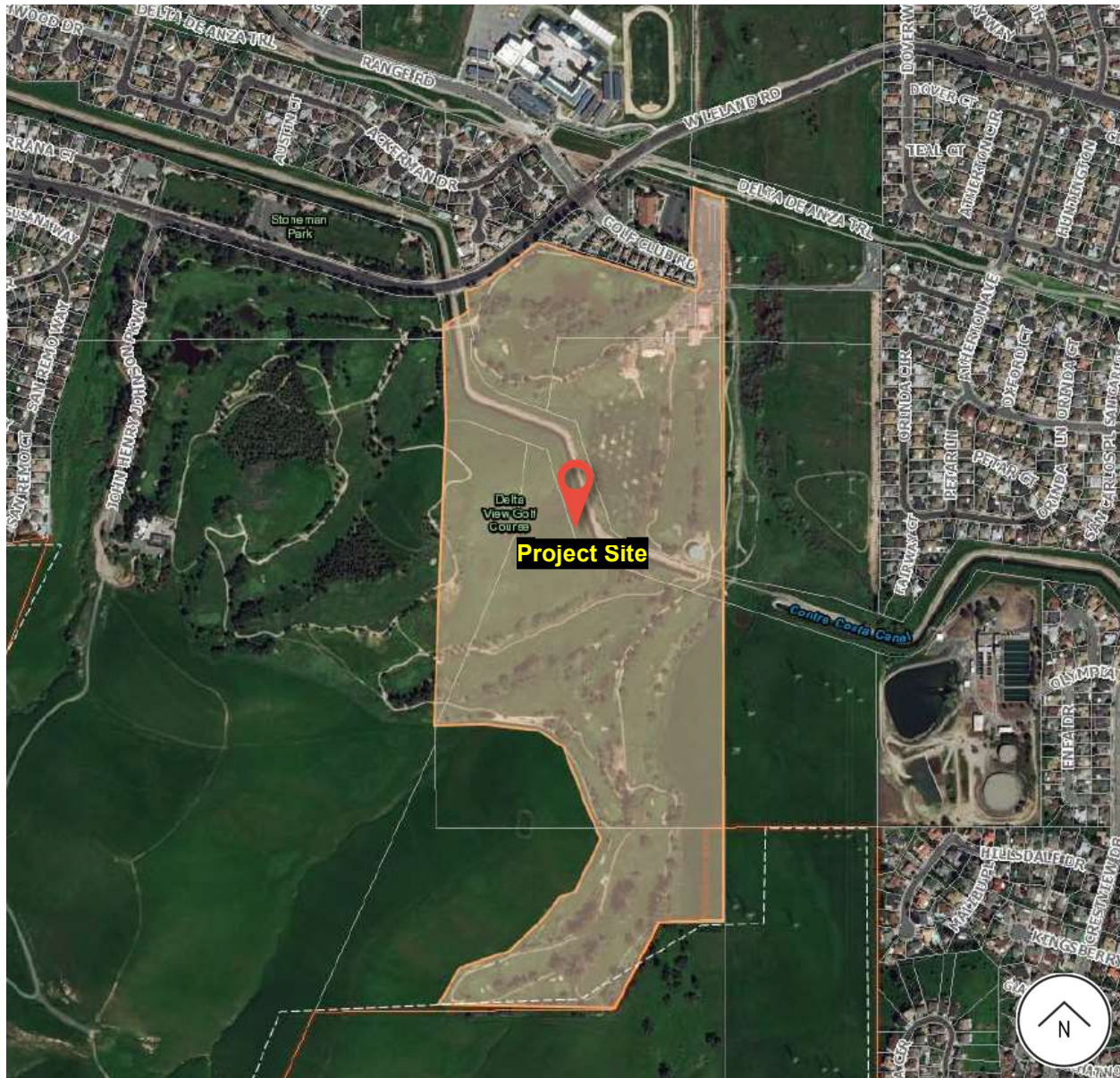
The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

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

Comments or objections to the project can be made by writing or through oral testimony during the study session. 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. You may also register your comments or objections by attending the study session on the date and time listed above.

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Pittsburg Technology Park, AP-18-1395 (PPR).
Location: 2232 Golf Club Road. APN's: 095-150-032; 094-080-011; 095-160-001; 095-160-002; 094-080-002 and 094-090-001



City of Pittsburg

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