



City of Pittsburg Planning Commission Agenda

May 24, 2022

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

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

Planning Commission Members

**Elissa Robinson, Chair
Henry Perkins, Commissioner
Ivelina Popova, Commissioner
Arlene Kobata, Commissioner
Sarah Foster, Commissioner
Alvin Jackson, Commissioner**

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

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

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

CONSENT

- 1 Minutes**
Meeting Minutes of April 12, 2022
- 2 Minutes**
Meeting Minutes of May 10, 2022

PUBLIC HEARINGS

- 3 Pittsburg Solar Recreational Vehicle/Boat Storage, AP 21-1588 (UP, DR)**
This is a public hearing on a request for a use permit and design review approval to establish a boat and recreational vehicle storage facility and construct 191,920 square feet of solar covered canopies and a 1,243 square foot management office building on the 12.5-acre lot, at the southwest junction of Pittsburg-Antioch Highway and Arcy Lane, in the CS (Service Commercial) District. Assessor's Parcel No. 074-100-018.
- 4 Consideration of a Resolution Granting a Use Permit for California Theatre, AP-21-1569 (UP).**
This is a public hearing on a request for Use Permit approval to expand the use of the California Theatre (an existing Commercial Recreation and Entertainment use) to include the outdoor patio area as part of the theatre to be used as a small performance area, "lobby" during performance intermissions, and outdoor gathering area. The project is located at 351 Railroad Avenue in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-108-004.

Environmental Review: The Use Permit for California Theatre is environmentally exempt from CEQA (California Environmental Quality Act) under Government Code Section 15301 Class 1, existing facilities.

**5 Consideration of a Resolution Granting a Use Permit for Exit
446 Escape Room, AP-22-0040 (UP)**

This is a public hearing on a request for approval of a Use Permit to establish a commercial recreation and entertainment use for Exit 446 Escape Room at 446 Railroad Avenue. The property is within the CP (Pedestrian Commercial) District. Assessor's Parcel Number: 085-104-001.

ZONING ADMINISTRATOR REPORTS

6 Notice of Intent to Exercise Delegated Design Review Authority

The Zoning Administrator submits one notice of intent to exercise delegated design review authority to: 1) place a 2,160 square-foot modular trailer, to be used as an office building, on the project site and 2) modify the existing parking lot to accommodate four new standard and one Americans with Disabilities Act (ADA) parking spaces at the property located at 895 East 3rd Street, in the General Industrial (IG) District. APN: 073-020-019. The project would implement the previously approved Use Permit (AP-19-1412).

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

GENERAL INFORMATION

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

**CITY OF PITTSBURG
PITTSBURG PLANNING COMMISSION MEETING MINUTES**

DATE: April 12, 2022

LOCATION: Council Chamber, City Hall, 65 Civic Ave, Pittsburg, CA 94565

PLANNING COMMISSION MEMBERS

Elissa Robinson, Chair

Henry Perkins, Commissioner

Arlene Kobata, Commissioner

Sarah Foster, Commissioner

Alvin Jackson, Commissioner

APPOINTED OFFICIALS

Jordan Davis, Director of Community and Economic Development

Donna Mooney, City Attorney/Legal Counsel

John Funderburg, Assistant Director of Planning

Amanda McVey, Assistant City Clerk

Sharon Paz, Administrative Specialist

Celina Palmer, Associate Planner

Commissioner Robinson called the meeting of the Pittsburg Planning Commission to order at 7:02 p.m.

ROLL CALL

Commissioner Popova was absent and excused.

PLEDGE OF ALLEGIANCE

Commissioner Jackson led the Pledge of Allegiance.

DELETIONS, WITHDRAWALS OR CONTINUANCES

There were none.

COMMENTS FROM THE AUDIENCE

There were none.

CONSENT

Meeting Minutes of March 8, 2022 and March 22, 2022

On motion by Commissioner Foster, seconded by Commissioner Perkins to approve the Consent Calendar and carried unanimously.

PUBLIC HEARINGS

2. Consideration of a Resolution Granting Use Permit for The Network Event Space, AP-21-1579 (UP)

This was a public hearing on a request for approval of a use permit to legalize a commercial recreation and entertainment use to host events at 62 E 4th St. The property is within the CP (Pedestrian Commercial) district. Assessor's Parcel Number: 085-104-006. Celina Palmer, Associate Planner, gave a presentation. Commissioners asked questions of City staff and the applicant. There was no public comment.

On a motion by Commissioner Foster, seconded by Commissioner Perkins to authorize and carried unanimously.

3. Consideration of a Resolution Approving a Use Permit and Design Review for Starbucks Drive-Through (Marriott Pad), AP-21-1610 (UP, DR)

This was a public hearing on a request for Use Permit and Design Review approval of plans to construct a one-story, 2000 square foot structure along with parking lot and landscaping improvements, to establish a drive-through service use (Food Shop) for Starbucks, located at 999 Center Dr on the southwest corner of Railroad Ave and Center Dr, in the PD-1319 (Planned Development, City Council Ordinance No. 09-1319) district. Assessor's Parcel No. 086-100-045. John Funderburg, Assistant Director of Planning, gave a presentation. Commissioners asked questions of the staff and the applicant. Bruce Ohlson, a member of the public, gave comments.

On a motion by Commissioner Jackson, seconded by Commissioner Robinson to authorize and carried unanimously.

ZONING ADMINISTRATOR REPORTS

John Funderburg, Assistant Director of Planning, submitted a Notice of Intent to Exercise Delegated Design Review Authority for: 1) the exterior storefront facade for the Ace Hardware store located at 125 E Leland Rd in the Railroad Avenue Specific Plan (RASP), Planned Development (PD Ordinance No. 09-1319) District. Assessor's Parcel Number: 088-183-016. 2) and 2: the exterior façade of the space leased by Shoe Palace located at 2110 Railroad Ave, Ste. 130, in the PD-1319 (Planned Development,

STAFF COMMUNICATIONS

Secretary Funderburg announced the Economic Development Speaker Series event on Wednesday April 20, 2022, at John Buckley Park from 5:00-6:30 p.m. Featured speaker, James Gilleylen, will address mixed-income housing development. Secretary Funderburg also thanked Heliodoro Moreno, Jr. for his service on the Planning Commission and wished him well on his new role on the Pittsburg Unified School District Board.

COMMITTEE REPORTS / COMMISSIONER COMMENTS

There were none.

ADJOURNMENT

The Planning Commission adjourned at 8:03 p.m. to April 26, 2022.

Respectfully Submitted,

John Funderburg, Secretary

**CITY OF PITTSBURG
PITTSBURG PLANNING COMMISSION MEETING MINUTES**

DATE: May 10, 2022

LOCATION: Council Chamber, City Hall, 65 Civic Ave, Pittsburg, CA 94565

PLANNING COMMISSION MEMBERS

Elissa Robinson, Chair
Henry Perkins, Commissioner
Ivelina Popova, Commissioner
Arlene Kobata, Commissioner
Sarah Foster, Commissioner
Alvin Jackson, Commissioner

APPOINTED OFFICIALS

John Funderburg, Assistant Director of Planning
Amanda McVey, Assistant City Clerk
Sharon Paz, Administrative Specialist

Commissioner Robinson called the meeting of the Pittsburg Planning Commission to order at 7:07 p.m.

ROLL CALL

All commissioners were present.

PLEDGE OF ALLEGIANCE

Commissioner Kobata led the Pledge of Allegiance.

DELETIONS, WITHDRAWALS OR CONTINUANCES

There were none.

COMMENTS FROM THE AUDIENCE

There were none.

PRESENTATIONS

1. Notice of Preparation—General Plan Update and Discussion

Ben Ritchie of De Novo Planning Group gave a presentation on the General Plan update and notice of preparation for Draft EIR.

The commissioners asked questions of the presenter.

Mr. Bruce Olson, Pittsburg Resident, commented that providing a reasonable alternative to automobile use should be encouraged and included as part of the General Plan update.

ZONING ADMINISTRATOR REPORTS

2. Notice of Intent to Exercise Delegated Design Review Authority

The Zoning Administrator submitted one notice of intent to exercise delegated design review authority: 1) for administrative design review approval to legalize repaving and restriping of an existing approximately 38,000 square-foot parking area, installation of motorized entrance and exit gates, and construction of four, new pole-mounted lighting fixtures located at 310 Central Avenue, in the CS (Service Commercial) District. Assessor's Parcel Number: 086-160-014.

STAFF COMMUNICATIONS

There were no staff communication.

COMMITTEE REPORTS / COMMISSIONER COMMENTS

There were no committee reports.

ADJOURNMENT

The Planning Commission adjourned at 7:46 p.m. to May 24, 2022.

Respectfully Submitted,

John Funderburg, Secretary

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 24, 2022**

ITEM: Pittsburg Solar Recreational Vehicle/Boat Storage, AP 21-1588 (UP, DR)

ORIGINATED BY: Chris Koenig, on behalf of Pittsburg RV Boat Storage, 23 Rail Road #164 Danville, CA 94526.

SUBJECT: This is a public hearing on a request for a use permit and design review approval to establish a boat and recreational vehicle storage facility and construct 191,920 square feet of solar covered canopies and a 1,243 square foot management office building on the 12.5-acre lot, at the southwest junction of Pittsburg-Antioch Highway and Arcy Lane, in the CS (Service Commercial) District. Assessor's Parcel No. 074-100-018.

RECOMMENDATION:

Continue this public hearing to June 14, 2022.

BACKGROUND:

Staff is recommending a continuance in order to allow additional time to finalize the Conditions of Approval and complete the Environmental Review posting period.

PROJECT DESCRIPTION:

Not applicable.

GENERAL PLAN/CODE COMPLIANCE:

Public Notice: On or prior to May 14, 2022, notice of the May 24, 2022 public hearing was posted at City Hall, near the 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 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").

Planning Commission Staff Report
Diablo Energy Project, AP-17-1279 (RZ, UP, DA, DR).
March 27, 2018

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Continue this public hearing to June 14, 2022.

ATTACHMENTS:

None.

Prepared by: Christie Robinson, Consulting Planner

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 24, 2022**

ITEM: Consideration of a Resolution Granting a Use Permit for California Theatre, AP-21-1569 (UP).

ORIGINATED BY:

City of Pittsburg (c/o Kolette Simonton – Interim Director of Recreation) 65 Civic Avenue, Pittsburg, CA 94565

SUBJECT:

This is a public hearing on a request for Use Permit approval to expand the use of the California Theatre (an existing Commercial Recreation and Entertainment use) to include the outdoor patio area as part of the theatre to be used as a small performance area, “lobby” during performance intermissions, and outdoor gathering area. The project is located at 351 Railroad Avenue in the CP (Pedestrian Commercial) District. Assessor’s Parcel No. 085-108-004.

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution approving Use Permit Application No. 21-1569, subject to conditions.

BACKGROUND:

The California Theatre is located in Old Town Pittsburg in the Downtown Sub-Area of the General Plan. Contra Costa County Assessor’s Office records indicate that the construction of the theatre was completed in the year 1920, thus classifying the Theatre as a “historic” structure within the City. The Theatre remains in operation in present day and is owned and operated by the City of Pittsburg. (The exterior space behind the theatre has never been developed and is also owned by the City.) The space is proposed to be used as an outdoor patio area.

PROJECT DESCRIPTION:

Existing Conditions: The project is located on the west side of Railroad Avenue, 145 feet south of East Third Street. Parking for the project site is located along the street frontage of the parcel, offering angled parking spaces. A City-owned and maintained public parking lot is located .06 miles southeast of the project site. A bus stop for Tri Delta Transit is located along the Railroad Avenue frontage .07 miles south of the project site serving weekday route 381 (Eastbound and Westbound). An additional bus stop for Tri Delta Transit is located .25 miles southwest of the project site along Black Diamond Street and serves weekend/holiday routes: 3 87 (Eastbound & Westbound), 394 (Eastbound). There is an existing cinderblock structure (trash compactor) and trash bins located on the eastern edge of the project site. Mount Diablo Resource Recovery

(MDRR) picks up trash twice a week from the project site. Additionally, there is a City-maintained trash enclosure in front of the California Theatre entrance.

See Attachment 2 for photos of the project site.

Surrounding Land Uses:

North:	Commercial use structures, City of Pittsburg Marina
West:	Commercial use structures, New Mecca Cafe
South:	Commercial use structures, John Buckley Square
East:	Commercial use structures, E.J. Phair Brewing Company

See Attachment 3 for a map of surrounding land uses.

Proposed Project:

The proposed project would expand the use of the California Theatre to the open space patio area behind the Theatre. The City of Pittsburg owns the project site (expansion area, approximately 3,530 square feet) and has hosted events at the project location previously. In an effort to alleviate the need to apply for a Special Event Permit each time the City plans to have outdoor entertainment and/or outdoor gathering. The City has opted to apply for a Use Permit to expand the Commercial Recreation and Entertainment use of the site to include the outdoor patio area

The proposed hours of operation of the outdoor expansion area at the California Theatre are 8:00 A.M. through 11:00 P.M., Monday-Sunday, as necessary. Events and/or set-up may begin as early as 8:00 A.M. and strike-down will be complete by 11:00 P.M. The outdoor expansion area proposes amplified noise and/or music. The project will follow the City of Pittsburg's noise ordinance as described in Pittsburg Municipal Code (PMC) Sections 9.44.010 and 18.06.220.

Further, the project does not propose any concurrent events. If there is an event taking place inside the Theatre, the expansion area would be used during intermission by those attending the event. As the development operates currently, attendees must wait along Railroad Avenue or congregate inside the small lobby area during intermission. The expansion will allow attendees to be in an open-air environment, further promoting COVID-19 health and safety, including the ability to social distance.

To improve the aesthetics of the outdoor patio area, the City plans to purchase functional outdoor furniture and hang café lights. The area will not be permanently altered by the expansion of the use, meaning, the proposed project does not include exterior building alterations, no new pavement, and no fixed furniture or stage. To avoid theft and/or damaged items, all furniture and accessories will be placed outdoors as needed at time of event, and securely put away the same evening once the event has ended.

Primary pedestrian access to the outdoor Commercial Recreation and Entertainment area would be through the California Theatre building. Access is also available off Cumberland Street for patio-specific events. There is no vehicular access to the site except for emergency vehicles and MDRR for trash pick-up. There are emergency exits to the north, east, and south of the entertainment area.

See Attachment 5 for project plans.

GENERAL PLAN/CODE COMPLIANCE:

Pittsburg General Plan (2020): The project site has the General Plan land use designation of Downtown Commercial in the Downtown Sub-Area of the 2020 General Plan. Further, the project site is located within the “Commercial Core” Sub-Area of Downtown. This designation is intended to promote pedestrian-friendly, walkable development for the Downtown Core. The project area, referred to in the General Plan as a “historical activity center”, will be in-keeping with the intended use of the area by providing a destination spot in the City’s Downtown Sub-Area. The project, if approved, would provide a greater mix of uses in the City’s Downtown Core, in that it would add an additional outdoor recreation use to the area. The proposed project has the ability to create additional demand for retail and service establishments along the Railroad Avenue Corridor.

The proposed project would help achieve the General Plan’s Commercial Core development objectives. Pursuant to General Plan Goal 5-P-3, the project would concentrate Downtown Commercial activity by expanding an existing entertainment use and would occupy vacant space in the Downtown area. The California Theatre is a visitor-serving destination point in the City and the expansion would only strengthen the Downtown Core’s identity as an up-and-coming investment area

The expansion of the Commercial Recreation and Entertainment use to include outdoor entertainment and recreation would provide California Theatre the ability to contribute towards the creation of a more vibrant Downtown, satisfying General Plan Goal 5-P-5. The proposed project would serve as a multi-purpose destination spot for both residents of the City and visitors alike.

Land Use: The project site is located within the CP (Pedestrian Commercial) Zoning District. This district allows for the uses of Eating and Drinking Establishments, Food and Beverage Sales, and Personal Services, among other use classifications. The use of a Commercial Recreation and Entertainment use (both within a building and an outdoor facility) within the CP Zoning District requires an approved Use Permit application to operate. The proposed project would expand an existing pedestrian-oriented entertainment use consistent with the intent of the Pedestrian Commercial zoning designation.

Property Development Regulations: The project expansion will take place in the open space behind the existing California Theatre, approximately 3,530 square-feet. The

California Theatre is an existing building constructed in 1920 that complied with all the site development standards in effect at the time. Development standards change over time and the proposed structure is considered legal non-conforming to the current CP zoning district. The proposed expansion of the Commercial Recreation and Entertainment use will utilize the existing patio area and no building expansion or major site improvements are proposed that would trigger the application of development standards such as setbacks, building height, lot coverage, floor-to-area ratio, or landscape coverage.

See Attachment 4 for the Table of Property Development Regulations pertaining to the CP District.

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

- A. Is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. Is not detrimental to the health, safety, and general welfare of the City;
- C. Will not adversely affect the orderly development of property within the City;
- D. Will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
- E. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan and applicable Specific Plan;
- F. Will not create a nuisance or enforcement problem within the neighborhood;
- G. Will not encourage marginal development within the neighborhood;
- H. Will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints imposed by law;
- I. Is consistent with the City's approved funding priorities; and
- J. If located within the Pedestrian Commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.

Environmental Review: The Use Permit for California Theatre is environmentally exempt from CEQA (California Environmental Quality Act) under Government Code Section 15301 Class 1, existing facilities.

Public Notice: On or prior to May 14, 2022, notice of the May 24, 2022 public hearing was posted at City Hall, near the 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 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 "Old Town Pittsburg", and "The Village at New York Landing" neighborhoods. The Public Hearing Notice is included as Attachment 6 of this report.

ANALYSIS:

Staff believes the Planning Commission can make the Use Permit findings required to approve AP-21-1569 (UP), California Theatre.

Use Permit Findings

The proposed use is in accord with the objective of PMC Title 18 ("Zoning"), the purposes of the land use district in which it is located, and is appropriate to the specific location, in that the proposed use is a conditionally permitted use in the CP Zoning District and will follow the intended uses of the District, expanding a pedestrian-oriented entertainment use within the Downtown Sub-Area of the General Plan. Further, the proposed use satisfies the intended use of the land as specified in the 2020 General Plan.

The proposed use is not detrimental to the health, safety, and general welfare of the City, in that it would provide for economic growth and development for the City along a main commercial corridor in the City and occupy a site that is currently underutilized. With the expansion, the area will be utilized to its full potential, creating a space for City residents and visitors to congregate and view live entertainment.

