



PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

This meeting will be held in compliance with California Government Code Section 54953(e)(2), which was added by Assembly Bill 361 which became effective Oct. 1, 2021, pursuant to the Governor's Executive Order N-15-21. On January 18, 2022, the City Council authorized teleconferenced meetings of the City Council and Commissions upon findings made in Resolution 22-14038 as required by state law. City Council Members/Commissioners will be participating electronically and will not be physically present in the Council Chamber. Pursuant to Government Code Section 54953(e)(3), the City Council authorization is effective for 30 days and maybe extended every 30 days if the City Council makes required findings.

The public is invited to watch and participate in meetings via the methods listed below:

Watch the live meeting via the City's webcast (www.pittsburgca.gov), or on Delta TV Comcast Channel 32, or Delta TV AT&T U-Verse Channel 99.

Members of the public may submit a live remote public comment via Zoom video conferencing. Download Zoom from its website: www.zoom.com. Zoom also allows you to join the meeting by phone. Written comments will not be read aloud by staff during the meeting. Join the meeting at any point but be sure you are in the meeting prior to the Commission consideration of the item on which you would like to provide comments.

From a PC, Mac, iPad, iPhone or Android:

- Webinar ID: **853 0801 2765**
- Passcode: **086252**
- By phone: **US: +1-669-900-6833 or +1346-348-7799**

Speakers are asked to provide their name and city of residence for the record, although providing this is not required for participation.

Each speaker will be afforded up to 3 minutes to speak (at the discretion of the Chair).

When the Chair opens a public comment period on the item on which you would like to comment, please use the "Raise Hand" feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide. You will be invited to speak when it is your turn. Speakers will be muted until their opportunity to provide public comment. You will not be seen or heard until it is your turn to speak. You will be muted again after the allotted time to speak. Just as in a live meeting inside the Council Chamber, only one comment per agenda item per person is allowed.

When making a public comment during the meeting, please

Try to be in a room or space without a lot of background noise.

1. Mute your microphone until it is your turn to speak, then mute your speakers while speaking.
2. Have a strong, reliable internet connection or cell phone signal.

In the event of a disruption that prevents the Commission from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.



City of Pittsburg Planning Commission Agenda

February 8, 2022

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

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

Planning Commission Members

**Vacant, Chair
James Coniglio, Vice-Chair
Elissa Robinson, Commissioner
Heliodoro Moreno Jr., Commissioner
Henry Perkins, Commissioner
Ivelina Popova, Commissioner
Sarah Foster, Commissioner**

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

The Commission requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the Council Chamber. Please turn off or set to vibrate all cellular phones, and refrain from making personal, impertinent, or slanderous remarks. Boisterous or disruptive behavior while the Commission is in session, is considered counterproductive and will not be tolerated.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

CONSENT

Minutes

Minutes of January 25, 2022

This agenda was posted in City Hall on February 4, 2022

PUBLIC HEARINGS

Consideration of a Resolution Approving a Use Permit for GHF Enterprises LLC, Auto Sales, AP-21-1575 (UP)

This is a public hearing requesting approval of a use permit to establish an auto sales use within an approximately 32-square-foot office tenant space in an existing approximately 3,904-square-foot multi-tenant building, located at 40 N Parkside Drive, in the CS (Service Commercial) District. APN: 086-171-026;-028

Environmental Determination: This project is exempt from CEQA pursuant to Section 15301. A Notice of Exemption will be filed if the project is approved.

ZONING ADMINISTRATOR REPORTS

Notice of Intent to Exercise Delegated Design Review Authority

The Zoning Administrator submits one notice of intent to exercise delegated design review authority on a proposal to construct a new trash enclosure and modify the existing parking lot to accommodate two new ADA parking spaces for Tortilleria El Molino located at 630 Garcia Avenue, in the IP (Industrial Park) District. Assessor's Parcel Number 088-392-017.

STAFF COMMUNICATIONS

COMMITTEE REPORTS / COMMISSIONER COMMENTS

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. As a courtesy, the agenda is also located on the city's website at www.pittsburgca.gov.

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

January 25, 2022

In compliance with Section 54953(e)(2), of Executive Order N-15-21, issued by Governor Newsom effective October 1, 2021, the City Council authorized the regular meeting of the Planning Commission for January 25, 2022, to be held as a teleconferenced meeting upon findings made in Resolution 22-14038 as required by state law. Planning Commissioners and appropriate staff participated electronically. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. The Public will continue virtual participation via Zoom with broadcasting live through Granicus on the City's website.

Vice-Chair Coniglio called the meeting of the Pittsburg Planning Commission to order at 7:00 p.m. on Tuesday, January 25, 2022, via Zoom teleconference.

ROLL CALL

Present: Vice-Chair Coniglio, Commissioners Foster, Moreno Jr., Perkins, Popova

Absent: Commissioner Robinson

Staff: City Manager Garrett Evans, City Attorney Donna Mooney, Director of Community and Economic Development Jordan Davis, Assistant Director of Planning John Funderburg, Assistant City Clerk Amanda McVey, Permit Center Supervisor Shelby Rose, Administrative Specialist Sharon Paz

PLEDGE OF ALLEGIANCE

Commissioner Moreno Jr. led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

There were no deletions or withdrawals.

Item 1, Valero C-Store, AP-21-1572 (UP, DR), was continued to a future date to be determined.

COMMENTS FROM THE AUDIENCE

There were none.

CONSENT

1. Minutes of December 14, 2021

On motion by Commissioner Foster, seconded by Commissioner Popova to approve the Minutes of December 14, 2021, and carried by the following vote:

AYES: Coniglio, Foster, Moreno Jr., Perkins, Popova

NAYES: None

ABSTAIN: None

ABSENT: Robinson

COMMISSION CONSIDERATION

2. Consideration of Resolution Approving the Discovery Homes Dream Courts, AP-20-1528 (DR, SE)

A public meeting on a request for design review of plans to construct a 41,007-square-foot basketball court facility and a sign exception for the project at John Henry Johnson Park located at 790 W. Leland Road in the GQ (Governmental and Quasipublic) District. Assessor's Parcel No. (APN) 094-080-037.

Director of Community and Economic Development Jordan Davis gave a presentation.

City Manager Garrett Evans answered Commissioner questions.

Applicant Louis Parsons spoke on behalf of the project.

Public comment was received through call-in from the following:

Bruce Ohlson, Pittsburg

Kyle Terry, Concord

Carrie and John Hughes, Pittsburg

On a motion by Commissioner Popova, seconded by Commissioner Perkins to deny AP-20-1528 (DR, SE) without prejudice and carried by the following vote:

AYES: Coniglio, Foster, Moreno Jr., Perkins, Popova

NAYES: None

ABSTAIN: None

ABSENT: Robinson

ZONING ADMINISTRATOR REPORTS

The Zoning Administrator submitted one notice of intent to conduct a Zoning Administrator public hearing on a variance and administrative design review to remodel the existing façade, apply new paint colors, construct a 563 square foot addition, construct a new trash enclosure, restripe the parking lot, and add landscaping, along with a variance from the rear yard setback (from 10 feet to 0 feet) for Nation's Giant Hamburgers restaurant located at 3789 Railroad Avenue, in the CN (Neighborhood Commercial) District. Assessor's Parcel Number 088-071-024.

STAFF COMMUNICATIONS

Secretary Funderburg had the following updates:

The League of California Cities has in-person Planning Commission Workshop and networking session March 6-18 at the San Ramon Marriott. Contact Secretary Funderburg if interested. The City requests the public to participate in a survey regarding ways to improve the corridor from the Railroad Avenue BART station to downtown as a part of the Clean California Local Grant Program. Applications for Planning Commissioner are due by February 3, 2022.

COMMITTEE REPORTS / COMMISSIONER COMMENTS

No committee reports / No commissioner comments

ADJOURNMENT

The meeting was adjourned at 9:03 p.m. to February 8, 2022.

Respectfully Submitted,

John Funderburg, Secretary

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
FEBRUARY 8, 2022**

ITEM: Consideration of a Resolution Approving a Use Permit for GHF Enterprises LLC, Auto Sales, AP-21-1575 (UP).

ORIGINATED BY: Grzegorz Fedenczak, 40 N Parkside Drive, Pittsburg, California

SUBJECT: This is a public hearing requesting approval of a use permit to establish an auto sales use within an approximately 32-square-foot office tenant space in an existing approximately 3,904-square-foot multi-tenant building, located at 40 N Parkside Drive, in the CS (Service Commercial) District. APN: 086-171-026;-028.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution No. 10183 (Attachment 1), approving Planning Application No. 21-1575, subject to conditions.

BACKGROUND:

On June 21, 2021, Grzegorz Fedenczak of GHF Enterprises, LLC filed Planning Application No. 21-1575, requesting approval of a use permit to allow auto sales within an approximately 32-square-foot office tenant space in an existing approximately 3,904-square-foot multi-tenant building. The auto sales lot will occupy one unit of the building along with 15 parking spaces of the 13,504-square-foot site at 40 N Parkside Drive.

PROJECT DESCRIPTION:

Existing Conditions: The project site is located within the City of Pittsburg, south of the Union Pacific Railroad Company tracks, north of E. 15th Street, east of the Railroad Avenue overpass of Parkside Drive, and west of Norton Street. The 13,504-square-foot parcel is developed with an approximately 3,904-square-foot building with parking located in the front of the building for customer/employee parking and vehicle display areas. There are landscaped areas along the western property line, and the business provides cameras (four cameras located outside the building and three inside of the tenant space) for security. The project will utilize a 32-square-foot office space within the existing 3,904-square-foot structure. The site is currently owned by Eris Huber and managed by Property Upsurge Inc.

The main building on the site is divided between tenants. There is one other existing business on the property, Auto Design Pro, an automobile wrap shop.

Surrounding Land Uses:

North: Union Pacific Railroad Company (UPRR) tracks

West: City Park (across the Railroad Avenue overpass)

South: Various single- and multi-family residential development; terminus of E. 15th Street

East: Various single- and multi-family residential development along E. 15th Street

See Attachment 2 for a map of surrounding uses.

Proposed Project: The applicant is requesting Planning Commission approval of a use permit to establish a used car dealership that will be open Monday through Saturday from 9:00 a.m. to 7:00 p.m. GHF Enterprises will sell pre-owned vehicles. There will be one employee on site at all times.

The site will be accessed via one 15-foot-wide driveway off N. Parkside Drive.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is located in the 'Railroad Avenue Sub-area' of the General Plan and has a land use designation of 'Service Commercial.' This land use designation often features automobile repair, contractors' services, and other heavy maintenance activities.

Zoning: The property is located within the CS (Service Commercial) District. The proposed use falls under the use classification of 'Automobile Sales,' which is a subcategory of "Vehicle/Equipment Sales and Services," as defined by Pittsburg Municipal Code (PMC) section 18.08.080(30)(d). Per the schedule in PMC section 18.52.010, this use classification is permitted in the CS District upon approval of a use permit by the Planning Commission. As shown in Attachment 4 of this report, the proposed project meets, exceeds, or conditionally meets the CS District property development regulations (PMC section 18.52.115), which include height, floor-area ratio (FAR), lot coverage, lot area, lot width, and parking for both cars and bicycles. However, the existing eastern side yard (adjacent to residential) and corner side yard setbacks are nonconforming, but meet the requirements of PMC section 18.76.020(B), which states that, "a structure, lawfully occupying a site on June 20, 2007, that does not conform with the standards (setbacks) for front yards, side yards, rear yards, height, or floor area of structures, driveways, courts, or open space for the district in which the structure is located is a nonconforming structure and may be used and maintained." City records show the building was constructed in 1975.

Parking: Parking: PMC section 18.78.030.E.1 sets forth standards for off-street parking for sites with multiple uses.

If more than one use is located on a site other than as may be prescribed for a particular use classification the number of off-street parking spaces required is the sum of the requirements prescribed for each use.

Pursuant to PMC section 18.78.040 Schedule A, an automobile sales use requires one off-street parking space per 500 square feet of gross floor area. With a 32-square-foot office space, only one off-street parking space will be required. For the existing use on site, Auto Design Pro, an auto repair limited use, requires one off-street parking space per 400 square feet of gross floor area. Auto Design Pro uses 3,872 square feet of the existing building (3,904 square feet [building size] minus 32 square feet [office space]), therefore 10 spaces are required. With one space required for the auto sales use and 10 spaces required for the auto repair limited use, a total of 11 off-street parking spaces would be required for the site.

As shown on the Project Plans (Attachment 3), the site has adequate on-space parking for the proposed and existing use, including one ADA (Americans with Disabilities Act) compliant space located closest to the building entrance, in compliance with the PMC and California Building Code (CBC). The project applicant has indicated they will re-stripe the off-street parking areas for the businesses to ensure compliance with PMC section 18.78.040 Schedule A. Only a portion of the project site area will be utilized for the display and sale of vehicles which is not to exceed six.

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;

9. is consistent with the City's approved funding priorities; and
10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

Environmental Determination: 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 which consists of operations, repair, maintenance, permitting, leasing, or minor alterations of existing public or private facilities involving negligible or no expansion of existing or former use including interior and exterior alternations involving such things as interior partitions, plumbing, and electrical conveyances.

Public Notice: On or prior to Friday, January 28, 2022, notice of the February 8, 2022 public hearing to consider this application was posted at City Hall, and on the "Public Notices" section of the city's website; was delivered to 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 existing tenants in the building, 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. An updated public hearing notice was resent to the aforementioned recipients, providing updated public advisory information, including the webinar ID, for the meeting. 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 Planning Commission can make the required findings to approve the use permit, with the inclusion of several conditions of approval, as detailed below:

1. Vehicle dismantling and/or storage of wrecked vehicles shall not occur on site. (Condition No. 2)
2. The entire site, including the structure(s), shall be maintained in a neat and clean manner at all times. Trash and debris shall not be allowed to accumulate on or around the site, or on the street gutters and sidewalks. The entire site including paved, unpaved and landscaped areas must be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter. The operator shall maintain all landscaped areas using minimal or no pesticides. The operator shall inspect and pick up litter on site daily. (Condition No. 11)
3. The applicant shall maintain permanent, fixed bicycle parking for at least one (1) bicycle on-site in a location providing convenient access and natural surveillance. The final location of bicycle parking stalls shall be subject to review and approval by the Planning Division prior to installation, and installation must be completed

within 60 days of approval of this resolution. (Condition No. 15)

4. Hours of operation shall be limited to Monday through Saturday 9:00 a.m. to 7:00 p.m. (Condition No. 16)
5. All plywood or other material shall be removed from the façade of the building. All windows and doorways shall be properly maintained. Design review shall be required for any modifications made to the outside of the building structure.

With the incorporation of the conditions identified above, the use will not be detrimental to the health, safety, and general welfare of the City. The proposed project will provide a new commercial business within the city that will have a positive impact on the City's tax base. It will also have a positive impact on vehicle sales/service uses, in that this and the surrounding auto services in the building will share a customer base, while also providing the existing city customer base with another option.