The proposed use will not adversely affect the orderly development of property within the City in that the project will be subject to all applicable Land Use, Building, Fire, and Engineering Codes at time of development. The proposed use would be conditioned to meet all applicable standards in PMC Title 18 for the CP Zoning District, 2020 General Plan, and applicable development guidelines (Old Town Pittsburg).

The proposed use 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 use would occupy a currently underutilized site, overall enhancing the appearance of the area and increasing its property value and property values in the vicinity.

The proposed use is consistent with the objectives, policies, general land uses, and programs specified in the General Plan and applicable Specific Plan in that the

development meets or conditionally meets all standards set forth in the General Plan and the project site is not subject to a Specific Plan. The proposed use is subject to the criteria for development in the General Plan, Site Development regulations for the applicable zoning district, and the Old Town Pittsburg Design Guidelines and Principles. The proposed use is contributing to the diverse development intensities in areas accessible to public transit (General Plan Goal 2-G-4) and would serve as a multi-purpose destination point for both residents of the City and visitors (General Plan Goal 5-P-5).

The proposed use will not create a nuisance or enforcement problem within the neighborhood in that the outdoor expansion area will follow the City of Pittsburg's noise ordinance as described in Pittsburg Municipal Code (PMC) Section 9.44.010. Specifically, any noise such as yelling, shouting, hooting, whistling or singing in a private residence or building of public assembly between the hours of 11:30 p.m. and 7:00 a.m. in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants is prohibited.

The proposed use will not encourage marginal development within the neighborhood in that the benefits of the proposed use outweigh the costs incurred by that same use. The proposed use would establish a development within the neighborhood that will increase tax revenue and provide the neighborhood with an accessible community facility.

The proposed use 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 proposed expansion is existing on site and will not require the need for additional public services from the City.

The proposed use is consistent with the City's approved funding priorities, in that City staff has specified the need for community engagement and recreation funding within the City.

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 in that the proposed use will occupy a currently underutilized location within the Downtown Commercial Core Sub-Area of the General Plan and provide an outdoor location for pedestrian-oriented entertainment.

Key Conditions of Approval:

The proposed project would conform to the Pittsburg Municipal Code Title 18, General Plan, and Old-Town Pittsburg Development Guidelines, if the following Conditions of Approval are included in the Resolution are adopted by the Planning Commission:

- A. The applicant must provide attractive outdoor seating and dining furniture, made of high-quality materials, pursuant to Old Town Pittsburg Design Guidelines and Principles.
- B. The proposed project must comply with all applicable fire codes and standards. Specifically, the applicant must submit signed and stamped plans drafted by a licensed architect detailing the Tenant Improvement and project specifications to Contra Costa County Fire Protection District for approval prior to any use of the space. Plan review and inspection fees may accrue.
- C. All events providing food, drinks, and/or catering service must contact the Contra Costa County Environmental Health Department to obtain a Health Permit and any other permit/license required by their Department. Services provided must operate within the limitations of the permit obtained.

ACTION REQUIRED:

Move to adopt a Resolution approving Use Permit Application No. 21-1569, subject to conditions.

ATTACHMENTS:

- 1. Proposed Resolution
- 2. Site Photos
- 3. Map of Surrounding Uses
- 4. Property Development Regulations Table
- 5. Project Plans
- 6. Public Hearing Notice

Prepared by: Kelsey Gunter, Assistant Planner

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Granting Use Permit Approval to expand the use of the California Theatre to include the outdoor patio area as part of the Theatre located at 351 Railroad Avenue, in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-108-004.) Resolution No. ____

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On May 7, 2021, City of Pittsburg's Community and Economic Development Department, Planning Division, received Use Permit application No. AP-21-1569 requesting approval to expand the Commercial Recreation and Entertainment use of the California Theatre to the back patio area, located at 351 Railroad Avenue in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-108-004.
- B. The California Theatre is located in Old Town Pittsburg in the Downtown Sub-Area of the General Plan. Contra Costa County Assessor's Office records indicate that the construction of the theatre was completed in the year 1920, thus classifying the Theatre as a "historic" structure within the City. The Theatre remains in operation in present day and is owned and operated by the City of Pittsburg.
- C. The Project is governed by the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 ("Zoning"), and the City of Pittsburg Old Town Pittsburg Design Guidelines and Principles.
- D. The Project is subject to the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (Public Resources Code section 21080). The Project is environmentally exempt from CEQA under Government Code Section 15301 Class 1, existing facilities.
- E. PMC section 18.16.040 specifies that the following findings must be made before approval of a Use Permit. The Planning Commission may grant approval of a Use Permit if the proposed use:
 - 1. is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. is not detrimental to the health, safety, and general welfare of the City;

3. will not adversely affect the orderly development of property within the City;
 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
 5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem within the neighborhood;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
 9. is consistent with the city's approved funding priorities; and
 10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.
- F. On or prior to May 14, 2022, notice of the May 24, 2022, public hearing was posted at City Hall, near the 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 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 "Old Town Pittsburg", and "The Village at New York Landing" neighborhoods.
- G. On May 24, 2022, the Planning Commission held a public hearing on Planning Application No. 21-1569, at which time oral and/or written testimony was considered.

Section 2. Findings

Use Permit Findings:

- A. Based on the Planning Commission Staff Report entitled, "Consideration of a Resolution Approving a Use Permit for California Theatre, AP-21-1569 (UP)" dated May 24, 2022, all the information contained in the Planning Division files on this

project, incorporated here by reference and available for review in the Planning Division located at 65 Civic Avenue, and based on evidence presented to the Planning Commission on May 24, 2022, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference.
2. The proposed California Theatre expansion area for will:
 - a. be in accord with the objective of PMC Title 18 ("Zoning"), the purposes of the land use district in which it is located, and is appropriate to the specific location, in that the proposed use is a conditionally permitted use in the CP Zoning District and will follow the intended uses of the District, expanding a pedestrian-oriented entertainment use within the Downtown Sub-Area of the General Plan. Further, the proposed use satisfies the intended use of the land as specified in the 2020 General Plan.
 - b. not be detrimental to the health, safety, and general welfare of the City, in that it would provide for economic growth and development for the City along a main commercial corridor in the City and occupy a site that is currently underutilized. With the expansion, the area will be utilized to its full potential, creating a space for City residents and visitors to congregate and view live entertainment.
 - c. not adversely affect the orderly development of property within the City in that the project will be subject to all applicable Land Use, Building, Fire, and Engineering Codes at time of development. The proposed use would be conditioned to meet all applicable standards in PMC Title 18 for the CP Zoning District, 2020 General Plan, and applicable development guidelines (Old Town Pittsburg).
 - 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 use would occupy a currently underutilized site, overall enhancing the appearance of the area and increasing its property value and property values in the vicinity.
 - e. be consistent with the objectives, policies, general land uses, and programs specified in the General Plan and applicable Specific Plan in that the development meets or conditionally meets all standards set forth in the General Plan and the project site is not subject to a Specific Plan. The proposed use is subject to the criteria for development in the General Plan, Site Development regulations for the applicable zoning district, and the Old Town Pittsburg Design Guidelines and Principles. The proposed use is contributing to the diverse development intensities in areas accessible to public transit (General Plan Goal 2-G-4) and would serve as a multi-

purpose destination point for both residents of the City and visitors (General Plan Goal 5-P-5).

- f. not create a nuisance or enforcement problem within the neighborhood in that the outdoor expansion area will follow the City of Pittsburgh's noise ordinance as described in Pittsburgh Municipal Code (PMC) Section 9.44.010. Specifically, any noise such as yelling, shouting, hooting, whistling or singing in a private residence or building of public assembly between the hours of 11:30 p.m. and 7:00 a.m. in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants is prohibited.
 - g. not encourage marginal development within the neighborhood in that the benefits of the proposed use outweigh the costs incurred by that same use. The proposed use would establish a development within the neighborhood that will increase tax revenue and provide the neighborhood with an accessible community facility.
 - h. 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 proposed expansion is existing on site and will not require the need for additional public services from the City.
 - i. be consistent with the City's approved funding priorities, in that City staff has specified the need for community engagement and recreation funding within 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 if located within the Pedestrian Commercial (CP) district, in that the proposed use is located in the CP Zoning District and will occupy a currently underutilized location within the Downtown Commercial Core Sub-Area of the General Plan. The proposed project would provide an outdoor location for pedestrian-oriented entertainment.
3. The Staff Report entitled, "Consideration of a Resolution Granting a Use Permit for California Theatre, AP-21-1569 (UP)" dated May 24, 2022, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Use Permit Application No. 21-1569, subject to all the conditions of Resolution No. _____.

City of Pittsburgh Planning Division's Conditions:

1. Conformity with Project Plans. The approved use shall be operated in substantial conformity with the project plans except as may be hereinafter modified. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.
2. Hours of Operation. The hours of operation of the outdoor expansion area at the California Theatre are 8:00 A.M. through 11:00 P.M., Monday-Sunday, as necessary. Events and/or set-up may begin as early as 8:00 A.M. and strike-down will be complete by 11:00 P.M.
3. Noise. The outdoor expansion area proposes amplified noise and/or music. The project must follow the City of Pittsburg's noise ordinance as described in Pittsburg Municipal Code (PMC) Sections 9.44.010 and 18.06.220.
4. License and Permitting. At all times during operation of the business, the business operator shall maintain a City Business License.
5. Contra Costa County Environmental Health Department. All events providing food, drinks, and/or catering service must contact the Contra Costa County Environmental Health Department to obtain a Health Permit and any other permit/license required by their Department. Services provided must operate within the limitations of the permit obtained.
6. Site Maintenance. The site and adjacent streets and sidewalks shall be kept clean and free of all litter, debris, and refuse that may be generated from the operation of the business, at all times. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
7. Furniture. The Applicant must provide attractive outdoor seating and dining furniture, made of high-quality materials, pursuant to Old Town Pittsburg Design Guidelines and Principles. The proposed furniture shall be subject to review and approval by the Planning Division prior to Certificate of Occupancy.
8. Outdoor Dining Permit. The Applicant shall apply for an Outdoor Dining Permit with the City of Pittsburg Planning Division prior to Certificate of Occupancy.
9. Signage. Signage for the use is not approved with this resolution. Prior to any signage construction (including monument signs), the Applicant or their designee shall submit proposed signs as part of a separate sign permit application, which will be subject to review and approval by the Planning Division prior to installation.
10. Screening. All utility box transformers, backflow preventers, meters, air conditioning units, junction boxes, and roof-mounted equipment shall be substantially screened from public view using a block or retaining wall screen, wood/architectural screen, or dense landscaping screen. Final utility screening

methods shall be included on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a Building Permit.

Contra Costa County Fire Protection District Conditions:

1. The proposed project must comply with all applicable fire codes and standards. Specifically, the Applicant must submit signed and stamped plans drafted by a licensed architect detailing the Tenant Improvement and project specifications to Contra Costa County Fire Protection District for approval prior to any use of the space. Plan review and inspection fees may accrue.

Standard Conditions:

1. Other Agency Requirements. The Applicant shall comply with all the requirements of the City of Pittsburg Community Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies. It is the responsibility of the Applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
2. Sales Tax on Construction Materials. The Applicant, subsequent developers, or their contractors, subcontractors, agents, or affiliates shall use best reasonable efforts to pay local sales tax in connection with the purchase, acquisition, and/or supply of goods and materials, as well as any new or replacement equipment and supplies purchased during the course of operation. Sales tax(es) shall be apportioned and paid at the applicable sales tax rate in effect for the City as administrated by the California Department of Tax and Fee Administration (CDTFA). At no point may Applicant or its contractors, subcontractors, agents or affiliates contractually agree to waive or share sales and use taxes from this Project with any other city, county or entity in the State of California, including another jurisdiction where they have offices or conduct business. The City of Pittsburg will be the sole jurisdiction of record to the transfer of title. Developer and its contractors, subcontractors, agents and affiliates shall comply with the Sales and Use Tax Requirements ("Requirements") set forth below and all CDTFA requirements.
3. Standard Conditions of Development. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is conflict between the Standard Conditions of Development and the specific conditions of approval specified in this resolution, the specific conditions of this Resolution No. _____ shall govern.
4. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval,

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

5. Expiration of Approval. This Use Permit and Design Review approval will expire on May 24, 2025, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the City of Pittsburg 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 24th day of May 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. _____ was adopted by the Planning Commission of the City of Pittsburg on May 24, 2022.

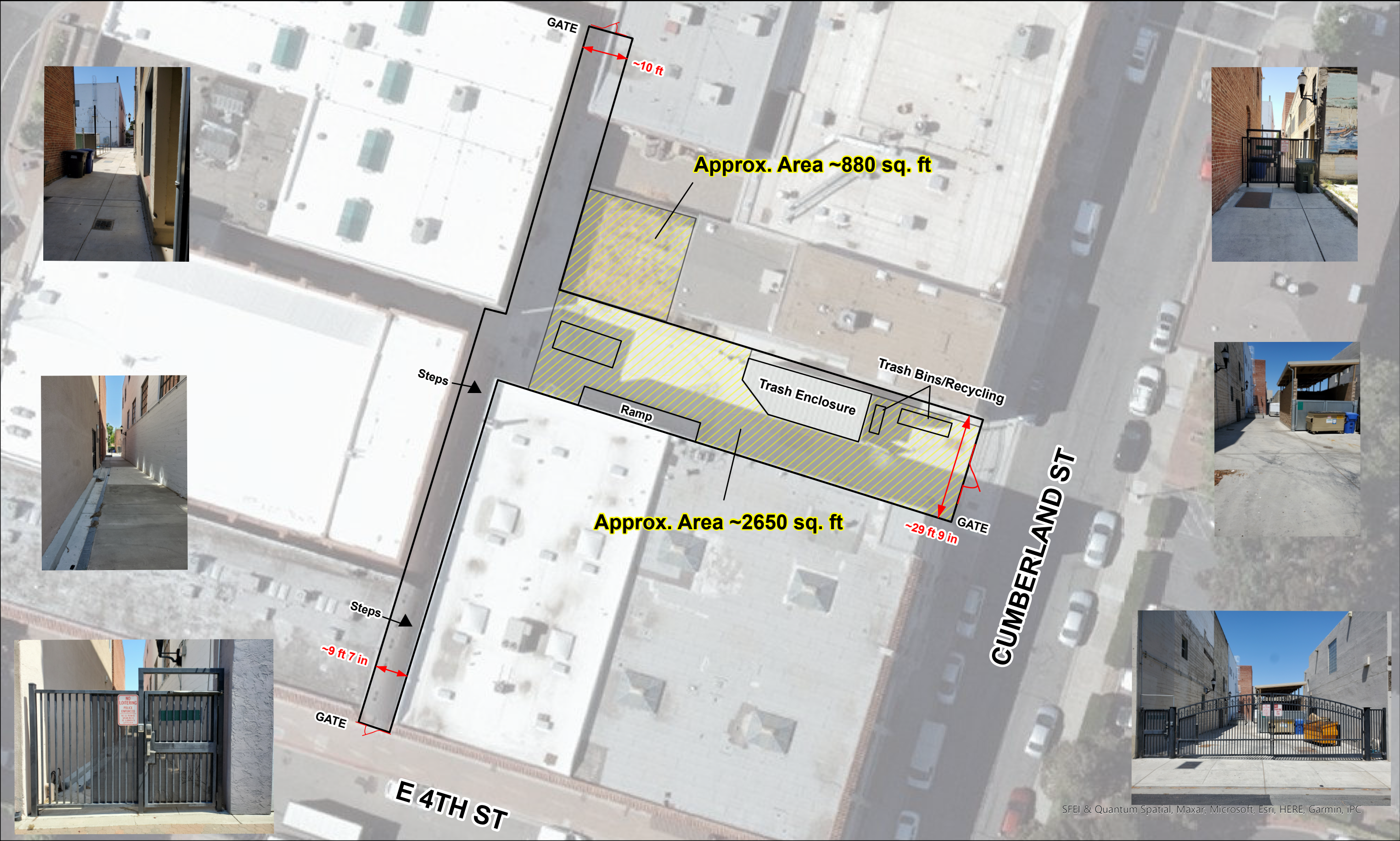
JOHN L. FUNDERBURG III, SECRETARY
PITTSBURG PLANNING COMMISSION

Attachment 2
Site Photos
California Theatre, AP-21-1569 (UP)

Below: View of project site from Railroad Avenue



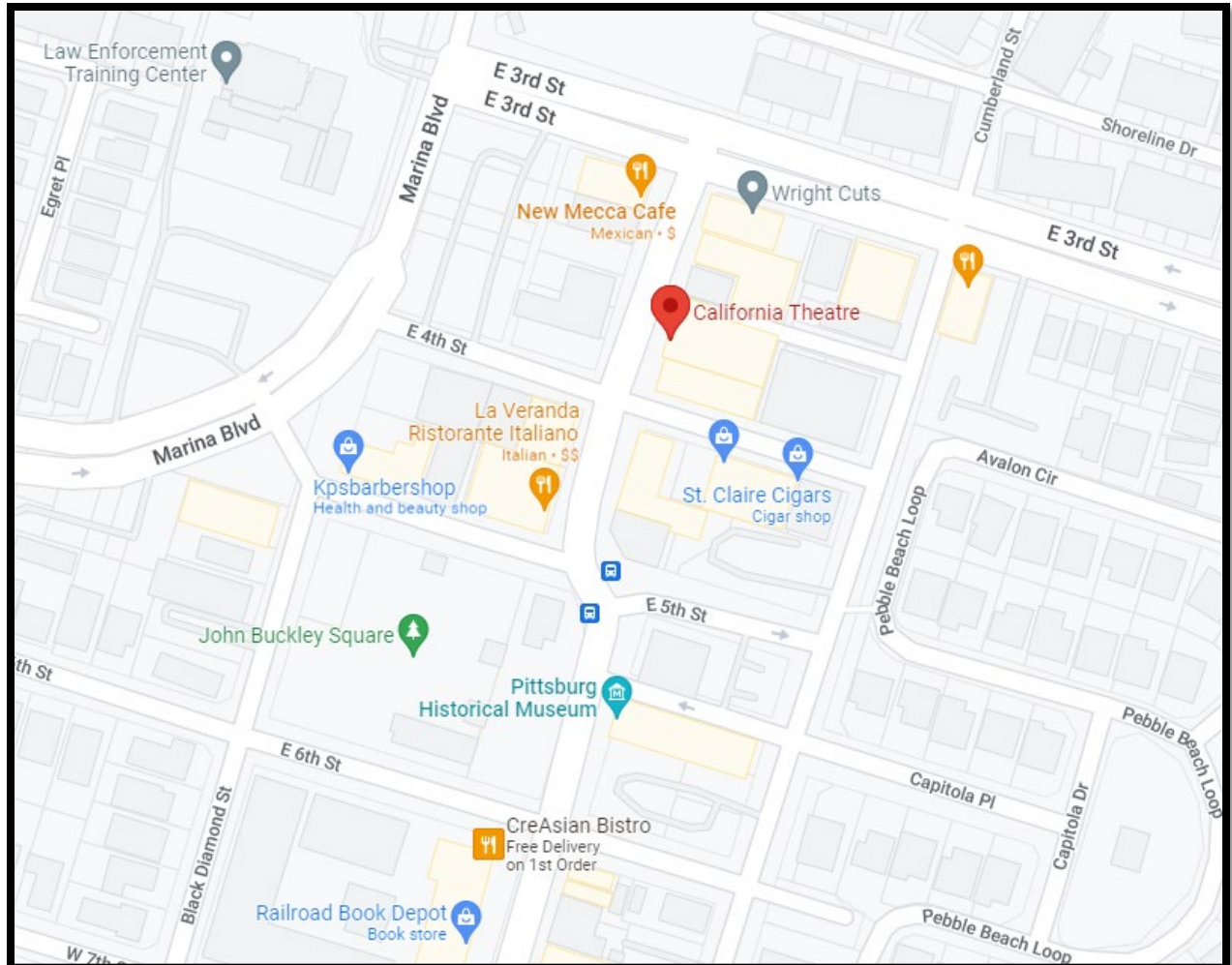
350 Cumberland St Exhibit



SFEI & Quantum Spatial, Maxar, Microsoft, Esri, HERE, Garmin, iPC



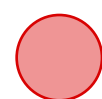
Attachment 3
Surrounding Land Uses, California Theatre, AP-21-1569 (UP)



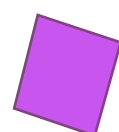
Attachment 4
Property Development Regulations
California Theatre, AP-21-1569 (UP)

Development Regulations for CP Zoning District:	Requirement:	Project:	Project Complies?
Max. Height	60 ft.	Existing*	☒ Yes ☐ No
Max. Lot Coverage	100%	100%	☒ Yes ☐ No
Max. FAR (for non-residential uses)	1.0	1.0	☒ Yes ☐ No
Min. Front Yard Setback (along Railroad Ave.)	None	0'-0"	☒ Yes ☐ No
Min. Side Yard Setback	None	0'-0"	☒ Yes ☐ No
Min. Rear Yard Setback	None	0'-0"	☒ Yes ☐ No
Min. Site Landscaping	None	None	☒ Yes ☐ No
Min. Off-Street Automobile Parking Spaces	1 per. 4 seats	Existing*	☒ Yes ☐ No
Min. Bike Parking 0 spaces per 0-4 off-street automobile parking spaces	0 spaces per 0-4 off-street automobile parking spaces	None*	☒ Yes ☐ No

***Note:** California Theatre is an existing establishment in the City of Pittsburg "Old Town" Downtown Area. There are no site improvement changes proposed or approved with this project. The project is an expansion of the use of "Commercial Recreation and Entertainment – Outdoors".



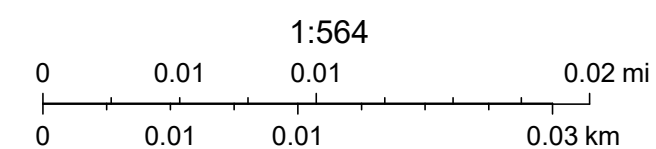
EMERGENCY EXIT



Flex Space (to be used for dancing, performances, congregating, seating, etc.)



BAR SERVICE



SFEI & Quantum Spatial, Maxar, Microsoft, Esri, HERE, Garmin, iPC



City of Pittsburg

Community and Economic 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: May 24, 2022
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

California Theatre, AP-21-1569 (UP)

This is a public hearing on a request for Use Permit approval to expand the use of the California Theatre (a commercial recreation and entertainment use) to include the outdoor patio area as part of the theatre to be used as a small performance area, “lobby” during performance intermissions, and outdoor gathering area for potential events. The project is located at 351 Railroad Avenue in the CP (Pedestrian Commercial) District. Assessor’s Parcel No. 085-108-004.

Environmental Determination

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

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

Why am I receiving this notice?

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

Where can I get more information about this project?

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

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

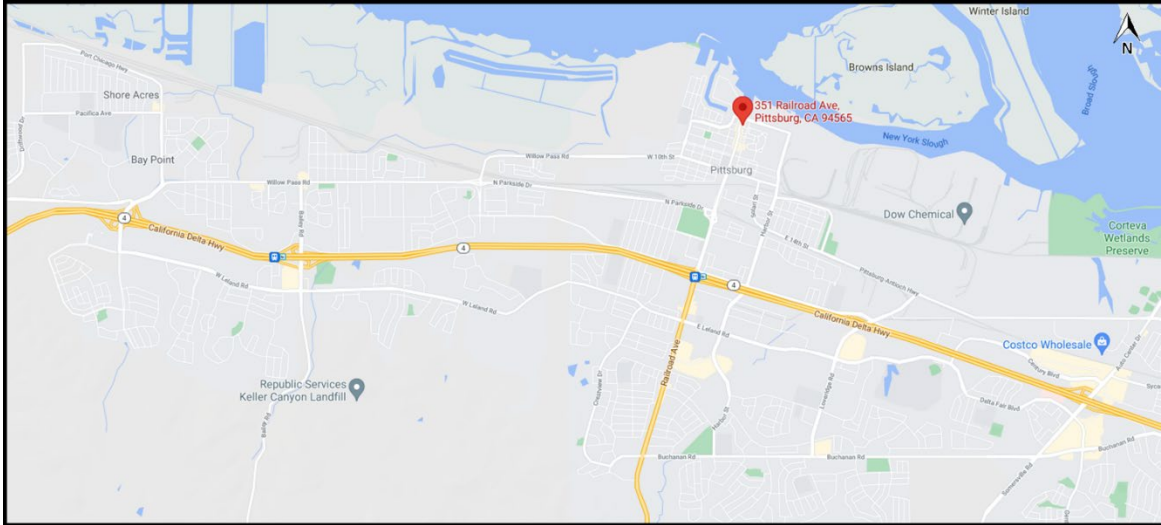
Comments or objections to the project can be made by writing or through e-mailed testimony prior to the meeting or provided orally during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division,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

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

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

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: California Theatre, AP-21-1569 (UP)
Location: 351 Railroad Avenue, APN: 085-108-004.



NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 24, 2022**

ITEM: Consideration of a Resolution Granting a Use Permit for Exit 446 Escape Room, AP-22-0040 (UP)

ORIGINATED BY: James Collins, 2209 Arbol Court, Antioch, CA 94509

SUBJECT: This is a public hearing on a request for approval of a use permit to establish a commercial recreation and entertainment use for Exit 446 Escape Room at 446 Railroad Avenue. The property is within the CP (Pedestrian Commercial) District. Assessor's Parcel Number: 085-104-001.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution approving Use Permit Application No. 22-0040, subject to conditions.

BACKGROUND:

On August 26, 2002, the Planning Commission approved Resolution No. 9362, approving Design Review of architectural plans for the façade renovation of the existing building at 446 Railroad Avenue.

On April 14, 2022, the applicant filed Use Permit Application No. 22-0040 to establish the commercial recreation and entertainment use for Exit 446 Escape Room at 446 Railroad Avenue.

PROJECT DESCRIPTION:

Existing Conditions: The subject property is an approximately 9,350 square foot parcel, located on the northwestern corner of Railroad Avenue and E. 5th Street in Downtown Pittsburg, with frontage on both Railroad Avenue and 5th Street. The parcel contains a two-story multi-tenant mixed-use building that encompasses the entire parcel with zero-yard setbacks. There is no off-street parking at the location; however, street parking is available along both frontages, and public parking lots are located to the north (120 feet away) and to the east (165 feet away). The building provides entrances to the south along E. 5th Street and to the east along Railroad Avenue.

Other current tenants of the mixed-use structure include 446 Railroad LLC (Property Management), La Veranda Ristorante Italiano (Restaurant), and residential units.

See attachment 3 for photographs showing existing site conditions.

Surrounding Land Uses:

North: The Bank Building, E. 4th Street, New Mecca Café, public parking lot
West: Residential unit, vacant storefronts
South: E. 5th Street, John Buckley Square
East: La Veranda Ristorante Italiano, Railroad Avenue, Office spaces, St. Claire Cigars

See Attachment 4 for a map of surrounding uses.

Project: The applicant is requesting approval of a use permit to establish a commercial recreation and entertainment use within the mixed-use building at 446 Railroad Avenue. The applicant has leased an approximately 4,000 square foot tenant space of the building on first floor adjacent to E. 5th Street, and is proposing to use the leased space as an “escape room”. The leased space includes a waiting area with reception desk, orientation area, two game rooms (approximately 144 square feet and 210 square feet), bathroom, and storage areas.

Proposed Operations:

The Exit 446 Escape Room will provide in-person immersive puzzle games. This location will offer two different themed game room experiences, offered in different languages to serve the Pittsburg community. Customers will be able to book timeslots through the business website. Participants will show up 15 minutes prior to their scheduled time slot and be greeted by trained staff. Participants will be required to complete an orientation and sign waivers before entering the game rooms. The “Game Master” will narrate the plot of the adventures for customers, help guests have an enjoyable experience, offer “hints” if requested by guests, will monitor participants in each game room on CCTV to maintain a safe game play, and be able to instantly communicate with guests. Upon entering the room, the customers will have 60 minutes to find and solve various puzzles to “Escape” or “Solve the Mystery” of the room. Doors to the game rooms will not be locked at any time. Participants in game room 1 will compete with participants in game room 2 for best time. Times will be posted at the end of each game on a leader board.

The target audience for Exit 446 Escape Room is Pittsburg families, ages 4 and up, friend groups, teams/coaches, human resources directors, program managers, local schools and businesses. Exit 446 Escape Room will specifically target partnerships with local walking-distance restaurants, and business owners near the location.

The applicant has requested operating hours of 10:00 a.m. to 9:00 p.m. Monday through Sunday. The business will not offer food, drinks or alcohol for sale. No alcohol will be allowed on-site, and the use will not produce loud music or noise. The business will have four employees.

See Attachment 2 for a floor plan.

GENERAL PLAN/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, personal services, restaurants, offices, financial organizations, institutions, and other businesses serving the daily needs of Downtown residents. The proposed project conforms with the intent of the General Plan, and more specifically, Goal 5-G-3 which encourages a variety of land uses and mixed-use developments at appropriate locations within the Downtown.

Zoning: The subject site is located in the CP (Pedestrian Commercial) District. The CP District is intended to provide a vibrant destination area that caters to pedestrian shoppers and visitors in the Downtown Commercial Core. Permitted uses on ground floor along the primary corridor consist primarily of pedestrian-oriented retail, entertainment, restaurants, and galleries. Office uses are permitted above/below the ground floor and beyond the primary corridor of the CP District to increase the downtown population and employment/shopper base. The CP District is intended to create a place for pedestrian-oriented activity by providing inviting, visually interesting, human-scale architecture, pedestrian-friendly storefronts, outdoor dining opportunities, and a limited number of (public) parking facilities.

The proposed use of an escape room falls under the use classification of “Commercial Recreation and Entertainment, within a building,” as defined by section 18.08.080(11)(a) of Pittsburgh Municipal Code (PMC). In accordance with PMC section 18.52.010, commercial recreation uses within a building and within the CP District are allowed subject to the approval of a use permit.

Development Standards: The project site is within an existing building, that complied with all the site development standards in effect at the of construction. In 2002 the building underwent façade renovations approved under Planning Commission Resolution No. 9362. The proposed use will utilize the existing facilities and no building expansion or major site improvements are proposed that would trigger the application of development standards such as setbacks, building height, lot coverage, floor-to-area ratio, or landscape coverage.

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). Therefore, no off-street parking is required for the proposed project.

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

Public Notice: On or prior to May 14, 2022, notice of the May 14, 2022, public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with 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", and "The Village at New York Landing" neighborhoods.

ANALYSIS:

Staff believes that the Planning Commission can make the required findings to allow the proposed commercial recreation and entertainment use at the proposed location, if key conditions of approval are incorporated into the attached resolution. Key conditions of approval will require that:

- the site and adjacent street and sidewalk shall be kept clean and free of all litter, debris, and refuse that may be generated from the operation of the business, at all times. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
- the hours of operation for the business shall be limited to 10:00 a.m. to 9:00 p.m. Monday through Sunday.
- the number of customers/guests shall not exceed the maximum occupancy for the space.
- exterior doors entering the site and doors to each game room shall remain unlocked during all business hours.

With the incorporation of the conditions identified above, the proposed use will not be detrimental to the health, safety, and general welfare of the City, nor create a nuisance or enforcement problem within the neighborhood. The proposed project will help promote the general welfare of residents by occupying a site that would otherwise be vacant. The proposed project will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging atmosphere by drawing new customers to Old Town Pittsburg, thereby increasing pedestrian traffic for surrounding sites and businesses.

ACTION REQUIRED:

Move to adopt a Resolution approving Use Permit Application No. 22-0040, as conditioned.

ATTACHMENTS:

1. Proposed Resolution
2. Project Floor Plans, date stamped April 14, 2022
3. Site Photos
4. Map of Surrounding Land Uses
5. Property Development Regulations Table
6. Applicable General Plan Goals and Policies
7. Public Hearing Notice

Prepared by: Celina Palmer, AICP, Associate Planner

Attachment 1

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Granting a Use Permit to Establish a	)	Resolution No. _____
Commercial Recreation and	)	
Entertainment Use Within an Approx.	)	
4,000 Square-Foot Leased Space	)	
Within a Mixed-Use Building Located at	)	
446 Railroad Avenue, for the Exit 446	)	
Escape Room, AP-22-0040 (UP)."	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On April 14, 2022, James Collins, on behalf of Collins Immersive Experiences LLC, filed Planning Application No. 22-0040, requesting a Use Permit to establish a commercial recreation and entertainment use for an “escape room” within an approximately 4,000 square-foot tenant space of an existing multi-tenant mixed-use building, located at 446 Railroad Avenue, in the CP (Pedestrian Commercial) District. Assessor’s Parcel No. 085-104-001.
- B. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburg General Plan, and Pittsburg Municipal Code (PMC) Title 18 (“Zoning”).
- C. 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.
- D. PMC section 18.16.040 specifies that the following findings must be made before approval of a Use Permit. The Planning Commission may grant approval of a use permit if the proposed use:
 - 1. is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. is not detrimental to the health, safety, and general welfare of the City;
 - 3. will not adversely affect the orderly development of property within the City;
 - 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;

5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem within the neighborhood;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
 9. is consistent with the city's approved funding priorities; and
 10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.
- E. On or prior to May 14, 2022, notice of the May 24, 2022, public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with 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", and "The Village at New York Landing" neighborhoods.
- F. On May 24, 2022, the Planning Commission held public hearing on Planning Application No. 22-0040, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report titled, "Consideration of a Resolution Granting a Use Permit for Exit 446 Escape Room, AP-22-0040 (UP)," dated May 24, 2022, all the information contained in the Planning Division files on the project adopted and incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and incorporated herein by reference.
 2. The proposed commercial recreation and entertainment use, Exit 446 Escape Room, will:

- a. be in accordance with the objectives of the Zoning Ordinance, the purpose of the land use district in which it is located and is appropriate to the specific location, in that the proposed event space (classified by PMC 18.08.080.11.a, as 'Commercial Recreation and Entertainment within a Building') is a conditionally permitted use in the CP (Pedestrian Commercial) Zoning District;
- b. not be detrimental to the health, safety, and general welfare of the City, in that it will be required to meet health and safety requirements of the Pittsburg Community Development Department and the Contra Costa County Fire Protection District;
- c. not adversely affect the orderly development of property within the City, in that approval of the Use Permit will allow the applicant to 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. not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that the continued occupancy of empty tenant spaces throughout town will increase property values as well as the City's tax base, and the new use will likely draw new customers to Old Town Pittsburg, thereby increasing pedestrian traffic not only on site, but for surrounding sites and businesses therefore increasing revenue for the City;
- e. will be consistent with the General Plan, specifically goal 2-G-1, in that the proposed escape room will occupy an existing mixed-use building, therefore maintaining a compact urban form within the City's projected municipal boundary;
- f. will not create a nuisance or enforcement problem within the neighborhood, in that the use will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns;
- g. will not encourage marginal development within the neighborhood, in that the business will occupy a space located within an existing mixed-use building, and does not involve construction of a new building or building addition;
- h. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that the project site is located in an area of the City served by existing utilities, and the business will be privately maintained and operated at the cost of the applicant;

- i. will not be inconsistent with the City's approved funding priorities, in that that there is no public money involved in this project; and
- j. will support the goals of creating vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along Railroad Avenue, in that the new use will likely draw new customers to Old Town Pittsburg, thereby increasing pedestrian traffic not only on site, but for surrounding sites and businesses.

B. The Staff Report entitled, "Consideration of a Resolution Granting a Use Permit for Exit 446 Escape Room, AP-22-0040 (UP)," dated May 24, 2022, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, this Planning Commission hereby approves Planning Application No. 22-0040, subject to the following conditions:

Planning Conditions:

1. Conformity with Project Plans. The approved use shall be operated in substantial conformity with the project plans dated April 14, 2022, except as may be hereinafter modified. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.
2. License and Permitting. At all times during operation of the business, the business operator shall maintain a City Business License.
3. Hours of Operation. The hours of operation for the business shall be limited to 10:00 a.m. to 9:00 p.m. Monday through Sunday.
4. Maximum Occupancy. The number of customers/guests shall not exceed the maximum occupancy for the space as determined by the Contra Costa County Fire Protection District.
5. Site Maintenance. The site and adjacent street and sidewalk shall be kept clean and free of all litter, debris, and refuse that may be generated from the operation of the business, at all times. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
6. Signage. Signage for the use is not approved with this resolution. Should the applicant consider signage for the building, the applicant or their designee shall submit proposed signs as part of a separate sign permit application, which will be subject to review and approval by the Planning Division prior to installation.