ACTION REQUIRED:

Move to adopt Resolution No. 10183 approving Planning Application No. 21-1575, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10183
2. Surrounding Land Uses
3. Project Plans, dated December 9, 2021
4. Property Development Regulations Table
5. Public Hearing Notice/Vicinity Map

Prepared by: Christie Robinson – Contract Planner

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Use Permit to	)	
Allow an Auto Sales Use, located at 40 N.	)	
Parkside Drive, for " GHF Enterprises LLC,	)	Resolution No. 10183
Auto Sales, AP-21-1575 (UP)."	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On June 21, 2021, Grzegorz Fendenczak of GHF Enterprises LLC, filed Planning Application No. 21-1575, requesting approval of a use permit to establish an auto sales use within an approximately 32 square foot office tenant space in an existing multi-tenant building, located at 40 N. Parkside Drive, in the CS (Service Commercial) District. APN: 086-171-026;-028.
- B. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburgh General Plan, Railroad Avenue Specific Plan, and Pittsburgh Municipal Code (PMC) Title 18 (Zoning).
- C. Pursuant to PMC section 18.16.040, a use permit may be granted only after the Planning Commission makes a determination that the proposed use:
 - 1. is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. is not detrimental to the health, safety, and general welfare of the city;
 - 3. will not adversely affect the orderly development of property within the city;
 - 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the city;
 - 5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 - 6. will not create a nuisance or enforcement problem within the neighborhood;
 - 7. will not encourage marginal development within the neighborhood;
 - 8. will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;

9. is consistent with the city's approved funding priorities; and
 10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.
- D. 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. On or prior to January 28, 2022, notice of the February 8, 2022, public hearing to consider this application was posted at City Hall, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered to 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, 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.
- F. On January 31, 2022, an updated notice was posted at City Hall, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered to 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, 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 updated notice provided updated public advisory information, including the webinar ID, for the meeting.
- G. On February 8, 2022, the Planning Commission held a public hearing on Planning Application No. 21-1575, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Consideration of a Resolution Approving a Use Permit for GHF Enterprises LLC, Auto Sales, AP-21-1575 (UP)," dated February 8, 2022, 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. The proposed GHF Enterprises LLC, Auto Sales facility:

- 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, in that the proposed auto sales is a conditionally permitted use in the CS District;
- b. will not be detrimental to the health, safety, and general welfare of the City, in that no vehicle dismantling and/or storage of chemicals and/or wrecked vehicles is allowed on site;
- c. will not adversely affect the orderly development of property within the City; rather, approval of the use permit will allow the applicant to occupy a site located in an area where infrastructure is already present, and no changes are needed that could impact the orderly development of the surrounding area;
- d. will not adversely affect the preservation of property values, rather, it will help to improve values as the proposed project provides a commercial business that will have a positive impact on the City tax base;
- e. is consistent with the General Plan, specifically goal 2-G-1, in that the proposed used car dealership will occupy an existing commercial building, therefore maintaining a compact urban form within the City's projected municipal boundary;
- f. will not create a nuisance or enforcement problem, in that the proposed project provides cameras both on the interior and exterior of the project site to prevent crime and will be limited to hours of operation Monday through Saturday between 9:00 a.m. and 7:00 p.m.;
- g. will not encourage marginal development within the neighborhood, in that the business will occupy a space located within an existing building in the High School Village sub-area of the Railroad Avenue Specific Plan. The addition of this use will add new pedestrian traffic in the area and create additional 'eyes on the street,' which is a principle designed to discourage undesirable activity in the area and will ultimately result in a benefit for the immediate 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, in that the project site is located in an area of the City served by existing utilities, and the business will be maintained and operated at the cost of the applicant; and
- i. is consistent with the City's approved funding priorities in that there is no public money involved in this project.

Section 3. Decision

- A. Based on the findings set forth above, the Commission hereby approves Planning Application No. 21-1575, subject to the following conditions:
1. The approved use shall be operated in a manner substantially as presented to the Planning Commission in the staff report identified above and as presented in the project plans, dated December 9, 2021, except as modified by the conditions below. Operation of the approved business in a manner inconsistent with this use permit shall be grounds for revocation of the approval.
 2. Vehicle dismantling and/or storage of wrecked vehicles shall not occur on site. There shall be no storage of inoperable vehicles or commercial vehicles, including but not limited to delivery vehicles and food trucks.
 3. Signage for the use is not approved with this resolution. The applicant or their designee shall submit proposed signs as part of a separate sign permit application, which will be subject to review and approval by the Planning Division prior to installation.
 4. Prior to commencement of operation of the business, the Applicant shall provide an updated site plan showing the location of 11 publicly accessible off-street parking spaces not used for storage of for-sale vehicles, sized appropriately and to the requirements of the PMC.
 5. All parking areas shall be designed and maintained to the standards of the Pittsburgh Municipal Code (PMC), including but not limited to, paving, parking space sizing, and aisle widths.
 6. The operator shall not place any temporary structures, signs, or banners onsite or offsite, or hold any temporary uses not covered in this use permit or permitted as an ancillary use on the site, without first applying for the appropriate permits and receiving appropriate approvals from the Planning Division and Engineering Division as required.
 7. All plywood, MDF, particle board, or other non-approved materials applied to the building exterior shall be removed and the building shall be restored to its previous approved state. All windows and doorways shall be properly maintained. Design review shall be required for any modifications made to the outside of the building structure.
 8. Vehicle washing shall not occur outdoors. Low pressure water only rinsing may occur outdoors on display vehicles as long as the runoff enters areas designed to treat stormwater.

9. All paved surfaces on site shall be maintained in good condition and cleaned at least once a year, between July 15 and October 15 (just prior to the rainy season). Cleaning of paved surfaces shall incorporate Best Management Practices that capture and clean the dirty water prior to discharging it to the storm drain.
10. Employees shall be trained on how to implement and use current Best Management Practices related to vehicle maintenance, chemical storage (as applicable), and vehicle washing, including those activities' potential for storm water and ground pollution and how to minimize those potentials.
11. The site shall be maintained in a neat and clean manner at all times. Trash and debris shall not be allowed to accumulate on or around the site, or on the street gutters and sidewalks. The entire site including paved, unpaved and landscaped areas must be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter. The operator shall maintain all landscaped areas using minimal or no pesticides. The operator shall inspect and pick up litter on site daily.
12. The operator shall provide Integrated Pest Management (IPM) materials to new owners, lessees, and operators.
13. If trailers are used to deliver vehicles, they shall not unload, stop, or park on the public right-of-way or in any customer/employee parking spaces during business hours.
14. Customer, employee, and display vehicles shall not be allowed to park or stop on either of the driveways or with required circulation aisles or truck paths onsite.
15. The applicant shall maintain permanent, fixed bicycle parking for at least one (1) bicycle on-site in a location providing convenient access and natural surveillance. The final location of the bicycle parking stall shall be subject to review and approval by the Planning Division prior to installation, and installation must be completed within 60 days of approval of this resolution.
16. Hours of operation shall be limited to Monday through Saturday 9:00 a.m. to 7:00 p.m.
17. Any lights used on-site shall be focused in a manner that does not create a nuisance to vehicles using adjacent streets.
18. There shall be no more than six (6) cars offered for sale on the site at any given time. Parking stalls for customers and/or employees shall be labeled for that purpose.

19. Cars stored on-site and offered for sale may not be parked in the public right-of-way.
20. All cars displayed and offered for sale on the site shall be operable, and maintained in good aesthetic condition.
21. There shall be no boats or recreational vehicles on the property and no outside storage of trailers, miscellaneous material, equipment, parts or debris, other than operable vehicles.

Standard Conditions:

22. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
23. 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 this Resolution, this Resolution shall prevail. Where there is a conflict between Planning Commission Resolution No. 8931 and the conditions identified herein, the specific conditions of this resolution shall apply.
24. The applicant shall comply with all the requirements of the Planning Division, Engineering Division, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies.
25. It shall be the responsibility of the applicant to maintain an updated business license containing an accurate description of the use at the site.
26. 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.
27. The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually

agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

28. This use permit approval will expire on February 8, 2023, unless a written request for 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 8th day of February, 2022, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

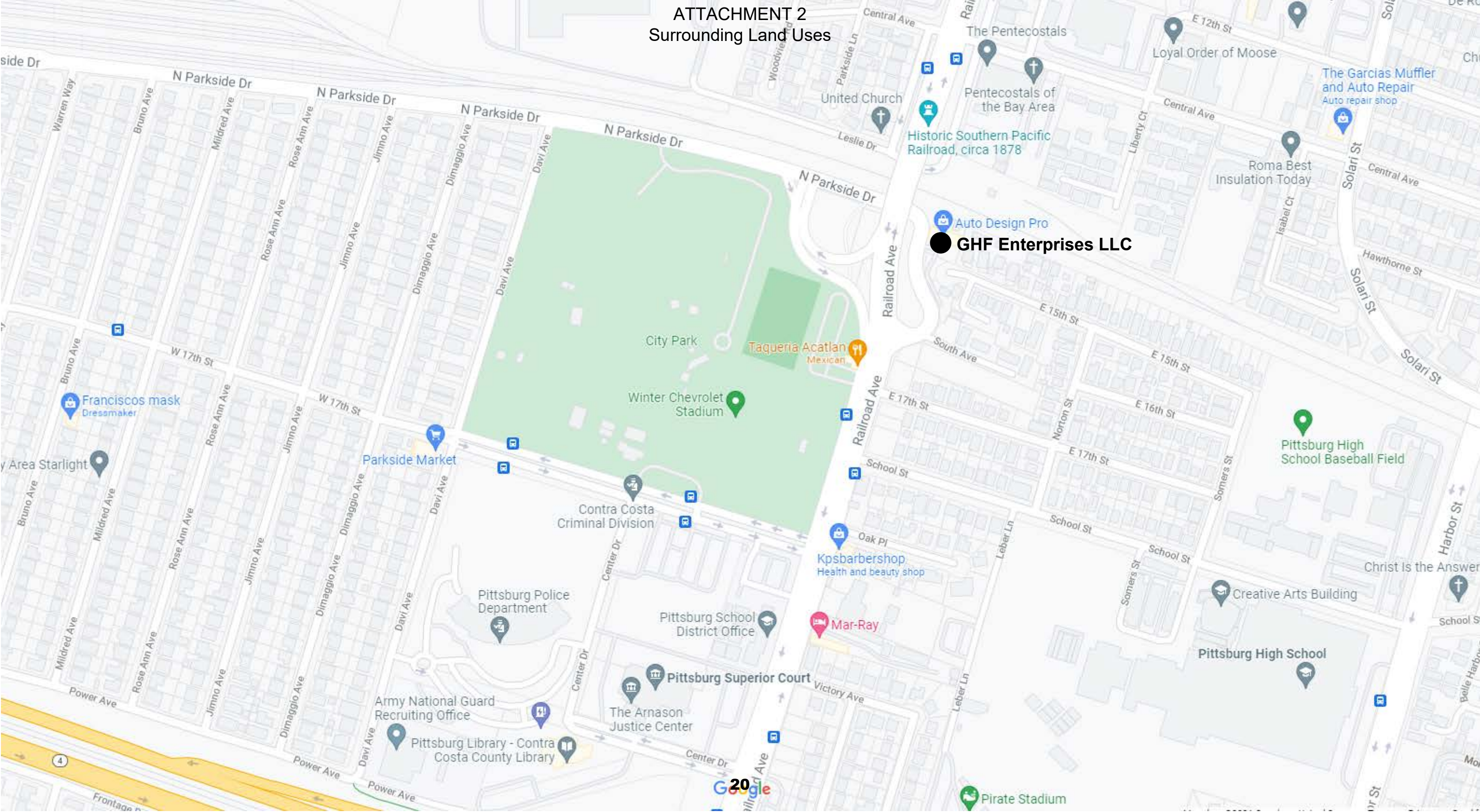
ABSENT:

I hereby certify that the above Resolution No. 10183 was adopted by the Planning Commission of the City of Pittsburg on February 8, 2022.

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

ATTACHMENT 2

Surrounding Land Uses



oad Ave

Storage area

GHF
OFFICE



Display area

- | | | | | |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|

- | |
|---|
| 6 |
| 7 |
| 8 |

- | |
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| 9 |
| 10 |
| 11 |
| 12 |

E15th St

**Property Development Regulations
(PMC Table 18.52.115)**

GHF Enterprises LLC, Auto Sales
AP-21-1575 (UP)

Development Regulations: <i>CS District (Commercial Services)</i>	Requirement:	Proposed Project:
Minimum Lot Area:	5,000 sq.ft.	13,504 sq.ft.
Minimum Lot Width:	70 ft.	100 ft.
Minimum Yards (Setbacks):	-	-
Front:	10 ft.	Approx. 49 ft.
Side (adjacent to an R or residential PD district):	10 ft.	0 ft. Existing building. Nonconforming structure (PMC 18.76.020.B).
Corner Side:	10 ft.	0 ft. Existing building. Nonconforming structure (PMC 18.76.020.B).
Rear:	-	Approx. 47 ft.
Maximum Height of Structures:	50 ft.	Approx. 18 ft.
Maximum Lot Coverage:	60%	28.9%
Maximum Floor-Area Ratio (FAR):	0.5	0.29
Minimum Site Landscaping:	7%	Existing development on site, no change in landscaping.
Off Street Parking Requirement Auto Sales	1 per 500 sq. ft. (32 sq. ft office = 1 space required)	12 existing spaces
Off Street Parking Requirement, Auto Repair Limited:	1 per 400 sq. ft. (3,872 sq. ft. gross floor area = 10 spaces required)	
	11 spaces total	
Bicycle Parking and Storage:	0	1 (as conditioned)



City of Pittsburg

Community and Economic Development Department – Planning Division

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

***REVISED* NOTICE OF PUBLIC HEARING** **(INCLUDES UPDATED ZOOM INFORMATION ON LAST PAGE)**

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

DATE: February 8, 2022

TIME: 7:00 p.m.

PLACE: Zoom Teleconference via Streaming Media on the City's homepage,
www.pittsburgca.gov (see public advisory on last page)

Concerning the following matter:

GHF Enterprises LLC, (UP).

This is an application filed by Grzegorz Fedenczak, requesting use permit approval to establish auto sales in an existing commercial space, located at 40 N Parkside Drive, in the CS (Service Commercial) District. Assessor Parcel Number 086-171-026-7.

PROJECT PLANNER: Christie Robinson, (925) 252-6987 or actingplanningmanager@pittsburgca.gov

Why am I receiving this notice?

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

Where can I get more information about this project?

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

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

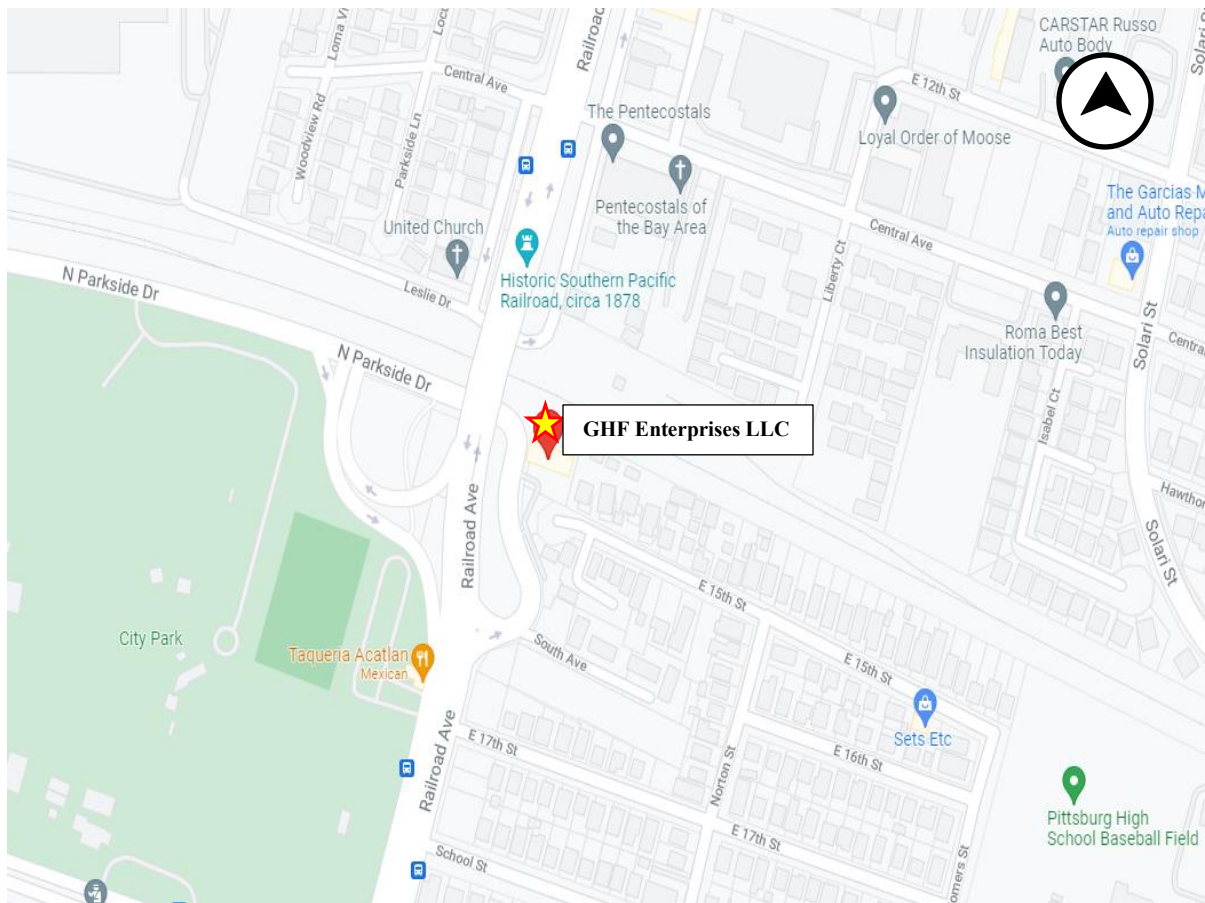
Comments or objections to the project can be made by writing or oral testimony during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565.