7. Peace and Order. The business operator shall be responsible for maintaining the peace and order on the premises. All necessary steps shall be taken to ensure that customers refrain from incidents of violence that adversely impact the safety of the community. Should the business operator fail to control loitering, noise, illegal parking, public disturbances or incidents of violence, and in the event that the business necessitates an increased police presence, the Chief of Police may require the business owner to provide additional public safety measures, including but not limited to, video cameras, additional exterior lighting, reduced hours of operation, submittal of a written acknowledgment by customers/guests allowing the Pittsburg Police Department to enter the premises to conduct an inspection during games, or such other measures as determined necessary by the Chief of Police in their sole discretion. Any such required additional measures shall be at the business owner/operator's sole expense.
8. Locked Doors. Exterior doors entering the site and doors to each game room shall remain unlocked during all business hours.
9. Food and Drink. Food or beverages shall not be made available for purchase and alcohol shall not be permitted on the site, unless expressly approved by a temporary activity or special event permit.
10. Smoking. The business operator shall ensure there is no smoking within the building or within 20 feet of a doorway or operable window. This condition shall include but is not limited to tobacco, cannabis, vapes, or other commonly used smoking devices.
11. Refuse Disposal. The business operator shall ensure that trash and recycling facilities are properly maintained and provide adequate storage and pickup. Bins shall be kept indoors at all times except on pickup days, on which bins shall be brought indoors by 3:30 p.m. The applicant shall adhere to local enforceable mechanisms including the City's Municipal Code Sections 8.04 Refuse Removal and Disposal, 8.06 Collection of Recyclable Refuse, and 8.09 Collection of Organic Refuse. The City Engineer reserves the right to require additional measures be taken to ensure proper maintenance of the refuse facility, including but not limited to requiring larger bins, an increased number of bins, and additional pickups to the maximum amount provided by the City-contracted refuse collection company.
12. Noise. The business operator shall ensure any noise generated by the use is not audible outside of the building or within adjacent tenant spaces.

Standard Conditions:

13. Other Agency Requirements. The applicant shall comply with all the requirements of the Community Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and

federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.

14. Standard Conditions of Development. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is conflict between the Standard Conditions of Development and the specific conditions of approval specified in this resolution, the specific conditions of this resolution shall govern.
15. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.
16. Expiration of Approval. This use permit approval will expire on May 24, 2023, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and is 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 24th day of May, 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. _____ was adopted by the Planning Commission of the City of Pittsburgh on May 24, 2022.

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

- 4
N



**Attachment 3
Existing Site Photos**

Exit 446 Escape Room, AP-22-0040 (UP)

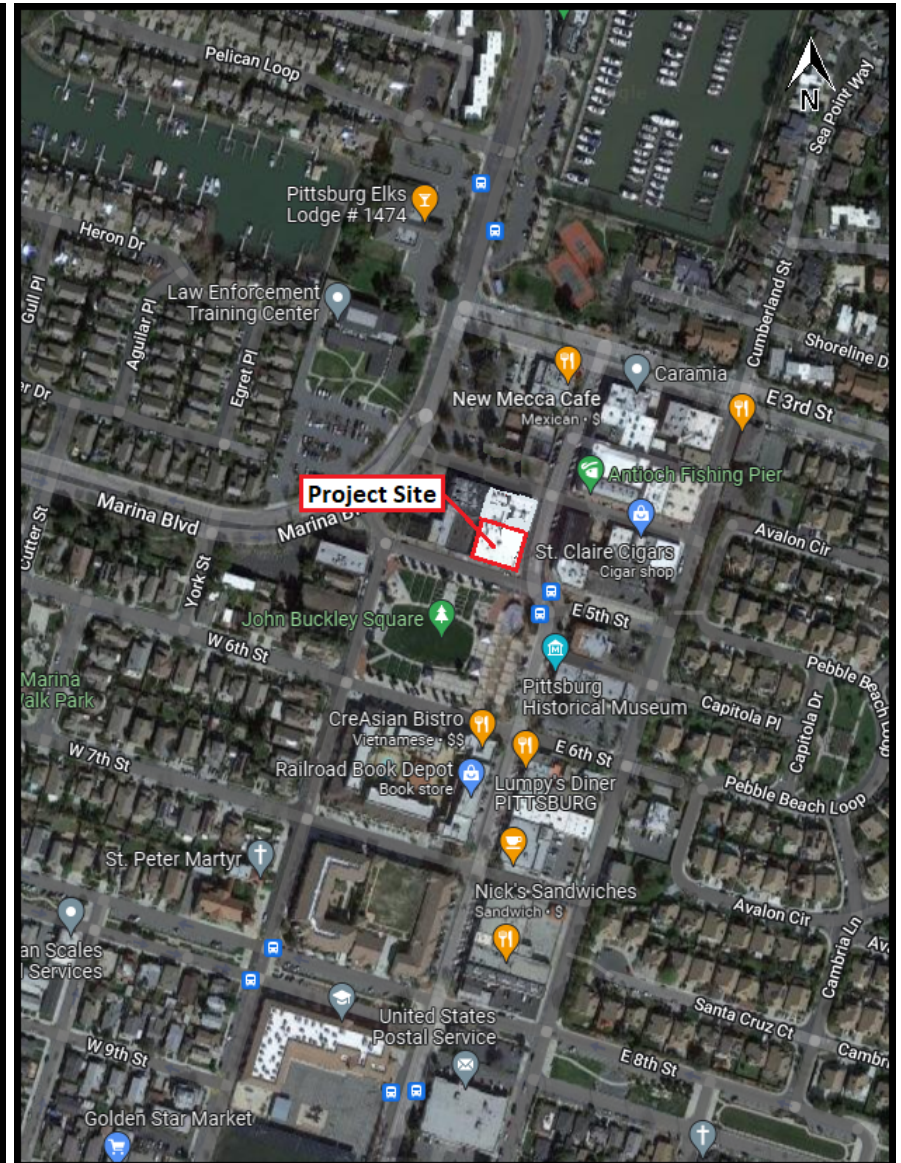
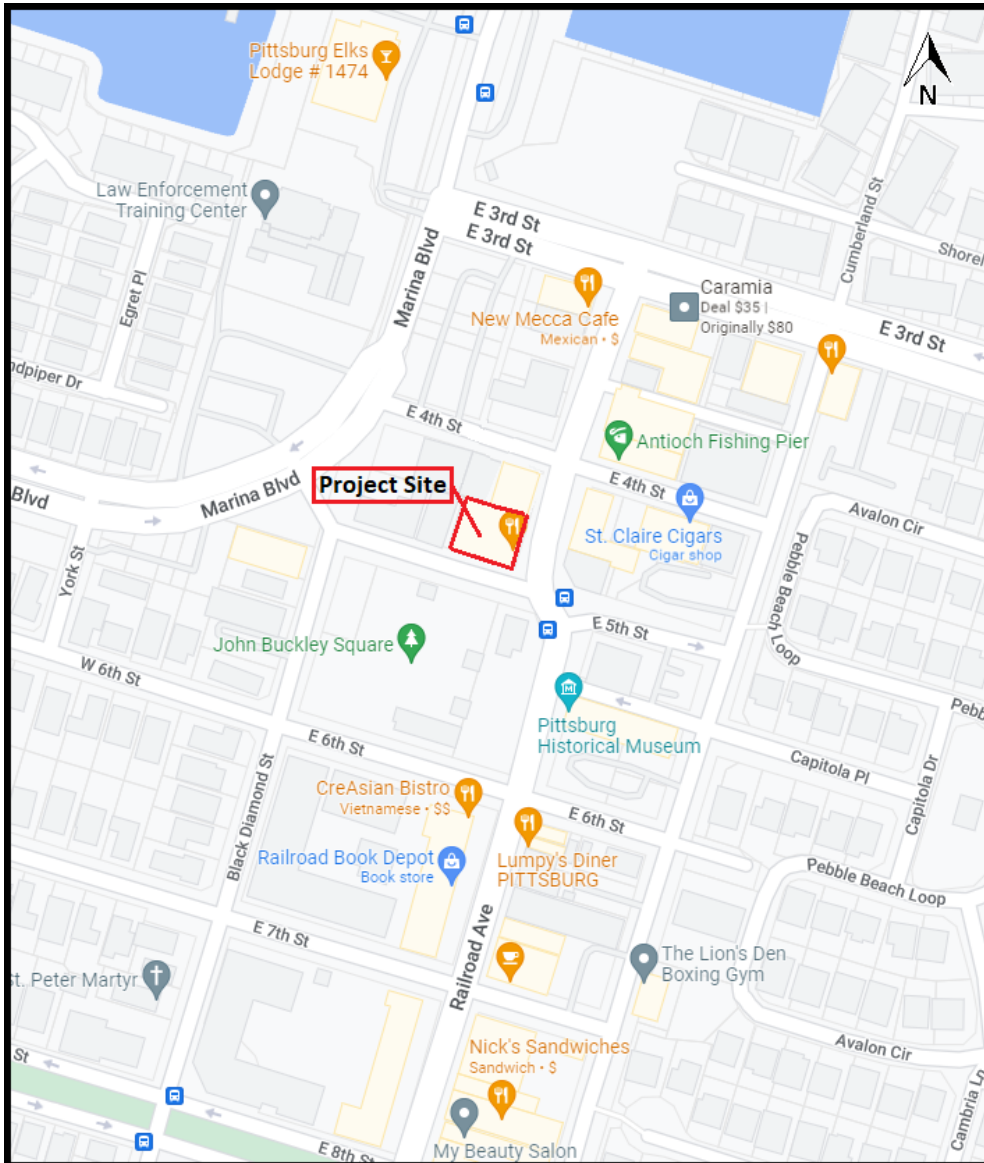






Attachment 4 Map of Surrounding Land Uses

Exit 446 Escape Room, AP-22-0040 (UP)



Attachment 5
Property Development Regulations Table
Exit 446 Escape Room, AP-22-0040 (UP)

Development Regulations: <i>CP (Pedestrian Commercial) District</i>	Required:	Proposed:
Minimum lot area (SF):	-	Approx. 9,350 SF
Minimum lot width (ft):	-	85 ft
Minimum Yards:	-	-
Front:	-	0 ft
Side:	-	0 ft
Corner Side:	-	0 ft
Rear:	-	0 ft
Maximum front yard:	0 ft	0 ft
Maximum height of structures (ft):	60 ft	Approx. 21 ft
Minimum height of structures (ft):	2 stories	2 stories
Maximum lot coverage:	100%	100%
Maximum FAR:	2.0	2.0
Minimum site landscaping:	-	0%
Parking Required:	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 PMC section 18.78.040	Street Parking only

Attachment 6

Applicable General Plan Goals and Policies

Exit 446 Escape Room, AP-22-0040 The Network Event Space, AP-21-1579 (UP)

General Plan Goal/Policy	Analysis
Land Use Element:	
2-G-1: Maintain a compact urban form within the City's projected municipal boundary. Ensure that hillside lands not environmentally suitable for development are maintained as open space.	Consistent. The proposed project would occur within city limits on a project site of less than 5 acres and is not located in an Open Space District.
2-G-4: Provide a range of development intensities, with the highest intensities in Downtown and in areas accessible to transit and services, and lower intensities in hillsides and at the City's southern edge.	Consistent. The proposed project is located in Downtown and is accessible to transit and services.
2-G-6: Maintain programs and provide incentives for use of vacant infill land and reuse and revitalization of underutilized sites.	Consistent. The proposed project would occur on an existing site.
2-P-7: During development review, consider project compatibility with existing surrounding land uses. Ensure that sensitive uses—such as residences, schools, and parks—are not subject to hazardous or unhealthy conditions.	Consistent. The project site is in the 'Downtown Subarea' of the General Plan and has a land use designation of 'Pedestrian Commercial'. Surrounding uses include commercial uses. The proposed project would be compatible with the surrounding uses in that the commercial recreation and entertainment use is permitted in this district with a use permit and is compatible with the surrounding uses.
Land Use Element – Downtown Subarea	
2-P-32: Concentrate all Downtown Commercial activity—which includes specialty retail, professional offices, personal services, entertainment and other uses along the Railroad Avenue corridor. (Downtown: 5-P-2)	Consistent. The proposed project is an entertainment space located along Railroad Avenue.
Growth Management:	
3-G-1: Manage the City's growth to balance development of housing options and job opportunities, protection of open space and habitat areas, construction of transportation improvements, and preservation of high quality public facilities.	Consistent. The proposed project would not be located in an open space zoning designation and the use is a conditionally permitted use in the Pedestrian Commercial zoning district in which it is located.
3-G-4: Maintain programs and provide incentives for use of vacant infill land and reuse and revitalization of underutilized sites. (Land Use Goal 2-G-6)	Consistent. The proposed project would occur on an otherwise underutilized site.
3-P-1: Allow urban and suburban development only in areas where public facilities and infrastructure (police, fire, parks, water, sewer, storm drainage, and community facilities) are available or can be provided.	Consistent. The project site is in an area where public facilities and infrastructure exists.

3-P-2: Prior to project approval, ensure that the existing and planned transportation system will have adequate capacity to accommodate new urban development.	Consistent. The project site is within 1/4 mile of a bus stop for weekday routes 381 and 387, and weekend route 394.
Downtown Element	
5-G-3: Encourage a variety of land uses and mixed-use developments at appropriate locations within the Downtown.	Consistent. The event space <u>escape room</u> will be a new use downtown, adding variety to the area.
5-P-3: Concentrate Downtown Commercial activity—which includes specialty retail, professional offices, personal services, entertainment and other uses along the Railroad Avenue corridor.	Consistent. The proposed use will provide an entertainment space along the Railroad Avenue corridor.
5-P-5: Pursue the development and promotion of cultural activities and facilities, such as museums, meeting halls, community theatres, public art galleries and shows, located within the Commercial Core.	Consistent. The proposed use will be a meeting space located within the downtown Commercial Core.
Economic Development Element	
6-P-6: Maintain efficient licensing and development permitting procedures and regulations.	Consistent. The applicant has gone through the permitting procedures and followed Pittsburg Municipal Code regulations by applying for a use permit.
Transportation Element	
7-P-30: Work with Tri-Delta and planning area residents to plan for local bus routes that more effectively serve potential riders within local neighborhoods.	Consistent. The project site is within 1/4 mile of a bus stop for weekday routes 381 and 387, and weekend route 394.
Resource Conservation Element	
9-P-19: As part of the City's Zoning Ordinance, establish regulations for the preservation of mature trees. Include measures for the replacement of all mature trees removed.	Consistent. There would be no trees removed in conjunction with this project.
Health and Safety Element	
10-P-16: Ensure compliance with the current Uniform Building Code during development review. Explore programs that would build incentives to retrofit unreinforced masonry buildings.	Consistent. The proposed project would be conditioned to comply with all the requirements of the Community Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state, and federal agencies.



City of Pittsburg

Community and Economic 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: May 24, 2022
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Exit 446 Escape Room, AP-22-0040 (UP)

This is an application filed by James Collins, on behalf of Collins Immersive Experiences LLC, requesting use permit approval to establish a commercial recreation and entertainment use for Exit 446 Escape Room, located at 446 Railroad Avenue, in the CP (Pedestrian Commercial) District. Assessor's Parcel No. 085-104-001.

Environmental Determination

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

PROJECT PLANNER: Celina F. Palmer, (925) 252-4029 or cpalmer@pittsburgca.gov

Why am I receiving this notice?

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

Where can I get more information about this project?

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

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

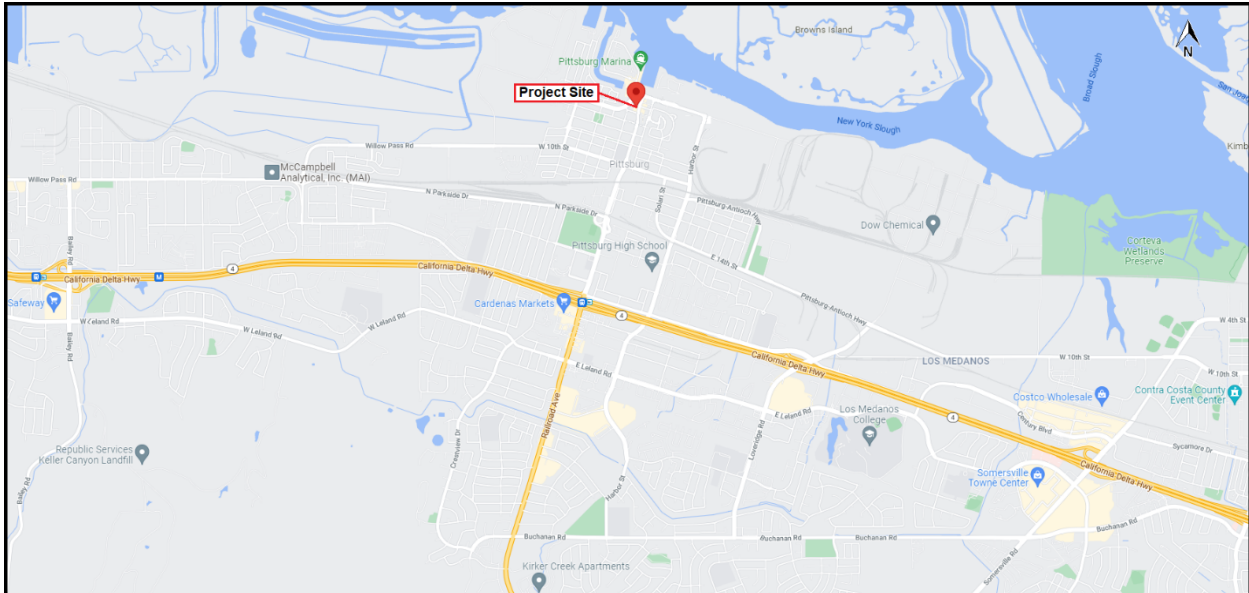
Comments or objections to the project can be made by writing or through e-mailed testimony during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565.

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: Exit 446 Escape Room, AP-22-0040 (UP)
Location: 446 Railroad Avenue, APN 085-104-001



NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 24, 2022**

ITEM: Notice of Intent to Exercise Delegated Design Review Authority

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

SUBJECT: The Zoning Administrator submits one notice of intent to exercise delegated design review authority to: 1) place a 2,160 square-foot modular trailer, to be used as an office building, on the project site and 2) modify the existing parking lot to accommodate four new standard and one Americans with Disabilities Act (ADA) parking spaces at the property located at 895 East 3rd Street, in the General Industrial (IG) District. APN: 073-020-019. The project would implement the previously approved Use Permit (AP-19-1412).

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge receipt of the attached Notice of Intent to Exercise 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.

Planning Commission Staff Report
Notice of Intent to Exercise Delegated Design Review Authority.

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 Planning 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.

San Francisco Bay Aggregates Modular Trailer, AP-22-0044 (ADR).

This is an application by William Day, on behalf of San Francisco Bay Aggregates, requesting administrative design review approval of plans to: 1) place a 2,160 square-foot modular trailer, to be used as an office building, on the project site and 2) modify the existing parking lot to accommodate four new standard and one Americans with Disabilities Act (ADA) parking spaces at the property located at 895 East 3rd Street, in the General Industrial (IG) District. APN: 073-020-019. The project would implement the previously approved Use Permit (AP-19-1412).

This project is delegated to staff under Category 4, "Changes to Existing Parking Lots" and Category 8, "Ancillary Structures" of Planning Commission Resolution No. 9918.

GENERAL PLAN/CODE COMPLIANCE:

Zoning Administrator Public Hearings: PMC sections 18.32.010 and 18.84.560 authorize the Zoning Administrator to hear and decide on applications for approval of variances, exceptions to fence regulations, large day care homes, small recycling facilities, and wireless telecommunications collocation facilities. PMC section 18.10.100 directs the Zoning Administrator to notify the Planning Commission of his or her intent to schedule and conduct a public hearing on any application for which the Zoning

Planning Commission Staff Report
Notice of Intent to Exercise Delegated Design Review Authority.

Administrator is authorized to act, prior to the Zoning Administrator acting on the application.

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.

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Acknowledge receipt of the attached Notice of Intent.

ATTACHMENTS:

1. Notice of Intent San Francisco Bay Aggregates Modular Trailer, AP-22-0044 (ADR).
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**

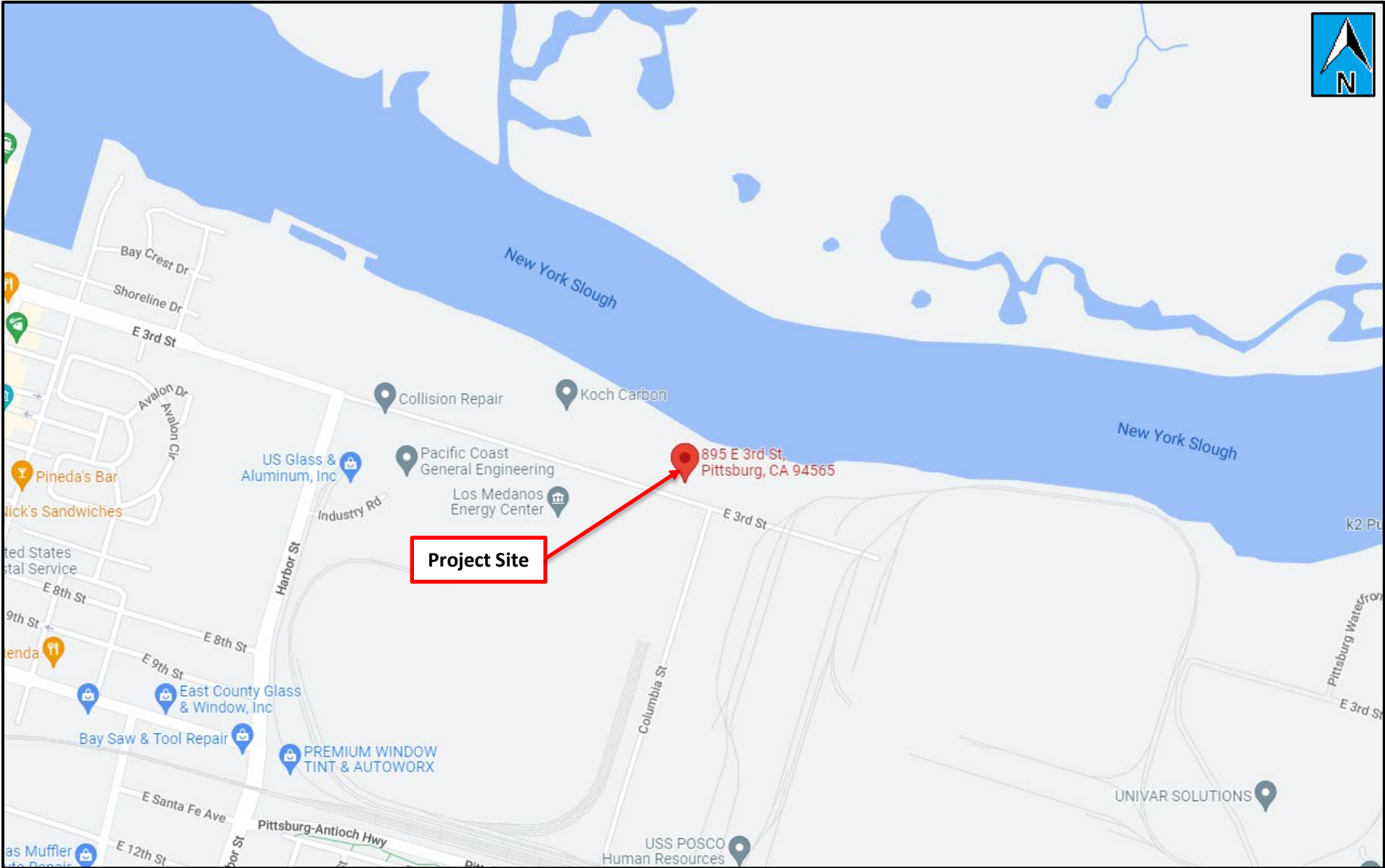
San Francisco Bay Aggregates Modular Trailer, AP-22-0044 (ADR).

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This project is delegated to staff under Category 4, "Changes to Existing Parking Lots" and Category 8, "Ancillary Structures" of Planning Commission Resolution No. 9918.

San Francisco Bay Aggregates (ADR) – Vicinity Map

AP-22-0044	895 East 3 rd St
Administrative Design Review	APN: 073-020-019



San Francisco Bay Aggregates (ADR) – Aerial Map

AP-22-0044	895 East 3 rd St
Administrative Design Review	APN: 073-020-019



BLUE PLANET

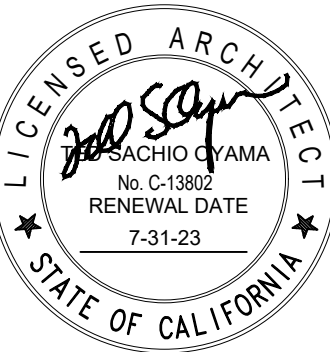
895 EAST 3rd STREET
Pittsburg, California 94565

MODULAR OFFICE BUILDING

SAN FRANCISCO
BAY
AGGREGATES
100 COOPER CT., SUITE A
LOS GATOS, CA 95032
Tel. (408) 458-3900
Fax. (408) 458-3910



Southern California Office
18665 SOLEDAD CANYON RD. SUITE #210
SANTA CLARITA, CA 91351
TELEPHONE: 949-224-1590
FACSIMILE: 949-269-7954



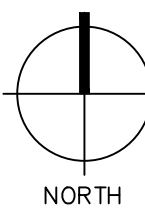
ISSUES/REVISIONS

A	4/19/2022	CLIENT REVIEW SUBMITTAL
NO.	DATE	DESCRIPTION

NEW MODULAR
OFFICE

BLUE PLANET LTD.

895 East 3rd Street
Pittsburg, CA 94565

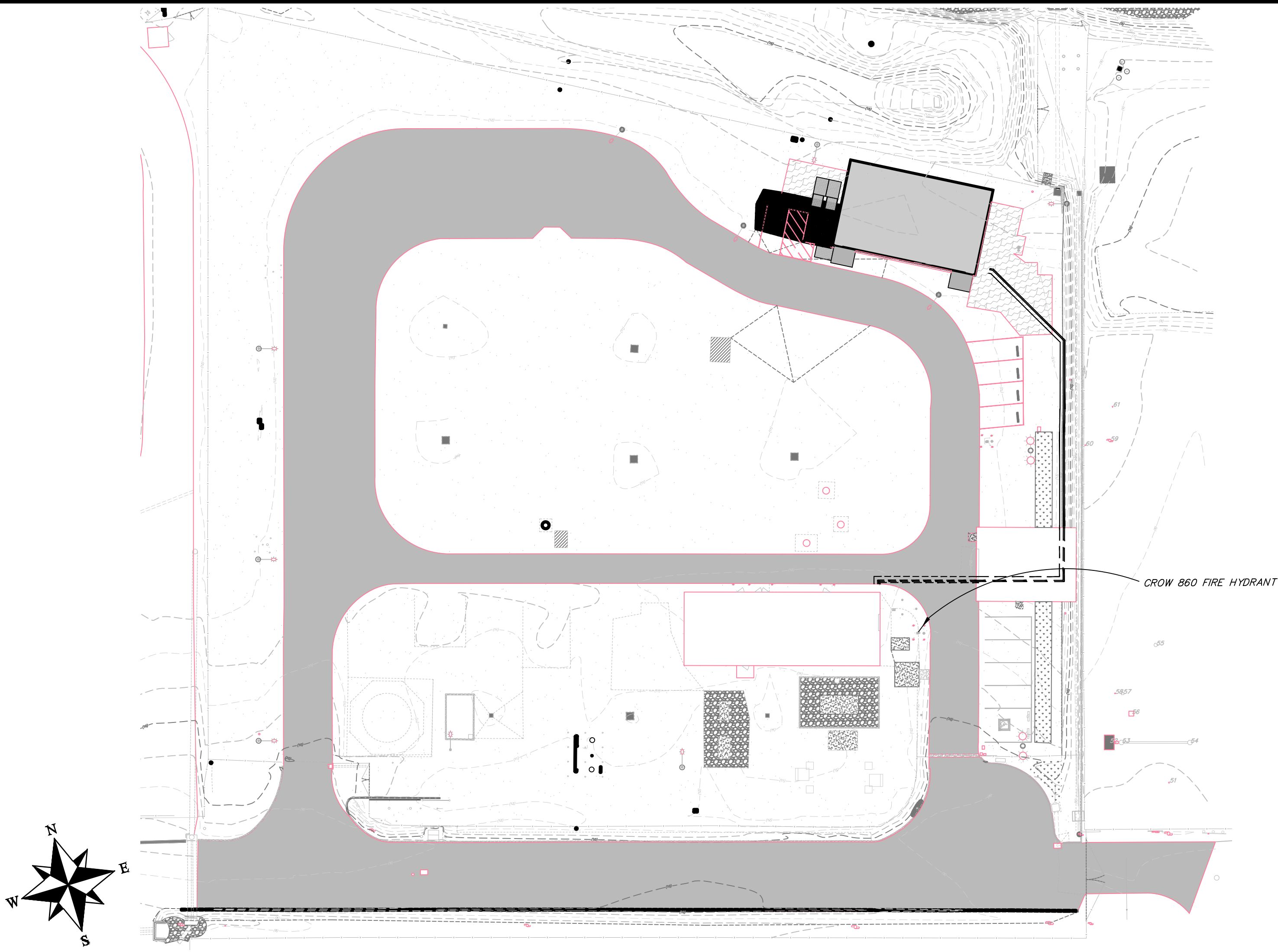


DRAWN BY	CHECKED BY	DESIGNED BY	APPROVED BY
G.G.	T.O.	G.V.	E.G.
PROJECT NUMBER:	BPLA-18239		
SCALE:	NONE		

TITLE SHEET

T0.1

SITE PLAN



SYMBOLS

- 1
AB.1
DETAIL
REFERENCE
- DETAIL NUMBER
SHEET WHERE DETAIL IS DRAWN.
DASH INDICATES DETAIL IS
DRAWN ON SAME SHEET AS
REFERENCE.
- DETAIL NUMBER
SHEET WHERE DETAIL IS DRAWN

BUILDING CODE DATA

1. APPLICABLE CODES
A. 2019 CALIFORNIA BUILDING CODE
B. 2019 CALIFORNIA PLUMBING CODE
C. 2019 CALIFORNIA MECHANICAL CODE
D. 2019 CALIFORNIA FIRE CODE
E. NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) ADOPTED ADDITION
F. NATIONAL ELECTRICAL CODE (NEC) CURRENT EDITION
G. TITLE 19 CCR, PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS
H. NFPA 13, INSTALLATION OF SPRINKLER SYSTEMS (CA AMENDED)
I. NFPA 25, INSPECTION, TESTING, MAINTENANCE OF WATER-BASED FIRE PROTECTION SYSTEMS (CA AMENDED)
J. NFPA 72, NATIONAL FIRE ALARM CODE (CA AMENDED);
SEE UL STD 1971 FOR "VISUAL DEVICES"
K. 2019 CALIFORNIA ENERGY CODE

PROJECT SCOPE

NEW MODULAR OFFICE 36' x 64' AND ACCESSIBLE STAIR AND RAMP WITH 5 NEW PARKING STALLS
EXTEND ELECTRICAL SERVICE, WATER SERVICE AND EMPTY DATA CONDUIT

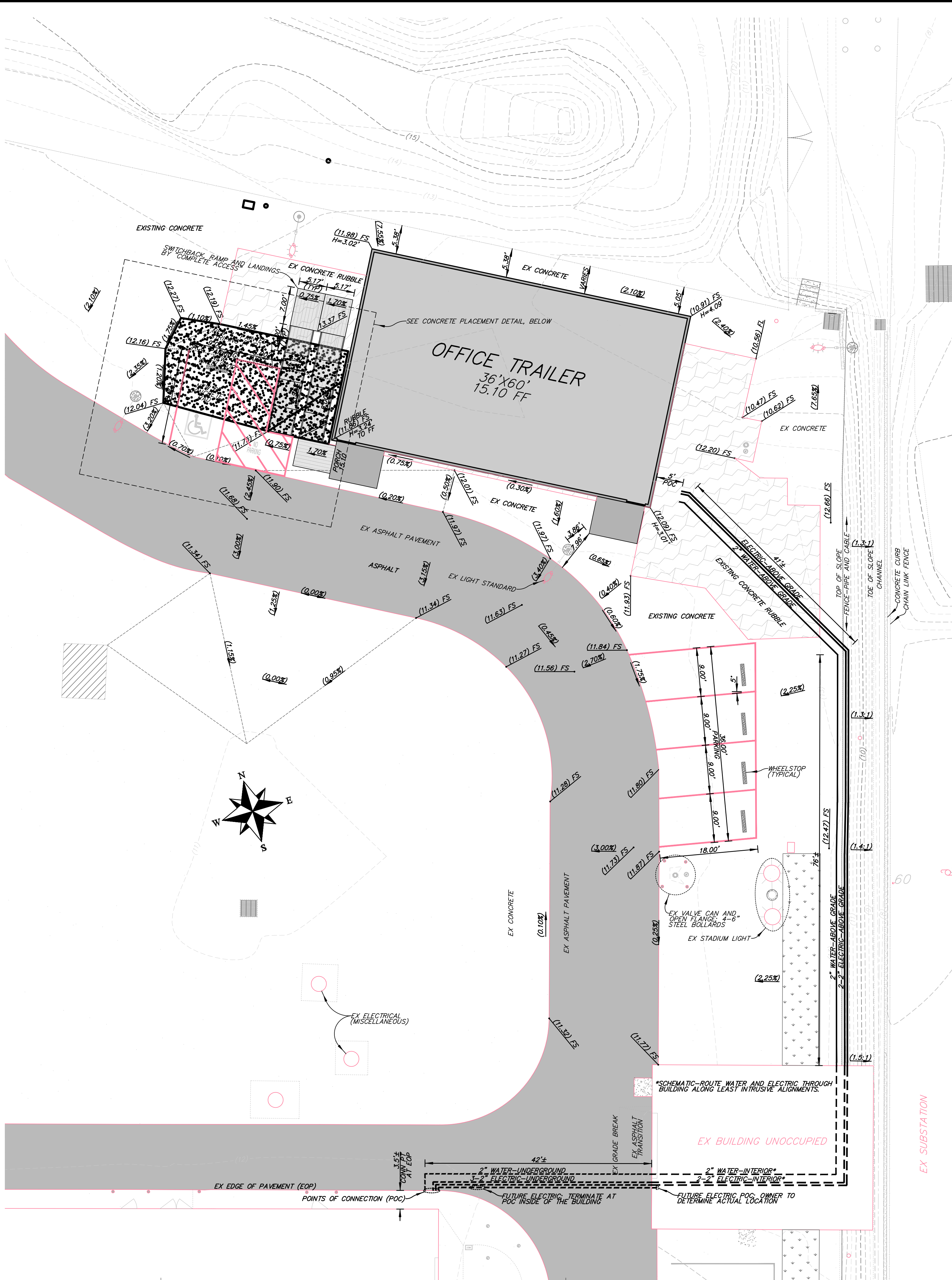
PROJECT DESCRIPTION

NEW MODULAR OFFICE BY WILLIAMS SCOTTMAN
V-B CONSTRUCTION
"B" OCCUPANCY
2,304 SQUARE FEET
230/600= 5 PARKING SPACES INCLUDING ONE VAN ACCESSIBLE STALL
ZONE: INDUSTRIAL

DRAWING INDEX

- GENERAL
T0.1 DRAWING INDEX, SYMBOLS, GENERAL NOTES AND VICINITY MAP
- CIVIL
C1.0 SITE SURVEY
C1.1 CIVIL SITE PLAN
- ARCHITECTURAL
A1.0 FLOOR PLAN
- ELECTRICAL
E1.1 ELECTRICAL SITE PLAN DETAIL
E5.1 ELECTRICAL SINGLE LINE DIAGRAM, PANEL SCHEDULE
- STRUCTURAL
S0.1 CONSTRUCTION NOTES
S1.1 FOUNDATION PLAN
SS.1 STRUCTURAL DETAILS