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

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

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: GHF Enterprises LLC, Auto Sales, AP-21-1575 (UP)). APN 086-171-026-7
Location: 40 N Parkside Drive, APN 085-071-044



PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

This meeting will be held in compliance with California Government Code Section 54953(e)(2), which was added by Assembly Bill 361 which became effective Oct. 1, 2021, pursuant to the Governor's Executive Order N-15-21. On January 18, 2022, the City Council authorized teleconferenced meetings of the City Council and Commissions upon findings made in Resolution 22-14038 as required by state law. City Council Members/Commissioners will be participating electronically and will not be physically present in the Council Chamber. Pursuant to Government Code Section 54953(e)(3), the City Council authorization is effective for 30 days and may be extended every 30 days if the City Council makes required findings.

The public is invited to watch and participate in meetings via the methods listed below:

Watch the live meeting via the City's webcast (www.pittsburgca.gov), or on Delta TV Comcast Channel 32, or Delta TV AT&T U-Verse Channel 99.

Members of the public may submit a live remote public comment via Zoom video conferencing. Download Zoom from its website: www.zoom.com. Zoom also allows you to join the meeting by phone. Written comments will not be read aloud by staff during the meeting. Join the meeting at any point but be sure you are in the meeting prior to the Commission consideration of the item on which you would like to provide comments.

From a PC, Mac, iPad, iPhone or Android:

- Webinar ID: **861 0517 9206**
- Passcode: **086252**
- By phone: **US: +1-669-900-6833 or +1346-348-7799**

Speakers are asked to provide their name and city of residence for the record, although providing this is not required for participation.

Each speaker will be afforded up to 3 minutes to speak (at the discretion of the Chair).

When the Chair opens a public comment period on the item on which you would like to comment, please use the "Raise Hand" feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide. You will be invited to speak when it is your turn. Speakers will be muted until their opportunity to provide public comment. You will not be seen or heard until it is your turn to speak. You will be muted again after the allotted time to speak. Just as in a live meeting inside the Council Chamber, only one comment per agenda item per person is allowed.

When making a public comment during the meeting, please

1. Try to be in a room or space without a lot of background noise.
2. Mute your microphone until it is your turn to speak, then mute your speakers while speaking.
3. Have a strong, reliable internet connection or cell phone signal.

In the event of a disruption that prevents the Commission from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.



City of Pittsburg

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



NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
February 8, 2022**

ITEM: Notice of Intent to Notice of Intent to Exercise Delegated Design Review Authority

ORIGINATED BY: City of Pittsburgh, Zoning Administrator, 65 Civic Avenue, Pittsburgh, CA 94565

SUBJECT: The Zoning Administrator submits one notice of intent to exercise delegated design review authority on a proposal to construct a new trash enclosure and modify the existing parking lot to accommodate two new ADA parking spaces for Tortilleria El Molino located at 630 Garcia Avenue, in the IP (Industrial Park) District. Assessor's Parcel Number 088-392-017.

RECOMMENDATION:

Staff recommends that the Commission acknowledge receipt of the attached Notice of Intent to Exercise Delegated Design Review Authority.

BACKGROUND:

Delegated Design Review Authority: Planning Commission Resolution No. 9444, as later amended by Resolution No. 9918, allows for delegation of nine categories of design review applications from the Planning Commission to the Zoning Administrator, as follows:

1. Freestanding signs: Applicable to signs not already part of a sign program; must be consistent with sign standards and architecturally compatible with associated building.
2. Wireless Communication Equipment: New or replacement antennas on existing poles and their related equipment.
3. Minor Building Remodels: Limited to changes in building colors, awnings, fenestration, and finishes.
4. Changes to Existing Parking Lots.
5. Changes to Existing Landscaping.
6. Additions to Existing Buildings: Additions must be smaller than 2,500 square feet and designed to complement existing building architecture.
7. New Model Homes in Approved Subdivisions. Must be consistent with the general size, quality of architecture and materials, and general character of the originally approved models. Must comply with approved zoning development standards.

8. Ancillary Structures: Structures in any district where visual impacts are minimal, including miscellaneous mechanical equipment associated with legal uses in the Industrial Districts.

The intent of the delegation is to allow a more efficient approval process for non-controversial design review applications, without compromising the integrity of the design review process or removing from public scrutiny those projects that would be most visible or of high interest to the general public. Prior to approving any delegated design review application, the Zoning Administrator must notify the Commission of his or their intent to exercise delegated design review authority. Copies of resolutions approving any delegated design review application must also be provided to the Commission.

PROJECT DESCRIPTION:

Since the last Commission meeting, staff has received one application requesting design review approval which qualifies within one or more of the nine categories of delegated authority established by Resolution No. 9918, and one application requiring a Zoning Administrator public hearing:

Tortilleria El Molino, AP-22-0005 (AD).

This is an application filed by Jeff Oparowski, on behalf of Arc Tec Inc., requesting administrative design review approval to construct a new trash enclosure and modify the existing parking lot to accommodate two new ADA parking spaces for Tortilleria El Molino located at 630 Garcia Avenue, in the IP (Industrial Park) District. Assessor's Parcel Number 088-392-017.

This project is delegated to staff under Category 4 Changes to Existing Parking Lots, and Category 5 Changes to Existing Landscaping of Planning Commission Resolution No. 9918.

GENERAL PLAN/CODE COMPLIANCE:

Delegated Design Review Authority: Resolution No. 9918 established nine categories of design review applications upon which the Commission would authorize the Zoning Administrator to act. Resolution No. 9918, and PMC section 18.10.100, direct staff to notify the Planning Commission of intent to exercise delegated design review authority on any application that falls within one of those nine categories, prior to approving the application. Upon receiving such notification, a majority of the Commission may direct that the matter be scheduled for future consideration by the entire Commission. Resolution No. 9918 also directs staff to keep the Commission informed about delegated design review application approvals by providing copies of resolutions adopted by the Zoning Administrator.

Planning Commission Staff Report

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Acknowledge receipt of the attached Notice of Intent.

ATTACHMENTS:

1. Notice of Intent Tortilleria El Molino, AP-22-0005 (AD).
2. Resolution No. 9918

Prepared by: John Funderburg, Zoning Administrator

NOTICE OF INTENT

TO EXERCISE DESIGN REVIEW AUTHORITY DELEGATED TO STAFF PURSUANT TO PLANNING COMMISSION RESOLUTION NO. 9918

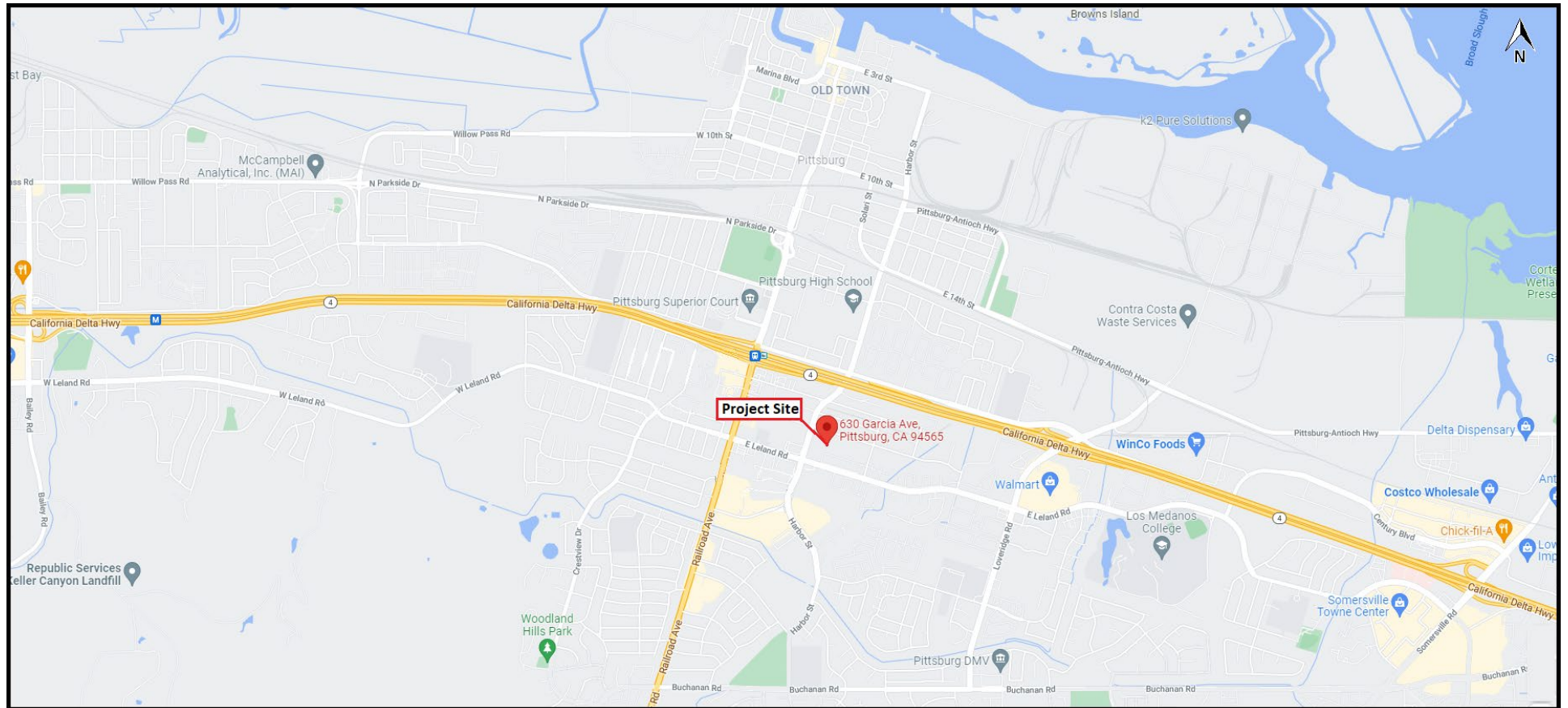
TORTILLERIA EL MOLINO, AP-22-0005 (AD).

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This project is delegated to staff under Category 4 Changes to Existing Parking Lots, and Category 5 Changes to Existing Landscaping of Planning Commission Resolution No. 9918.

Tortilleria El Molino (ADR) – Vicinity Map

AP-22-0005	630 Garcia Avenue
Administrative Design Review	APN: 088-392-017



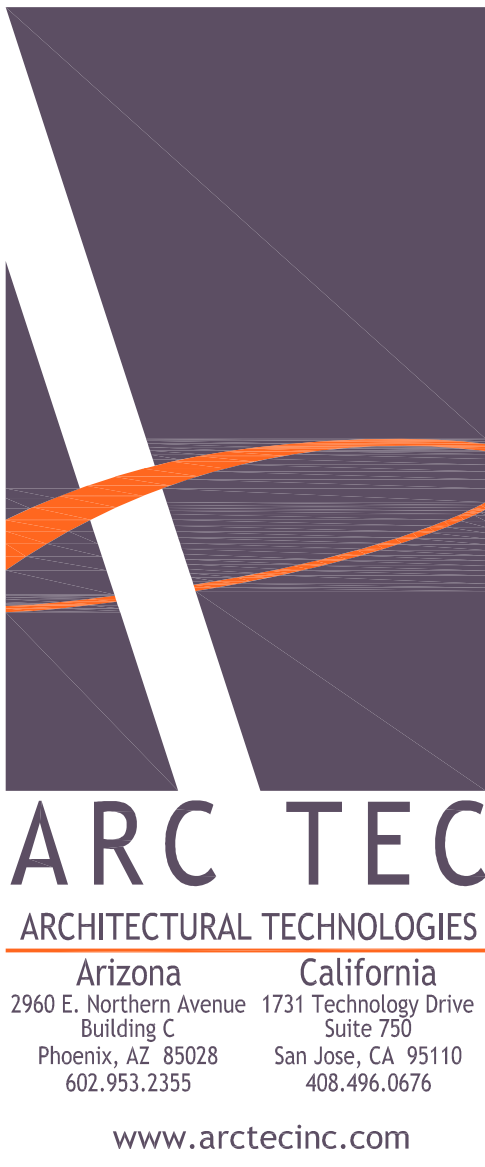
Tortilleria El Molino (ADR) – Aerial Map

AP-22-0005	620 Garcia Avenue
Administrative Design Review	APN: 088-392-017





A Planning Application for:
Tortilleria El Molino
620 Garcia Avenue - Suite D
Pittsburgh, CA



PROJECT DATA

TENANT NAME:	TORTILLA EL MOLINO	BUILDING AREA:	23,836 SQ. FT.
PROJECT ADDRESS:	620 Garcia Avenue Pittsburgh, CA	NUMBER OF STORIES:	1
		CONSTRUCTION TYPE:	V-8
		FIRE SPRINKLERS:	YES
		OCCUPANCY TYPE:	S-1, B
		AREA OF WORK:	11,207 SQ. FT.

PROJECT DESCRIPTION

THIS IS A 11,207 SQ. FT. INTERIOR IMPROVEMENT IN AN EXISTING 1 STORY BUILDING. WORK INCLUDES COMPLETE DEMOLITION OF PARTITIONS, DOORS, CEILINGS, LIGHTING AND PLUMBING FIXTURES WITHIN THE TENANT IMPROVEMENT AREA. WORK ALSO INCLUDES CONSTRUCTION OF PARTITIONS, DOORS, CEILINGS, LIGHTING, HVAC EQUIPMENT AND DISTRIBUTION TO CONVERT SUITE "D" INTO A CATERING FACILITY WITH NEW COOKING AND DISHWASHING AREAS, OFFICES, BREAK ROOM AND RESTROOMS.

EXTERIOR WORK INCLUDES 1 STANDARD AND 1 VAN ACCESSIBLE PARKING STALLS, TRASH ENCLOSURE AND ACCESSIBLE ROUTE FROM SUITE ENTRY TO ACCESSIBLE PARKING.

APPLICABLE CODES

2019 CALIFORNIA BUILDING CODE (CCR TITLE 24, PART 2)
2019 CALIFORNIA ELECTRIC CODE (CCR TITLE 24, PART 3)
2019 CALIFORNIA MECHANICAL CODE (CCR TITLE 24, PART 4)
2019 CALIFORNIA PLUMBING CODE (CCR TITLE 24, PART 5)
2019 CALIFORNIA ENERGY CODE (CCR TITLE 24, PART 6)
2019 CALIFORNIA FIRE CODE (CCR TITLE 24, PART 9)
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CCR TITLE 24, PART 11)

ALL CODES ARE SUBJECT TO LOCAL GOVERNMENT AMENDMENTS PER CALIFORNIA BUILDING STANDARDS COMMISSION BULLETIN 10-03.