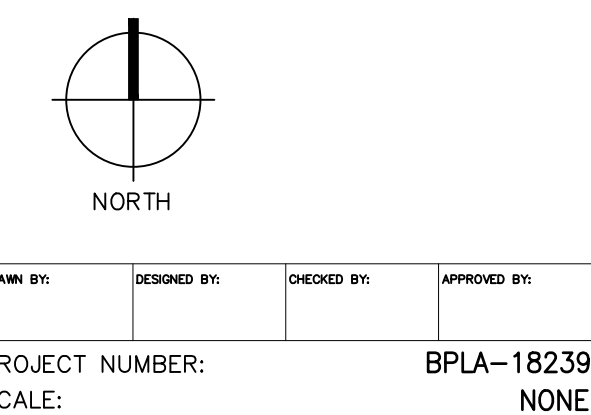
PARTIAL SITE PLAN



LEGEND		(WHERE APPLICABLE)	
XXXX	SPOT ELEVATION	AP	ANGLE POINT
	EXISTING SPOT ELEVATION	BEG	BEGINNING OF CURVE
		BEGN	BEGIN
	EX. EDGE OF PAVEMENT	BW	BACK OF WALK
		BN	BOTTOM OF BAY
	EX. CURB & GUTTER	CB	CABINET
	EX. PARKWAY DRAIN	CC	CONCRETE CORNER
	EX. BLOCK WALL	CD	CENTER LINE
	EX. STORM DRAIN LINE	COMM	COMMUNICATION
		CONC	CONCRETE
		CONF	CONFEROUS TREE
		COR	CORNER
	EX. AC PAVEMENT	DI	DROP INLET DRAIN
	EX. CONC. PAVEMENT	DR	DRIVE WAY
		ENC	END OF CURVE
		EG	EDGE OF GUTTER
		ELEC	ELECTRICAL
		ENCLOS	ENCLOSURE
□=	EX. STREET LIGHT	EP	EDGE OF PAVEMENT
	EX. FIRE HYDRANT	EPB	ELECTRICAL PULL BOX
		EVL	EVALUATION
		EXT	EXISTING
		FCE	CHAINLINK FENCE
		FI	FIRE HYDRANT
		FL	FLOW LINE
		FW	FACE OF WALL
		FS	FINISH SURFACE
		GB	GRADE BREAK
		GS	GROUND SHOT
		HCSN	HANDICAP SIGN
		HCSR	HANDICAP STRIPING
		HP	HIGH POINT
		IPB	IRRIGATION CONTROL PULL BOX
		ICV	IRRIGATION CONTROL VALVE
		LCNG	CONCRETE LANDING
		LTSD	LIGHT STANDARD
		MC	MOW CURB/CONC RIBBON
		PE	PEDESTAL
		POC	POINT ON CURVE
		POL	POINT ON LINE
		PO POST	POST W/POWER OUTLET
		PTT	PACIFIC TELEPHONE AND TELEGRAPH
		RDG	RIDGE
		RSD	RAISED
		RSR	RISER
		SCO	SANITARY SEWER CLEANOUT
		SD	STORM DRAIN
		SDMH	STORM DRAIN MANHOLE
		SON	SON POST
		SMH	SANITARY SEWER MANHOLE
		STL	STREET LIGHT
		STPSN	STOP SIGN
		STRP	STRIPING
		TC	TOP OF CURB
		TCC	TOP OF CURB CORNER
		TOE	TOE OF SLOPE
		TOP	TOP OF SLOPE
		TW	TOP OF WALL
		TK	TOP OF X
		VLT	VAULT
		WHLSTP	WHEEL STOP
		WM	WATER METER
		WV	WATER VAULT
		XWLK	CROSS-WALK STRIPE

NEW MODULAR OFFICE

895 East 3rd Street
Pittsburg, CA 94565



SITE SURVEY

C1.0



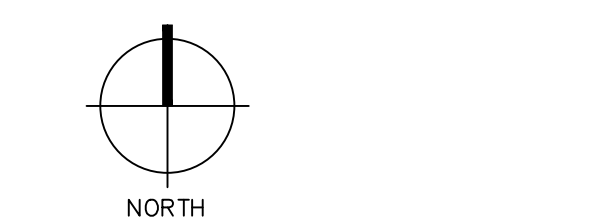
1. TWO BUILDINGS EXIST ON THE PROPERTY. THESE BUILDINGS WILL NOT BE OCCUPIED UNDER THIS PROJECT AND WILL NOT BE MODIFIED IN ANY WAY.
2. NO ADDITIONAL IMPERVIOUS SURFACE WILL BE ADDED UNDER THIS PROJECT. THE EXISTING SITE DRAINAGE WILL REMAIN AS IS EXCEPT THAT SEDIMENT BARRIERS WILL BE INSTALLED AT EXISTING DROD INLETS AND ON THE EAST SIDE OF THE PROPERTY.
3. PROPERTY DOES NOT HAVE A PUBLIC WAY. PEDESTRIAN ACCESS FROM THE NEAREST PUBLIC WAY DOES NOT EXIST AND WILL NOT BE INSTALLED FOR THIS PROJECT.
4. LANDSCAPING: THE EXISTING LANDSCAPING ON THE PROPERTY SHALL BE RESTORED. ADDITIONAL LANDSCAPING WILL BE INSTALLED AT THE EAST GATE OF THE PROPERTY AND SHALL CONSIST OF NATIVE, DROUGHT TOLERANT PLANTS AND GRAVEL SURFACE. LANDSCAPING SHALL BE PROVIDED WITH THE PLANT CHECK SUBMITTAL FOLLOWING FINAL PLANNING APPROVAL.
5. USE GAS EMISSIONS FROM GAS-FIRED STEAM BOILER AS INTERNAL CO2 SOURCE UNTIL FLUE GAS SUPPLYSTREAM FROM LMCC IS IN PLACE (SEPARATE SCOPE FROM CURRENT PROJECTS).

- 1 INPUT MATERIAL STORAGE
- 2 PRODUCT STORAGE
- 3 TEMPORARY TRAILER
- 4 ACCESSIBLE PORTABLE RESTROOM
- 5 NEW TREES, SEE GEN. NOTE 4
- 6 NEW MONUMENT SIGNAGE
- 7 GAS-FIRED STEAM BOILER, SEE GEN. NOTE 5
- 8 DUMP TRUCK
- 9 PROCESS EQUIPMENT
- 10 EXISTING SWALE
- 11 DEMO EXISTING MONUMENT SIGN
- 12 NEW 5 FT. WIDE ACCESS ROUTE WITH 3 FT. WIDE STRIPING
- 13 12'X19' VAN ACCESSIBLE PARKING WITH 3'X3' I.S.A. PAVEMENT SYMBOL
- 14 RESTRIPE EXISTING PARKING STALLS TO ACCOMMODATE ONE ACCESSIBLE VAN PARKING, SEE PARKING NOTES BELOW
- 15 REMOVE EXISTING WHEEL STOP
- 16 NEW 2 - DUMP TRUCK PARKING STALLS 12'X19' WITH WHEEL STOP
- 17 RESTORE EXISTING LANDSCAPING
- 18 PROVIDE SEDIMENT/SILT BARRIER TO EXISTING DROP INLET, SEE DETAIL 3/A3.0
- 19 EXISTING CONCRETE EROSION CONTROL (NOT ON PROPERTY)
- 20 OBSERVER, SEE DETAIL 1/A3.0 FOR SIGHT LINE VIEW
- 21 EXISTING GATE TO REMAIN
- 22 EXISTING CHAIN LINK FENCE TO REMAIN
- 23 NEW CHEMICAL STORAGE-LIQUIDS
- 24 NEW COVERED CHEMICAL STORAGE FOR SOLIDS
- 25 NEW ACCESSIBLE VAN PARKING POST
- 26 PROVIDE BARRIER AT TWO OPEN SIDES PER DETAIL 3/A3.0
- 27 NEW WHEEL STOP

	EXISTING LIGHT POST
	EXISTING FIRE HYDRANT
	EXISTING TREE
	NEW TREE
	TRUCK/VEHICLE PATH DIRECTION
	ACCESS ROUTE
	TRUCK ROUTE
	TYP. DUMP TRUCK
	SAND BAGS
	REFERENCE TO PHOTOS ON COVER SHEET 'X' INDICATES # OF PHOTO

EXISTING/RESTRIPTED - 4 STANDARD PARKING STALLS (9'X19')
NEW - 1 VAN ACCESSIBLE PARKING STALL (12'X19')
ACCESS AISLE (5 FT WIDE)
NEW - 2 TRUCK PARKING STALLS (12'X35')

895 East 3rd Street
Pittsburg, CA 94565



DRAWN BY: CM	DESIGNED BY:	CHECKED BY: WV	APPROVED BY: TS
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PROJECT NUMBER: BPLA-182
SCALE: AS SHOWN

PROPOSED SITE PLAN

A2.0



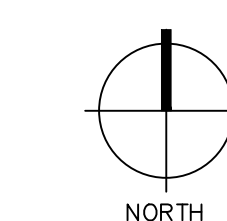
ISSUES/REVISIONS

A 4/19/2022 CLIENT REVIEW SUBMITTAL
NO. DATE DESCRIPTION

NEW MODULAR
OFFICE

BLUE PLANET LTD.

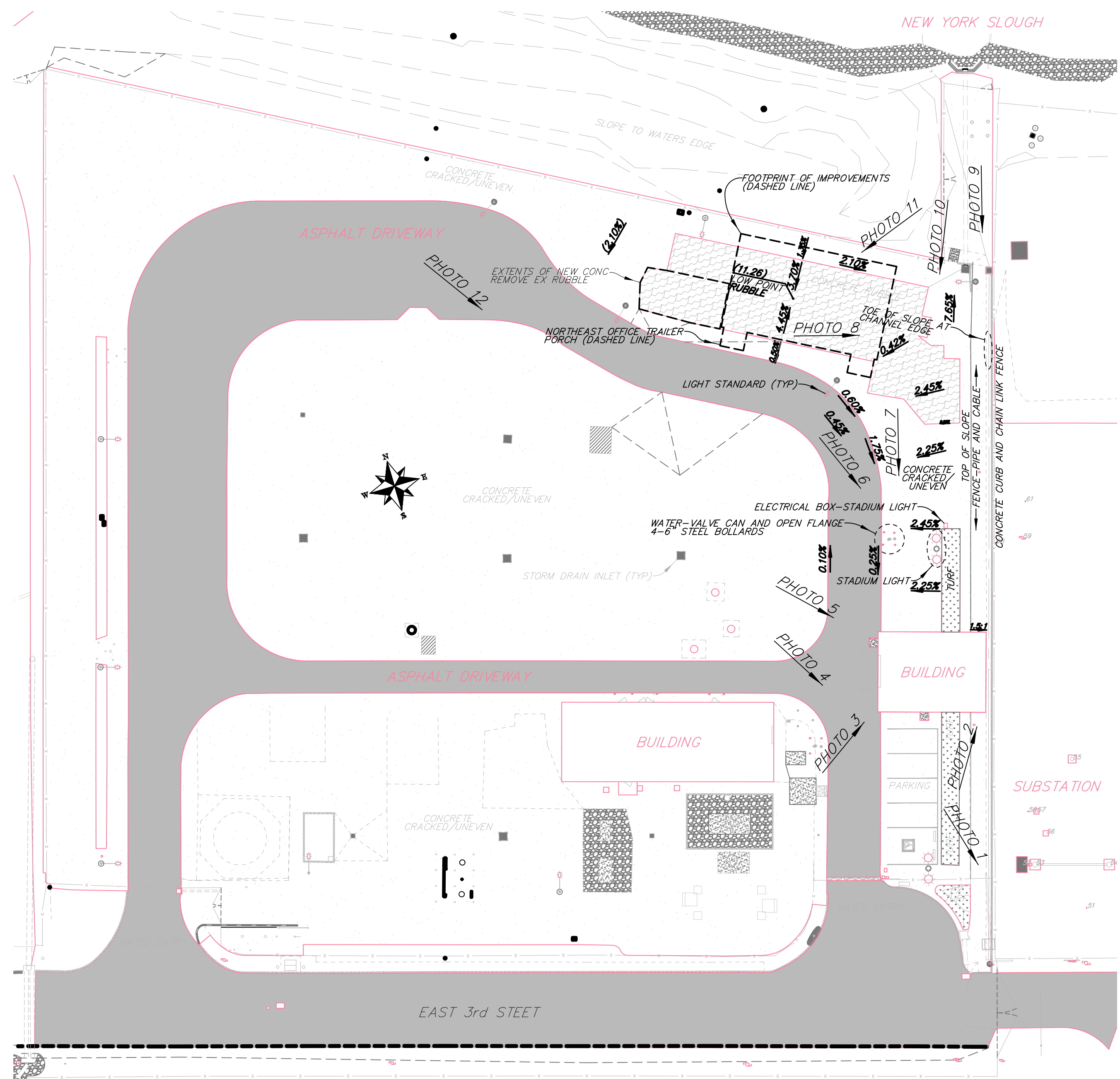
895 East 3rd Street
Pittsburg, CA 94565



PROJECT NUMBER: BPLA-18239
SCALE: NONE

CIVIL SITE SURVEY

C1.1



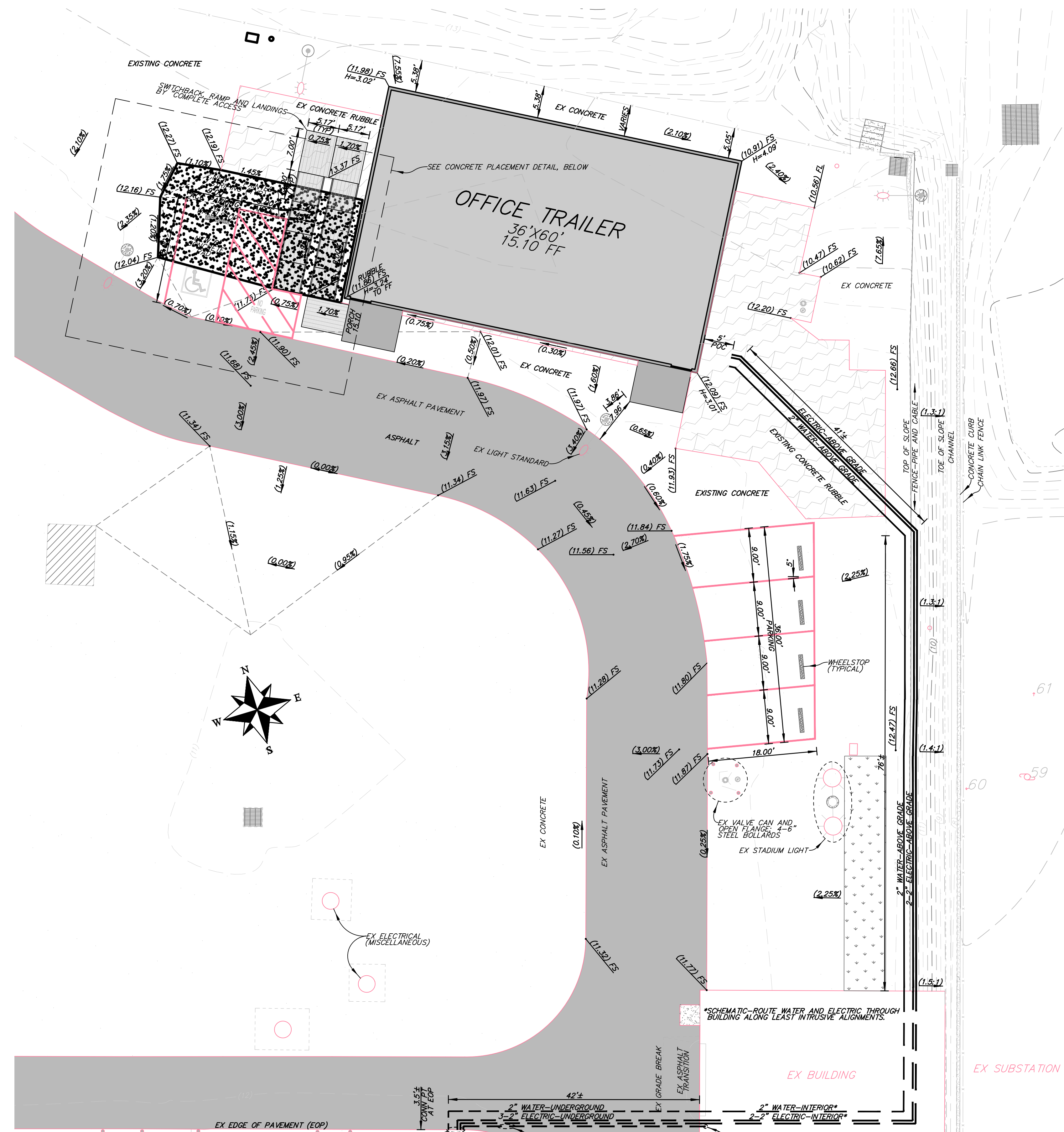
EXISTING SITE PLAN

1"=30'

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft

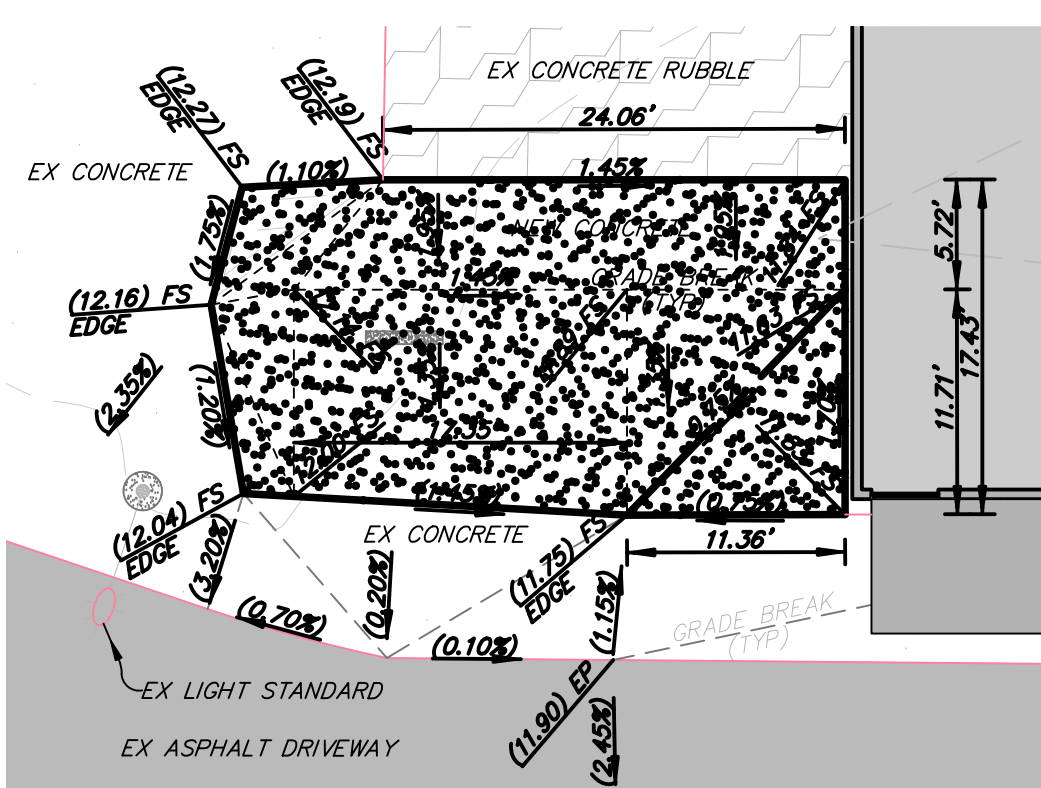


PROPOSED OFFICE LOCATION
NORTHEAST NTS

GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft



CONCRETE PLACEMENT DETAIL
1"=10'

LEGEND

- PROPERTY OR R/W
- STREET CENTERLINE
- FLOWLINE-HARDSCAPE
- FLOWLINE-GROUND SURFACE
- DRAINAGE DIRECTION/SLOPE
- GRADE BREAK-HARDSCAPE
- GRADE BREAK-GROUND SURFACE
- PAVEMENT EDGE
- CONCRETE/EX CONCRETE
- ASPHALT/EX ASPHALT
- EXPANSION JOINT
- CONTROL JOINT
- CONCRETE CURB
- CONCRETE WALL
- FENCE
- EX LIGHT STANDARD
- EX STREET LIGHT
- REMOVAL EXTENTS

(NEW/EX)



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5



PHOTO 6



PHOTO 7



PHOTO 8



PHOTO 9



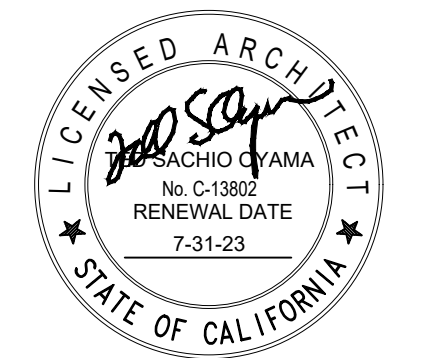
PHOTO 10



PHOTO 11



PHOTO 12



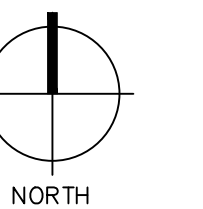
ISSUES/REVISIONS

NO.	DATE	DESCRIPTION
A	4/19/2022	CLIENT REVIEW SUBMITTAL

NEW MODULAR OFFICE

BLUE PLANET LTD.

895 East 3rd Street
Pittsburg, CA 94565



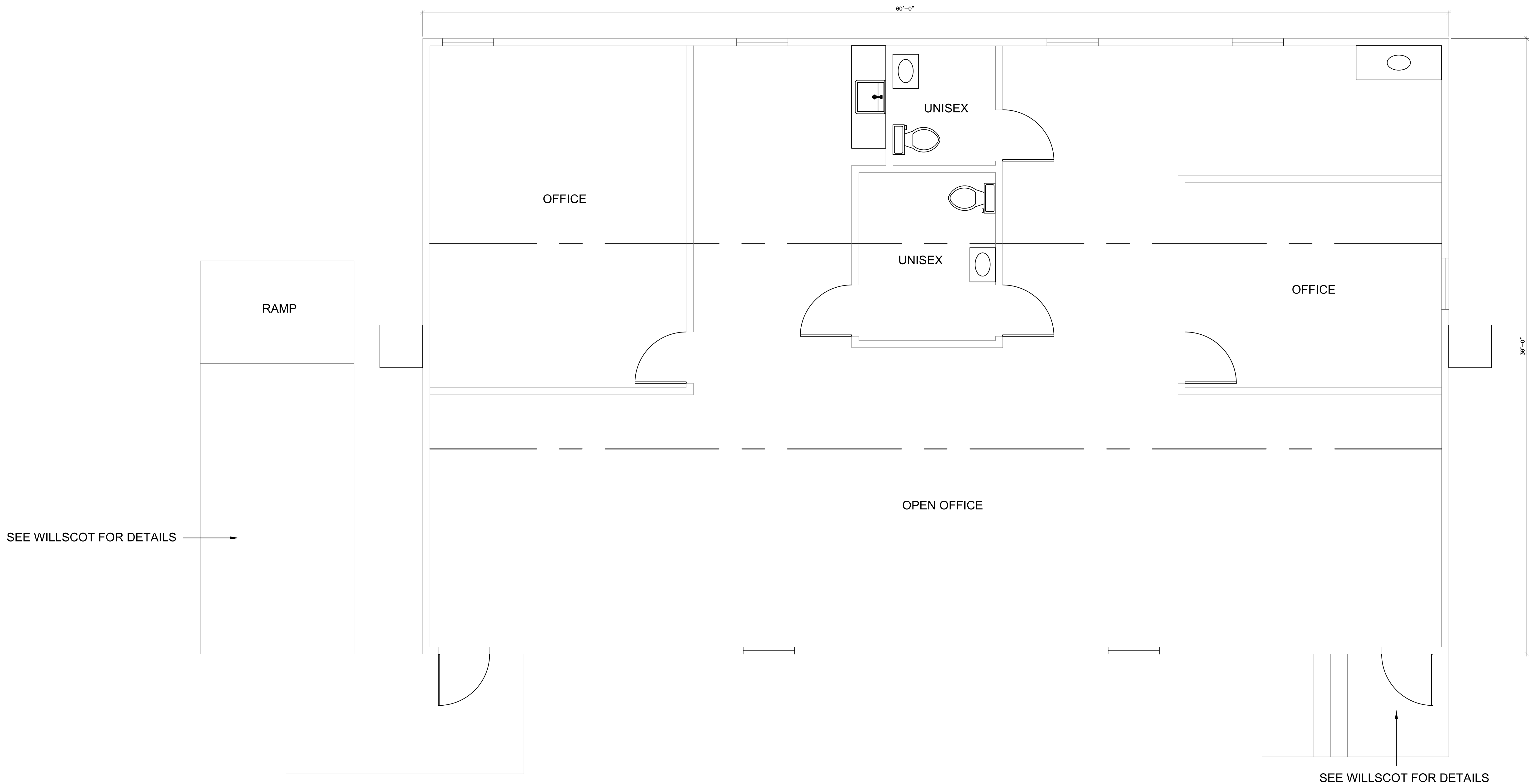
DESIGNED BY: T.O	CHECKED BY: G.V	APPROVED BY: E.G
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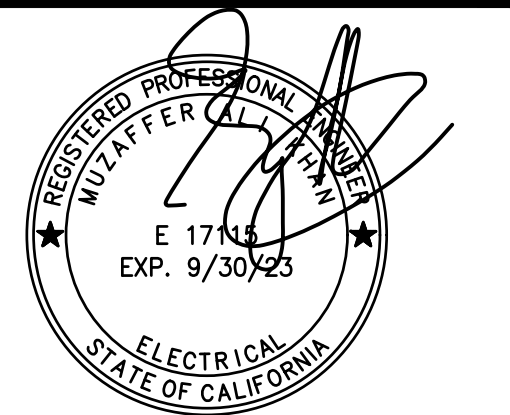
PROJECT NUMBER: BPLA-18239

SCALE: NONE

FLOOR PLAN

A.1.1





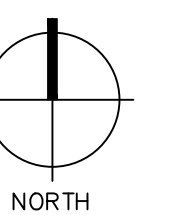
ISSUES/REVISIONS

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NEW MODULAR
OFFICE

BLUE PLANET LTD.

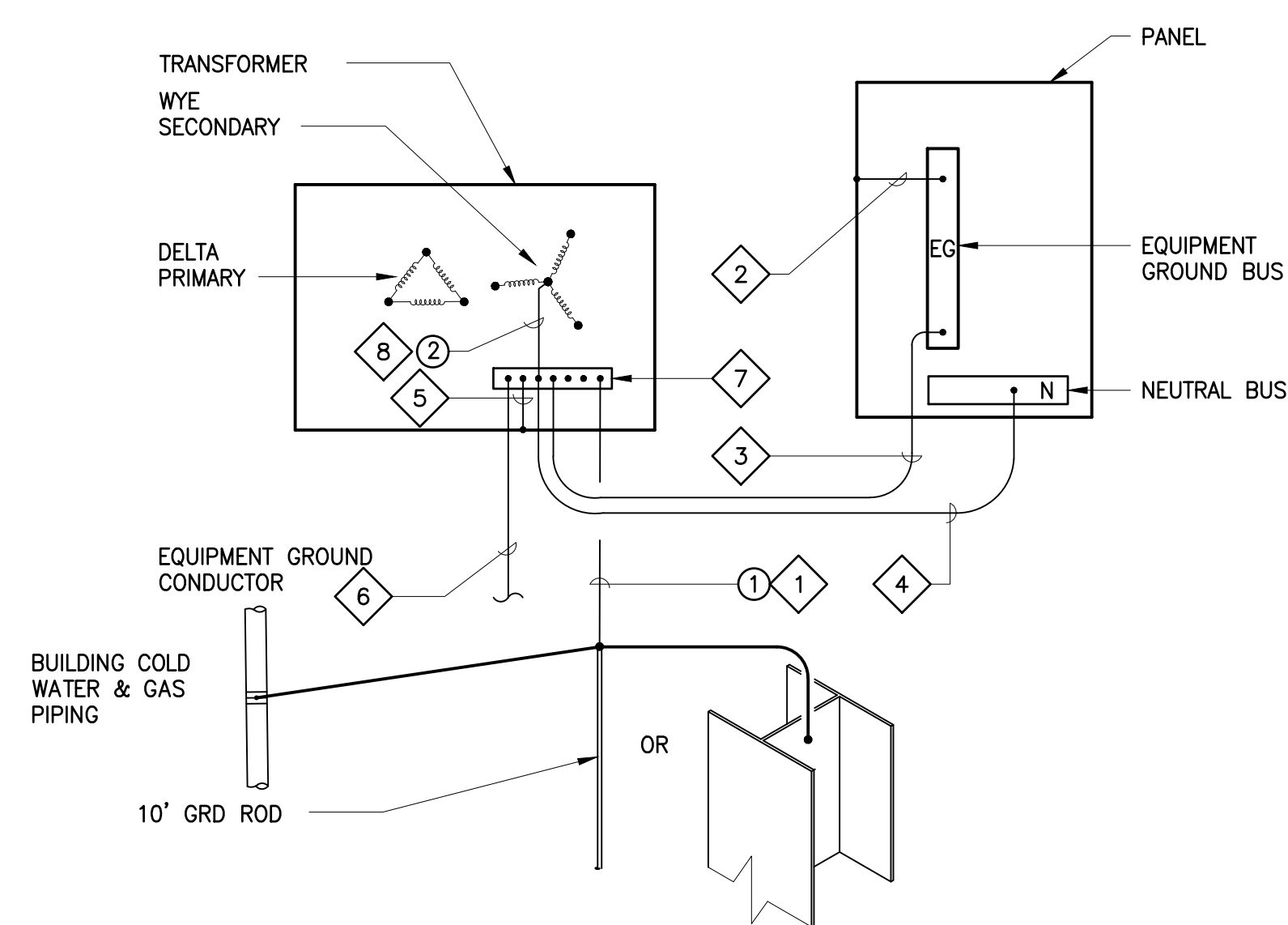
895 East 3rd Street
Pittsburg, CA 94565



DESIGNED BY:	AK	CHECKED BY:	G.V	APPROVED BY:	E.G
PROJECT NUMBER:			BPLA-18239		
SCALE:			AS NOTED		

ELECTRICAL
SITE PLAN,
DETAILS

E1.1



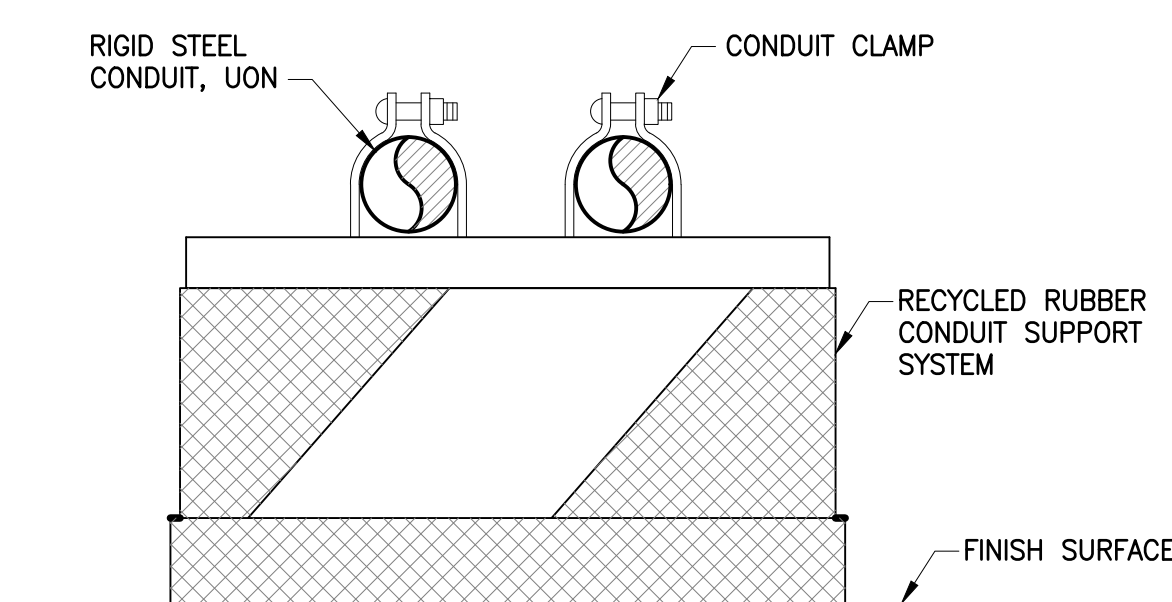
WIRE SCHEDULE:		
TRANSFORMER KVA	①	②
15	#8	#8
30	#8	#8
45	#6	#6
75	#2	#2
112.5	#1/0	#1/0
150	#1/0	#1/0
225	#2/0	#2/0
300 & ABOVE	#3/0	#3/0

KEY NOTES:

- 1 PROVIDE GROUNDING ELECTRODE CONDUCTOR BETWEEN THE TRANSFORMER GROUND BUS AND AN APPROVED GROUNDING ELECTRODE AS SHOWN. REFER TO WIRE SCHEDULE.
- 2 PROVIDE JUMPER BETWEEN THE EQUIPMENT GROUND AND THE PANEL ENCLOSURE. REFER TO WIRE SCHEDULE.
- 3 PROVIDE CONDUCTOR BETWEEN THE EQUIPMENT GROUND BUS AND THE TRANSFORMER GROUND BUS. REFER TO SINGLE LINE DIAGRAM.
- 4 PROVIDE CONDUCTOR BETWEEN THE NEUTRAL BUS AND THE TRANSFORMER GROUND BUS.
- 5 PROVIDE JUMPER BETWEEN THE TRANSFORMER GROUND AND THE TRANSFORMER ENCLOSURE.
- 6 REFER TO SINGLE LINE DIAGRAM FOR CONDUCTOR SIZE.
- 7 PROVIDE GROUND BUS IN TRANSFORMER MOUNTED TO THE ENCLOSURE.
- 8 PROVIDE GROUNDING JUMPER BETWEEN THE TRANSFORMER "XO" TERMINAL AND THE TRANSFORMER GROUND BUS.

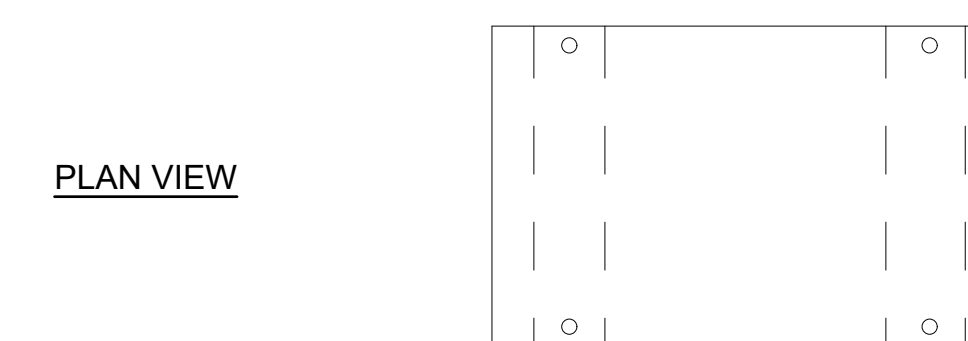
TRANSFORMER GROUNDING SCHEMATIC DIAGRAM

SCALE: NTS

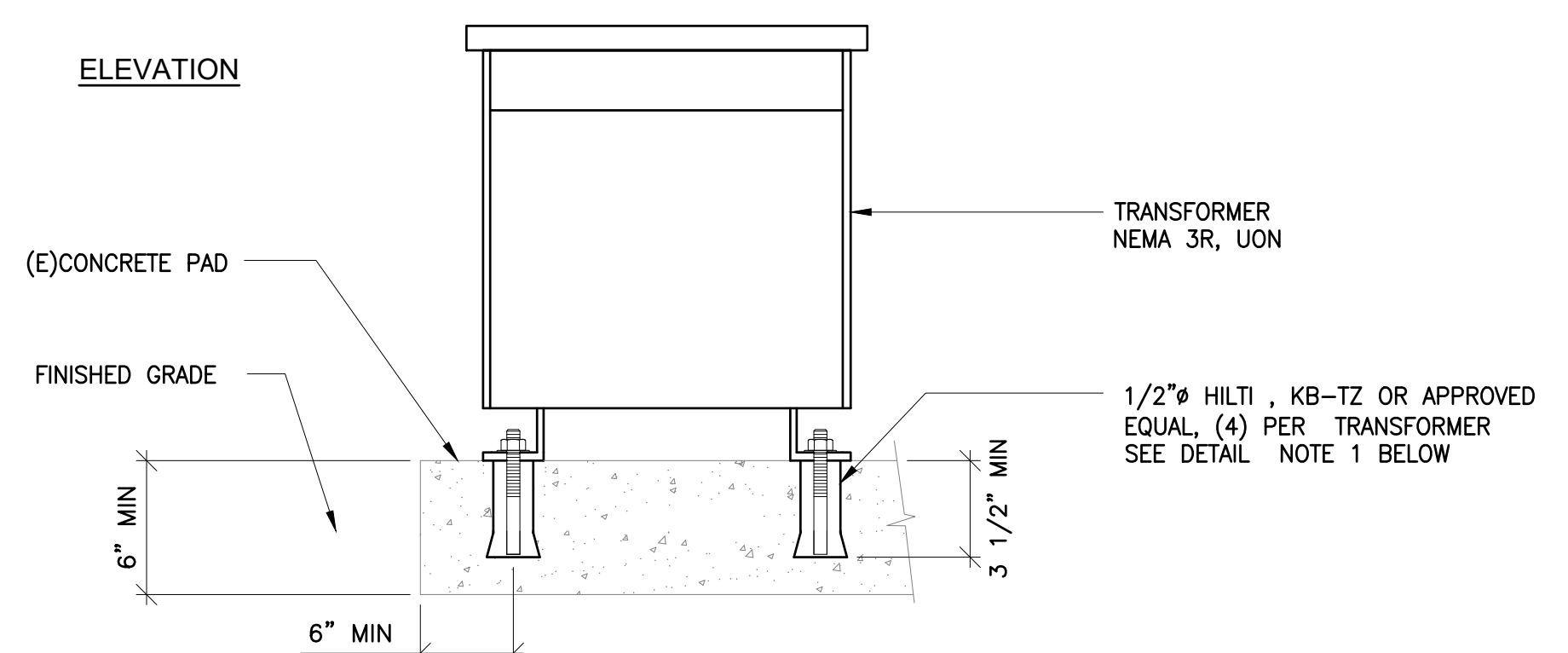


CONDUIT ON RECYCLED RUBBER SUPPORT

SCALE: NTS



PLAN VIEW



DETAIL NOTES

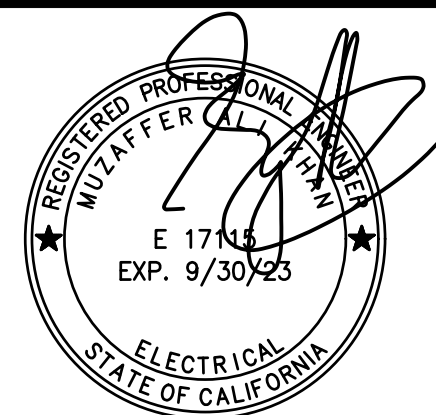
1. 50% OF THE ANCHORAGES SHOWN BELOW SHALL BE FIELD TESTED TO 3000 LBS. TENSION LOAD OR 80 FT-LB TORQUE TO VERIFY ADEQUACY.
2. TRANSFORMERS UP TO 1450LBS.