PROJECT TEAM

TENANT:	TORTILLA EL MOLINO 620 Garcia Avenue - Suite D Pittsburgh, CA	ARCHITECT:	ARC TEC INC. 1731 Technology Drive, Suite 750 San Jose, CA 95110 PHONE: 408.496.0676 CONTACT: Jeff Oparowski, AIA EMAIL: joparowski@arctecinc.com
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DRAWING INDEX AND ISSUE DATES

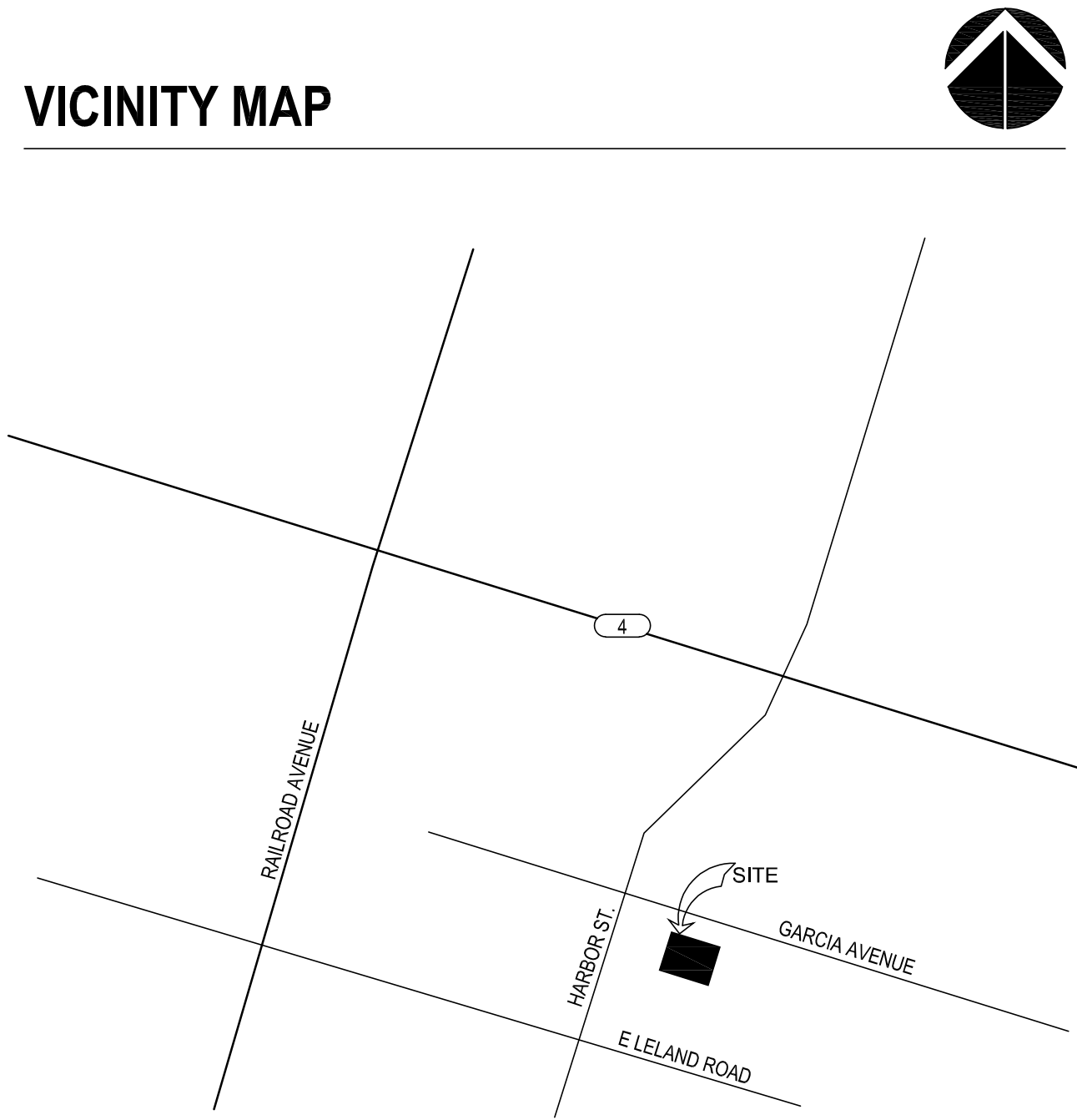
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- FIRST FORMAL SUBMITTAL OR NO CHANGES SINCE PREVIOUS ISSUE
- + MODIFICATIONS SINCE PREVIOUS ISSUE

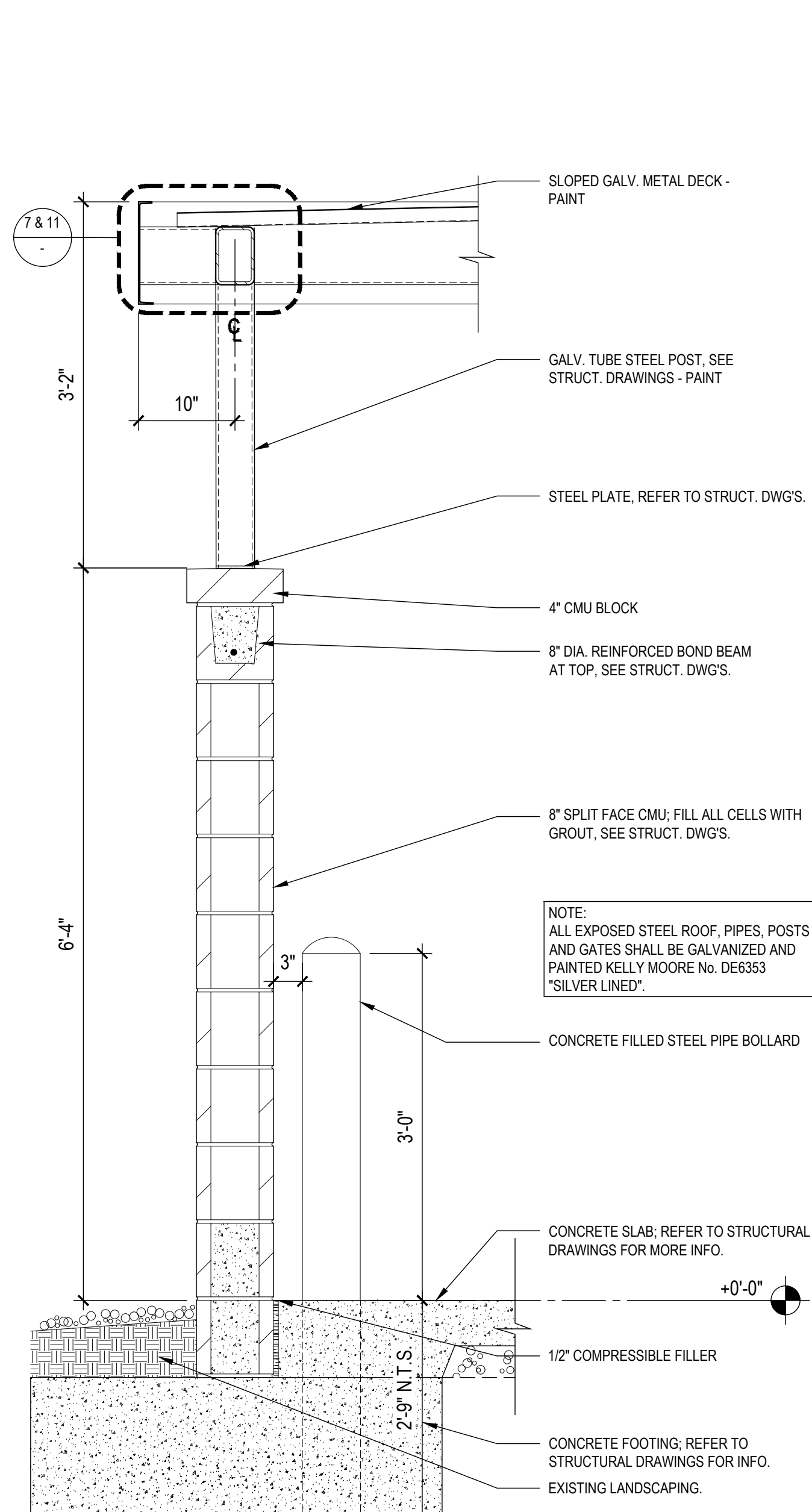
COVER SHEET

A1.01	OVERALL SITE PLAN AND DETAILS	●
A1.02	TRASH ENCLOSURE PLANS, ELEVATIONS, SECTIONS AND DETAILS	●
A2.00	OVERALL FLOOR PLAN	●
A2.01	DEMOLITION FLOOR PLAN	●
A2.11	IMPROVEMENT FLOOR PLAN	●
A2.12	ENLARGED IMPROVEMENT FLOOR PLAN	●

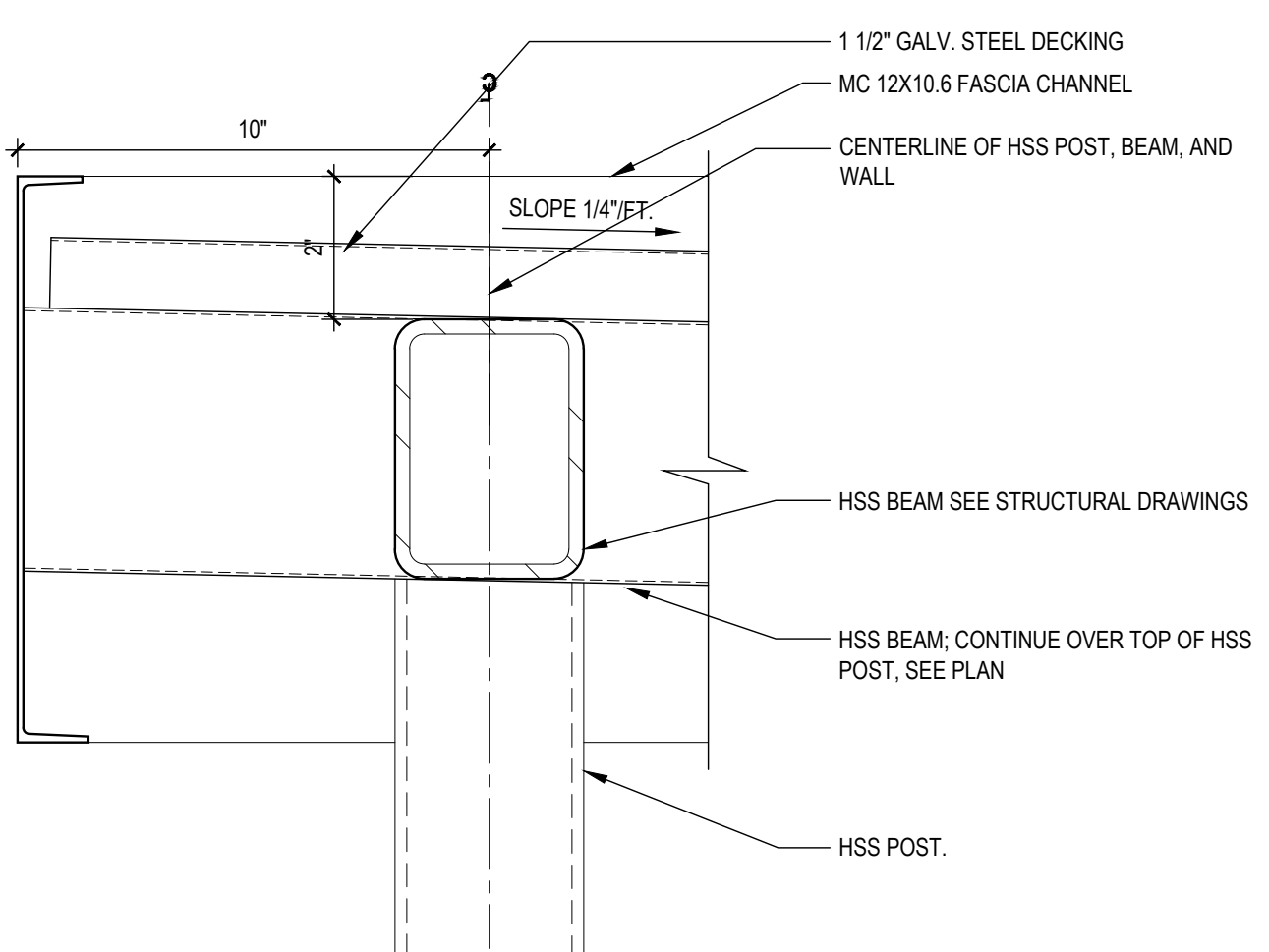
12.21.2021 PLANNING
DEPARTMENT SUBMITTAL