EXTERIOR XFMR ANCHORAGE PAD

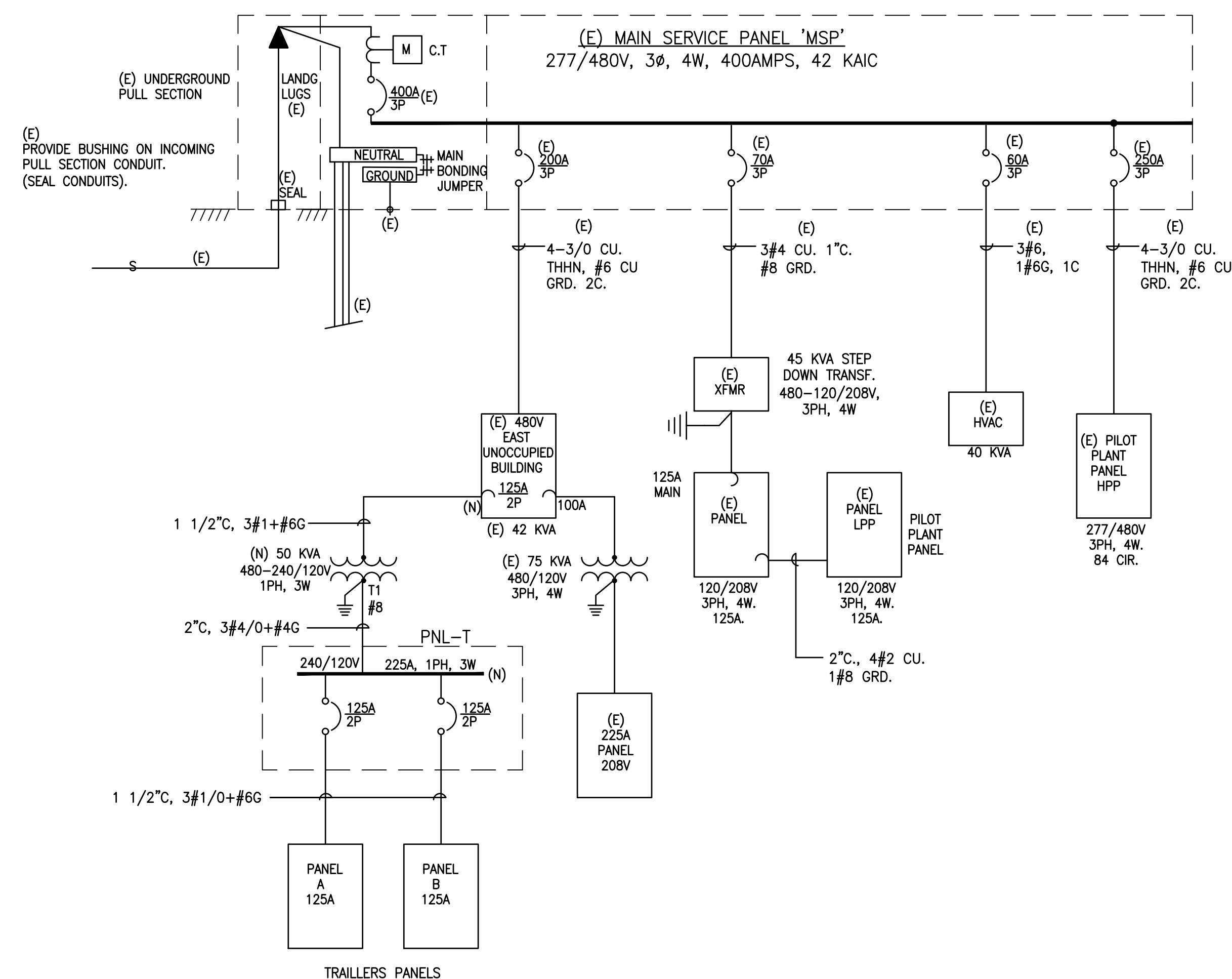
SCALE: NTS



Southern California Office
18565 SOLEDAD CANYON RD. SUITE #210
SANTA CLARITA, CA 91351
TELEPHONE: 949-224-1590
FACSIMILE: 949-269-7954



ISSUES/REVISIONS



IDENTIFICATION		PANEL 480V																			
LOCATION:		EAST UNOCCUPIED BLDG MOUNTING						SURFACE			MAIN		MLO		BUS 400A		VOLTS 480		PHASE 3		
PROTECTIVE DEVICES:		10K RMS SYMMETRICAL A/C MINIMUM																		WIRE 4	
DESCRIPTION		VOLT-AMP			BREAKER		CIR/ POLE #	A B C			CIR/ POLE #	BREAKER		VOLT-AMP			DESCRIPTION				
		A	B	C	AMP	POLE						AMP	POLE	A	B	C					
SPARE					20	3	1	2			100	3	20,000				78KVA XFMR				
							3	4					20,000								
							5	6							20,000						
							7	8													
SPARE					15	3	9	10			60	3					WELDER				
							11	12													
							13	14					14,000								
							15	16						14,000							
WELDER					60	3	17	18			60	3				14,000	WELDER				
							19	20													
							21	22													
							23	24													
PANEL T		25,000			125	2	25	26													
			25,000				27	28													
							29	30													
							31	32													
							33	34													
							35	36													
							37	38													
							39	40													
							41	42													
VOLT-AMPERES																					
TOTAL:		BUS A: 25,000		BUS B: 25,000		BUS C: 0 (000)												DEMAND FACTOR 0.8 = 104			
		34,000		34,000		34,000 (EVEN)															
SUBTOTALS:		59,000		59,000		34,000		=		TOTAL OF		130.00		KVA		LINE AMPS TO 125.2					
																LINE AMPS LARGEST PHASE 170.4					

125 AMP		120/240 V		3 PHASE			
EXTERIOR SURFACE MOUNT		Panel W/		125 amp MAIN BRKR			
DESCRIPTION	CIR	BRX	W/S	A	B	W/S	DESCRIPTION
TRAC UNIT	1	W	#8	20	20	2	(8) RECEPT
	3	A	#8	20	20	4	(8) RECEPT
(8) LIGHTS, (2) EXT.	5	20	20	#12	#12	2	
	7					8	SPACE
SPACE	9					10	SPACE
SPACE	11					12	SPACE

ELECTRICAL CALCULATIONS:

30000 VA @ 240V = 125 AMP
 700 / 60V @ 3.5 x 1.25 = 3.58KVA
 1 x 1500K INT. = 1.500KVA
 1 (2) x 300KTR. = .300KVA

3.88KVA --- 3.88KW --- 75 KW HOURS

B 02-08-19 ISSUED FOR PERMIT

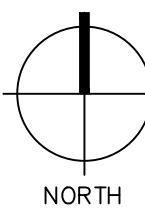
A 01-30-19 CLIENT REVIEW SUBMITTA

NO.	DATE	DESCRIPTION
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NEW MODULAR OFFICE

BLUE PLANET LTD.

895 East 3rd Street
Pittsburg, CA 94565



DRAWN BY:	DESIGNED BY:	CHECKED BY:	APPROVED BY:
IO	AK	G.V	E.G

PROJECT NUMBER: BPLA-18239

SCALE: AS NOTED

ELECTRICAL SINGLE LINE DIAGRAM PANEL SCHEDULES

E5.1



Southern California Office
18665 SOLEDAD CANYON RD., SUITE #210
SANTA CLARITA, CA 91351
TELEPHONE: 949-224-1590
FACSIMILE: 949-269-7954



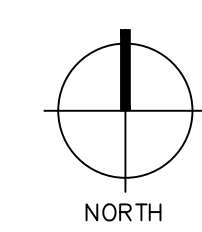
ISSUES/REVISIONS

A	4/19/2022	CLIENT REVIEW SUBMITTAL
NO.	DATE	DESCRIPTION

NEW MODULAR OFFICE

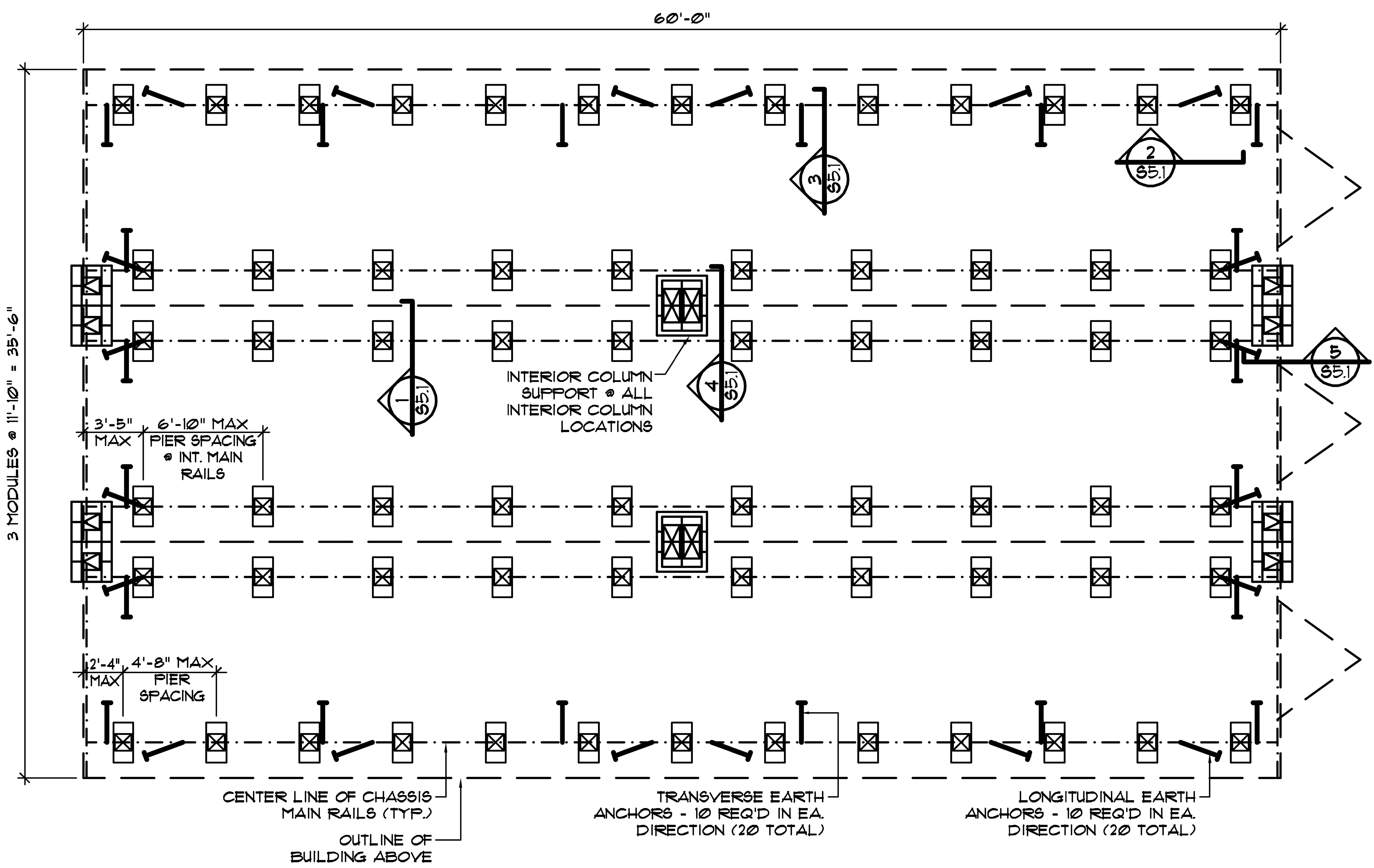
BLUE PLANET LTD.

895 East 3rd Street
Pittsburg, CA 94565



DRAWN BY G.G.	DESIGNED BY T.O.	CHECKED BY G.V.	APPROVED BY E.G.
PROJECT NUMBER: SCALE:		BPLA-18239 NONE	

FOUNDATION PLAN



MOBILE OFFICE PAD/PIER ANCHOR PLAN 1
SCALE: 1/2"=1'-0"



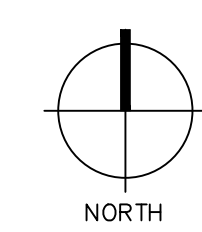
ISSUES/REVISIONS

A	4/19/2022	CLIENT REVIEW SUBMITTAL
NO.	DATE	DESCRIPTION

NEW MODULAR OFFICE

BLUE PLANET LTD.

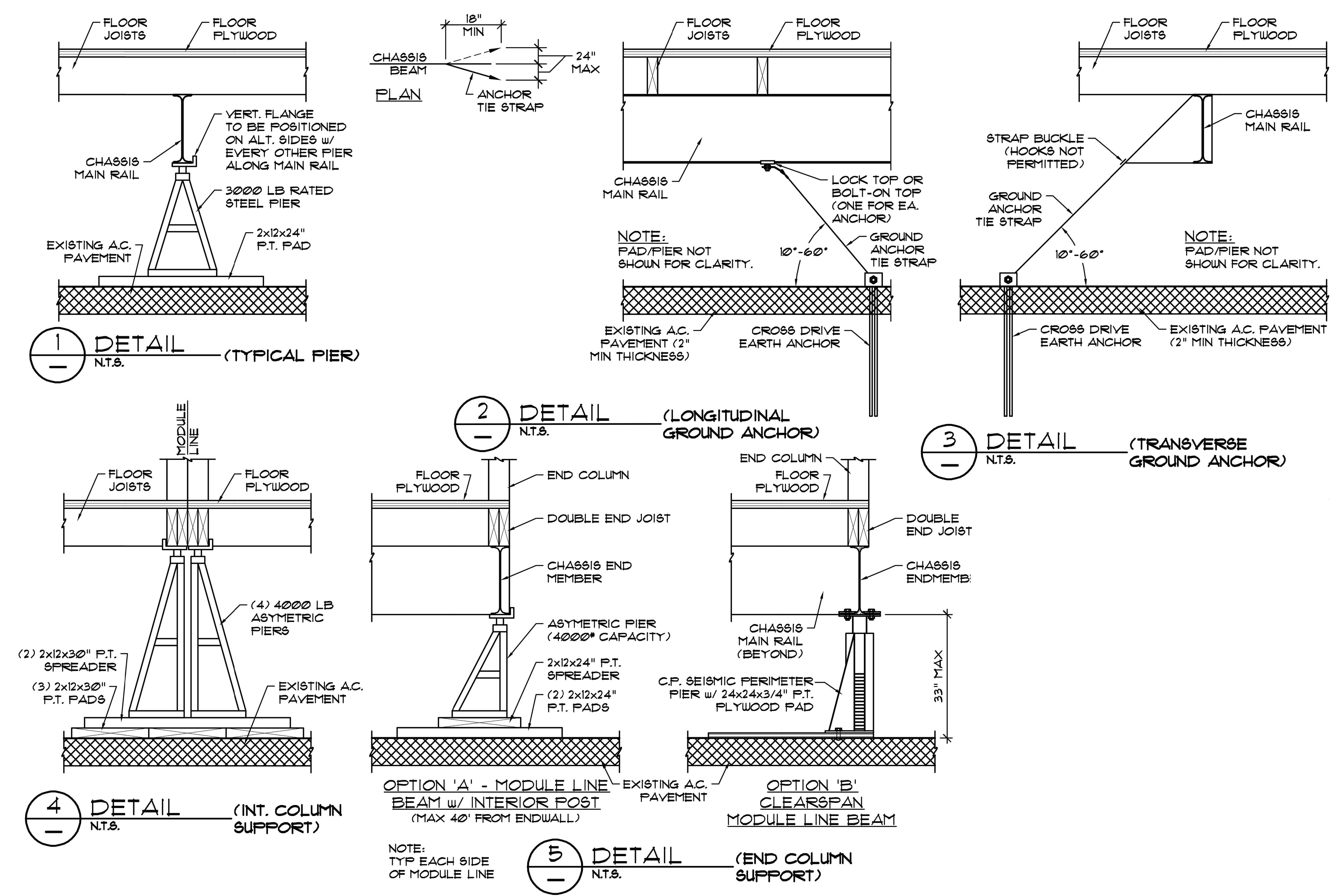
895 East 3rd Street
Pittsburg, CA 94565



DRAWN BY G.G.	DESIGNED BY T.O.	CHECKED BY G.V.	APPROVED BY E.G.
PROJECT NUMBER: SCALE:		BPLA-18239 NONE	

CONSTRUCTION DETAILS

S5.1



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