VICINITY MAP

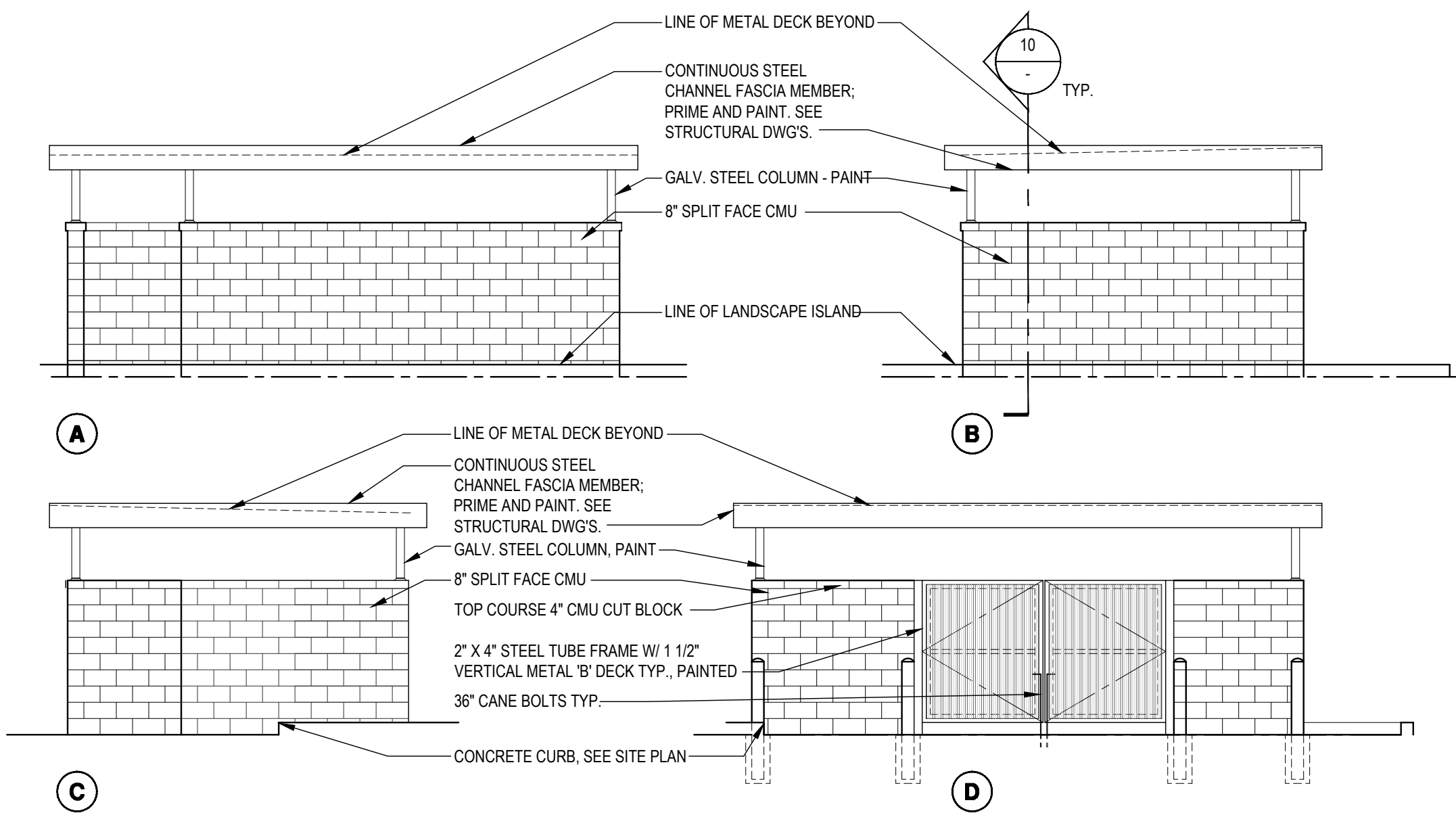




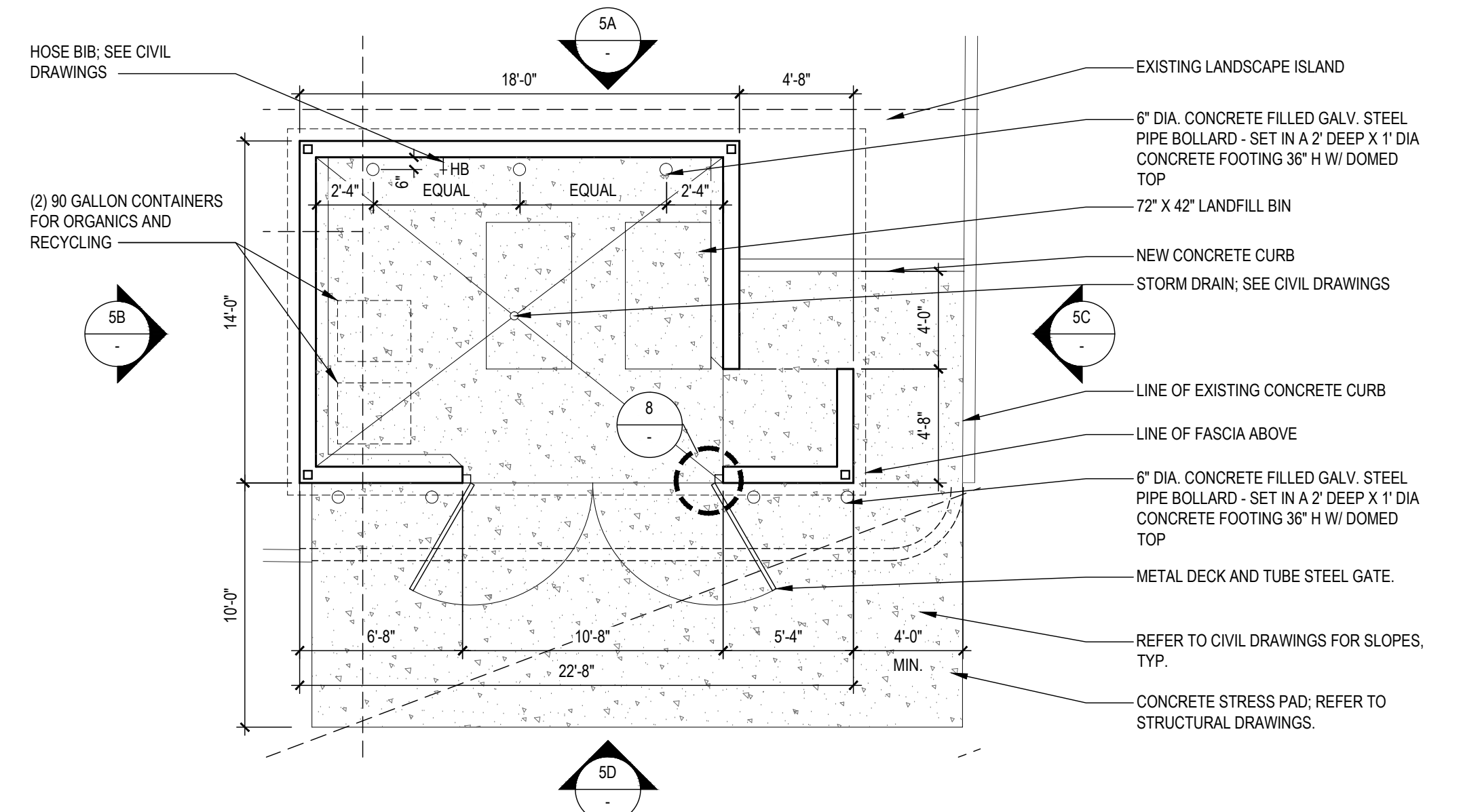
10 TRASH ENCLOSURE WALL SECTION
SCALE: 1\"/>



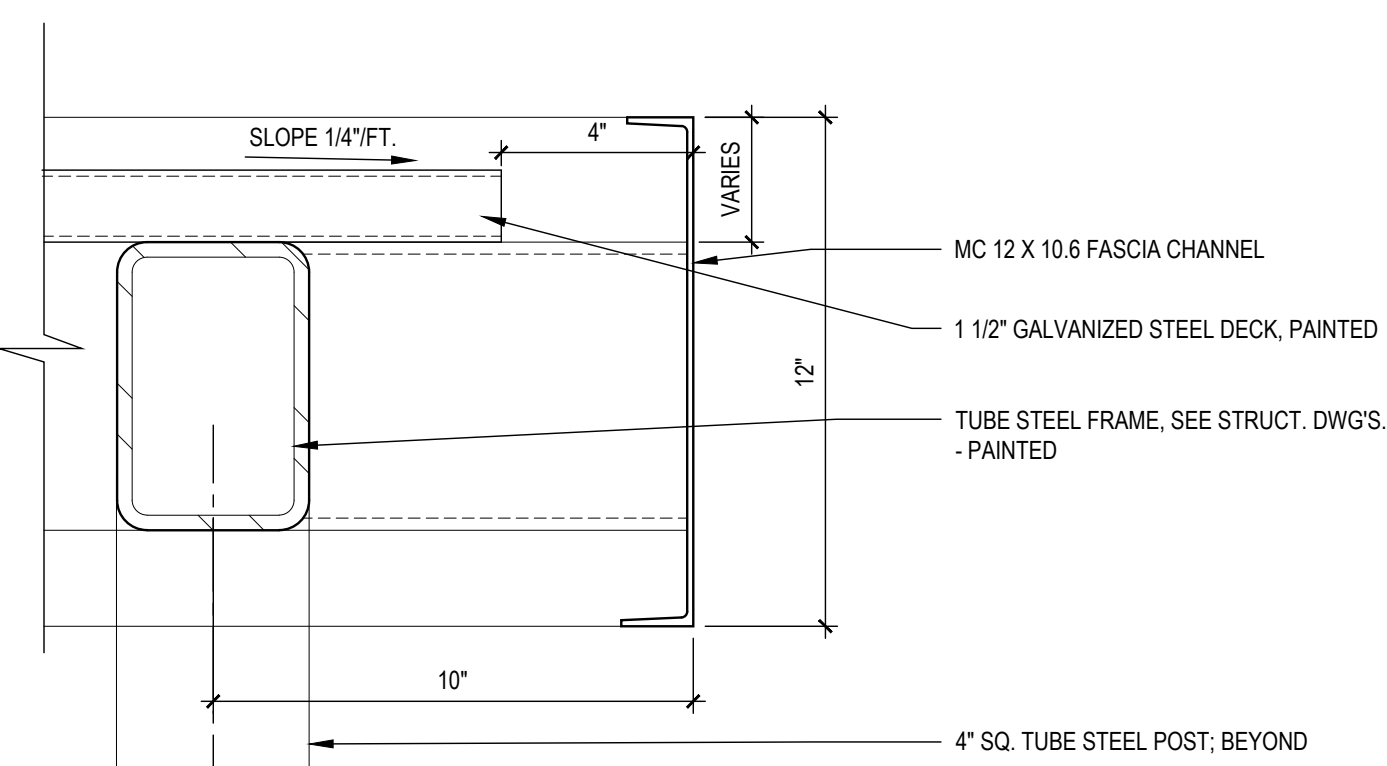
11 FASCIA AT TRASH CANOPY HIGH POINT
SCALE: 3\"/>



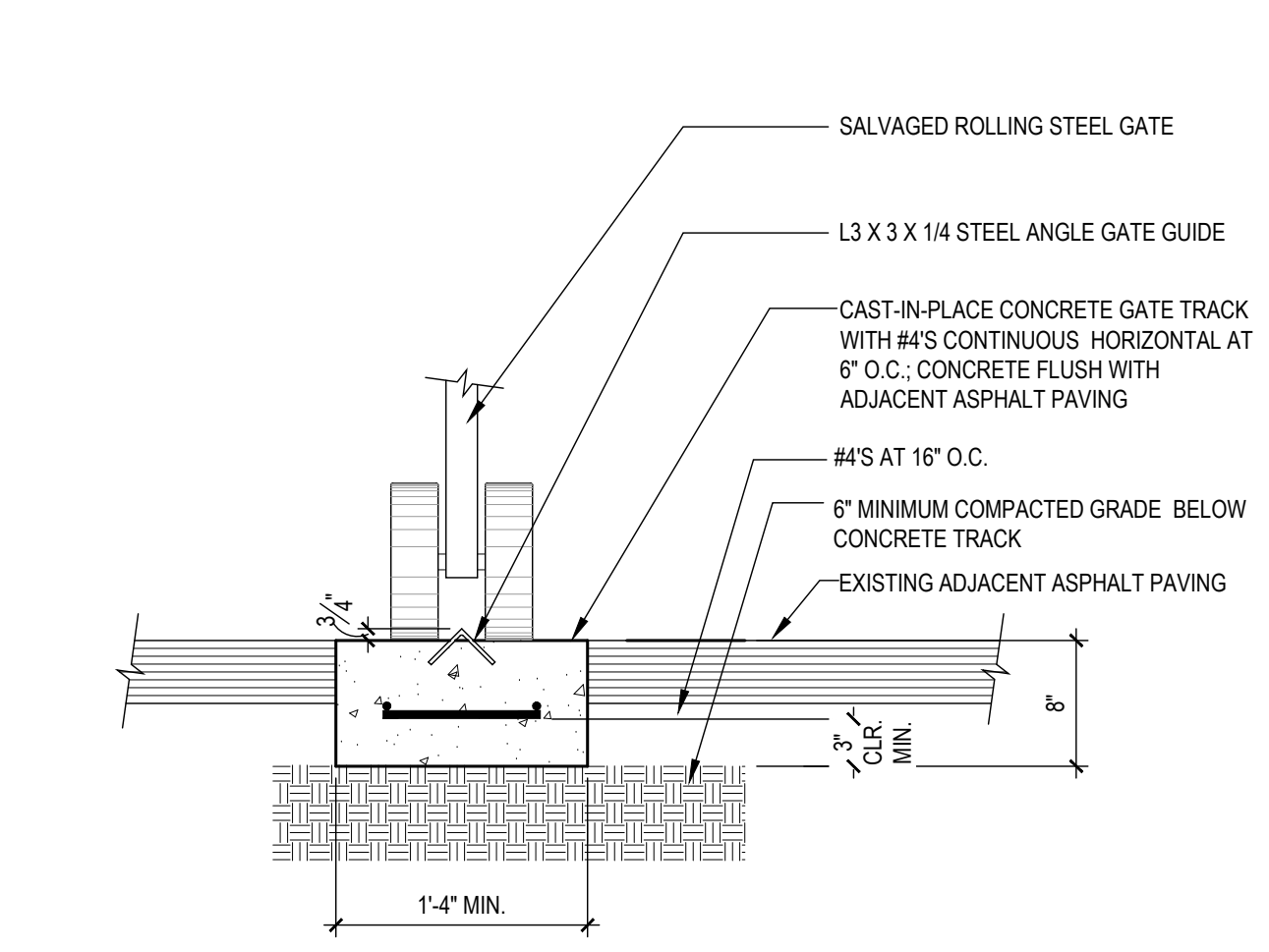
5 TRASH ENCLOSURE ELEVATIONS
SCALE: 3/16\"/>



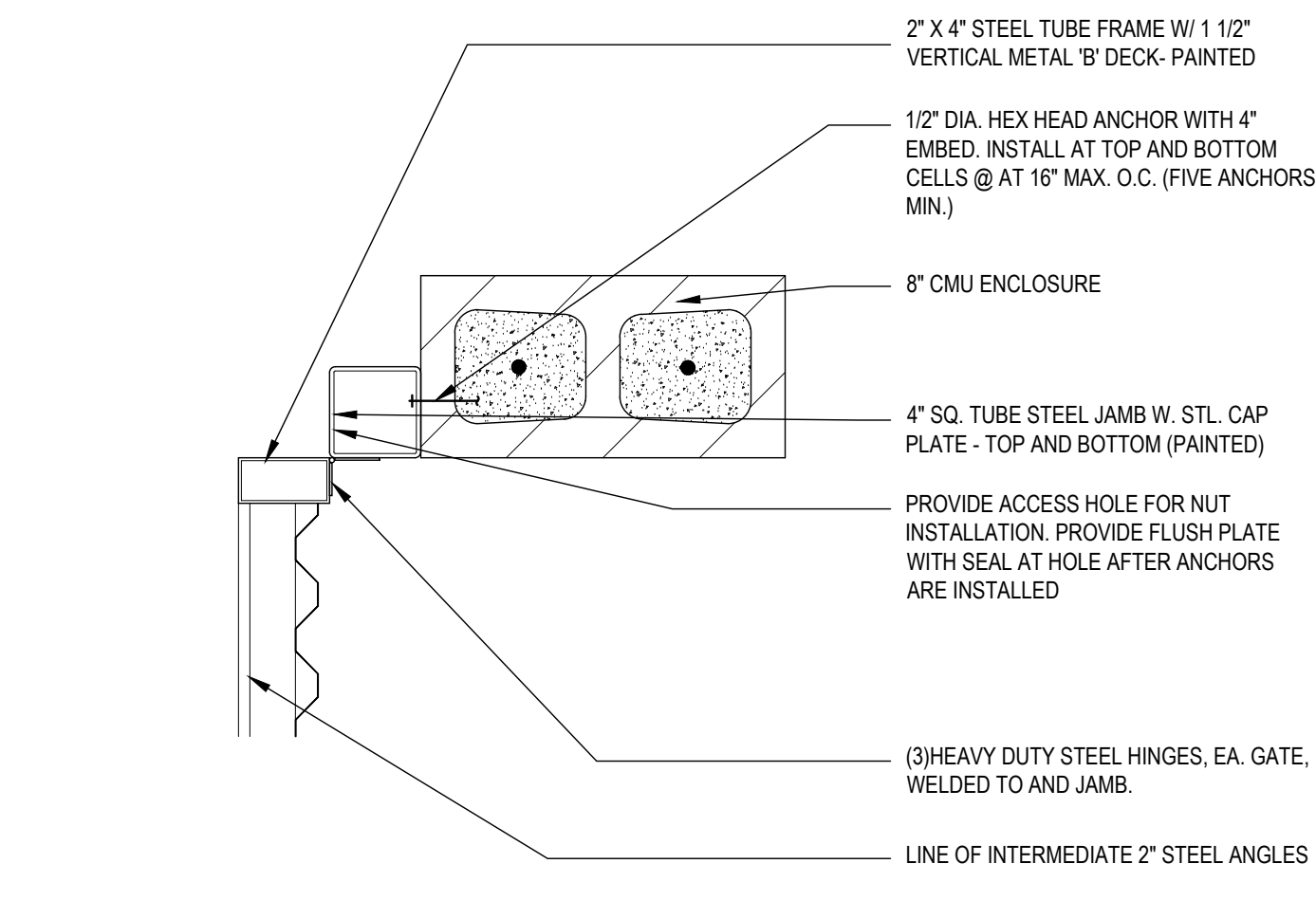
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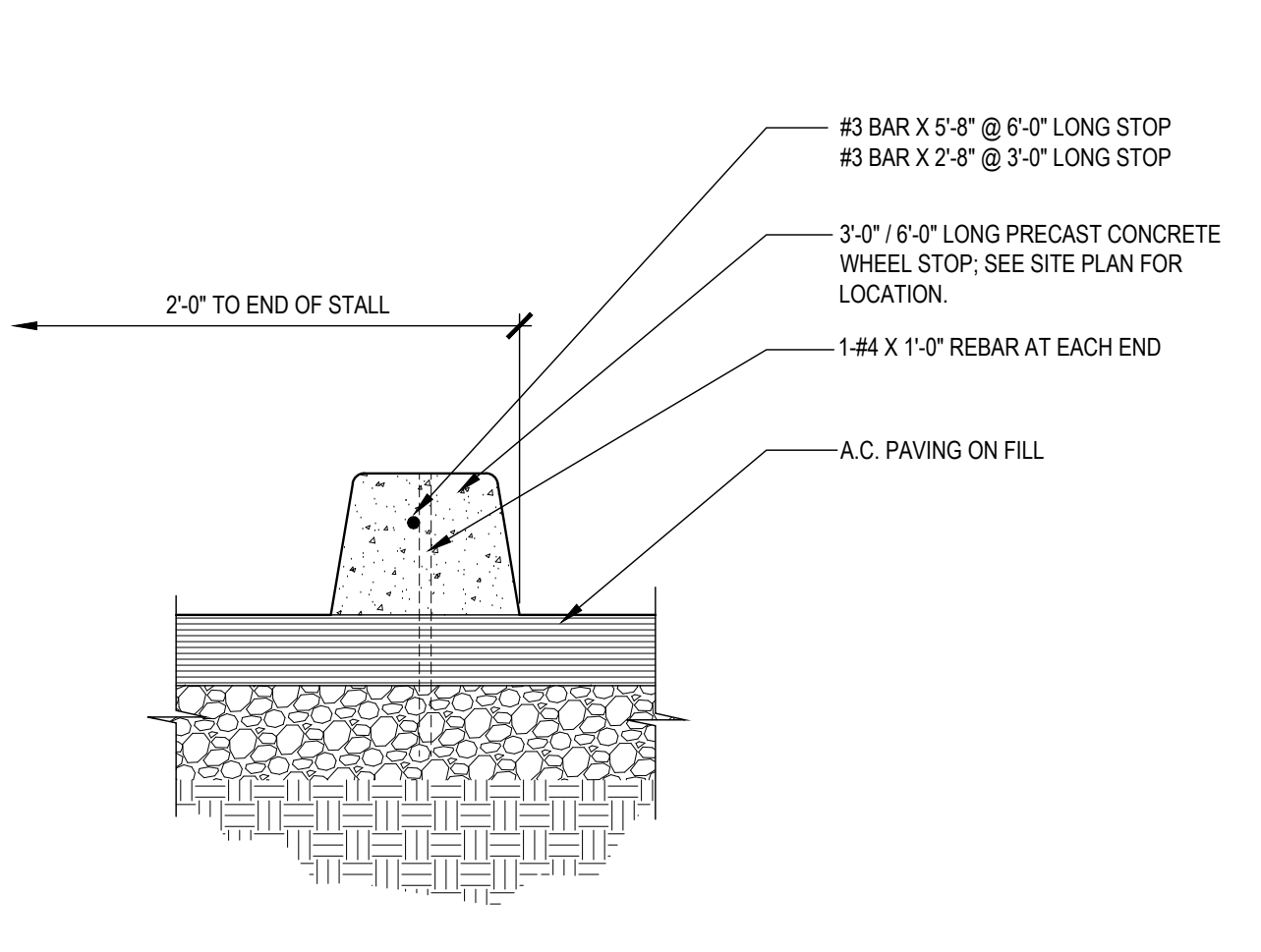
7 FASCIA AT TRASH CANOPY LOW POINT
SCALE: 3\"/>



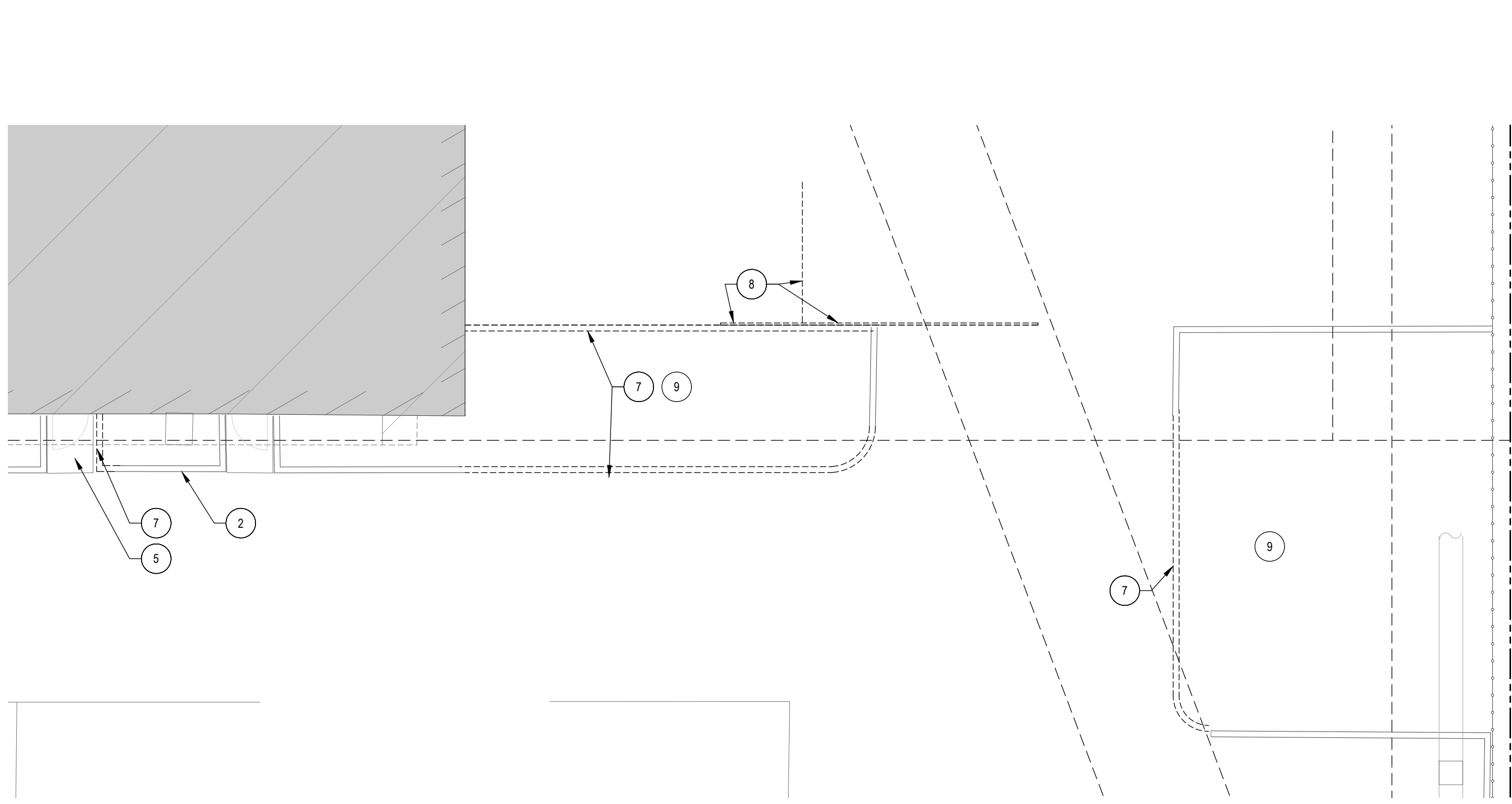
12 CONCRETE TRACK AT PAVED DRIVEWAY
SCALE: 1\"/>



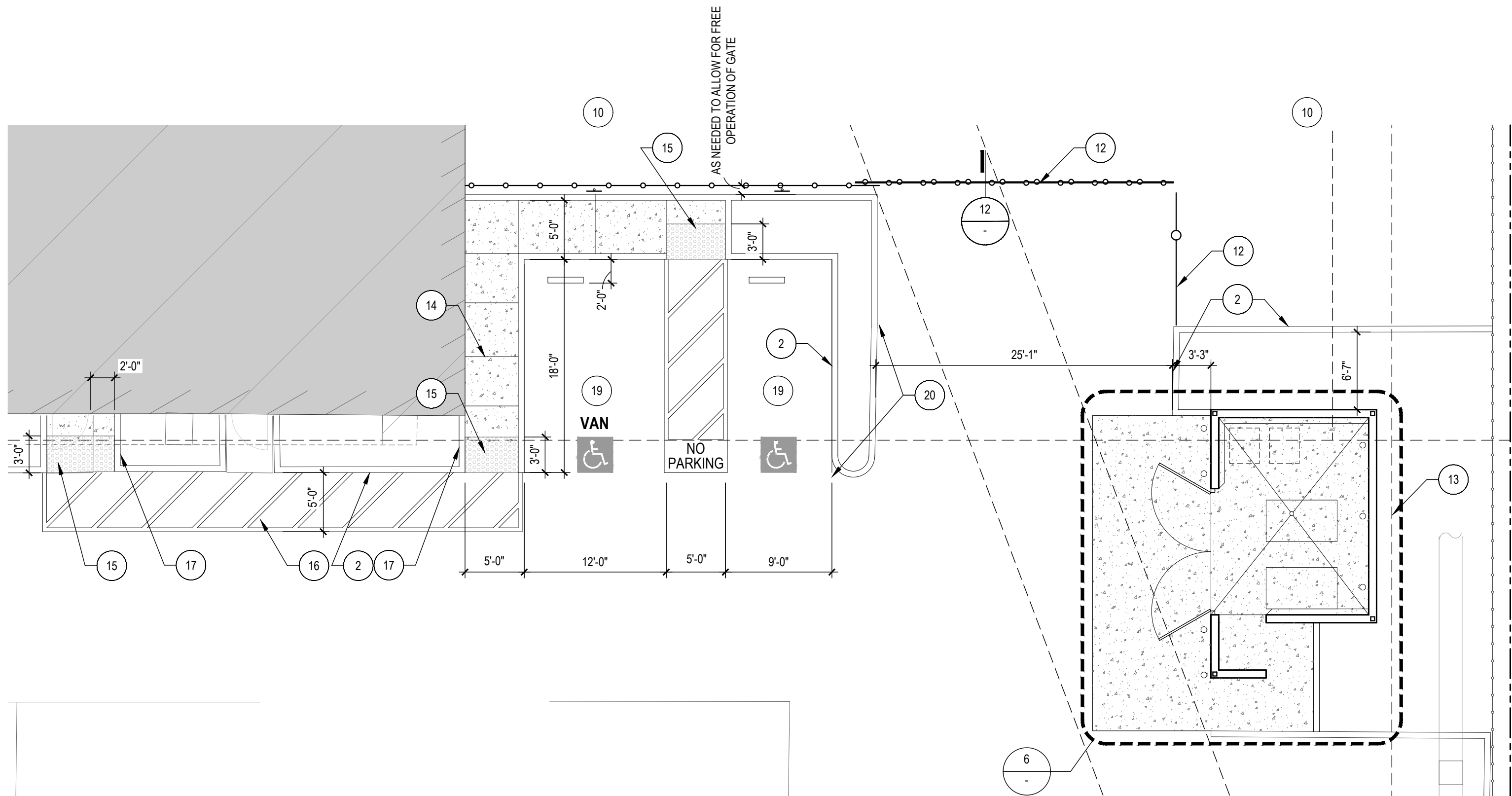
8 JAMB AT TRASH ENCLOSURE
SCALE: 1 1/2\"/>



13 PRECAST CONCRETE WHEEL STOP
SCALE: 1 1/2\"/>



1 SITE DEMOLITION PLAN
SCALE: 1/8\"/>



2 SITE IMPROVEMENT PLAN
SCALE: 1/8\"/>

GENERAL SITE DEMOLITION NOTES

- THE CONTRACTOR IS RESPONSIBLE FOR THE DEMOLITION, REMOVAL, AND DISPOSAL OF ALL STRUCTURES, PADS, WALLS, FOUNDATIONS, PARKING, DRIVES, DRAINAGE, UTILITIES, ETC., SUCH THAT THE IMPROVEMENTS SHOWN ON THE SITE IMPROVEMENT PLAN CAN BE CONSTRUCTED. ALL FACILITIES TO BE REMOVED SHALL BE UNDERCUT TO SUITABLE MATERIAL AND BROUGHT TO GRADE WITH SUITABLE COMPACTED FILL.
- CONTRACTOR IS RESPONSIBLE TO VERIFY GRADES AND UTILITIES SHOWN ON EXISTING CONDITIONS PLAN PRIOR TO START OF ANY WORK. ANY AND ALL DISCREPANCIES ARE TO BE DOCUMENTED AND SUBMITTED TO THE OWNER'S REPRESENTATIVE AT THE TIME OF DISCOVERY.
- CONTRACTOR SHALL PREVENT ACCESS OF UNAUTHORIZED PERSONS TO PARTLY DEMOLISHED STRUCTURES OR AREAS. PROVIDE BARRICADES OR RIBBONED-OFF ZONES.
- ALL TRADES SHALL PERFORM THEIR DEMOLITION IN A WORKMANLIKE MANNER SO AS NOT TO DAMAGE ANY EXISTING CONSTRUCTION TO REMAIN.
- IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO FIELD VERIFY THE EXACT SCOPE OF DEMOLITION REQUIRED TO ACCOMMODATE ALL NEW WORK. ALL TRANSITIONS BETWEEN NEW WORK AND EXISTING WORK TO REMAIN SHALL HAVE SMOOTH AND FLUSH TRANSITIONS AND SHALL NOT CREATE A TRIPPING HAZARD. THERE SHALL NOT BE ANY ABRUPT CHANGES IN SURFACE CONTINUATION FROM NEW CONSTRUCTION TO EXISTING CONDITIONS.
- ALL ITEMS FOR REUSE SHALL BE STORED BY CONTRACTOR ON SITE IN OWNER'S BUILDING AT SPECIFIED LOCATION. ITEMS TO BE RE-USED ARE TO BE CLEANED, PATCHED, REFINISHED, PAINTED OR REPAIRED AS REQUIRED PRIOR TO INSTALLATION.
- ITEMS NOT TO BE RETAINED BY OWNER SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE STOCKPILING OF EXCESS MATERIAL ON-SITE WILL NOT BE ALLOWED.
- PAVEMENT MILLINGS OR CRUSHED CONCRETE PAVEMENT SHALL BE ALLOWED AS FILL OR FOR REUSE AS SUBBASE ONLY AFTER REVIEW BY OWNER'S REPRESENTATIVE. NO GARBAGE, ORGANICS OR OTHER DEBRIS ALLOWED AS FILL. FILL PLACED IN LIFTS GREATER THAN 2 FEET BELOW SUBGRADE SHALL NOT EXCEED 6\"/>
- EDGES OF DEMOLITION AREAS OF CONCRETE SURFACES THAT WILL BE IN VIEW AFTER THE DEMOLITION WORK OR COMPLETION OF THE NEW CONSTRUCTION SHALL BE SAWCUT COMPLETELY THROUGH WHERE NECESSARY. SAW CUT SHALL BE NORMAL TO SURFACE. DO NOT OVER CUT AT CORNERS. CUT BACK REBAR EXPOSED AT SURFACE AND REPAIR AS SPECIFIED.
- ALL SIDEWALKS, SLABS, FOUNDATIONS AD MISCELLANEOUS DEMOLITION SHALL BE SPOILED OFF-SITE UNLESS OTHERWISE DIRECTED BY THE OWNER'S REPRESENTATIVE OR REQUIRED AS PART OF LEED CERTIFICATION. NO BURNING OF DEBRIS SHALL BE ALLOWED.
- DE-ENERGIZE ALL ELECTRICAL SERVICE PRIOR TO DEMOLITION.
- DISCONNECT AND REMOVE ELECTRICAL EQUIPMENT AND WIRING BACK TO SOURCE FOR ALL EQUIPMENT AND LIGHTING TO BE DEMOLISHED.
- ALL EXISTING ON-SITE UTILITIES SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL OR SHOULD THEY INTERFERE WITH PROJECT CONSTRUCTION. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES TO REMAIN.
- ALL UTILITIES SHOWN TO BE REMOVED SHALL BE DISPOSED OF OFF-SITE IN A LEGAL MANNER.
- CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH APPROPRIATE UTILITY COMPANIES PRIOR TO STARTING WORK.
- FOR ALL UTILITY LINES AND STRUCTURES DESIGNATED TO BE REMOVED, PLACE AND COMPACT STRUCTURAL BACKFILL WITHIN THE TRENCH.
- REFER TO CIVIL DRAWINGS FOR ADDITIONAL DEMOLITION REQUIREMENTS.

KEYNOTES

- NOT ALL KEYNOTES ARE APPLICABLE TO THIS SHEET
- | DATE | DESCRIPTION |
|------------|----------------------|
| 12.21.2021 | PLANNING APPLICATION |
- EXISTING PAVED PARKING AND DRIVES.
 - EXISTING CURB.
 - EXISTING LANDSCAPE AREA.
 - EXISTING EXTERIOR PATIO.
 - REMOVE WALKWAY AND CONCRETE CURB ON LATCH SIDE.
 - EXISTING ACCESSIBLE PARKING VIOLATION SIGN. SEE DETAIL 2001.
 - REMOVE CONCRETE CURB
 - REMOVE GATE, FENCE, AND RELATED MECHANISMS. SALVAGE FOR REUSE.
 - REMOVE LANDSCAPE AS REQUIRED. SEE SITE PLAN FOR SCOPE.
 - EXISTING STORAGE YARD
 - EXISTING FENCE WITH SLIDING GATE
 - REINSTALL FENCE WITH SLIDING GATE INCLUDING OPERATIONAL MECHANISMS
 - FACE OF TRASH ENCLOSURE CONC. FOOTING TO ALIGN WITH EASEMENT LINE.
 - CONCRETE SIDEWALK MAX. CROSS SLOPE 1:50
 - TRUNCATED DOMES. REFER TO 20A1.01.
 - PAINTED 4\"/>



ARC TEC
ARCHITECTURAL TECHNOLOGIES
Arizona
2960 East Northern Avenue, Building C
Phoenix, Arizona 85028 602.953.2355

California
1731 Technology Drive, Suite 750
San Jose, CA 95110 408.496.0676

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In Association with:



A Planning Application For:
Tortilleria El Molino
620 Garcia Avenue - Suite D
Pittsburgh, CA

TRASH ENCLOSURE PLANS,
ELEVATIONS, SECTIONS AND
DETAILS

A1.02

PROJECT NO: 215369



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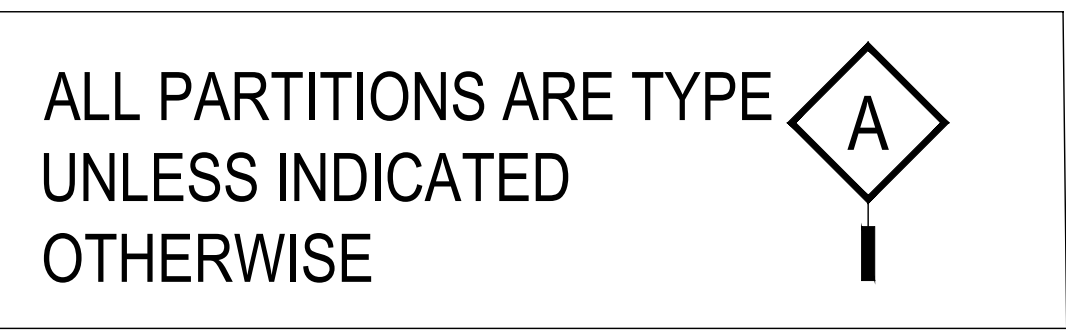
A Planning Application For:
Tortilleria El Molino
620 Garcia Avenue - Suite D
Pittsburgh, CA

DATE	DESCRIPTION
1.2021	PLANNING SUBMITTAL

OVERALL FLOOR PLAN

A2.00

PROJECT NO: 215369



A. CONTRACTOR SHALL MAINTAIN THE BUILDING IN A WEATHER TIGHT CONDITION.

B. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO CONSTRUCTION TO REMAIN OR OCCUPIED AREAS WHERE VARIOUS SYSTEM CONNECTIONS OR EXTENSIONS ARE REQUIRED.

C. DUST PARTITIONS SHALL BE PROVIDED IN ACCORDANCE WITH FIRE PROTECTION AND EGRESS REQUIREMENTS.

D. STRUCTURAL GRID IS EXISTING. VERIFY DIMENSIONS IN FIELD.

E. REFER TO MECHANICAL, ELECTRICAL, AND PLUMBING DRAWINGS FOR ADDITIONAL INFORMATION.

F. WHERE A RATING HAS BEEN GIVEN TO AN EXISTING WALL, PENETRATIONS (EXISTING OR CONSTRUCTED) SHALL BE SEALED AND PROPERLY FIREPROOFED PER THAT RATING REQUIREMENT.

G. ALL CONSTRUCTION SHALL BE TRUE, PLUMB, LEVEL, SQUARE, U.N.O.. ANY PARTITION TYPE INDICATED SHALL APPLY TO THE WHOLE PARTITION, TOP TO BOTTOM U.N.O.

H. PREPARE DISTURBED AREAS FROM DEMOLITION FOR CONSTRUCTION.

I. ALL AREAS DISTURBED, WHERE OCCURS, BY DEMOLITION OR IMPROVEMENT SHALL BE PATCHED AND PAINTED (OR PREPARE FOR WALL COURING, WHERE PAINTING IS REQUIRED, ENTIRE WALL SHALL RECEIVE PAINT TO AVOID MISMATCH OF COLOR.

J. CLOSE ABANDONED EXISTING FLOOR OPENINGS. MAINTAIN FIRE RATING OF FLOOR. CLIP TO MATCH EXISTING CONSTRUCTION.

K. WHERE INFILL OF PARTITIONS IS CALLED OUT OR REQUIRED, FRAMING SHALL BE MIN. 25-GAUGE METAL STUDS AT 24" O.C. MAXIMUM, WITH 5/8" GYP. BOARD EACH SIDE OF PARTITION, TAPE FILLED AND SANDED. FINISH FACE OF INFILL PORTION SHALL ALLOW MATCH EXISTING ADJACENT FINISH FACE. SEE ADDITIONAL NOTES REGARDING FINISHES AT INFILL AREAS IN THE GENERAL NOTES OF THE A-SERIES DRAWINGS.

L. WHERE CONDUCITS OR PIPING ARE EXPOSED WITHIN THE OCCUPIED SPACE OF THE PROJECT, THE CONTRACTOR SHALL COORDINATE THE ROUTING AND ALL NECESSARY PENETRATIONS OF WALLS, PARTITIONS OR STRUCTURAL ELEMENTS WITH THE ARCHITECT AND STRUCTURAL ENGINEER PRIOR TO PROCEEDING WITH INSTALLATION, IF POSSIBLE. ROUTE CONDUCITS AND PIPING WITHIN STRUCTURAL ELEMENTS AND BEHIND FINISH FACE OF WALLS OR PARTITIONS.

M. MARKING AND IDENTIFICATION: FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS, SMOKE BARRIERS AND SMOKE PARTITIONS OR ANY OTHER WALL REQUIRED TO HAVE PROTECTED OPENINGS OR PENETRATIONS SHALL BE EFFECTIVELY AND PROMINENTLY IDENTIFIED WITH SIGNS OR STENCILING. SUCH IDENTIFICATION SHALL:

- 1. BE LOCATED IN ACCESSIBLE CONCEALED FLOOR, FLOOR-CEILING OR ATTIC SPACES.
- 2. BE LOCATED WITHIN 15 FEET OF THE END OF EACH WALL AND AT INTERVALS NOT EXCEEDING 30 FEET MEASURED PERPENDICULARLY ALONG THE WALL OR PARTITION, AND
- 3. INCLUDE LETTERING NOT LESS THAN 3 INCHES IN HEIGHT WITH A MINIMUM 3/8" STROKE IN A CONTRASTING COLOR INCORPORATING THE WORDING:
"FIRE AND/OR SMOKE BARRIER - PROTECT ALL OPENINGS"

N. REFER TO OCCUPANT AND EXITING PLANS FOR LOCATION AND INFORMATION ABOUT TACTILE WARNING AND OCCUPANCY SIGNAGE, AND TYPES OF FIRE EXTINGUISHERS TO BE USED IN THE PROJECT.

O. REFER TO SHEET A7.01 FOR DOOR SCHEDULE.

P. REFER TO SHEET A8.01 FOR PARTITION TYPES.

Q. REFER TO A9 SERIES DRAWINGS FOR FLOOR TRANSITIONS, FINISH AND PATTERN LOCATIONS.

	EXISTING WALL OR PARTITION TO REMAIN (NON-RATED)		PARTITION OR WALL (UNRATED)
	EXISTING DOOR AND FRAME TO REMAIN		FURNISH AND INSTALL DOOR & FRAME
		F.E.C. 	F.E. ●
		FIRE EXTINGUISHER/FIRE EXTINGUISHER CABINET	

- 1 CENTER PARTITION ON GRID LINE.
- 2 FOOD SERVICE EQUIPMENT BY OTHERS.
- 3 COOLER, BY OTHERS
- 4 STORAGE SHELVING, BY OTHERS
- 5 EXISTING TAPERED BUILDING COLUMN TO BE BOXED-OUT TO A CONSISTENT FULL HEIGHT DEPTH (TO CEILING)

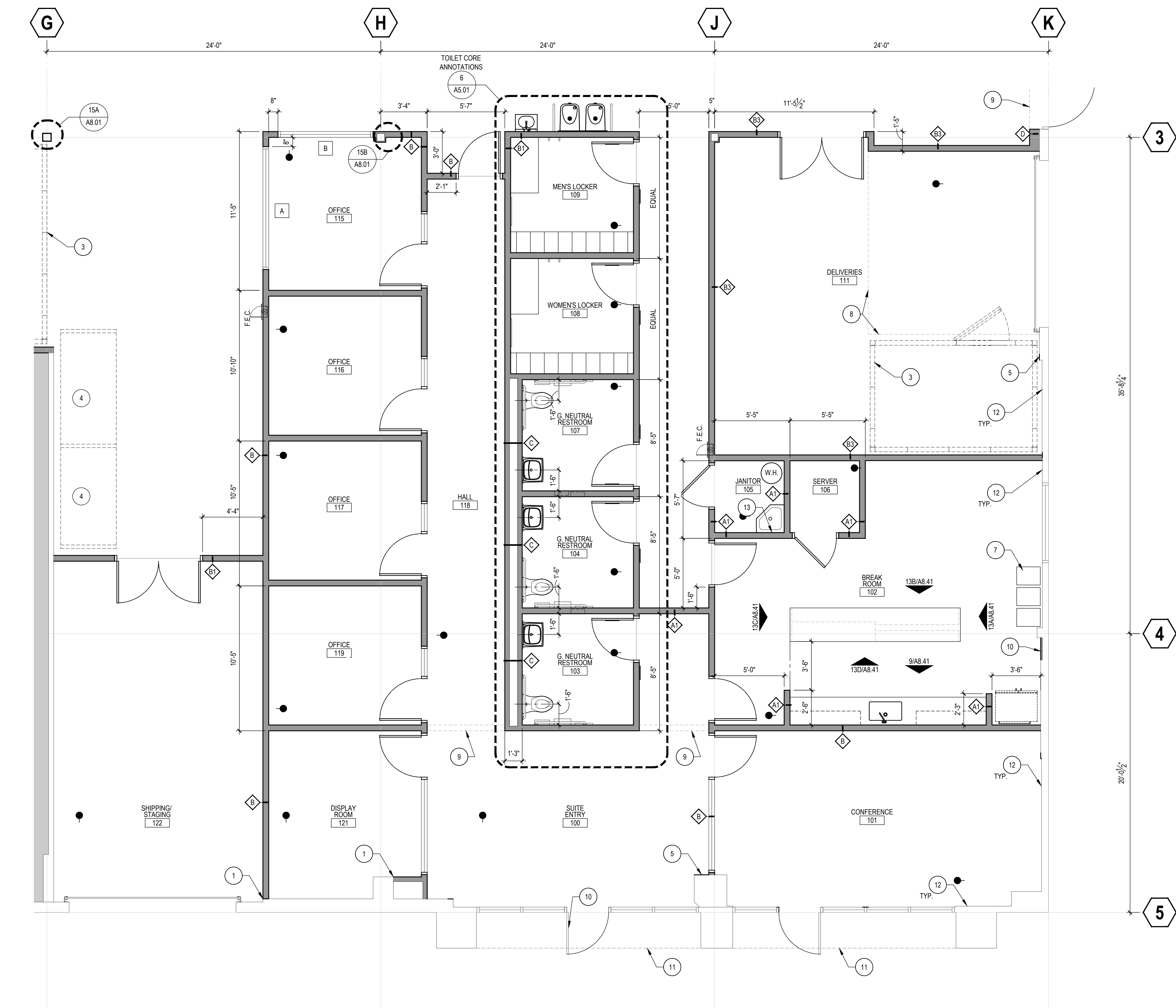
A Planning Application For:
Tortilleria El Molino
620 Garcia Avenue - Suite D
Pittsburgh, CA

DATE	DESCRIPTION
12.21.2021	PLANNING SUBMITTAL

A2.11

PROJECT NO: 215369

P:\2021\A2.12.2021\A2.12.2021.dwg, 12/21/2021, 12:00pm, User: jgarcia



1 ENLARGED IMPROVEMENT FLOOR PLAN
SCALE: 1/4"=1'-0"

GENERAL NOTES - FLOOR PLAN

- CONTRACTOR SHALL MAINTAIN THE BUILDING IN A WEATHER TIGHT CONDITION.
- CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO CONSTRUCTION TO REMAIN OR OCCUPIED AREAS WHERE VARIOUS SYSTEM CONNECTIONS OR EXTENSIONS ARE REQUIRED.
- DUST PARTITIONS SHALL BE PROVIDED IN ACCORDANCE WITH FIRE PROTECTION AND EGRESS REQUIREMENTS.
- STRUCTURAL GRID IS EXISTING. VERIFY DIMENSIONS IN FIELD.
- REFER TO MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS FOR ADDITIONAL INFORMATION.
- WHERE A RATING HAS BEEN GIVEN TO AN EXISTING WALL, PENETRATIONS (EXISTING OR CONSTRUCTED) SHALL BE SEALED AND PROPERLY FIREPROOFED PER THAT RATING REQUIREMENT.
- ALL CONSTRUCTION SHALL BE TRUE, PLUMB, LEVEL, SQUARE, U.N.O. ANY PARTITION TYPE INDICATED SHALL APPLY TO THE WHOLE PARTITION, TOP TO BOTTOM U.N.O.
- PREPARE DISTURBED AREAS FROM DEMOLITION FOR CONSTRUCTION.
- ALL AREAS DISTURBED, WHERE OCCURS, BY DEMOLITION OR IMPROVEMENT SHALL BE PATCHED AND PAINTED (OR PREPARE FOR WALL COVERING). WHERE PAINTING IS REQUIRED, ENTIRE WALL SHALL RECEIVE PAINT TO AVOID MISMATCH OF COLOR.
- CLOSE ABANDONED EXISTING FLOOR OPENINGS. MAINTAIN FIRE RATING OF FLOOR. PATCH TO MATCH EXISTING CONSTRUCTION.
- WHERE INFILL OF PARTITIONS IS CALLED OUT OR REQUIRED, FRAMING SHALL BE MIN. 25-GAUGE METAL STUDS AT 24" O.C. MAXIMUM, WITH 5/8" GYP. BOARD EACH SIDE OF PARTITION, TAPED FILLED AND SANDED. FINISH FACE OF INFILL PORTION SHALL ALIGN AND MATCH EXISTING ADJACENT FINISH FACE. SEE ADDITIONAL NOTES REGARDING FINISHES AT INFILL AREAS IN THE GENERAL NOTES OF THE A9-SERIES DRAWINGS.
- WHERE CONDUITS OR PIPING ARE EXPOSED WITHIN THE OCCUPIED SPACE OF THE PROJECT, THE CONTRACTOR SHALL COORDINATE THE ROUTING AND ALL NECESSARY PENETRATIONS OF WALLS, PARTITIONS OR STRUCTURAL ELEMENTS WITH THE ARCHITECT AND STRUCTURAL ENGINEER PRIOR TO PROCEEDING WITH INSTALLATION. IF POSSIBLE, ROUTE CONDUITS AND PIPING WITHIN STRUCTURAL ELEMENTS AND BEHIND FINISH FACE OF WALLS OR PARTITIONS.
- MARKING AND IDENTIFICATION: FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS, SMOKE BARRIERS AND SMOKE PARTITIONS OR ANY OTHER WALL REQUIRED TO HAVE PROTECTED OPENINGS OR PENETRATIONS SHALL BE EFFECTIVELY AND PERMANENTLY IDENTIFIED WITH SIGNS OR STENCILING. SUCH IDENTIFICATION SHALL:
 - BE LOCATED IN ACCESSIBLE CONCEALED FLOOR, FLOOR-CEILING OR ATTIC SPACES.
 - BE LOCATED WITHIN 15 FEET OF THE END OF EACH WALL AND AT INTERVALS NOT EXCEEDING 30 FEET MEASURED HORIZONTALLY ALONG THE WALL OR PARTITION; AND
 - INCLUDE LETTERING NOT LESS THAN 3 INCHES IN HEIGHT WITH A MINIMUM 3/8" STROKE IN A CONTRASTING COLOR INCORPORATING THE WORDING:
"FIRE AND/OR SMOKE BARRIER - PROTECT ALL OPENINGS"
- REFER TO OCCUPANT AND EXTING PLANS FOR LOCATION AND INFORMATION ABOUT TACTILE WARNING AND OCCUPANCY SIGNAGE, AND TYPES OF FIRE EXTINGUISHERS TO BE USED IN THE PROJECT.
- REFER TO SHEET A7.01 FOR DOOR SCHEDULE.
- REFER TO SHEET A8.01 FOR PARTITION TYPES.
- REFER TO A9 SERIES DRAWINGS FOR FLOOR TRANSITIONS, FINISH AND PATTERN LOCATIONS.

FLOOR PLAN SYMBOLS LEGEND

- | | | | |
|--|--|--|---|
| | EXISTING WALL OR PARTITION TO REMAIN (NON-RATED) | | PARTITION OR WALL (UNRATED) |
| | EXISTING DOOR AND FRAME TO REMAIN | | FURNISH AND INSTALL DOOR & FRAME |
| | F.E.C. | | FIRE EXTINGUISHER/FIRE EXTINGUISHER CABINET |

ALL PARTITIONS ARE TYPE **A** UNLESS INDICATED OTHERWISE

KEYNOTES

- ALIGN PARTITION WITH EXISTING CORNER.
- PATCH PARTITION AT REMOVED CONSTRUCTION TO MATCH ADJACENT CONSTRUCTION.
- WALK-IN COOLER. SEE FOOD SERVICE DRAWINGS.
- STORAGE RACK. SEE FOOD SERVICE DRAWINGS.
- PATCH PARTITION AT REMOVED CONSTRUCTION TO MATCH EXISTING.
- MODIFY EXISTING DOOR AS REQUIRED FOR A 10" BOTTOM RAIL.
- CONTRACTOR TO PROVIDE 3-BIN WASTE SYSTEM. SEE 17/A8.41 FOR MORE INFORMATION.
- LINE OF GYPSUM WALLBOARD SOFFIT ABOVE.
- LINE OF BULKHEAD ABOVE.
- INFILL PARTITION AT REMOVED CONSTRUCTION TO MATCH EXISTING.
- LINE OF EXISTING EXTERIOR SOFFIT ABOVE.
- ADD R-13 TO EXISTING PERIMETER FURRED WALLS.
- ADD MOP AND BROOM HOLDER. UTILITY/JANITOR'S CLOSET: B-223x30.



ARC TEC
ARCHITECTURAL TECHNOLOGIES

www.arcotecinc.com
Arizona
2960 East Northern Avenue, Building C
Phoenix, Arizona 85028 602.953.2355

California
1731 Technology Drive, Suite 750
San Jose, CA 95110 408.496.0676

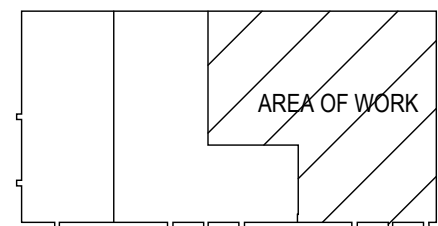
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In Association with:



A Planning Application For:
Tortilleria El Molino
620 Garcia Avenue - Suite D
Pittsburgh, CA

KEY PLAN

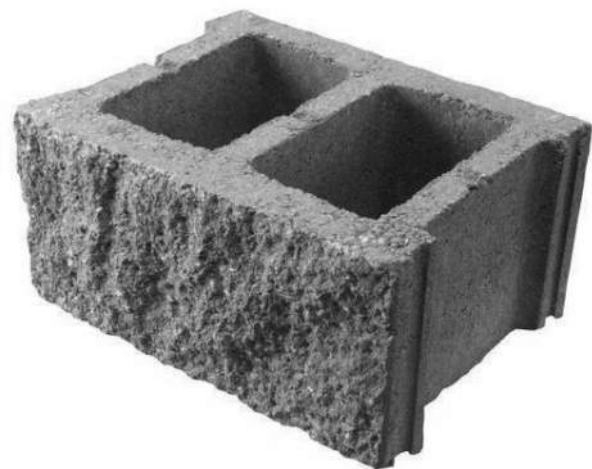


ENLARGED IMPROVEMENT FLOOR PLAN

A2.12

PROJECT NO: 215369

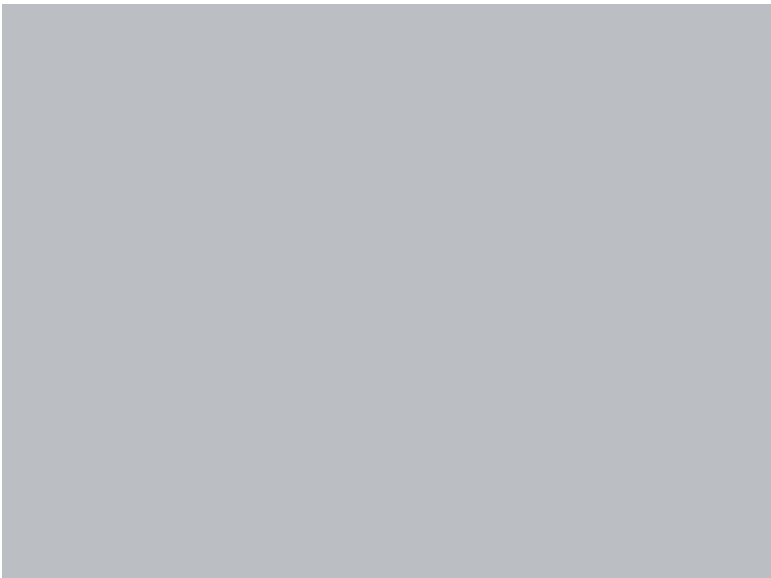
Exterior Trash Enclosure Finishes For:
620 Garcia Avenue - Suite D



8" Split Face CMU



8" Split Face CMU Install Image



Paint at Exposed Steel Roof,
Pipes, Posts and Gates: Dunn
Edwards DE6353 Silver Lined



Planning Application

City of Pittsburg, Community Development Department – Planning Division
65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

TYPE OF APPLICATION REQUESTED:

- | | |
|---|---|
| ☐ UP Conditional Use Permit | ☐ ZA Zoning Administrator |
| ☐ DR Design Review | ☐ TRP Tree Removal Permit |
| ☒ ADR Design Review (Admin) | ☐ TA Temporary Activity |
| ☐ GP General Plan Amendment | ☐ PPR Preliminary Plan Review |
| ☐ RZ Rezoning (Includes PUD) | ☐ MM Minor Modification (wireless) |
| ☐ SUB Major Subdivision | ☐ SR Sign Review (Type: _____) |
| ☐ MS Minor Subdivision | |
| ☐ VA Variance | ☐ Other: _____ |

STAFF USE ONLY

Application Number: AP-22-0005

Date Filed: 1/12/22

PROJECT INFORMATION:

Project Name (Business/Development): Tortilleria El Molino

Address/Location of Project: 620 Garcia Ave., Suite D

Assessor's Parcel No(s): 088-392-017; 088-392-018

Mapping Address (Latitude/Longitude): _____

Existing General Plan / Zoning Designations: IP (Industrial Park)

Proposed General Plan / Zoning Designations: none

Existing Use: Vacant tenant space

Proposed Use: Catering Facility

Size of Existing Structure(s): 23,836 sf

Size of Proposed Additions / New Structure(s): none

Amount of New Impervious Surfaces (s.f. or acres)¹: 843 sf

Property Size (s.f. or acres): 64,970 sf (1.49 Acres) No. of Existing Lots: 2 Proposed: 0

Days/Hours of Operation: Monday - Friday from 5:00 am to 4:00 pm

No. of Employees, Existing: 0 Proposed: 10-12

No. of On-Site Parking Stalls, Existing: 39 Proposed: 40

HCP Land Cover Type: _____ Cortese List: Yes ☐ No ☒

¹ If over 10,000 square feet, 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.

Proposed Project/Use Description:

(Attach additional sheets if necessary. For sign permits, include length x width x height dimensions, sign copy, colors, and length of building frontage.)

This is an 11,207 sf interior remodel of a vacant tenant space to convert the space into a catering facility for Tortilleria El Molino. Exterior modifications consists of a new trash enclosure and modifications to the ADA parking stalls.

APPLICANT INFORMATION:

Applicant Name: Arc Tec inc. **Primary Contact:** Jeff Oparowski

E-Mail: joparowski@arctecinc.com **Phone:** 408-496-0676

Mailing Address: 1731 Technology Dr., Suite 750 San Jose, CA 95110

Property Owner(s): Dale Mardiros

E-Mail: dale.mardiros@gmail.com **Phone:** 925-457-1231

Mailing Address: 2882 Acacia Road, Walnut Creek, ca. 94595

Notarized Signature of Agent and/or Property Owner: See Attached California Acknowledgment

Agent (Attach Notary): _____ **Date:** _____

Property owner/manager (attach notary): _____ **Date:** 12/30/2021

(If not property owner or manager, provide letter from property owner authorizing agent to sign application.)

SUBMITTAL REQUIREMENTS: (to be completed by the applicant)

- ☒ Consultation with Planning Division
- ☒ Completed Planning Application Form
- ☒ 2 sets (minimum) of Project Plans* + 1 electronic set on a flash drive or CD
- ☒ Correct Filing Fees (if paying by check, make payable to "City of Pittsburg")
- ☐ Anticipated Postage Fees for Public Notices (check with Planning Division if applicable)

*One full-sized and one reduced (8.5" x 11" or 11" x 17") required. Please review the Planning Application Submittal Checklist (separate handout) for details about what needs to be included on the project plans.

STAFF USE ONLY

TOTAL FEES PAID*: _____ **Date Rec'd:** _____ **By:** _____

*Attach Copy of Completed Planning Receipt Form or Developer Deposit Request

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Contra Costa

On 12/30/2021

Date

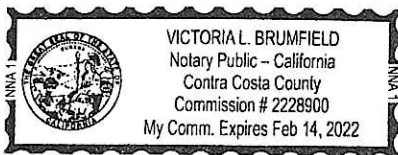
before me, Victoria L Brumfield Notary Public

Here Insert Name and Title of the Officer

personally appeared Dale L Mardirob

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

[Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Planning Application

Document Date: 12/30/2021

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Amending the Categories of Eligible)
Projects and Revising the Procedures for) Resolution No. 9918
Delegating Design Review Authority of Certain)
Types of Projects to the Zoning Administrator)

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On August 26, 2003, the Planning Commission adopted Resolution No. 9444 in an effort to streamline the planning review process for certain projects that the Commission had determined to be routine in nature and have minimal visual impacts on the surrounding community. This resolution authorized various types of projects to be reviewed by the Zoning Administrator rather than the Planning Commission, including "Wireless Communication Antennas, Monopoles and Related Structures and Equipment."
- B. On August 14, 2012, in response to recent Commission concerns regarding the approval process for wireless telecommunication equipment, a study session was conducted with the Planning Commission to review proposed updates to the existing design review delegation procedures. At this study session, the consensus of a majority of Commissioners was to keep all staff proposed changes, with an added clarification on the recommended voting process (Section B) for calling up items to be reviewed by the Commission.
- C. Proposed changes to the existing staff delegated design review authority (as presented during the August 14, 2012, study session) generally include: 1) a modification to the text of category 2, "Wireless Communication Antennas, Monopoles and Related Structures and Equipment," intended to separate out construction of new wireless telecommunications facilities from requests for modifications to existing facilities, with the only latter retaining eligibility for delegated review by the Zoning Administrator; 2) a revision to Category 3 to clarify that it applies to all minor building remodels and not just 'storefront' remodels; 3) a consolidation of Category 7 (changes in building colors) into Category 3; 4) a clarification to Category 9 to confirm application within all districts, not just Industrial areas; and 5) a clarification within Section B clarifying that a Commissioner's request to rescind delegated authority for a specific application, otherwise eligible for Zoning Administrator review, must be supported by a majority of the Commissioners present.
- D. Pittsburgh Municipal Code (PMC) Section 18.10.020, *Powers and Duties of the Planning Commission*, grants primary design review authority to the Planning

Commission. In 2003 the Planning Commission delegated its review and approval authority of certain routine and non-controversial application types to the Zoning Administrator through the adoption of Resolution No. 9444. Changes or revisions to Resolution No. 9444 fall within the same category as the original delegation, which the Commission has authority to approve under PMC 18.10.020.

- E. PMC Section 18.10.030 identifies the City Planner as the Zoning Administrator, and in accordance with PMC Section 18.10.100, the City Planner will continue to give notice to the Planning Commission of intent to exercise any authority that the Commission previously granted, including the authority to review and approve staff delegated design review applications.
- F. Staff would continue to be responsible for reviewing delegated applications for compliance with the General Plan, City Codes and adopted Design Guidelines, and the Zoning Administrator would continue to be required to make findings for approval and identify evidence to support the required findings, consistent with PMC Section 18.36.220(B). Approved resolutions would continue to be signed by the Zoning Administrator and no separate staff reports would be prepared on these items.
- G. Copies of all Zoning Administrator approved resolutions would continue to be forwarded to the Commission in its packet for the next regularly scheduled meeting.
- H. The proposed action delegating certain Planning Commission discretionary authority to the Zoning Administrator is not considered a project, as defined by the Public Resources Code section 21065, of the California Environmental Quality Act (CEQA).
- I. On September 25, 2012, the Planning Commission considered the proposed revisions to the staff delegated design review authority process as previously established by adoption of Resolution No. 9444.

Section 2. Decision

- A. The Planning Commission hereby delegates discretionary Design Review Authority to the Zoning Administrator, for the following types of applications, when categorically or statutorily exempt from the provisions of CEQA:
 - 1. Freestanding Signs. Applicable to signs not already part of a sign program; must be consistent with sign standards and architecturally compatible with associated building.
 - 2. Wireless Communication Equipment. New or replacement antennas on existing poles and their related equipment.

3. Minor Building Remodels. Limited to changes in building colors, awnings, fenestration, and finishes.
 4. Changes to Existing Parking Lots.
 5. Changes to Existing Landscaping.
 6. Additions to Existing Buildings. Additions must be smaller than 2,500 sq. ft. and designed to complement existing building architecture.
 7. New Model Homes in Approved Subdivisions. Must be consistent with the general size, quality of architecture and materials, and general character of the originally approved models. Must comply with approved zoning development standards.
 8. Ancillary Structures. Structures in any district where visual impacts are minimal, including miscellaneous mechanical equipment associated with legal uses in Industrial Districts.
- B. In compliance with PMC Section 18.10.100, staff shall prepare a list and brief description along with a copy of the project plans when applicable, of new pending applications for which the Zoning Administrator intends to exercise delegated design review authority, and submit it to the Commission at a Commission meeting prior to taking any action on the applications. Any member of the Planning Commission may then request at that time to have the matter scheduled for future consideration by the entire Commission. The Commission must approve the request as a group through a majority vote, prior to scheduling the item for future consideration.
- C. Staff shall continue to prepare resolutions of approval, when appropriate, describing the project, project location, applications being filed, required findings to approve the project and identifying evidence to support the required findings. Resolutions shall be signed by the Zoning Administrator and continue to have conditions of project approval, where applicable.
- D. To keep the Commission informed about what applications are processed under this proposal, copies of all Zoning Administrator approved resolutions shall be forwarded to the Commission in its packet for the next regularly scheduled meeting.
- E. If the Zoning Administrator does not believe he/she can make the required design review findings to approve a project, and the applicant is unwilling or unable to make the changes requested, the application shall automatically be referred to the Commission for action on the design review application.

Section 3. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Wirick, seconded by Commissioner Gargalikis, the foregoing resolution was passed and adopted the 25th day of September, 2012, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Fardella, Fogleman, Gargalikis, Kelley, Ohlson, Wirick

NAYES:

ABSTAIN:

ABSENT: Diokno

I hereby certify that the above Resolution No. 9918 was adopted by the Planning Commission of the City of Pittsburg on September 25, 2012.



KRISTIN VAHL POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION